

SPEAKER'S NOTES
for Commissioner François Boileau

Press Conference
Submission of the 2016-2017 Annual Report
Taking our stand

Message to the Media
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2 p.m.

Media Studio, Legislative Assembly, Queen's Park
Toronto, Ontario



Ladies and Gentlemen,
Good afternoon,

Thank you for being here for the presentation of my annual report. This is a significant report for my team and me. It's my 10th annual report. Yes, it's been 10 years since I took office as French Language Services Commissioner of Ontario. I want to take the time to emphasize that the last decade has flown by very quickly, but how interesting and exciting it's been.

Why?

Because I've been working with an outstanding team, to which a number of new members were added this year.

Because I like what I do. And I would also like to thank the Legislative Assembly for renewing my mandate in the past year, a nice token of confidence in the work we've done over all these years.

But most of all because, looking back, and looking at where we started in 2007, we can appreciate how far we've come and what progress we've made.

I am proud of this. **WE HAVE TAKEN A STAND.**

Hence the title of my 10th annual report. And, as you may have guessed, it's a tip of the hat to Paul Demers, the great man who passed away this year.



This role we played as a French-language institution has created a better place as for the people of this province. It is real people who have benefitted the most from it. They benefit from it every day when they request their services in French. Or better yet, when they are offered their government services in French.

Substantial progress has been made in the last decade. I can proclaim loud and clear that the interventions of the Commissioner's Office following complaints by the public have had a positive impact on French-language services.

We can measure it. In my annual report, I describe a number of interventions by the Commissioner's Office that have borne fruit over 10 years.

The progress we've made is demonstrated through 22 examples in the areas of health, justice, citizenship and immigration, education, children and youth services, and direct services to the community.

Through these 22 examples, we focus on our systemic impact and the value added that the Commissioner's Office has brought to services to the public.

It bears repeating: we have played our role and taken a stand.

The creation of the French-language health planning entities is a good example. The planning entities were established in large measure thanks to the efforts of our office.



The adoption of the IDF, the Inclusive Definition of Francophone, in 2009 is another example. In my very first recommendation, in the spring of 2008, I urged the Ontario government to overhaul the definition of Ontario's Francophone population, which was outdated. I suggested that Ontario should base its definition on the one proposed by Statistics Canada in its postcensal survey. Since then, the Francophone population has been counted using a much more inclusive method. A method that takes into account the diversity of our Francophone origins. That was a huge step forward.

In the area of communications, the government issued a mandatory Communications in French Directive that applies to all ministries and other government agencies. No longer will you see unilingual leaflets distributed to every home in the province. No longer will you see English-only documents on ministry websites. Is there still work to be done in the area of social media? Absolutely. But the foundation we have beneath us is much more solid now than it was 10 years ago.

Immigration is an issue I raised in seven reports since 2011. And it worked. Following my 2012 and 2014 recommendations, the Ministry of Citizenship and Immigration established a Group of Experts on Francophone Immigration. The Group published a report containing its observations, including a suggestion that the negotiations on a new Canada-Ontario Immigration Agreement should have a Francophone component, an idea that I put forward in the past and still endorse.

In education – elementary, secondary and postsecondary – the Commissioner's Office has been very proactive. We have published investigation reports on the shortage of French-language schools and postsecondary programs in Central and Southern Ontario. Since then, the ministries responsible for education have invested considerable amounts of money in the development of programs and the construction of new schools.



At the same time, we have reached agreements on the handling of complaints with some designated bilingual universities. Naturally, I hope to sign similar agreements with the province's other designated postsecondary institutions.

Regarding direct services to the community, I would be remiss if I did not mention the adoption of Regulation (284/11) on third parties. The government established this regulation in response to one of my recommendations. The regulation applies to all new service contracts made between the government and third parties after it came into force. Since then, most ministries have amended existing clauses in their service contracts with third parties concerning the offer of French-language services.

I've also had to put pressure on MPAC, the Municipal Property Assessment Corporation, over the years. The issue was the assignment of education taxes to the English-language school boards by default and the data collected by MPAC. We reached agreement and signed a memorandum of understanding to improve French-language services and streamline the complaints resolution process. Another win for the people.

