



Office of the Citizens' Representative
Newfoundland and Labrador

Citizens' Representative Annual Digest

April 1, 2008—March 31, 2009

"...seeking fairness, finding solutions..."

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Citizens' Representative - Barry Fleming, Q.C.

MESSAGE FROM THE CITIZENS' REPRESENTATIVE

This is the second Annual Digest of the Office of the Citizens' Representative. It provides the opportunity to outline the work of, and the success and challenges, experienced by the Office during 2008-2009.

In our last Annual Digest, I indicated that our Office would be meeting with individuals and groups which represent those who have unique requirements of the public service. I had identified seniors, the mentally challenged, and prisoners as subsets of our population whom I wanted to speak with and determine if there are ways in which my Office can assist them. During the year, I have had a number of meetings with the staff and the board members of the Seniors Resource Centre. As well, my staff and I have met with seniors' peer advocates throughout the Province. These are volunteers who assist vulnerable seniors in a variety of ways. We were able to explain the role of our

Office and the ways we can assist them when they are dealing with a citizen experiencing difficulties accessing public services. We learned that many seniors are reluctant to complain because of a fear that existing public services may be terminated if they complain or because of a historical or cultural sense that complaining is not socially acceptable. We are now mindful of that reluctance and, through our outreach, are in a better position to mitigate its negative effects.

During the year, we held a joint staff meeting with the staff of the Canadian Mental Health Association. This afforded both groups the opportunity to appreciate the work of each agency. It provided an opportunity to forge a relationship which can be called upon as we attempt to achieve our respective mandates. Historically, we have experienced some concern that we do not know enough about the mental illnesses of some of the citizens we encounter. To remedy this, we attended a two-day training session presented by the College of the North Atlantic which highlighted the characteristics of a variety of mental illnesses and emphasized the challenges and stigma experienced by those diagnosed with them.

Staff have visited all the correctional facilities within the Province during 2008-2009. We have developed brochures for inmates explaining the role of our Office. The number of complaints emanating from correctional facilities has been increasing. We learned of the problems experienced by inmates and correctional staff when trying to deal with, in some cases, dilapidated prison facilities. The insight we garnered from this contact has prompted me to subsequently initiate a systemic review of the provision of psychiatric services and medications within correctional facilities which is ongoing.

I indicated in last year's Digest that we filed an application in the Supreme Court of Newfoundland and Labrador against the Newfoundland and Labrador Housing Corporation. NLHC had taken the position that my Office did not have the jurisdiction to investigate the complaint of a unionized employee who had settled a grievance under the provisions of his governing collective agreement. A decision was rendered subsequent to the reporting period which found that a unionized employee who settled a grievance was not an "aggrieved person" under Section 15 of the *Citizens' Representative Act*. While I respect the decision, I am considering an appeal. This issue will be more fully discussed in our next Digest.

In June 2008, I had the honour of hosting the Canadian Council of Parliamentary Ombudsman. This Council consists of the ten parliamentary ombudsmen in Canada. We also invited the ombudsman from the Cayman

Islands to attend. The two-day meeting provided us with an opportunity to share best practices and to discuss similar challenges faced by ombudsmen and their staff. Not unexpectedly, my colleagues were enthused and delighted with our Province's scenery, cuisine and culture.

This was the first full year in which I had the responsibility of being the lead investigator under Part VI of the *House of Assembly Accountability, Integrity and Administration Act*. I have met with all the staff of the House of Assembly subject to the program. Two complaints were received that are currently the subject of litigation. While my clear preference would have been to have the first investigations conducted under the program completed without litigation and intense public and media scrutiny, I have always been fully cognizant of the intense and important interests which are at stake when dealing with public interest disclosures. The assessment and determination of those interests sometimes need Court intervention. This should not undermine the vital importance of public interest disclosures in providing a valuable protection for our democratic institutions. I continue to encourage all employees, members and statutory officers of the House of Assembly to contact me to discuss the program or the possibility of filing a complaint.

Finally, I would like to acknowledge the creative and innovative work of my staff. They provide a safe, supportive and collegial atmosphere from which we all attempt to assist citizens in seeking fairness and finding solutions when dealing with the public service.

Barry Fleming, Q.C.,
Citizens' Representative

OUR ROLE

The Office of the Citizens' Representative is an independent investigation and mediation Office established under the *Citizens' Representative Act*.

As a statutory office of the House of Assembly, the Office initiates investigations about provincial government bodies based on complaints received from citizens, referrals from Members of the House of Assembly or from the Lieutenant Governor-in-Council. The Citizens' Representative is also empowered to initiate "own motion" investigations, also known as systemic investigations, which do not require an individual complaint to be registered.

The Office assumes a mediation function in cases which do not require formal statutory investigation and, in many cases, is able to obtain redress for citizens who have previously been unable to solve their problems within provincial government bodies.

With the passage of the *House of Assembly Accountability, Integrity and Administration Act* in 2007, the Office is now the named investigator for public interest disclosure or "whistleblowing" allegations within the House of Assembly itself.

By convention, the Office also serves as a central clearing house for government information and on an annual basis it provides hundreds of individuals in the public with the correct contact and referral information for matters that fall outside of its jurisdiction.

There are a number of entities that are outside the statutory purview of the Office. These include:

- the House of Assembly or a committee thereof;
- the provincial Cabinet;
- Executive Council and its various divisions;
- The Court, the members of the judiciary, masters of the Court, and justices of the peace;
- awards, decisions, recommendations or omissions of arbitrators made pursuant to the *Arbitration Act*;
- matters in respect of which there are existing rights of appeal or objection under another Act until such time as these rights are exhausted or the time to appeal has expired;
- refusals to provide access to information; and,
- matters falling within the jurisdiction of the Office of the Child and Youth Advocate.

The *Citizens' Representative Act* also does not cover the acts, errors, omissions or decisions of the federal and municipal levels of government, nor does it authorize the investigation of private companies, agencies or private citizens.

Staff of the Citizens' Representative Office



EDUCATION AND TRAINING

This Office strives to employ an experienced, well-trained staff in touch with their Canadian and international counterparts. The following is a listing of training and education opportunities availed of by our Office in the past fiscal year.

