

Dr. Dave Webster  
Department of Diagnostic Imaging  
Health Sciences North  
41 Ramsey Lake Road  
Sudbury ON  
P3e 5J1

May 12, 16

Mr. Paul Dubé  
Ombudsman of Ontario  
Bell Trinity Square  
483 Bay Street, 10th Floor, South Tower  
Toronto, ON  
M5G 2C9

RE:COMPLAINT AGAINST DR ERIC HOSKINS MINISTER OF HEALTH

Dear Mr. Dubé

As you may recall, I recently registered a complaint against the previous Ombudsman, Mr. Andre Marin, related to his two investigations into the process by which the Ontario Ministry of Health was assessing PET. Mr. Gareth Jones, the Director of the Special Ombudsman Response Team, is handling this. I am trying to use the checks and balances supposedly built into the 'fabric of our open, transparent and accountable' democracy to ensure that those in Public Office act accordingly. To date, unfortunately, I can only conclude that they are simply part of the problem and exist to protect the government from criticism. I keep hoping it will be different this time. It has only become more apparent that the 'pathology' runs deep, which is leading me to this second complaint.

In my complaint against Mr. Marin I had included the fact that Mr. Smitherman had refused to acknowledge or respond to the letter from Dr. Al Driedger, the most senior member of the MOH PET Steering Committee. Mr. Smitherman was required to do so by Provincial Law. I had written Mr. Smitherman under the direction of Mr. Marin, and asked Mr. Smitherman to explain his refusal to respond to Dr. Driedger's serious accusations. (Accusations subsequently proven to be correct in the 2011 Journal of Nuclear Medicine publication by Dr. Rodney Hicks included with the previous complaint.) Mr. Smitherman did not answer the question. Mr. Marin dismissed this. Ironically, having dismissed the concerns of my colleagues and me that the MOH was 'stonewalling' us, in Mr. Marin's second investigation, he too was stonewalled by the government!

**In May of 2015 I sent a letter to Dr. Eric Hoskins, which he has refused to acknowledge or respond to. In this case, Dr. Hoskins had requested that I write this letter.**

BACKGROUND:

Dr. Carolyn Bennett, our current Federal Indian Affairs Minister, and previously a Federal Liberal MPP for St. Paul's in Toronto, had given a talk on the discrepancy between the availability of PET in Ontario, versus Quebec. This took place in Montreal in January 2015 at the Canadian Association of Nuclear Medicine Annual Meeting. One of her main points was the Canada Health Act had declared there should be equal access to Health Care throughout Canada which was clearly not the case with PET. I met with her and then through a series of emails, telephone conversations and a further meeting in Toronto she said she would discuss the issues with Dr. Hoskins. He advised Dr. Bennett that I should write him with my concerns. I did so, and sent by Registered Mail in May of 2015.

I waited in vain for a response and mentioned this to Dr. Bennett. She spoke to him again, and he told her that my concerns had been addressed. I made it clear they had not.

I have included the email threads with Dr. Bennett regarding these issues, and will send the appropriate documents with this letter.

In December 2015, Dr. Hoskins and our local Liberal MPP, Mr. Glenn Thibeault, made a surprise visit to Sudbury. They announced that they would provide the operating costs for a PET scanner in Sudbury, starting April 1 2016. However it will be years before a PET scanner is in Sudbury. It was nothing more than a cheap political trick to stop Mobile PET in Ontario, but this is another issue. I won't burden you with the details unless you would like to know more.

I met with the NDP Health Critic, Ms. France Gelinas, who is from Azilda near Sudbury. I mentioned to her that Dr. Hoskins had not responded to this letter. She confirmed to me that Dr. Hoskins was required by law to have someone acknowledge and respond to this letter. She was given a copy, and I was informed that she had given the letter to Dr. Hoskins.

As I had not received a response from Dr. Hoskins over the next few months I spoke to some lawyer contacts and we agreed that it would be appropriate to write the Attorney General of Ontario. To the best of our understanding the Attorney General's Office had the responsibility, among others, to ensure that those in Public Office were behaving in accordance with the rules of the Legislature, as well as appropriate Provincial and Federal Laws.

On March 8, 2016, I sent a detailed letter to Madame Madeleine Meilleur, the Attorney General of Ontario. Most importantly at the end of this letter I stated that if she were not the appropriate individual to write to, would she please inform me who was. She replied with a two-line answer on April 14:

“My office does not handle the concerns you have identified. As a result, I have forwarded your correspondence to the Honourable Eric Hoskins, Minister of Health and Long-Term Care for his consideration.

**NOTE: She did not make any mention to whom I should address my concerns to.**

I have discussed her response with a lawyer I had spoken too and he was shocked as I was since this seemed to be within her mandate. It also implied she had no idea who would know whether or not Dr. Hoskins had indeed broken this law! Then, as a lawyer, and without my permission, she sent Dr. Hoskins a copy of my letter registering a complaint against him.

In addition, and importantly as a lawyer and the Ontario Attorney General, she is aware that Dr. Hoskins has broken a Provincial Law, and yet is not concerned. Thus at some point, it may be appropriate to register a complaint against Ms. Meilleur. I will be sending her a further letter with very specific questions for her to address.

Thus you can see my ‘lack of faith’ in the so called ‘checks and balances’ set up to ensure people like Dr. Hoskins act according to the laws of this province.

I will send you the appropriate documents, including my letter to Ms. Meilleur. I believe that this issue would be appropriate for you, the Ombudsman to investigate.

Therefore I would appreciate it if you would proceed with an investigation into Dr. Hoskins refusal to acknowledge and give appropriate answers to the letter he requested I sent to him. If you do not feel this is appropriate I would respectfully ask you to explain why this would not be within your mandate.

Regards

Dr. Dave Webster

705-688-8492 cell

[pet.scan@radiologist.net](mailto:pet.scan@radiologist.net)

cc.

Letter to Dr. Hoskins May 2015  
Emails to Dr. Bennett  
Letter to Ms. Meilleur  
Letter to Dr. Bennett 5/7/15  
Response from Ms. Meilleur