Our representations on Bill 41, the Patients First legislation, and on Bill 89, which dealt with reforms to the Children's Aid Societies, are also concrete examples of our proactive work.

On the justice front, I signed a protocol with the Law Society of Upper Canada, which is a tremendous breakthrough for citizens and Francophone lawyers protecting our rights.



We've worked very hard – and will continue to do so – with the Ministry of the Attorney General. It's my duty to keep telling the Ministry to stop looking for specific justifications for individual problems. In other words, the case-by-case approach has to end. It's necessary to look at the big picture. Systemic solutions are needed.

This led to the establishment of the Access to Justice in French Pilot Project at the Ottawa courthouse. I'm expecting the evaluation of this project to be made public.

Recently, as my annual report was being written, I received some good news.

The Ministry of the Attorney General of Ontario has just confirmed its intention to create an advisory committee on access to justice in French. The committee will report directly to the Attorney General. This is great news, and demonstrates a concrete step forward.

Even though this fits in with the “policy of incremental steps,” I see it differently. It's the beginning of a larger step that we are about to take in order to improve access to French-language services in the justice system.

Rest assured that we plan to follow the work of the committee in the coming year so that its activities lead to concrete benefits for Francophones.

Of course, as you read through the report, you'll get a more complete picture, particularly concerning complaints. In 2016-2017, we processed 301 complaints, 214 of which were admissible. In fact, we have observed that nearly 95% of the admissible complaints in the last 10 years have been founded.



In addition, when you read the report, you will also have a better idea of the impact of our interventions, like the ones I have just mentioned and some best practices described at the end. Those practices, along with the honourable mentions, are government French-language service initiatives that I consider praiseworthy. This year, we have a record number of them.

So can we conclude that, after 10 years, the French-language services situation has improved? YES.

But it's not all sunshine and roses. The report also highlights about 20 concerning issues that are still ongoing in the area of French-language government services.

To address those issues, I make 10 recommendations in this 10th annual report. Those recommendations offer long-term solutions to recurring, systemic problems.

One of the things I recommend is amending Regulation 515/09, which deals with the role of the French language health services planning entities. Their actual role in planning French-language health services must be acknowledged. Particularly when it comes to the integrated service plans that the LHINs prepare.

I recommend that the Minister of Health and Long-Term Care elaborate innovative strategies so that individuals know where and how to obtain French-language health services.



In addition, the LHINs' relation to their service providers remains a point of contention. There is clearly a two-tier perception of the LHINs' status and their role in compelling health service providers to deliver services in French. I therefore recommend that a clear directive be issued requiring the LHINs to make sure that service contracts and accountability agreements with designated service providers specify their obligations under the French Language Services Act.

Concerning immigration, I recommend the establishment of a Francophone advisory committee that would report to the Deputy Minister. In particular, the committee would ensure that the recommendations of the Group of Experts are implemented. At the same time, the government placing a great emphasis on its target to reach 5% of French-speaking immigration. The target is laudable, but questionable. It's questionable because there is no action plan. For that reason, I also recommend that comprehensive strategies, with specific timetables, be developed for the promotion, selection, reception, integration, training and retention of Francophone immigrants.

Another important recommendation to me concerns the rights of children as framed by Bill 89. I recommend that in the new Supporting Children, Youth and Families Act, 2016, the right of children, adolescents and their families and friends to receive French-language services from Children's Aid Societies be confirmed.

It's inconceivable that in 2017, a law still refers to early childhood services being provided in French only where appropriate. This wording suggests that French-language services would be provided at the discretion of the Children's Aid Societies and not on the basis of what Francophone families need.



Fortunately, the Minister appears to be listening, and we have opened a dialogue that I hope will be beneficial for the province's French-speaking children.

I conclude my report by pointing out that over the last 10 years, our French-language services ombudsman office has become a credible reference. As a founding member of the International Association of Language Commissioners, our office is a model for other provinces and even for other jurisdictions in other countries. Ontario has also acquired observer status in the International Organisation of La Francophonie. So, in my 10th recommendation, I take the Minister at her word.

I urge the Minister Responsible for Francophone Affairs to honour her commitment to overhaul the French Language Services Act so that Ontario remains a leader in French-language services.

Thank you very much.