



North American Region NEWSLETTER



February 2010

INTERNATIONAL OMBUDSMAN INSTITUTE

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Message From Vice President André Marin



The new IOI Board of Directors met in Vienna at the new IOI headquarters. It was a very successful meeting. During the meeting, two committees were established, which will focus on issues that have been of concern to the North American Region as well as others. One committee will deal with membership issues and the other will address training issues.

The Board decided that the papers presented at the Stockholm Conference would be showcased on the IOI website. My Office has now reviewed and edited more than 30 papers and has provided them to the Swedish Ombudsman's Office for final approval by the authors.

The Secretariat raised an issue concerning banking fees in relation to international membership payments. In accordance with Austrian law, banks in Vienna must charge a transaction fee on international monetary transactions. For North American members, the charge would be approximately \$14.50 per transaction. The IOI Secretariat included information on the invoice form that bank charges would be the members' responsibility. However, many offices did not realize that there would be an additional charge.

The Secretariat is currently considering whether it will be invoicing members for these funds later in the year or including this fee in next year's invoices.

The Board voted to use the remaining funds from IOI Canada to support a training initiative for members. The Ontario Ombudsman's Sharpening Your Teeth (or, as we refer to it, SYT)



training will be offered later this year in Vienna. My Office is making the training available on a cost-recovery basis and no fees will be charged to the IOI.

The SYT curriculum provides instruction to participants on conducting successful administrative and oversight investigations of systemic issues. Topic areas include how to identify what issues to investigate, investigative planning, conducting the investigation, report writing and media rela-

tions. The training is delivered through a combination of lectures and practical exercises and is supported by materials found in the book, *Conducting Administrative Oversight and Ombudsman Investigations*, written by Gareth Jones, the Director of my office's Special Ombudsman Response Team. SYT training has been delivered in countries around the world and is in demand.

In October 2009, the training was delivered to the United Nations High Commissioner for Refugees Inspector General's office in Geneva, and has also been funded by the UN Development Programme, Democratic Institutions Programme.

The training will take place at IOI headquarters, which can accommodate approximately 40 students from our membership. I will be

conducting the training together with senior staff from my Office. The new Secretariat will be providing administrative support for this initiative. Three individuals staff the Secretariat, and it is anticipated that there will be no additional fees required for training administration. In addition, using the IOI facilities avoids the necessity of paying rental fees.

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• IOI Annual Board Meeting • Amendments to North American Region Rules • Updated Contact List



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You may recall that in 2008, the IOI contributed \$10,000 towards this training, and members were able to register at a reduced rate. This was a very successful session and many of our IOI members took advantage of this offer, including participants from Canada, the USA, the UK, Netherlands, Australia, Antigua and Barbuda, Brazil, Israel, Trinidad and Tobago, Gibraltar and Korea. I look forward to delivering this training again for IOI members in Vienna.

A number of IOI members have asked, "What is the benefit of membership?" The Board members have been asking themselves the same question. This training is a great start towards demonstrating the value of participation in the IOI. The normal cost of SYT training is approximately \$895 (Cdn.) per participant. IOI members would have the opportunity to participate in SYT for less than the price of an IOI membership. It is anticipated that the only costs to IOI members attending SYT will be travel, accommodation and food expenses. There will be no fee for the training itself.

As a longer-term strategy, the IOI will be considering development of a train-the-trainer program and customized programs both in Vienna and elsewhere; creation of an IOI certification process, including adoption of best practices from the broader IOI community; a continuing

care program giving organizations access to experts for consultation and advice on investigative issues; and expansion of the training program to include such areas as managing investigations, hiring, developing effective office cultures and establishing and sustaining an effective investigative practice.

I am looking forward to representing the North American Region of the IOI this year. Please feel free to contact me with any suggestions or comments you might have.

Happy New Year,

André

Amendments to the Rules of the North American Region



At the North American Region Meeting held in Stockholm in June 2009, members discussed whether and how voting members who are unable to attend an Institute Conference in person could vote for directors. We noted that this would require amending the Rules of the North American Region.