- Forum of Canadian Ombudsman “The Specialist Ombudsman: Working Behind Prison Walls” course: Winnipeg, MB (1 staff)
- Public Interest Disclosure working group: Halifax, NS (Citizens’ Representative)
- Forum of Canadian Ombudsman “Dealing With Difficult Complainant Behaviour.” Montreal, PQ (1 staff)
- Sharpening Your Teeth – Advanced Investigative Training for Administrative Watchdogs presented by Ombudsman Ontario: Toronto, ON (Citizens’ Representative and 1 staff)
- “Changing Minds” mental health awareness training presented at OCR by College of the North Atlantic: St. John’s (all staff)
- Access to Information and Protection of Privacy seminars hosted by the NL Office of the Information and Privacy Commissioner: St. John’s (1 staff)
- First Aid Certification: St. John’s (2 staff)
- Public Service Commission Respectful Workplace Training: St. John’s (all staff)
- House of Assembly Management and Leadership Certificate Program offered by Memorial University: St. John’s (1 staff)



“Changing Minds” Facilitator
Fiona Trend and Barry Fleming

I was pleased to host my colleagues from the Canadian Council of Parliamentary Ombudsman in St. John’s during June of 2008. This group of ten provincial and territorial ombudsmen meet once per year to discuss matters of mutual interest, to coordinate efforts on national issues, and to share best practices.



The Canadian Council of Parliamentary Ombudsman

Front row seated left to right: Irene Hamilton, Manitoba; Raymonde Saint-Germain, Quebec; Barry Fleming, Newfoundland & Labrador; Bernard Richard, New Brunswick; John Epp, Cayman Islands (invited guest).

Back row left to right: Kevin Fenwick, Saskatchewan; Dwight Bishop, Nova Scotia; Gord Button, Alberta; Kim Carter, British Columbia; Tracy Mcphee, Yukon. Missing from photo is Andre Marin, Ontario.

PUBLIC EDUCATION AND ACCESS INITIATIVES IN NEWFOUNDLAND AND LABRADOR

This year we were proud to unveil our new website which provides members of the public with ready access to a description of our role and mandate under both the *Citizens' Representative Act* and the *House of Assembly Accountability, Integrity and Administration Act*. The website was created internally and developed by Mr. Andy Fowler of the House of Assembly. The website contains our contact information, public reports, examples of our work and tips for self-advocacy.

In 2008, we were also fortunate to conduct the following meetings or presentations on the role and mandate of the Office with the cooperation of the following government divisions and community groups:

- Community Living And Support Services – Eastern Health
- Rotary Club of Clarenville
- Marystown Lions Club
- Grand Falls-Windsor Lions Club
- Canadian Mental Health Association
- Seniors Resource Centre (St. John's)
- Seniors Resource Centre Peer Advocates (Grand Falls-Windsor)
- Independent Living Resource Centre
- Coalition of Persons With Disabilities

During the past year, I had the opportunity to address a meeting of the Deputy Ministers within the Public Service. These individuals are the first point of contact for my Office with respect to all departmental investigations launched by my Office. The meeting presented me with an opportunity to reflect upon my expectations of these professionals with respect to citizen complaints and to articulate my approach to ombuds' work. The essential element of that work requires that my Office and these senior officials retain focus on providing high quality citizen-oriented public service. I wish to thank the Deputy Ministers for their willingness to meet with me, both individually and en masse, and to acknowledge the pragmatic and professional approach they bring to their important work.



Canadian Mental Health Association Joint Staff Meeting
Jeff Chaulk, Executive Director, Canadian Mental Association with staff from the OCR and CMA

The mandate of my Office includes the Province's four Regional Health Authorities. During the year, I had the opportunity to meet individually with the Chief Executive Officers of the Eastern, Central, and Western Health Authorities. While my Office cannot assess the standard of practice of the many professionals who work in these authorities – that is left to the various professional boards – we can take complaints when citizens feel that their non-medical concerns have not been properly addressed. Our meeting provided us with the opportunity to meet and discuss our respective mandates.

I also had the opportunity to provide a presentation at a meeting of the senior management of Western Health.

The session gave me the opportunity to discuss the work of my Office and to outline the procedures we follow when processing citizens' complaints.

As noted earlier, complaints from inmates at correctional facilities form a part of our work. My staff and I had the opportunity to tour Her Majesty's Penitentiary and the St. John's Lock-Up. Much has been written about the deplorable state of these facilities and the challenges faced by those serving time in them and the demands encountered by staff. The problems are self-evident. The tours were important, however, because they gave us an opportunity to understand first-hand the context for many of the complaints we process.

This Office remains committed to education and intake outside the Avalon Peninsula. Intake, public education and investigations took place in:

Gander	Stephenville	Corner Brook
Grand Falls–Windsor	St. Alban's	Hermitage
Labrador City–Wabush	Lewisporte	Marystown
Clareville	Harbour Breton	Grand Bank
Happy Valley–Goose Bay		

PUBLIC INTEREST DISCLOSURE

Part VI of the *House of Assembly Act* names the Citizens' Representative as the lead investigator for public interest disclosures within the House of Assembly and its Statutory Offices, except for the Office of the Auditor General. Implemented in the wake of the Report of the Review Commission on Constituency Allowances and Related Matters (The Green Report), the program provides a mechanism for those who allege gross mismanagement to have their allegations investigated. Complaints are to be investigated informally, expeditiously, and with procedural fairness. Reprisals against those who file complaints are prohibited.

Our Office has researched this topic thoroughly and has developed an investigation manual to assist with investigations. We have also begun the process of establishing working relationships with offices in other jurisdictions which have a public interest disclosure mandate.

Throughout the reporting period, I met with all staff of the House of Assembly and its Statutory Offices covered by the program to introduce myself and the program. Beyond the obvious benefit of providing an opportunity to disseminate information about the program, this exercise gave me a chance to learn more about the many and varied activities undertaken by the employees of the House of Assembly.

