

Annual Report of the French Language Services Commissioner
2021-2022 – December 7, 2022
Opening Remarks – Kelly Burke, Commissioner

Good morning, everyone. Before I present the details of my report, I want to acknowledge that this land is the traditional territory of many nations, including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples, and is now home to many diverse First Nations, Inuit and Métis peoples.

Today, I am pleased to present the third Annual Report of the French Language Services Commissioner, tabled by the Office of the Ombudsman of Ontario.

We have accomplished a great deal since May 1, 2019. We handled over 1,000 cases, the vast majority of which are resolved.

We issued nine recommendations in two annual reports, and 19 recommendations in our special investigation into the cuts to French-language programs by Laurentian University.

I have visited Francophones all over the province, and I've met with hundreds of people to hear about the obstacles they face and how my team and I can help remedy them.

I thank all of you who contacted us, and I invite each and every one of you who are listening today to contact us if you are facing a lack of services in French.

I also thank the media for the interest shown in our work throughout the year, and for your presence here today.

I believe that three years is a good time to start evaluating how far we've come and to look to the future.

That's what I do in this report. And what I observe makes me feel optimistic.

We have had great co-operation from the government, civil service, agencies and officers of the Legislature in resolving the vast majority of the cases we handled this year, and those we have dealt with since May 1, 2019.

Ontario now has driver's licences and health cards that allow for French characters such as accents. The lack of such characters presented two long-standing issues that we helped resolve.

The government is now working to apply all my recommendations and has finished implementing two of the nine recommendations I made in my two annual reports: The government now issues bilingual Amber Alerts, and in April, the Minister of Francophone Affairs presented her first annual report to the Legislature on her Ministry's work and plans to support the Francophone community.

I also received an update from Laurentian University, the Ministry of Colleges and Universities and the Ministry of Francophone Affairs on the progress regarding the 19 recommendations I presented in my report on cuts to French-language programs by Laurentian University.

I noted that the Ministry of Colleges and Universities is developing an internal policy that will strengthen the role of the French Language Services Coordinator.

I also noted that the Ministry of Francophone Affairs is updating the evaluation policy and establishing a compliance protocol.

Furthermore, I noted that Laurentian University will go through a consultation process that will include the Ministry of Colleges and Universities and the Ministry of Francophone Affairs before making any changes that may impact its designation.

We helped solve major issues for Francophones in Ontario. But obviously more work needs to be done.

For example, in my 2019-2020 report, I recommended to the government that all of its Ministries – some 30 of them – set up a plan for the provision of services in French by April 1, 2022. While this timeline has not been met by the government, I keep getting indications that such plans are in development.

That's why, this year, I have identified the importance of continuing to prioritize the implementation of my recommendations presented in my first two annual reports, to ensure that the province can rely on robust planning of its French language services and can evaluate its effectiveness.

This year we received 277 new cases. Many of them are related to service planning. Here is an example.

A man shared with us his family's experience after their dying mother was admitted to a designated hospital in Northern Ontario.

On several occasions, he and his family were unable to obtain services in French when visiting their mother. They noticed that their mother received very few services in French and even found a note that asked her to "Please speak in English".

Their mother died a few weeks after being admitted to the hospital.

As a result of our intervention, an action plan was developed by the hospital to prevent such a situation from happening again.

So planning remains an issue and I will continue to monitor the government's progress in this regard.

The cases we handled also led us to identify areas where improvements are needed. One such area is the recruitment for bilingual positions, part of which is the way the government communicates its employment opportunities to the public in French.

Due to the established practice, only positions designated as bilingual, therefore requiring French language skills, are communicated in French to the public.

By posting only designated bilingual positions in French, the government does not communicate all of its employment opportunities to Francophones.

We noted, however, that the government is seeking to attract more Francophones and professionals with French language skills.

I therefore recommend that the Treasury Board Secretariat review the Ontario Public Service employment policy to ensure that job postings in French are not limited to designated bilingual positions.

The cases we dealt with also led us to identify issues related to Regulation 398/93 which lists designated government agencies in Ontario.

The designation list contains a great deal of information that is now obsolete and sometimes makes it impossible to determine whether or not some organizations are required to offer services in French.

Designation is essential in Ontario. It makes it possible to increase the availability of French language services across Ontario's public sectors. Through this process, eligible organizations can voluntarily opt for government-recognized obligations to provide services in French. Designation allows for reliable and quality services in French .

It is crucial for Francophones to know where French language services are available in their regions and the tool that provides them with this information, Regulation 398/93, must be up to date.

I therefore recommend that, by September 30, 2023, the Ministry of Francophone Affairs develop a plan, addressed to the Commissioner, to update Regulation 398/93.

I am confident that my recommendations will pave the way for improvements in the delivery of French language services and will lead to profound changes for Francophones in Ontario.

Although we still have much work to do, this report documents important advancements in the level of services in French in Ontario over the past year.

I am proud of it, I am very grateful, I am hopeful this will continue and I remain optimistic for the future. Now, I will be happy to answer your questions.

Check against delivery