In July, draft amended Rules were

circulated. The amended Rules were approved at the most recent North American Region Meeting in Estes Park, Colorado in September 2009.

The amendments set out a procedure that provides those members unable to attend an Institute Conference with the ability to vote for directors. In this way, voting is now more accessible to those members who perhaps cannot travel due to financial constraints. Such a procedure may be particularly helpful during difficult economic times when the travel budget of members may be limited. This enhanced voting ability results in elections that are more reflective of the members' preferences.

IOI North American Regional Meeting (2010)

In the past, we have held our annual meeting during the USOA Conference. We are planning to do the same this year.

The USOA Annual Conference is taking place October 6-8, 2010, at the Crowne Plaza Hotel in Dayton, Ohio.

We will contact you in the spring with further information on date and time.

Please submit any news articles or information that you would like to see in the next edition of the newsletter. Contact the IOI North American Region at: wray@ombudsman.on.ca

Amended North American Region Rules

Whereas in Canada and the United States of America, a number of Ombudsman institutions have been created at the national, provincial, state, territorial and local or city level to investigate complaints of unfair treatment by government organizations and officials;

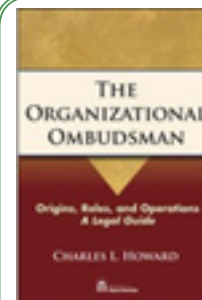
And whereas these Ombudsman undertake their duties according to legislative powers of a similar kind;

And whereas in 1996 the world-wide body of Ombudsman, the International Ombudsman Institute (the Institute) through its By-laws has formally established the North American Region of the Institute (the Region);

Now, therefore, this document records the rules for the operation of the Region and the election of three Directors including a regional Vice-President of the Institute, as adopted by the Ombudsman of the Region.

1. The members of the Region shall be those Ombudsman of the Region who have been admitted to membership of the Institute.
2. The organization of the Region's affairs shall be the responsibility of the Directors of the Institute elected to represent the Region from time to time. The Directors shall by agreement among them determine their own procedures. The Director elected as the Regional Vice-President under clause six (6) shall act as Chairperson of the Directors.
3. The Regional Vice-President shall act as Chairperson of meetings of members of the Region dealing with Institute matters.
4. The Directors may determine what regional initiatives should be undertaken subject to their first ascertaining the views of the members of the Region by such means as the Directors consider to be most appropriate in the circumstances.
5. The Directors shall arrange an annual meeting of members of the Region. When an Institute Conference is held, the regional meeting of members shall be held as part of the Institute Conference.
6. The voting members shall at each regional meeting held as part of an Institute Conference elect the Directors and the Regional Vice-President to which the Region is entitled by virtue of the By-laws of the Institute. The method of election shall be on the basis of one member one vote. Where the voting member is an Office of the Ombudsman, there shall be only one vote by that office. Any voting member whose annual fees are in arrears shall be ineligible to vote.

Books



The Organizational Ombudsman by Charles L. Howard

The first-ever book devoted exclusively to Organizational Ombuds issues was published last month by the American Bar Association:

The Organizational Ombudsman: Origins, Roles and Operations: A Legal Guide.

Written by Charles Howard, the book aims to be an essential resource for Ombuds and those who interact with them, including in-house counsel, corporate executives, university administrators, compliance officers, and human resources personnel. Howard chronicles the evolution of Organizational Ombuds and explains why demographic, technological, and globalization changes have made the role important for organizations today.

Howard is a partner with the Connecticut law firm of Shipman & Goowdin LLP and has a national practice representing corporate, research facility and university Ombuds. Recognized as a leading advocate for Ombuds, he has spoken at several IOA conferences and authored many articles about the Ombuds field.

IOI World Conference (2012)

The IOI Board of Directors is now accepting expressions of interest in hosting the IOI's 10th World Conference. The Conference will be held in 2012.