During the reporting period, my Office received two complaints under this program. One complaint was investigated, a report generated and three recommendations proposed. Another complaint was commenced. Both investigations are currently the subject of a judicial review by the Supreme Court of Newfoundland and Labrador.

UPDATE

Department of Justice and the Department of Health and Community Services: Facilities and Supports for Female Offenders from Labrador

On June 13th 2007, this Office released the results of its systemic review of facilities and supports for female offenders from Labrador. The Report culminated in five recommendations to be considered by the provincial government. What follows is a listing of these recommendations and the nature of the follow-up to each.

1. *The Province of Newfoundland and Labrador should make an immediate commitment to provide for a secure adult female custodial building that can accept up to five lower risk offenders in Happy Valley – Goose Bay.*

Result: On March 26 2009, the government publicly committed to construct a 12 cell pre-trial detention centre in Happy Valley - Goose Bay for female and young offenders.

2. *The Province of Newfoundland and Labrador should take immediate steps to improve the Labrador Health Centre's capacity to handle citizens with complex mental health needs in a secure environment.*

Result: Within six weeks of our Report the Department of Health and Community Services and the Labrador Grenfell Health Authority expanded the secure room capacity by one room (located in the Emergency Department). Renovations were completed to improve the ability to observe the existing room. The Authority hired four staff to assist in the observation of secure rooms.

3. *Prior to any construction or retrofit in Happy Valley – Goose Bay of the facility recommended in #1 above, the Province of Newfoundland and Labrador should undertake immediate and adequate measures to increase (Newfoundland and Labrador Correctional Centre for Women) offender appearances before the courts through the use of videoconferencing.*

Result: Video Conferencing equipment was installed at NLCCW during the spring of 2008. It is now used with offenders from Labrador who do not wish to travel to Labrador for Court purposes. The Department advises the technology has also been used to provide psychiatric services.

4. *NLCCW should increase the availability of the current bi-weekly counseling session to a part-time position in a pilot project of fixed duration, that will both make counseling more accessible and instill confidence in offenders and allow for the establishment of rapport with treating professionals.*

Result: The Department states that counseling services are now offered on a weekly basis, alternating between mental health and addictions and that Eastern Health visits a half day per week in this regard.

In addition, the Department has contracted with a psychologist to provide five hours of services per week.¹

¹Note that at the time of printing (fiscal 09/10), this amount has been increased to ten hours per week. Likewise in fiscal 09/10 the Department has contracted with Stella Burry Community Services to provide support and counseling services (including a peer counselor) and is recruiting a part-time Aboriginal Prison Liaison Officer.

NLCCW continues to employ a full time Classification Officer who is a trained social worker. The institution also coordinates quarterly meetings between senior staff, the various counseling disciplines and medical doctors.

5. *NLCCW should provide offenders, regardless of where they are from, with a printed and regularly updated list of available community supports prior to release.*

Result: This recommendation was implemented immediately following OCR's report and continues to be actioned. The Classification Officer provides additional support in obtaining clothing, housing or medical appointments prior to release.

The overall response to the Report has been good. I believe that government has taken positive steps and has earmarked significant funds to alleviate the concerns raised by this Office in relation to female offenders from Labrador, and female offenders generally, since 2007.

Disclosure Refused by the Minister of Justice

In February 2009, we completed our investigation of a complaint from a citizen who belonged to a Seasonal Campground Committee of campers which was lobbying government to be grandparented into their sites at the Butter Pot Provincial Park in 2005. The campers state that they had an agreement with government to have access to specific camp sites to the exclusion of all others. They stated that, based on this understanding, they upgraded their travel trailers. A subsequent decision by government in 2008 to rescind the agreement was deemed unfair by the campers.

I concluded that, based on the documented demand for the seasonal campsites at Butter Pot Park, it was unfair to all those who wished to camp there that a number of sites were unavailable because of a past preferential practice of grandparenting sites. The result was that I concluded that the fairness test, as set out in Section 37 of the *Citizens' Representative Act*, had not been violated.

During the course of the investigation, I had requested all documentation relevant to this issue from the Department of Environment and Conservation. I had received notice from the Honorable Thomas Marshall, Q.C., Minister of Justice, that certain portions of my request which dealt with cabinet deliberations would be excluded from the information I was seeking. Section 32(a) of the *Citizens' Representative Act* states:

Restrictions on disclosure

32. Where the Minister of Justice certifies that the giving of any information or the answering of any questions or the production of any document, paper or thing might involve the disclosure of
 - (a) the deliberations of the Executive Council or a committee of the Executive Council;
 - (b) proceedings of the Executive Council, or committee of the Executive Council, relating to matters of a secret or confidential nature and would be injurious to the public interest; or
 - (c) interfere with or impede the investigation or detection of an offence,

the Citizens' Representative shall not require the information or answer to be given or the document, paper or thing to be produced, but shall report the giving of the certificate to the House of Assembly.

I was able to conclude my investigation without this information, but this commentary fulfills my obligation to report the Certificate to the House of Assembly as contemplated by Section 32.

INDIVIDUAL CASE SUMMARIES

Each year, the Office of the Citizens' Representative makes inquiries and conducts investigations based on complaints received by citizens against government departments, agencies, boards and commissions. When the Office cannot investigate a complaint because it falls beyond its legal ability as prescribed by the *Citizens' Representative Act*, an attempt is made to direct the citizen to the appropriate agency or private company which can best deal with his or her issue.

The outcomes of inquiries and investigations are tracked closely and the following pages outline a sample of the resolutions and findings of our interventions. These cases give an overview of our work.

Together Again: Central Regional Integrated Health Authority

Two elderly live-in companions who had been together a long time were separated when one suffered a stroke and went into a long term care facility. His mental acuity was negatively impacted by the stroke but he was capable of stating that he wanted his female companion to visit him. Some of his family members complained to the long term care facility about the visitations by the female companion who was not a family member. The administrator of the long term care facility sided with the family and limited, then ultimately cancelled the visitations. The companion complained to our Office.

