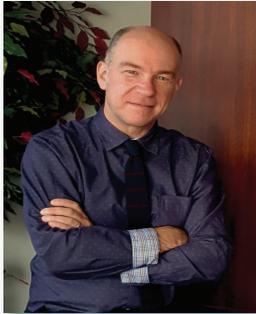


## Citizens' Representative Message



Bradley Moss

Welcome to the latest edition of *OCR Insights*. Here at the office we have been busy over the last six months. For most of January, February and March we worked a hybrid system of at home and in-office due to a flood in our office space. Thankfully, none of our files or major office assets were damaged and the landlord only had to deal with remediation, and replacing carpet and paint that was damaged by propylene glycol from the building's air conditioning system. Despite the challenges the flood imposed, staff persevered and our services to the public were hardly interrupted at all. I would like to thank them for their dedication and patience.

Recently, the Canadian Council of Parliamentary Ombudsman (CCPO) formally endorsed a set of key principles designed to ensure the independence, effectiveness, and accountability of Ombudsman institutions across Canada. These principles reaffirm the essential role of Ombudsman offices in upholding good governance, protecting individual rights, and reinforcing public trust in democratic institutions. Summarizing internationally recognized frameworks, including the Venice Principles of the European Commission and the United Nations General Assembly Resolution on the Role of the Ombudsman, the CCPO's document outlines seven principal themes: independence and autonomy; appointment and security of tenure; mandate; powers

of investigation; transparency; accountability; and interpretation.

Parliamentary Ombudsman offices across Canada serve as independent bodies that receive and investigate public complaints about government services. They help resolve issues of unfairness, improve public service delivery, and protect the rights of individuals—all while being independent from political or administrative influence. As a Council, we felt it was important to re-state these principles publicly as Ombudsman offices all over the world come under external threat. Luckily, in Canada, we don't often find ourselves in these predicaments; however, they are not unheard of. Unnecessary court actions, refusals to comply with lawful direction, uninvited interference in the budget process and extralegal reviews of Ombudsman work are just some of the examples that have occurred in recent years. While offices across the country continue to cultivate and enjoy good relationships with the Governments they oversee, in an overwhelming majority of cases our roles as protectors of citizens' rights needed to be reaffirmed and I commend Prince Edward Island, New Brunswick, Ontario, British Columbia and the Northwest Territories for taking the lead in adapting these international standards for pan-Canadian use.

Finally, I would like to extend my thanks to the Members of the House of Assembly for re-appointing me as Citizens' Representative for a second six-year term. I appreciate the vote of confidence and will continue to do my level best to propel the OCR forward with the support of the legislature and the work of a fantastic team.

## Learning Opportunities - Keeping Our Work Relevant

OCR staff participate regularly in relevant learning opportunities to enhance our collective professional skill sets. This allows for enhancement of the work that we do on behalf of the citizens of the province. These opportunities are often training specific to an ombudsman or investigative role, and they are often opportunities to learn about the various programs and services offered by the provincial government. Learning about programs and services within the community sector supports our goal of supporting citizens with matters that may be beyond those provided by the province. With a desire to ensure that our work is relevant, respectful and inclusive, the OCR seeks opportunities to develop our processes and the way we do our work by seeking guidance on best practices related to working with diverse individuals with varied lived experiences.

In May, our Office had an opportunity to receive knowledge from Dr. Michelle Phoenix and Meaghan Reitzel (PhD Candidate) from McMaster University in relation to the practice of codesign, sometimes referred to as cocreation or coproduction. Their presentation was in the context of family engagement in the codesign of health services,

policy and research. Codesign allows for meaningful engagement with equity deserving or marginalized populations where power is redistributed; people with lived and living experience are included and valued, and the project outcomes are meaningful to the community. (Phoenix, Reitzel, 2025). Consideration of this framework is meaningful to the work of our Office as we establish relationships with the citizens who seek our services; informally mediate complaints with public bodies, and make recommendations that are not only achievable by public bodies, but also meaningful to those impacted by the public program or service. Citizens have valuable contributions to make in helping us understand where there may be gaps in government programs and services



and how to bridge them in the most effective and meaningful way. The OCR will continue to consider the concept of codesign as best practice as we seek solutions to resolve problems.

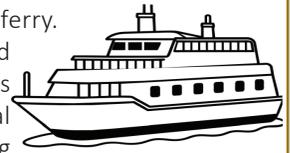
## Seeking Fairness

A citizen contacted our Office concerning the handling of a request for compensation for damage to their vehicle that occurred on a provincial ferry. The Department of Transportation and Infrastructure (the Department) is responsible for provincial ferry services. It was alleged the damage was due to actions/inactions of the employees on the ferry, deficiencies with the ferry itself and the procedures followed when boarding the ferry. There were further allegations that the process of investigating the incident was not followed in accordance with policy.

Upon inquiry, the Department verified the citizen's claim for damages was investigated and sent to an "insurer" who offered 50% compensation towards the cost of damages. In review of all evidence provided, the OCR identified deficiencies in the investigative process as completed by the Department, with the ferry infrastructure and with the

process employed in loading the ferry.

The Department acknowledged these deficiencies; however, it was not willing to offer any additional compensation to the citizen, citing the decision was made by an external service provider, the "insurer". The OCR recognized jurisdiction was lacking over the "insurer"; however, the deficiencies in the Departmental processes were concerning and gave rise to a formal investigation.



Once a formal investigation was launched, further discussions with the Department resulted in a decision to fully compensate the citizen as a resolution. This investigation ceased and the complaint was considered resolved.

## Finding Solutions

The Income Support Division (the Division) of the Department of Families and Affordability (formerly Children, Seniors and Social Development) provides financial benefits and other services to eligible low-income people and families to assist in meeting daily living expenses.

A citizen complained to our Office about a decision by the Division concerning eligibility for income support benefits. At the time of the citizen's application for benefits, eligibility was denied based on receipt of alternate sources of income. Having submitted an application for internal review, the Division determined the application was beyond the 60-day time period after the assessment of the application, and therefore declined to consider the request for review. The citizen indicated the application for review was initially submitted within the required timeframe, but did not have any confirmation of submission or receipt by the Division.



Our investigation found the Division had acted reasonably according to applicable legislation and policies in relation to both the decision to deny income support eligibility and to deny the internal review process. We did make two suggestions that would inform best practice with the Division as it relates to administrative processes. First, the Division cite applicable policy when communicating decisions so that individuals understand the reasoning behind an administrative decision. Second, it was suggested the Division include a statement on the Application for Review (internal review) form advising individuals to verify with the Division that their documents have been received, particularly, in respect of the legislative timeframes that guide the appeal process. The Division acknowledged and accepted both suggestions and committed to modifying the appeal form and the process involving notification of decisions.

### Questions / Comments?

Is your department, agency or community group interested in learning more about the OCR, its services and processes? Do you have a suggestion or question to be addressed in a future edition of *OCR Insights*? Call us at 1-800-559-0079 or (709) 729-7647, or e-mail [citrep@gov.nl.ca](mailto:citrep@gov.nl.ca)

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