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“He has become the model
for ombudsmanship in
Canada.”

-S. Hyson & G. Munro,
*Provincial and Territorial
Ombudsman Offices in Canada*
(University of Toronto Press)

CANDIDATE PROFILE SUMMARY

Bi-jurisdictional public law lawyer with 27 years of progressively professional experience at the most **senior executive** ranks in the federal and provincial public services, and private sector requiring strong ethical standards, tact and impartiality. Expert in **mediation, conflict management, conciliation, human rights, ethics, anti-corruption, compliance and investigations**. Champion of **oversight of public institutions**, specializing in **complaint resolution, systemic investigations** and recommendations for public policy reform. Innovator in **investigative techniques, use of technology** and promotion of **transparency and accountability** in government. Recommendations **overwhelmingly accepted**, improving governance. Recognized for excellence in practice of public sector law. **Exceptional** leadership and interpersonal skills. Keynote speaker.

CAREER CHRONOLOGY

ANTI-CORRUPTION EXPERTS INC.

PRESIDENT

Anti-corruption consultant. Investigations training.

Completed ombudsman mission in Kiev and conducted an independent audit and assessment of the effectiveness of the Business Ombudsman Council sponsored by The Organization for Economic Co-operation and Development (January-February 2017). Also under contract with CowaterSogema International to conduct review and assessment of Supreme Audit Institutions in the mining industries in Cameroun, Burkina-Faso, Mali and Madagascar (ongoing). Also practices criminal defence law.

*June 2016 -
Ottawa, Ontario*

POSTMEDIA

FREELANCE COLUMNIST "THE OMBUDSMAN"*April 2016 -
Ottawa, Ontario*

Publishes "The Ombudsman" in the *Toronto Sun* and *Ottawa Sun* as well as dozens of papers owned by Postmedia. Sunday weekly column offers a commentary on ongoing issues and maladministration at all levels of government.

LEGISLATIVE ASSEMBLY OF ONTARIO

OMBUDSMAN OF ONTARIO*April 2005 to Sept 14, 2015
Toronto, Ontario*

Exercises independent oversight over more than 500 provincial government ministries, corporations, agencies, boards and commissions. Informal recommendations sparked widespread reforms, benefiting millions of Ontarians. Office handled a record 27,000 public complaints in 2013-2014. Legislation passed in 2014 to expand mandate to more than 500 additional bodies in broader public sector, including municipalities, universities and school boards.

DEPARTMENT OF NATIONAL DEFENCE

CANADIAN FORCES OMBUDSMAN*June 1998 to April 2005
Ottawa, Ontario*

Created first independent civilian oversight office for Canada's military, reporting directly to the Minister of National Defence. As organizational Ombudsman, investigated and reported on systemic issues affecting Canadian Armed Forces members, including post-traumatic stress disorder.

ONTARIO MINISTRY OF THE ATTORNEY GENERAL

DIRECTOR, SPECIAL INVESTIGATIONS UNIT*September 1996 to June 1998
Toronto, Ontario*

Headed independent civilian police oversight agency, oversaw investigations and charges.

UNIVERSITY OF OTTAWA

PART-TIME PROFESSOR OF LAW*1993 to 1996; 1998 to 2003; 2016 -
Ottawa, Ontario*

Courses taught: *Advanced Criminal Law and Criminal Procedure; Legal Writing, Trial Tactics and Advocacy; Sentencing*. French and English in civil law and common law faculties.

ONTARIO MINISTRY OF THE ATTORNEY GENERAL

ASSISTANT CROWN ATTORNEY*March 1991 to September 1996
Ottawa, Ontario*

Prosecuted all types of criminal charges, including several fraud-related cases involving senior government officials. Published *The Guide to Investigations and Prosecutions* (Aurora: Canada Law Book, 1995).

EDUCATION

UNIVERSITY OF OTTAWA

LL.L.-J.D. MAGNA CUM LAUDE WITH FIRST CLASS HONOURS*Ottawa, Ontario
1985 to 1989*

Degrees in both common law and civil law. Awarded **Justice Brian Dickson Prize** for highest standing in final year, and **John Aylen, Q.C. Prize** for highest standing over the entire LL.L.-J.D. program.

Alumni awards: **Common Law Honour Society (2012)** for significant contribution to legal community and success in law; **Ordre du Mérite [Order of Merit] (2011)** for leadership in law on a national level.