We investigated the complaint which entailed visiting both the long term care resident and his companion. We met with officials of the long term care facility to appreciate the difficulties they had in balancing the wishes of the residents, family members and the public while trying to run what is, in essence, a home for all its residents. We reviewed all relevant provincial legislation and government policy.

Our investigation concluded that while the resident had suffered a mental impairment, he had not been declared mentally incapable by the Courts. He had expressed his desire to a number of people that he wanted his companion to visit. We found no evidence that the companion's visitations were causing any deterioration to the resident's health. She was respectful of all applicable rules of the home known to her when she visited the resident. During the course of the investigation we were able to successfully mediate the complaint. The citizen who complained to our Office was once again given the ability to visit her companion. I thank the staff and officials of Central Health for their assistance in arriving at a fair solution.



Keeping Records, Keeping Safe: Department of Justice, West Coast Correctional Institution

An inmate at the West Coast Correctional Institution, filed a complaint with our Office alleging that he was being denied access to what he perceived to be needed medical services and medication. We investigated the matter and determined that services and medications were offered to him but, from time to time, he refused to accept them. During the investigation, we noticed that the Institution's record-keeping could be enhanced if records were kept of instances where prescription medications were offered to inmates, but for whatever reason, were refused. Officials agreed to implement this change in their record-keeping.

Brokered Solution: Department of Human Resources, Labour and Employment *et al.*

In February of 2009, we received a complaint from a woman on income support who could not overcome the obstacles in her quest to receive training to work with children and youth. She was undaunted by her physical and learning disabilities but was frustrated by the bureaucratic maze in trying to obtain the occupational therapy assessment and coverage for out-of-province medical testing required in order to be trained.

Our investigator determined that there were six different agencies or persons that had to work together to make this possible for the woman. The investigator contacted Eastern Health, Nova Scotia Hearing and Speech Centres, MCP, Human Resources, Labour and Employment, as well as her physician and the good folks at Hope Air – a national charitable organization that helps Canadians get to medical treatment when they cannot afford flight costs. The parties, as well as our investigator, were inspired by the woman's determination and teamed up to help make her employment training a reality.

“Cheque it Out”: Department of Health and Community Services, Medical Transportation Assistance

A man had suffered a horrendous eye injury while doing yard work. His condition was such that he had to fly to Halifax to access medical treatment. He complained to our Office after having waited for 90 days to be reimbursed for his expenses associated with the travel which totalled \$900. We made an inquiry on his behalf and shortly thereafter a cheque was available to him for the total amount.

All Hands on Board: Human Resources, Labour and Employment

A man in receipt of income support contacted our Office stating that he was unclear as to how to obtain blister packaging for medications - a system whereby all daily medications are packaged together. He suffers from a variety of complex medical conditions. Our investigator contacted officials of the Department of Human Resources, Labour and Employment, the Newfoundland and Labrador Prescription Drug Program, and a pharmacy in the citizen's community. Through a collaborative process the man was able to get funding and acquire the blister packaging.

“Ratted”: Newfoundland and Labrador Housing

A Newfoundland and Labrador Housing Corporation tenant complained about a rat infestation in the yard of an adjacent unit. She claimed to have contacted the Corporation and received no satisfaction. Our staff inquired and found that the unit had been abandoned by the neighbouring tenant, that a maintenance crew would be on the scene shortly and a referral to a local pest control company was forthcoming.

Apology Accepted: Department of Justice

A man complained about the treatment he received from the Support Enforcement Agency. He had made all child support payments ordered by the Courts. He was shocked and embarrassed when he learned that his wages would be garnished to satisfy what appeared to be arrears of payments. He complained to our Office.

We investigated the matter which entailed a thorough review of the man's file with the Support Enforcement Agency. We discovered an error had occurred which resulted in the garnishment. As soon as the Agency became aware of the problem, they rebated the full amount of garnished funds. However, this did nothing to rectify the embarrassment suffered by the man who feared that his employer would consider him derelict in his parenting obligations. We recommended that officials of the Agency apologize to him. They did.

The Clothes Make the Man: The Department of Justice, Her Majesty's Penitentiary

An inmate at Her Majesty's Penitentiary complained to our Office that he did not have available to him appropriate clothes for a pending Court appearance. Following our inquiry, officials of HMP advised that the machine used to examine clothing for contraband was out of service but that an alternate method to detect contraband substances had been utilized. The inmate was able to get his clothes back prior to his Court appearance.

The Kids are All Right: Human Resources, Labour and Employment

A father on income support and living in a public housing unit called our Office when he was unable to obtain two new mattresses for his children. The kids' mattresses became moldy after they were stored while their NLHC unit was being renovated. They were sleeping on air mattresses. While government policy states that income support recipients cannot receive bedding until they have been on assistance for two years, the circumstances of the case, and the health of the children, begged for a discretionary deviation. Funding for the mattresses was forthcoming after our intervention.

Fixed in 60 Minutes: Department of Human Resources, Labour and Employment

A distraught mother contacted OCR when she could not get through to Human Resources, Labour and Employment to find out about a special medical authorization for methadone for her son. The Regional Enquiries Coordinator at HRL&E assigned to OCR inquiries acted quickly in order to secure this critical medication within an hour.

Directing (Web) Traffic: Department of Human Resources, Labour and Employment

A man called our Office after experiencing difficulty accessing the public commentary section of the Poverty Reduction website provided by the Department of Human Resources, Labour and Employment. He thought that the website was flawed and/or was experiencing too much traffic. We conducted a number of tests from a variety of computers at differing times of the day and night and had no problems accessing the commentary section. After consulting with officials of the Department, an investigator with our Office directed the man to an information technologist to help him gain access.

Missing the Marks: College of the North Atlantic

A man was having considerable trouble obtaining an academic transcript from the former Avalon Community College. It was hindering his job search and he was not satisfied with the response of the Department of Education or the College of the North Atlantic which controlled the records. Our staff intervened and within 48 hours the transcript was located. Officials of the College were quite helpful and explained that the campus the man had attended was a temporary campus established following the cod moratorium to assist fisher people with retraining. This made the documents hard to locate. The man was pleased with the outcome and his job search continued.

