



SPEECH NOTES of Commissioner François Boileau

Standing Committee on Finance and Economic Affairs

Monday December 3rd, 2018 – 2.p.m

Bill 57

Restoring Trust, Transparency and Accountability Act, 2018

5 minutes + 10 minutes Q&A

Queen's Park, Toronto, Ontario

Mr. Chair, members of the Committee, good afternoon.

- Thank you for inviting me to appear before you to present my perspective on Bill 57, and more specifically on **Schedule 20**, which amends the *French Language Services Act*.
- As you know, the bill abolishes the Office of the French Language Services Commissioner. It also creates a new position, Deputy Ombudsman for French Language Services, or Commissioner, under the authority and direction of the Ombudsman of Ontario.
- The French Language Services Act was amended unanimously in 2007 to create the Commissioner's position. Previously, complaints were handled by the Office of Francophone Affairs.
- In 2014, still unanimously, the position of Commissioner becomes an independent officer of the Assembly.
- Since my appointment in 2007, and more effectively since 2014, I have consistently acted as an agent of change. My mandate and independence have allowed me to act up-stream in the policy development continuum. My goal has been the same prescribed in the Act which is to enhance the quality of French-language services in order to sustain the development of vibrant French-speaking communities in Ontario.

- Of course, like the Ombudsman's Office, we receive and resolve complaints from the public, but this is only a portion of our functions. For an effective interpretation of the *Act* the commissioner must consult the community, promote and protect, and advise government.
- It is not in the Ombudsman's statute, priorities or even in his DNA to fulfill this mandate as the Ombudsman's Office is one of last resort. We are not.
- It is our ability to **voice** our opinion and offer advice in a cost-effective manner that distinguishes us from the role of the Ombudsman. The options we propose are always pragmatic, never dogmatic, and take into account the needs of the French-speaking population.
- To give you a better sense of my role as an advisor, in the last 3 years alone, I had **13 meetings with ministers, 21 meetings with deputy ministers, and 74 meetings with other high-ranking public servants** in different ministries. **In total, 108 high-level meetings** on strengthening French-language services.
- I was able to impart useful advice to assist these decision makers in designing effective public policy. The Ombudsman of Ontario, nor his Deputy or Commissioner will not be able to continue this line of work. To believe otherwise is a serious misunderstanding of the role of the French language services commissioner.

- We also champion cooperation between officers – for instance, I asked the assistance of the Advocate for Children and Youth for my investigation into the Centre Jules Léger, a school for deaf, hard of hearing, blind and deaf-blind students. Without his support, we surely would not have been able to gain the trust of students so adequately.
- Through consultation, we know the communities, and we understand systemic problems that plague vast numbers of vulnerable Francophones in areas such as health, education, mental health, children, social services, immigration and access to justice.
- As commissioner, since 2014, I took part in at least **273 community meetings**.
- The Ombudsman of Ontario, nor his Deputy or Commissioner, cannot carry out this function and activities.
- If you pass this bill without removing Schedule 20, the Franco Ontarian community will lose a strong, independent **voice** that advocates for their rights protected in the *FLSA*.
- Without an independent commissioner that can launch proactive investigations and studies, the community may suffer from further indifference to their challenges and encroachment of their rights.

- After 11 years, I strongly believe more work is required to advise government on their obligations under the Act, work that only an independent commissioner can accomplish.
- Eliminating the independent Office of the French Language Services Commissioner will save tax payers maybe less than 300,000 dollars. But what we are losing, what the Franco-Ontarians and the general public are losing, is the **voice** of an expert and cost-effective advisor.
- Thank you.