CARLETON UNIVERSITY
BACHELOR OF ARTS, POLITICAL SCIENCE

*Ottawa, Ontario
1981 to 1985*

Alumni award: **A.D. Dunton Award of Distinction (2011)** for outstanding achievement.

AWARDS

Top 25 Most Influential Lawyers – *Canadian Lawyer* magazine, 2014 and 2013
Top 25 people in the Capital – *Ottawa Life* magazine, 2014
50 Most Influential Torontonians – *Toronto Life* magazine, 2013

John Tait Award of Excellence, Canadian Bar Association, 2012

National award presented annually to a public sector lawyer who has made significant contributions to social justice and who exemplifies pre-eminent public service.

Distinguished Service Award, Ontario Bar Association, 2012

Recognizes exceptional career contributions and/or achievements to the legal profession, including contributions to a significant law-related benefit to the residents of Ontario.

Achievement in Oversight Award, National Association for Civilian Oversight of Law Enforcement (U.S.), 2012

Recognizes significant accomplishment and contribution to civilian oversight of police. First time award given to non-U.S. citizen.

Tom Marshall Award of Excellence, Ontario Bar Association, 2009

Provincial award presented annually to a public sector lawyer for contributions in public policy and legislation, service to the public and exemplary achievement in social justice.

MEMBERSHIPS (PAST & ONGOING)

Canadian Council of Parliamentary Ombudsman / United States Ombudsman Association/
International Ombudsman Institute (Vice-President, North America, 2005-2012)/
International Ombudsman Association/ Ontario Bar Association/ Forum of Canadian
Ombudsman (President, 2007-2008) / Law Society of Ontario / The Advocates' Society /
Council of Canadian Administrative Tribunals / University of Ottawa President's Circle /
Association des Ombudsmans et Médiateurs de la Francophonie (Board of Directors)

ACHIEVEMENTS – Ombudsman of Ontario – 2005-present

HIGHLIGHTS – FIRST TERM, 2005-2010

- Created **Special Ombudsman Response Team (SORT)** to focus on systemic investigations affecting large numbers of people – conducted **21** systemic investigations, sparking significant reforms to **newborn screening, lottery security, property tax assessments** and **compensation of crime victims**.
- Increased transparency by issuing special reports in addition to Annual Report.
- Improved efficiency creating triage system for complaint intake focused on early resolution and effective escalation of investigations, replacing little-used regional offices and internal specialization silos.
- Increased public awareness of office by focusing resources on professional, effective communications and earned media, replacing expenditures on small-scale outreach, advertising and surveys. Media coverage reached an aggregate **424 million** people, valued at **\$11.85 million** for 2005-2010.
- Improved productivity by creating and implementing digital complaints management system, enabling better tracking of complaints and issue trends.
- Began tracking MUSH sector complaints and reporting on the need for expansion of oversight to catch up to other provinces (**10,233** complaints 2005-2010).
- Became first Ombudsman office in Canada to use social media (Facebook, Twitter).
- Created “Sharpening Your Teeth” training course for ombudsmen and administrative watchdogs to share Ontario systemic investigations methodology and expertise across Canada and around the world.
- Given new responsibility, through provincial legislative amendment, for investigating complaints about closed municipal meetings; created new Open Meeting Law Enforcement Team and educational materials for municipalities, conducted outreach (without additional budget resources).
- Began pro-active quarterly meetings with senior officials of most complained-about ministries and organizations to flag significant complaint trends and problems.