Expressions of interest from institutional Members should be sent to the General Secretariat.



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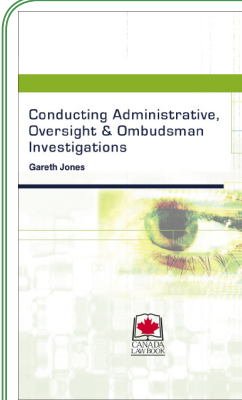
Amended North American Region Rules

(Continued)

7. The following arrangements shall apply to the election of the Regional Directors and the Regional Vice-President:
 - a. Not later than 1 month before the opening of the Institute Conference, those voting members seeking to put their names forward for election will be sought by the Returning Officer who shall be the Regional Vice-President, or if the Vice-President is seeking re-election as Regional Director, by a Regional Director not seeking reelection. If the Regional Vice-President is unable to act as Returning Officer, the Returning Officer shall be a Regional Director not seeking reelection. If all Regional Directors are seeking reelection, a voting member not seeking election shall be selected by the Regional Directors to act as Returning Officer.
 - b. The Returning Officer will set out a deadline of at least two weeks prior to the opening of the Institute Conference for candidate names to be put forward by e-mail to the Returning Officer.
 - c. If the number of candidate names put forward is greater than three, the Returning Officer shall arrange for an election at the regional meeting held as part of the Institute Conference. The election shall be chaired and supervised by the Returning Officer. The Returning Officer will send the candidates names to all the voting members who are eligible to vote at least one week prior to the opening of the Institute Conference.
 - d. Voting members, who will not be in attendance at the regional meeting at the Institute Conference, may vote for up to three candidates in advance by email directed to the Returning Officer. Advance votes must be received before the opening of the Institute Conference.
 - e. There shall be no provision for voting by proxy.
 - f. Each voting member present at the regional meeting may vote for up to three candidates. The Returning Officer will tabulate the votes received in advance and at the meeting. The three candidates receiving the highest number of votes will be declared elected. In the event that candidates are tied, a further vote by those voting members in attendance will be held to determine which of the tied candidates will be elected.
 - g. Following the election of the three Directors, there shall be a further vote by the voting members in attendance to elect the Regional Vice-President from among the Directors.
 - h. Any vacancies arising between regional meetings caused by the death, resignation, or retirement of a Director shall be filled at the next regional meeting. The term of a director elected under this sub-paragraph shall not exceed the term of the other Directors.
8. A Director shall resign his/her office as a Director on vacating office as an Ombudsman.
9. The Directors may make such rules as are necessary to ensure the smooth functioning and operation of the Region as are not inconsistent with any of the preceding rules or any By-laws of the Institute.
10. The members may, by a majority vote, in writing, alter, amend or add to these rules at any time and from time to time.

Approved September 30, 2009

Books



Conducting Administrative, Oversight and Ombudsman Investigations by Gareth Jones

Gareth Jones, Director of the Ontario Special Ombudsman Response Team (SORT), has

written a book on investigations, published by Canada Law Book.

The book forms the basis for the Sharpening Your Teeth courses given by the Ombudsman's Office and has a chapter devoted to systemic investigations, using the Robert Dziekanski tasing case as a case study.

The book has had extraordinary reviews from ombudsmen and other oversight agencies from across the world.

See them, and the full table of contents, on the publisher's website at:

www.canadalawbook.com.



Provincial and Territorial Ombudsman Offices in Canada by Stewart Hyson

In Canada, there are 10 provincial and territorial ombudsmen, each with mandates over the whole of the public service within their regions.

In this collection, contributors describe and assess the performance of the 10 ombudsman offices in light of their multiple and evolving functions.

Stewart Hyson is an assistant professor in the Department of History and Politics at the University of New Brunswick, Saint John.

Publisher's website:

www.utppublishing.com.