Credit(s) Where Credit(s) are Due

A woman filed a complaint on behalf of herself and her daughter against the principal and staff of a high school. She felt her daughter's significant contribution to extra-curricular work was not recognized, that a team her daughter was on was under-funded, and that one of the final marks was too low. We made contact with the School District which undertook to arrange a meeting with the pair. The District followed up with our Office after the meeting to say that an agreement had been reached. The woman felt differently however. OCR brokered a second meeting which resulted in the student receiving a plaque, a school press release posted on the District website recognizing her efforts, an increase in the final mark, a program review and a review of funding for the team.

Get Me Outta Here! Newfoundland and Labrador Housing Corporation

A woman suffering from psychiatric and respiratory problems had contacted our Office with concerns over the state of her private living accommodations. She claimed that she was unable to access affordable public housing. We encouraged the woman to make the proper application and gave her advice on obtaining suitable supporting documentation to augment her chances of placement in an NLHC unit. While her application was accepted, given her location and the availability of units, her chances of placement in a public unit were low. Our staff worked with NLHC to obtain a private rent subsidy agreement with the woman and on the same day, she moved into a private unit of her choice.

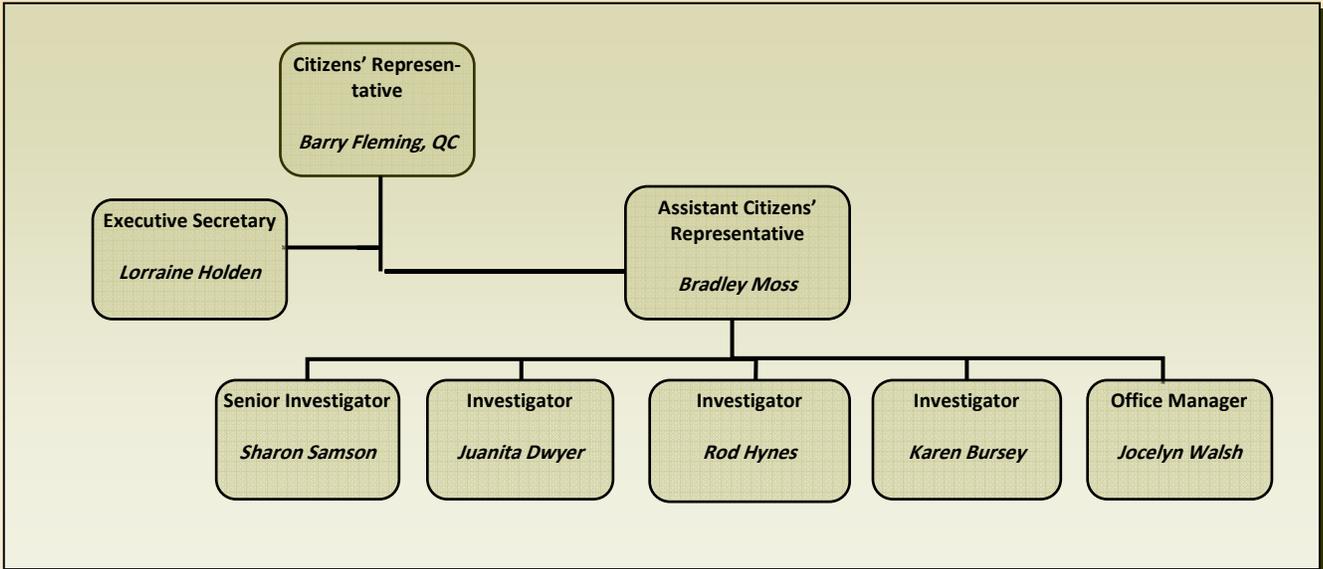
Lower Prescription Drug Costs: Department of Health and Community Services

A woman filed a complaint against the Department of Health and Community Services, specifically the Newfoundland and Labrador Prescription Drug Program (NLPDP). She felt that she had not been assessed properly regarding the co-pay portion of a potentially life saving drug she was taking. The drug cost \$3,700 per month. It was determined that she was assessed on information provided to NLPDP in the fall of 2007. We submitted new current evidence that showed her net family income had decreased, which lowered her co-pay from 43.7% to 29.1%, resulting in \$540 in savings per month for the woman.