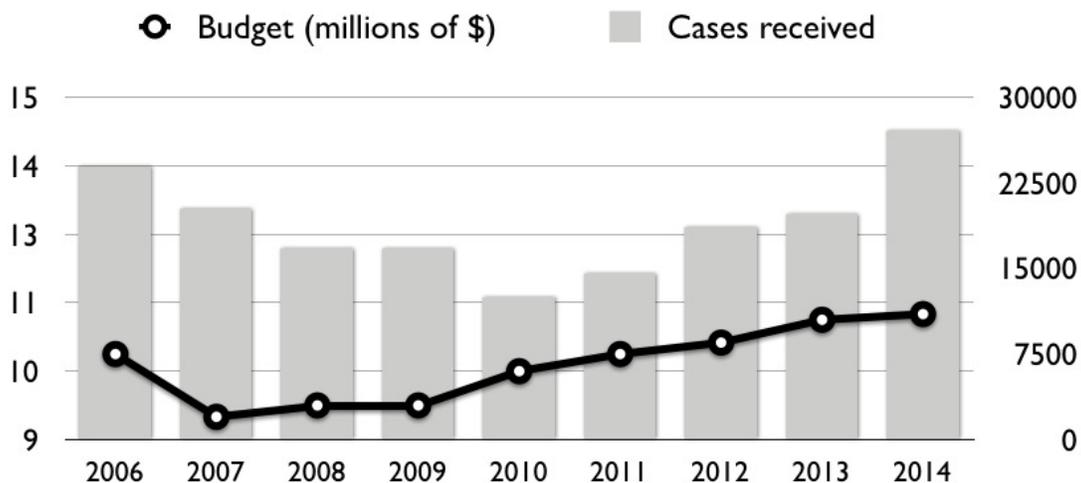
HIGHLIGHTS – SECOND TERM, 2010-2015

- Conducted **13** systemic investigations and follow-up on all previous ones, sparking significant reforms to **investigations of violence against inmates by prison guards, monitoring of unlicensed daycares,**

support services for provincial police with operational stress injuries, public works protection, and monitoring of drivers with potentially unsafe medical conditions.

- Media coverage reached an aggregate **288 million** people in four fiscal years (2010-2014), valued at **\$10.8 million**.
- Began using social media in investigations, increased Twitter following to **30,000+**, added YouTube channel to share news conference videos and information about work, conducted training for other watchdogs in use of social media.
- Improved online complaint intake and created mobile app to engage more users.
- Added voluntary proactive disclosure of expenses to public website.
- Created internal wiki for staff and introduced call-recording technology to improve information-sharing and customer service.
- Began publishing separate OMLET Annual Report on municipal transparency.
- Instituted quarterly meetings (Ombudsman and Deputy Ombudsman) with the Secretary of Cabinet/Head of OPS to discuss complaint trends and issues.
- Recorded highest number of complaints in office’s history – **26,999** – in 2013-2014.
- Reported on growing momentum for MUSH sector oversight – including **10,443 complaints** 2010-2014, 17 private member’s bills and 142 petitions tabled in the Legislature 2005-2015.
- Given historic mandate expansion to municipalities, universities and school boards, through passage of new legislation, Bill 8 – the *Public Sector and MPP Transparency and Accountability Act*.
- Began outreach to Bill 8 organizations and planning for implementation.

Complaints and expenditures – fiscal years 2006-2014



SYSTEMIC INVESTIGATIONS AND RESULTS

Investigations resulting in published reports

- **Hydro One billing and customer service:** Investigation into billing practices and customer service problems at the government owned utility. More than 10,000 complaints received. Announced February 2014.
- **Unlicensed daycares:** Ministry of Education accepted 113 recommendations, replaced antiquated legislation and tightened rules to better protect children in unlicensed daycares. Report: *Careless About Child Care*, October 2014.
- **Monitoring of hypoglycemic drivers:** The Ministry of Transportation agreed to 19 recommendations to improve monitoring of drivers with uncontrolled hypoglycemia and better protect the public. Report: *Better Safe Than Sorry*, April 2014.
- **Use of force in jails:** Ministry of Community Safety and Correctional Services agreed to eradicate the 'code of silence' and improve investigations of excessive use of force by correctional officers. Report: *The Code*, June 2013.
- **OPP handling of operational stress injuries:** Ontario Provincial Police and Ministry of Community Safety and Correctional Services agreed to 34 recommendations to address operational stress injuries and suicide among police officers. Report: *In the Line of Duty*, October 2012.
- **Government support for police oversight:** Ministry of the Attorney General was found to be failing to support the Special Investigations Unit (SIU) in its role as police watchdog. Report: *Oversight Undermined*, December 2011.
- **G20 summit:** Investigation found provincial regulation under World-War-II era law expanded police powers during June 2010 G20 summit, contributing to mass breaches of civil rights; all recommendations accepted and *Public Works Protection Act* replaced. Report: *Caught in the Act*, December 2010.
- **Hamilton/Niagara-area LHIN:** Local Health Integration Networks across the province were told to stop holding closed "education" meetings after the Hamilton Niagara Haldimand Brant LHIN was found to have met illegally behind closed doors and inadequately engaged the public in health care restructuring decisions. Report: *The LHIN Spin*, August 2010.
- **Cancer drug funding:** Ministry of Health and Long-Term Care agreed to lift its arbitrary funding cap on colon cancer drug Avastin, which was unsupported by medical evidence. Report: *A Vast Injustice*, September 2009.
- **Community college programs:** Ministry of Training, Colleges and Universities issued new directives on advertising of college programs after this investigation into Cambrian College's Health Information Management program, whose graduates were unable to find jobs in their field. Report: *Too Cool For School Too*, August 2009
- **Private career colleges:** Ministry of Training, Colleges and Universities began laying charges under the *Private Career Colleges Act* after this investigation found it failed to protect students from an illegal college. Report: *Too Cool For School*, July 2009.
- **Municipal co-operation in investigations:** City of Oshawa's refusal to co-operate in an Ombudsman investigation was found to be unreasonable and wrong. Report: *Pirating Our Property*, April 2009.

