

2013-2014 ANNUAL REPORT OF THE QUÉBEC OMBUDSMAN **Highlights concerning government departments and agencies**

Québec City, September 18, 2014 – Today, Ombudsperson Raymonde Saint-Germain presented the findings and recommendations of her 2013-2014 Annual Report concerning certain government departments and agencies. The situations documented in this report were selected according to the seriousness of the problem, the consequences for citizens and the collective impact of the solutions.

Agence du revenu du Québec (Revenu Québec) – Taxation

In its Annual Report, the Québec Ombudsman describes the complaints of businesses whose financial viability was imperiled by abusive assessments or questionable auditing methods. In the case of three businesses suspected of being in on a fake invoice scheme, Revenu Québec ended up doing the right thing (during the summer, after the end of the period covered by the Québec Ombudsman's 2013-2014 Annual Report). One of the businesses saw the draft assessment it had received decreased by \$2.4 million, while those of the other two businesses in the amount of roughly \$1 million each were cancelled. The Québec Ombudsman is satisfied with the change of heart in these three files. However, in a more general vein, it reminds Revenu Québec of the importance of making proper use of the sweeping powers conferred upon it by law in matters of tax evasion. The report also draws attention to other shortcomings, including refusal to take citizens' explanations into account, lateness in issuing draft assessments, restrictive interpretation of the law and a rigid attitude.

Agence du revenu du Québec (Revenu Québec) – Support-payment collection

The Québec Ombudsman deemed complaints to be substantiated from parents who were creditors of support who felt that Revenu Québec had not acted soon enough. In light of the facts, the Québec Ombudsman is not convinced that Revenu Québec puts as much effort into collecting arrears on child support as it does when it is owed money. In the cases presented in the report, Revenu Québec's negligence had hefty financial consequences for the parents concerned.

Bureau du coroner

In 2012, the average wait time for coroners' investigations was 12.2 months; 799 families had to wait more than a year and a half before obtaining the coroner's conclusions concerning a loved one's death. Given the serious consequences—human and financial—of long wait times on bereaved families, the Québec Ombudsman's opinion is that the Bureau du coroner must make the reduction of wait times one of its priorities. In an investigation report released this year, the Québec Ombudsman made seven recommendations on this subject to the Chief Coroner, who committed to implementing them.

Commission administrative des régimes de retraite et d'assurances (CARRA)

If the backlog caused by the introduction of a new computer system in 2010 has finally been absorbed, citizens nonetheless continue to suffer financial damage. The Québec Ombudsman also notes sizable failings in the reliability and quality of the information that CARRA transmits. Miscalculations and data entry errors had major repercussions: some insured workers had to put off their retirement, others who had already retired a few years before had their pension amount decreased and some had to reimburse large sums of money.

Commission de la santé et de la sécurité du travail (CSST)

The Québec Ombudsman received complaints from people who had won their Commission des lésions professionnelles case only to find that the CSST had not acted on the decision or had taken much too long to do so. This contravenes the *Act respecting industrial accidents and occupational diseases*, which stipulates that a decision of the Commission des lésions professionnelles (an administrative tribunal) is final and without appeal. Any person or agency referred to in the decision must comply with it immediately.

Curateur public

The complaints handled by the Québec Ombudsman show that there are gaps in the exchange of information between Curateur public employees, delegated curators in particular, and trustees. This problem, due in part to flaws in the computer system, has led to a series of errors that had financial consequences for the people represented.

Ministère de l'Emploi et de la Solidarité sociale

The benefits of recipients who receive amounts from a succession paid in instalments are reduced, which is not the case when the capital is received from a succession in a lump-sum payment. The Québec Ombudsman considers it unfair that these recipients are penalized because their parents, wanting to protect them, decided to have their inheritance paid in instalments. This is why it has recommended that the government rectify the situation by proposing an amendment to the *Individual and Family Assistance Act*. Among the other problems that the Québec Ombudsman notes are the inadequate information given to recipients and failure to take their valid explanations into account.

Ministère de la Justice

Since 2012, before citizens can apply for a record suspension (“pardon”), they must provide proof from the registry of the court that found them guilty that they paid all penalties in full. The Québec Ombudsman notes that court registries have closed certain files that contained small remaining balances without striking them from the file. Unaware of this situation, citizens are therefore deprived of the possibility of having their situation set straight. Further to talks with the Québec Ombudsman, the Department proposed measures to prevent citizens from being harmed in this way, to the Québec Ombudsman’s satisfaction.

Hydro-Québec: an agency which does not yet fall under the Québec Ombudsman’s jurisdiction

This year, the Québec Ombudsman received 310 requests concerning Hydro-Québec, up by 47.6% from last year. The Québec Ombudsman is displeased with not being able to act with regard to Hydro-Québec, a public agency, which is not subject to its jurisdiction.

Departments and agencies that cooperate with the Québec Ombudsman

The Ombudsperson underlined the collaboration it has generally received from public services in their action to rectify the mistakes and shortcomings that the Québec Ombudsman noted this year. She pointed out that the acceptance level of the measures of individual scope requested by the Québec Ombudsman was 99.5% (only 5 out of 1,035 recommendations were disregarded).

The 2013-2014 Annual Report of the Québec Ombudsman is posted at www.protecteurducitoyen.qc.ca/en/annualreport.

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Information and requests for interviews:

Carole-Anne Huot, Communications Adviser

(418) 646-7143 / (418) 925-7994 carole-anne.huot@protecteurducitoyen.qc.ca

Joanne Trudel, Communications Manager

(418) 644-0510 / (418) 580-9259 joanne.trudel@protecteurducitoyen.qc.ca

www.protecteurducitoyen.qc.ca