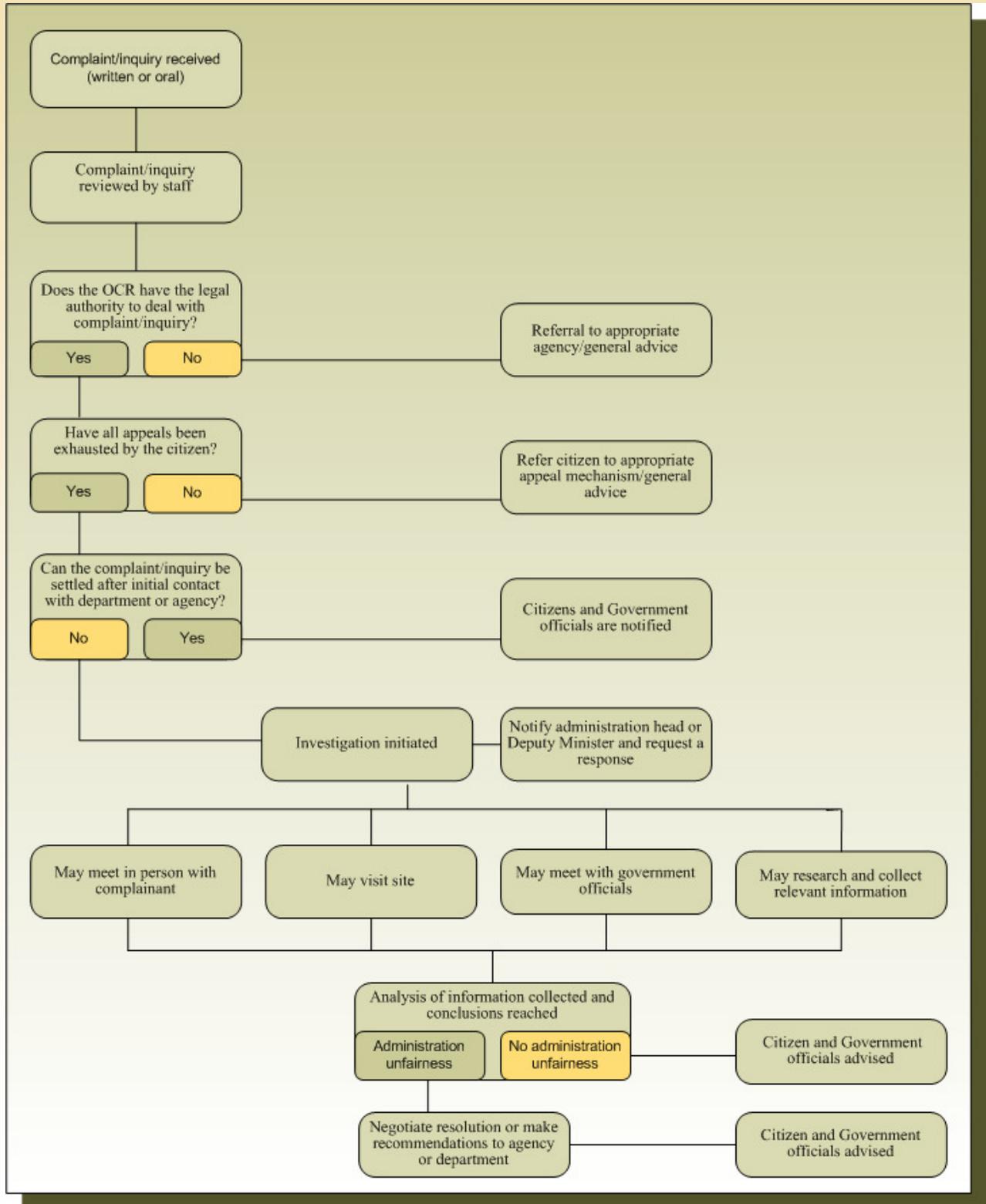
ORGANIZATIONAL STRUCTURE

The Office of the Citizens' Representative Organizational Chart



THE COMPLAINT PROCESS

It is important for citizens to know what to expect with respect to the complaint process used by our Office. It costs nothing to file a complaint. The following chart helps illustrate how complaints and inquiries are addressed.



KUDOS

Since 2002, OCR and the Office of the Premier have worked together to give recognition to select public servants who demonstrate a commitment to the principles of fairness and good governance. These individuals many times go above and beyond the call of duty to ensure that citizens are treated in a timely, professional and equitable manner. For this reason, we give them “kudos” for a job well done. Each will receive letters of acknowledgment and congratulations from the Citizens’ Representative and the Premier for their personnel files.

Lt. Lloyd Pitcher (West Coast Correctional Institution – Stephenville, NL). Mr. Pitcher runs the WCCI and is a highly accessible public servant. He took immediate steps to improve record-keeping practices in his institution when a potential problem was identified.

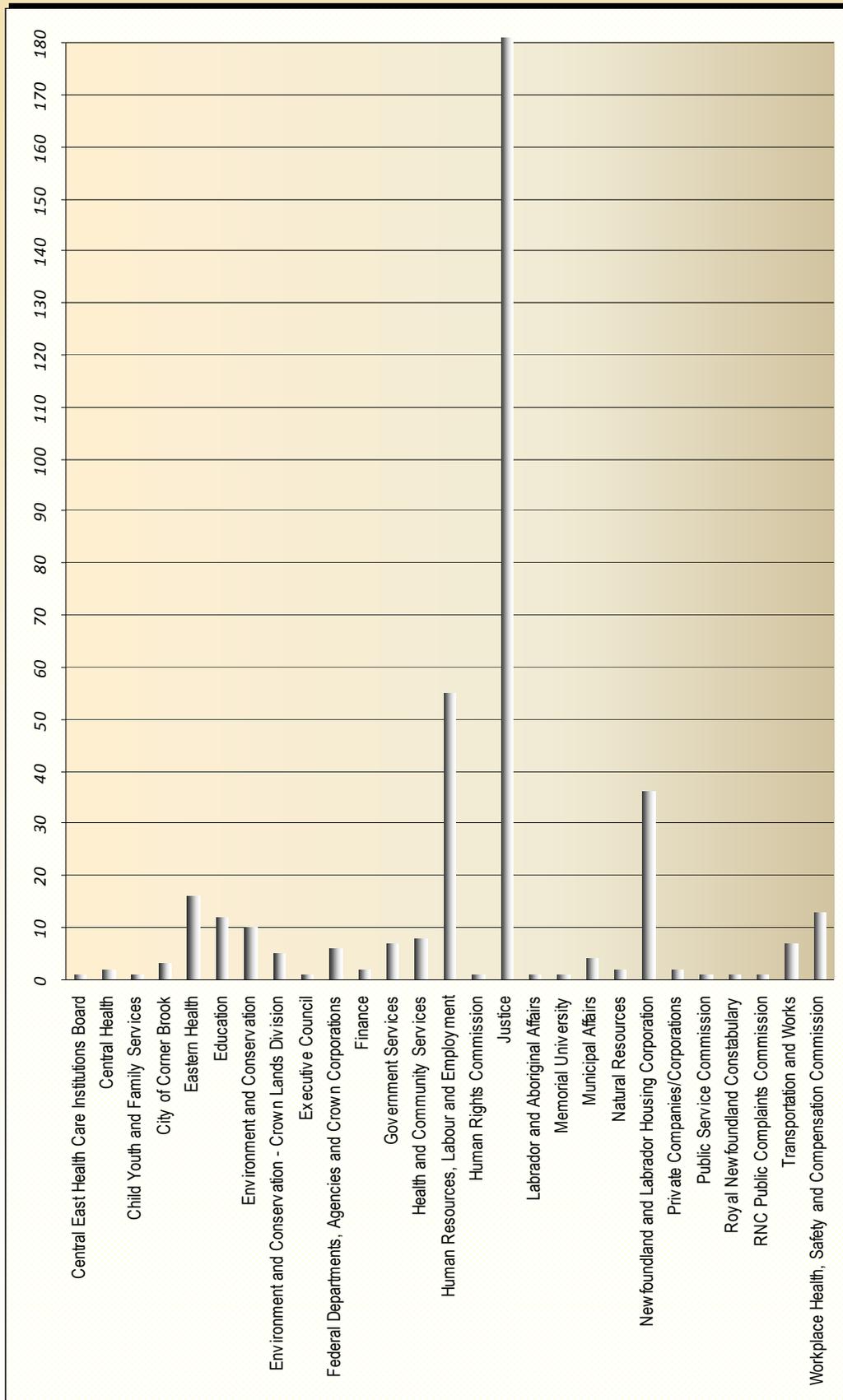
Carla Reid (Administrative Assistant - Workplace Health Safety and Compensation Commission). Our “Jane on the spot” at WHSCC, Carla appreciates the timeliness of our investigations and works hard to give complete disclosure of voluminous amounts of injured worker documentation.