- **Oversight of police:** The Special Investigations Unit agreed to hire more civilian investigators to address concerns of pro-police bias and increased the rigour and transparency of its investigations. Report: *Oversight Unseen*, September 2009.
- **Protection of new homeowners:** Ministry of Government and Consumer Services improved transparency of Tarion Warranty Corp. and created an internal ombudsman. Report: *Building Clarity*, June 2008.
- **Legal Aid:** Ministry of the Attorney General and Legal Aid Ontario took action to recover assets and strengthen the oversight of public funds spent in criminal trials after \$1.2-million was spent to defend Richard Wills. Report: *A Test of Wills*, February 2008.
- **Lotteries:** Ontario Lottery and Gaming Corporation overhauled lottery security after it was found to have paid out millions of dollars in prizes to “insiders.” Report: *A Game of Trust*, March 2007.
- **Compensation for crime victims:** Ministry of the Attorney General committed \$20 million to aid crime victims and to reform a cash-starved compensation system that was found to be revictimizing crime victims. Report: *Adding Insult to Injury*, February 2007.
- **Delinquent child support:** Family Responsibility Office tightened loopholes and improved enforcement of support orders. Report: *It’s All in the Name*, August 2006.
- **Disabled support:** Ontario Disability Support Program payments that had been unjustly delayed for nine years were paid to recipients, and regulations limiting retroactive payments were revoked. Report: *Losing the Waiting Game*, May 2006.
- **Property tax assessments:** The government froze property tax assessments for two years and agreed to 22 recommendations to improve fairness, transparency and accuracy at the Municipal Property Assessment Corporation. Report: *Getting it Right*, March 2006.
- **Newborn screening:** Testing on newborn babies was dramatically improved (from two tests to 29), averting death or severe illness for 50 infants per year. Report: *The Right to be Impatient*, September 2005.
- **Drug funding:** Ministry of Health committed to change drug funding system and fund a life-saving drug for a teenager whose family was on the verge of bankruptcy. Report: *From Hope to Despair*, September 2005.
- **Children with special needs:** Custody of 70 children was restored to parents who had surrendered them to children’s aid societies in order to obtain the residential medical care they required. Report: *Between a Rock and a Hard Place*, May 2005.

Investigations resolved without reports

- **Non-emergency medical transportation services:** Ministries of Transportation and Health and Long-Term Care pledged to regulate the medical transportation services industry, after the investigation uncovered problems including unsafe vehicles and untrained staff. Resolved June 2011 – still being monitored.
- **Limited funding of Herceptin:** Ministry of Health and Long-Term Care agreed to begin funding Herceptin for patients with breast cancer tumours of one centimetre in diameter or less. Resolved May 2011.
- **Long-term care:** Ministry of Health and Long-Term Care incorporated suggestions in its ongoing upgrade of its monitoring of long-term care facilities after this investigation

identified serious systemic problems. Resolved December 2010 with the release of a summary of findings – still being monitored.

- **PET scans:** Ministry of Health and Long-Term Care announced funding for Positron Emission Tomography scans for certain indications in the wake of this investigation of the Ministry's process for evaluating the technologies. Resolved July 2009.
- **Assistive devices:** Ministry of Health and Long-Term Care agreed to fund home use of oxygen saturation monitors for children with life-threatening respiratory conditions, and to review the entire Assistive Devices Program. Resolved November 2007.
- **Military Children:** Provincial and federal officials committed emergency funding to help traumatized children of Ontario-based Canadian Forces personnel serving in Afghanistan. Resolved April 2007.
- **Out-of-country cancer care:** Ministry of Health and Long-Term Care overhauled its out-of-country care program and paid \$75,000 to a chemotherapy patient who was wrongly denied coverage. Resolved January 2007.
- **OHIP:** Coverage was granted to a 94-year-old man who moved back to Ontario from the U.S. and broke his hip 38 days before his Ontario health insurance eligibility was to take effect. Resolved September 2006.
- **Testicular implants for boys:** Ministry of Health and Long-Term Care restored funding for testicular prosthesis surgery for boys under 18. Resolved May 2006.