Please submit any news articles or information that you would like to see in the next edition of the newsletter. Contact the IOI North American Region at: wray@ombudsman.on.ca

IOI Contact List

INSTITUTIONAL MEMBERS

Mr. William Angrick
Citizens' Aide Ombudsman of Iowa
Ola Babcock Miller Building.
112 East Grand Ave.
Des Moines IA, 50319-0231, United States
(519) 281-3592
william.angrick@legis.state.ia.us
www.legis.state.ia.us/ombudsman

Mr. Dwight Bishop
Ombudsman of Nova Scotia
P.O. Box 2152
700-5670 Spring Garden Rd.
Halifax NS, B3J 3B7 Canada
(902) 424-6780
bishopdl@gov.ns.ca
www.gov.ns.ca/ombu

Mr. Gord Button
Ombudsman of Alberta
2800-10303 Jasper Ave NW
Edmonton AB, T5J 5C3 Canada
(780) 427-2756
gord.button@ombudsman.ab.ca
www.ombudsman.ab.ca

Ms. Kim Carter
Ombudsperson of British Columbia
P.O. Box 9039 Stn. Prov Gov
2nd Flr - 756 Fort St.
Victoria BC, V8W 9A5 Canada
(250) 387-5855
kcarter@ombudsman.bc.ca
www.ombudsman.bc.ca

Ms. Fiona Crean
Ombudsman for the City of Toronto
Main Flr - 112 Elizabeth St.
Toronto ON, M5G 1P5 Canada
(416) 392-7061
fcrean@toronto.ca
www.ombudstoronto.ca

Mr. Kevin Fenwick
Ombudsman of Saskatchewan
150-2401 Saskatchewan Dr.
Regina SK, S4P 4HB Canada
(306) 787-6211
kfenwick@ombudsman.sk.ca
www.ombudsman.sk.ca

Mr. Barry Fleming
Citizen's Representative of Newfound-
land and Labrador
P.O. Box 8400
4th Flr - Beothuk Bldg. 20 Crosbie Place
St. John's NL, A1B 3N7 Canada
(709) 729-7647
bradlemoss@gov.nl.ca
www.citizensrep.nl.ca

Mr. Graham Fraser
Official Languages Commission of
Canada
3rd Flr - 344 Slater Street
Ottawa ON, K1A 0T8
(613) 996-6368
comm@ocol-clo.gc.ca
www.ocol-clo.gc.ca

Ms. Irene Hamilton
Ombudsman of Manitoba
750-500 Portage Ave.
Winnipeg MB, R3C 3X1
(204) 982-9130
ihamilton@ombudsman.mb.ca
www.ombudsman.mb.ca

Mr. André Marin
Ombudsman of Ontario
483 Bay Street
10th Flr - South Tower
Toronto ON, M5G 2C9
(416) 586-3300
amarin@ombudsman.on.ca
www.ombudsman.on.ca

Mr. Robin Matsunaga
Ombudsman of Hawaii
4th Flr - 465 South King St.
Honolulu HI, 96813 United States
(808) 587-0770
robin.matsunaga@ombudsman.hawaii.gov
www.ombudsman.hawaii.gov/

Dean David Percy
IOI Canada Treasurer
University of Alberta Law Center Room 487
Edmonton AB, T6G 2H5 Canada
(780) 492-5590
dpercy@law.ualberta.ca
www.law.ualberta.ca

Mr. Bernard Richard
Ombudsman of New Brunswick
P.O. Box 6000
Fredericton NB, E3B 5H1 Canada
(560) 453-2789
Bernard.Richard2@gnb.ca
www.gnb.ca/0073/index-e.asp

Ms. Raymonde Saint-Germain
Le Protectrice du citoyen
525 boul. René-Lévesque E.
Bureau 1.25
Québec City QC, G1R 5Y4
(418) 643-2688
protecteur@protecteurducitoyen.qc.ca
www.protecteurducitoyen.qc.ca