STATISTICS

April 1, 2008 – March 31, 2009 Complaints/Inquiries by Department and Agency

Central East Health Care Institutions Board	1
Central Health	2
Child Youth and Family Services	1
City of Corner Brook	3
Eastern Health	16
Education	12
Environment and Conservation	10
Environment and Conservation – Crown Lands Division	5
Executive Council	1
Federal Departments, Agencies and Crown Corporations	6
Finance	2
Government Services	7
Health and Community Services	8
Human Resources, Labour and Employment	55
Human Rights Commission	1
Justice	181
Labrador and Aboriginal Affairs	1
Memorial University	1
Municipal Affairs	4
Natural Resources	2
Newfoundland and Labrador Housing Corporation	36
Public Service Commission	1
Private Companies/Corporations	2
Royal Newfoundland Constabulary	1
RNC Public Complaints Commission	1
Transportation and Works	7
Workplace Health, Safety and Compensation Commission	13
Total Complaints & Inquiries by Department and Agency	380

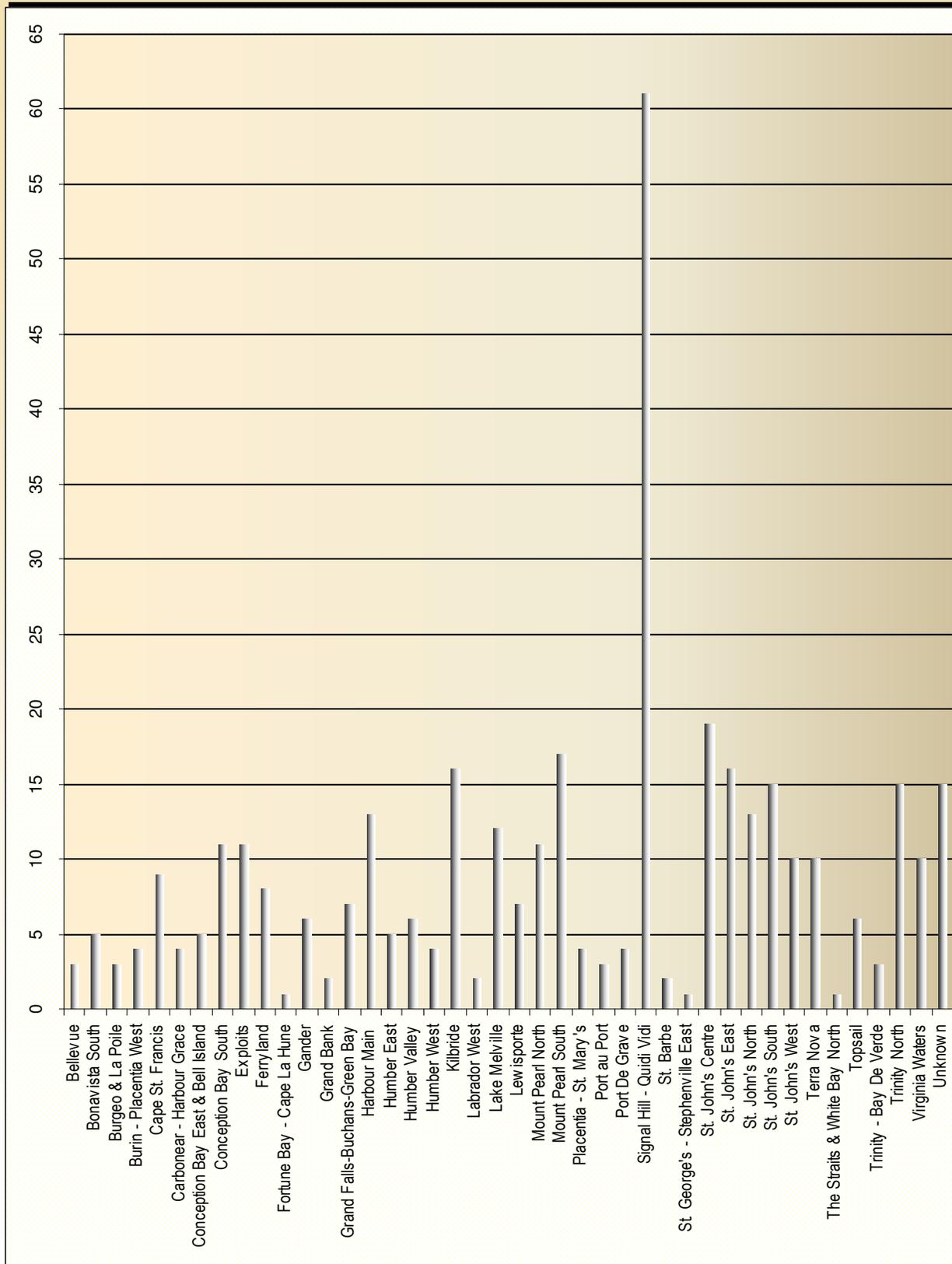
April 1, 2008 – March 31, 2009 Complaints/Inquiries by Department and Agency