PRO-ACTIVE RESOLUTION

To encourage resolution of brewing issues and promote better governance, instituted quarterly meetings with the organizations that consistently draw complaints. Examples of recent issues that were resolved without resort to an investigation and report:

Office of the Public Guardian and Trustee: Discussion of persistent problems with customer service and potential systemic issues prompted improvements in staff training, phone protocols, audits and case management.

Correctional services: Serious cases involving inmate health and safety are flagged, along with potential systemic issues like misuse of segregation for inmates with mental health issues, inmate-on-inmate violence and provision of health care services.

Ontario Disability Support Program: Quarterly meetings flagged issues with the SAMS computer system, customer service problems and payments that were being wrongly diverted to the Family Responsibility Office.

Private security licensing: The system for reviewing security licence applications was overhauled and backlog of 200 applications was cleared after our intervention.

'Ghost' licences: The Ministry of Transportation conducted a full review of its practice of issuing new records to store information on drivers whose licence information can't be found, revealing more than 1 million such records existed, including more than 500 for suspended drivers.

Death Investigation Oversight Council: In response to complaints about lack of transparency and communication, DIOC officials met with Ombudsman staff for training in complaint handling and improved its communications practices.

Pro-active resolution meetings are also held regularly with:

- Hydro One
- Ministry of Children and Youth Services
- Family Responsibility Office
- Ministry of Community and Social Services
- Ministry of Training, Colleges and Universities

MUNICIPAL INVESTIGATIONS – ILLEGAL CLOSED MEETINGS

Developed system for investigating complaints about closed meetings after amendments to *Municipal Act* took effect in 2008. Created **OMLET** – Open Meeting Law Enforcement Team and educational materials for Ontario’s 444 municipalities and public. Since 2008:

- Handled **1,000+** complaints
- Recommendations overwhelmingly accepted
- Investigator for some **200** municipalities; many that “opted out” now “opting in”
- Launched separate OMLET Annual Report in 2012
- Published *Sunshine Law Handbook: Open Municipal Meetings in Ontario* (2008, 2009 and 2014), distributed to every municipal council member and clerk across Ontario
- Published “tip cards” explaining Municipal Act rules, distributed across Ontario
- Developed legal definition of “meeting” falling under open meeting rules
- Encouraged all municipalities to record open and closed meetings to improve transparency, accountability and investigative process.

SHARING EXPERTISE – TRAINING WATCHDOGS WORLDWIDE

At the invitation of the **International Ombudsman Institute**, developed a specialized training course for ombudsmen and administrative investigators, entitled “**Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs.**”

- First such course in the world
- Teaches systemic investigation techniques developed at Ombudsman Ontario
- Some **2,000** trainees since 2007
- Delivered in English and French, on a full cost-recovery basis

Watchdog agencies from around the world have enrolled in this training, including:

Canada: All provincial ombudsman offices, all Ontario offices of the legislature (e.g., Auditor General, Integrity Commissioner, French Language Services Commissioner), all federal ombudsmen (e.g., Victims of Crime, Taxpayers, Veterans, Procurement), several municipal accountability offices (City of Toronto Ombudsman, Auditor General and Lobbyist

Registrar; Montreal Ombudsman), and numerous similar agencies (e.g., RCMP complaints commission, Elections Canada, Ontario Workplace and Insurance Board, Ontario Independent Electricity System Operator).

U.S., Caribbean and South America: U.S. Department of Homeland Security, U.S. National Institutes of Health, Iowa Ombudsman, United Nations High Commission for Refugees, and ombudsmen of Barbados, Bermuda, Cayman Islands, and Brazil.

Asia: Ombudsmen and staff from more than 10 countries, including Japan, Thailand, Philippines, Vietnam, Malaysia, Pakistan, Korea, Taiwan, and municipal ombudsman of Hong Kong.