Mr. Howard Sapers
Office of the Correctional Investigator
P.O. Box 3421 Station D
Ottawa ON K1P 6L4
(613) 990-2692
Howard.Sapers@oci-bec.gc.ca
www.oci-bec.gc.ca

Ms. Diane Welborn
Ombudsman of Joint Office of Citizen
Complaints
208-15 East Fouth St.
Dayton OH, 45402 United States
(937) 223-4613
welborn@dayton-ombudsman.org
www.dayton-ombudsman.org

If you are an IOI North American Region member and would like your contact information included, updated or removed please contact: snicholson@ombudsman.on.ca

IOI Contact List

NON-VOTING INDIVIDUAL

Dr. Najmul Abedin
4346 Monticello Trace
Adams TN, 37010-9036 United States
(931) 368-1090
AbedinN@apsu.edu

Ms. Suzanne Belson
4999 Earnscliffe Ave.
Montreal QC, H3X 2P4 Canada
(514) 489-4482
sbelson@videotron.ca

Ms. Nora Farrell
Ombudsperson at Ryerson University
OAK 215/216 (Oakham House)
63 Gould St.
Toronto ON, M5B 1E9 Canada
(416) 979-5000 x 7451
nfarrell@ryerson.ca
www.ryerson.ca/ombuds

Mr. Duncan C. Fowler
Fowler Consulting
110 Mills Woods Trail
Buffalo MN, 55313-2007 United States
(763) 684-4838
DuncFowler@gmail.com

Dr. Frank Fowlie DCR
Ombudsman of The Internet Corporation
for Assigned Names and Numbers
330-4676 Admiralty Way
Marina del Rey CA, 90292 United States
(310) 823-9358
icann@icann.org
www.icann.org/ombudsman

Mr. Dean Gottehrer
P.O. Box 8485
Santa Cruz CA, 95061-8485 United States
deang@cruzio.com

Ms. Tracy-Anne McPhee
Ombudsman of Yukon
P.O. Box 2703
Whitehorse YT Y1A 2C6
(867) 667-8468
email.ombudsman@ombudsman.yk.ca
www.ombudsman.yk.ca

Mr. Michael P. Mills
Ombudsman of Portland Oregon
Rm 140-1221 SW 4th Ave.
Portland OR, 97204-1900 United States
(503) 823-0144
Ombudsman@ci.portland.or.us
www.portlandonline.com/auditor/index.cfm

Prof. Linda Reif
University of Alberta, Faculty of Law
Rm. 417, Faculty of Law
Edmonton AB, T6G 2H5 Canada
(780) 492-2800
lrief@law.ualberta.ca
www.law.ualberta.ca

Mr. Patrick Shannahan
Ombudsman-citizens' Aide of Arizona
209-3737 N. 7th St.
Phoenix AZ, 85014 United States
(602) 277-7292
pshannahan@azoca.gov
www.azleg.gov/ombudsman/default.asp

NON-VOTING ASSOCIATE

Ms. Christiane Ouimet
Public Sector Integrity Commissioner of
Canada
7th Flr - 60 Queen St.
Ottawa ON K1P 5Y7
(613) 941-6536
leduc.carole@psic-ispc.gc.ca
www.psic-ispc.gc.ca

LIBRARY MEMBERS

Ms. Shyama Agrawal
J. Michael Gooson Law Library
Duke Univeristy School of Law
Acq/Serials Department
Science Drive & Towerview Road
Box 90361
Durham NC, 27708-0361
agrawal@law.duke.edu

Mr. Luc Chabot
Office of the Commissioner of Official
Languages Library
Rm. 305 - 344 Slater St.
Ottawa ON, K1A 0T8 Canada
luc.chabot@ocol-clo.gc.ca

Ms. Sandra E. Perry
Legislature Library, Edmonton
216 Legislature Building
10800 97th Ave.
Edmonton AB, T5K 2B6 Canada
sandra.perry@assembly.ab.ca

If you are an IOI North American Region member and would like your contact information included, updated or removed please contact: snicholson@ombudsman.on.ca