April 1, 1008 – March 31, 2009 Complaints/Inquiries by Electoral District

Baie Verte - Springdale	0
Bay of Islands	0
Bellevue	3
Bonavista South	5
Bonavista North	0
Burgeo & La Poile	3
Burin – Placentia West	4
Cape St. Francis	9
Carbonear – Harbour Grace	4
Cartwright L'Anse Au Clair	0
Conception Bay East & Bell Island	5
Conception Bay South	11
Exploits	11
Ferryland	8
Fortune Bay – Cape La Hune	1
Gander	6
Grand Bank	2
Grand Falls – Windsor - Buchans	6
Grand Falls – Windsor - Green Bay South	1
Harbour Main	13
Humber East	5
Humber Valley	6
Humber West	4
Kilbride	16
Labrador West	2
Lake Melville	12
Lewisporte	7
Mount Pearl North	11
Mount Pearl South	17
Placentia - St. Mary's	4
Port au Port	3
Port De Grave	4
Signal Hill – Quidi Vidi	61
St. Barbe	2
St. George's – Stephenville East	1
St. John's Centre	19
St. John's East	16
St. John's North	13
St. John's South	15
St. John's West	10
Terra Nova	10
The Isles of Notre Dame	0
The Straits - White Bay North	1
Topsail	6
Torngat Mountains	0
Trinity – Bay De Verde	3
Trinity North	15
Virginia Waters	10
Unknown	15
Total Complaints & Inquiries by Electoral District	380

April 1, 2008 – March 31, 2009 Complaints/Inquiries by Electoral District



HOW TO REACH US

Staff

Barry Fleming, Q.C.	Citizens' Representative
Bradley Moss	Assistant Citizens' Representative
Sharon Samson	Senior Investigator
Rodney Hynes	Investigator
Juanita Dwyer	Investigator
Karen Bursey	Investigator
Jocelyn Walsh	Office Manager
Lorraine Holden	Executive Secretary

On the Internet: www.citizensrep.nl.ca

By Phone



Toll Free 1-800-559-0079
Telephone (709) 729-7647
Fax (709) 729-7696

By Mail

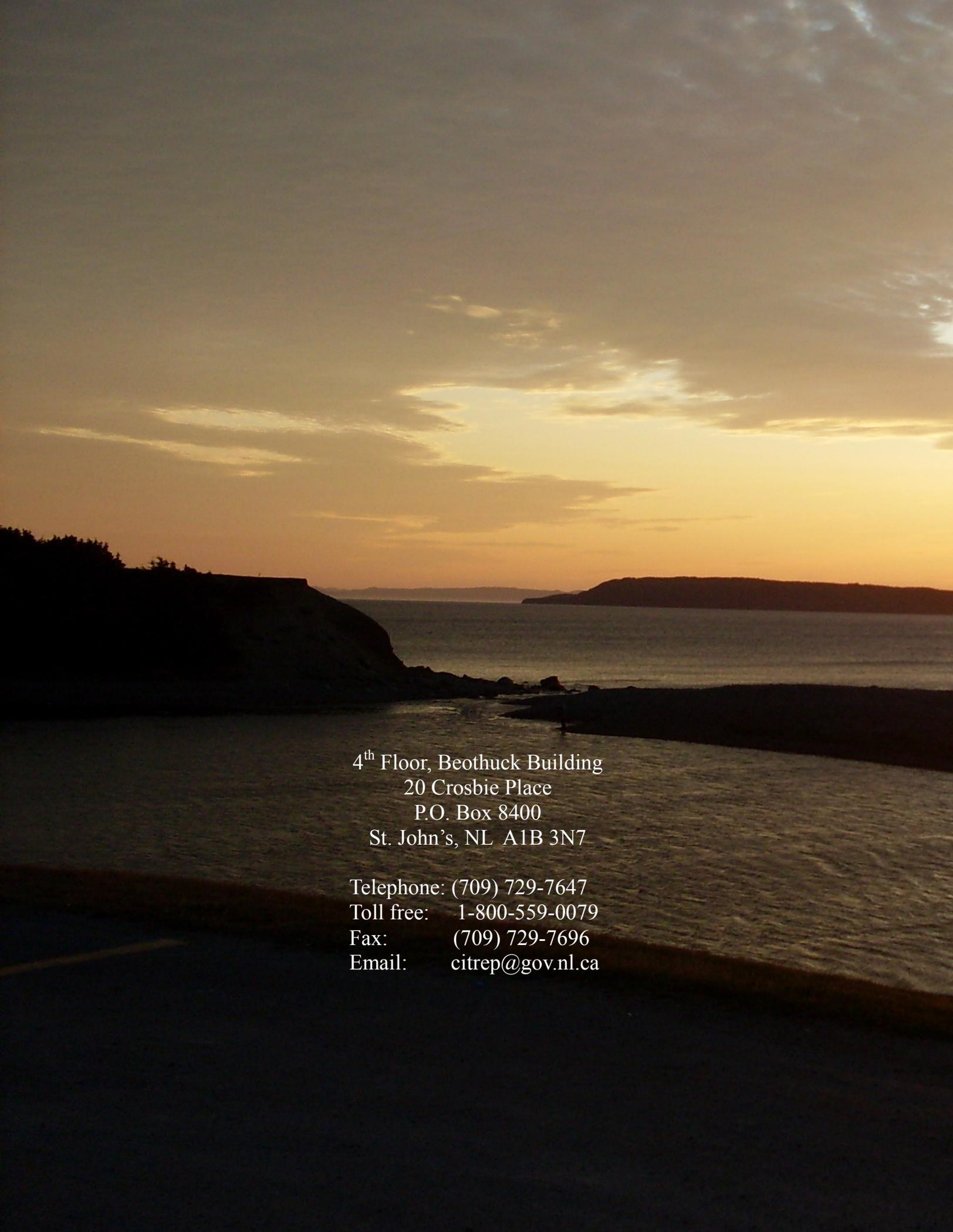


P.O. Box 8400
St. John's, NL A1B 3N7

In Person



4th Floor, Beothuck Building
20 Crosbie Place
St. John's, NL A1B 3N7



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