Africa: Ombudsmen and staff from more than 20 countries, including South Africa, Kenya, Botswana, Namibia, Nigeria, Ivory Coast, Tanzania and Zambia.

Europe: Ombudsmen and staff from more than a dozen countries, including the U.K., Austria, Netherlands, Slovenia, Norway, Azerbaijan, Armenia, Romania, Latvia, and municipal ombudsmen of Amsterdam and Rotterdam.

Oceania: Ombudsmen and staff of Indonesia, New Zealand, and Australia (including state ombudsmen).

SPEECHES AND OUTREACH

In **more than 100** public speaking engagements since 2005, raised awareness of role and function, shared expertise, promoted open government and accountability, and engaged key stakeholders and public across Ontario, Canada and abroad. Highlights include:

Ombudsman community: International Ombudsman Institute World Biennial World Conference addresses (2013, 2009); International Ombudsman Association annual conference keynote (2010), Forum of Canadian Ombudsman keynote (2008), United States Ombudsman Association keynote (2006), Association of Canadian College and University Ombudspersons (2006), Australasian and Pacific Region Ombudsman conference (2011), Asian Ombudsman Association global conference (2014), Asian Ombudsman Annual Conference (Tokyo, 2016); Business Integrity in Eastern and Central Asia (Kiev, 2017).

Legal community: Canadian Bar Association national conference (2014), Ontario Bar Association annual gala (2006) and numerous other events, Law Society of Upper Canada, Law Union of Ontario, Association International des Jeunes Avocats, Alternative Dispute Resolution Institute, Association of Law Officers of the Crown, County of Carleton Civil Litigation Conference (2014), Australia Public Sector Lawyers' Forum (via Skype).

Lectures at faculties of law: University of Ottawa (Common Law and Civil Law section, English and French), University of Toronto, University of Windsor, University of Western Ontario, University of Winnipeg (via Skype).

Ontario universities and colleges: Lectures and speeches at Carleton University, University of Ottawa and St. Paul University, Ottawa; York University, Seneca College, Humber College, Ryerson University and University of Toronto Munk Centre, Toronto.

Police oversight bodies and stakeholders: National Association for Civilian Oversight of Law Enforcement (2010, 2011), Ontario Association of Police Services Boards (2012, 2014),

National Capital Region Civil Liberties Association (2010), B.C. Civil Liberties Association (2009), Southern Chiefs Organization Forum on Police Oversight, Winnipeg (2009).

General interest: Economic Club of Canada (2009), Third Tuesday Toronto (2011), Hamilton Hive (2014), Executing Social Media conference (2009), Kiwanis Club Toronto (2007), Canadian Centre for Ethics and Corporate Policy (2007).

Francophone community: Club canadien (2015), Club Richelieu Ottawa (2015).

Submissions to government: Addressed standing committees of the Ontario legislature on various bills, including: Bill 8, the *Public Sector and MPP Accountability and Transparency Act* (2014, re expansion of Ombudsman mandate); Bill 11, *An Act to Amend the Ambulance Act* (2013, re oversight of Ornge); Bill 55, the *Strong Action for Ontario Act* (2012, re erosion of oversight); the role of MPPs and the Ombudsman (2008); and Bill 165, the *Provincial Advocate for Child and Youth Act* (2007) and Bill 210, the *Child and Family Services Statute Law Amendment Act* (2005) re oversight of child protection.

Municipal governments (re: open meetings): Invited to address councils for City of London (2012), City of Sudbury (2012) and Town of Fort Erie (2007).

Bill 8 outreach – Broader public sector organizations

Since the introduction of the Public Sector and MPP Accountability and Transparency Act in early 2014, sought speaking engagements and opportunities for staff to engage stakeholders in the municipal, university and school board sector, including:

- Federation of Northern Ontario Municipalities conference – May 2015
- Ontario Association of Catholic School Trustees – April 2015
- Association of Municipal Clerks and Treasurers of Ontario – April 2015
- Ontario University Students Association – March 2015
- Council of Ontario Universities – February 2015
- Toronto Taxpayers Coalition – February 2015
- Canadian Federation of Students (Ontario) – January 2015
- Ontario College of Teachers – November 2014
- Public Sector Digest Ontario Municipal Conference – June 2014

Subject-Matter Expert

Sought after on a weekly basis by print, radio, television and social media as a subject-matter expert on matters of public administration, good governance, corruption and oversight of government, the military and the police.

Languages spoken and written: French and English