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An election promise for a questionable consumer advocacy office is all but dead

Achieving greater marketplace compliance and consumer protection seems to be far from what is on the minds of most political and bureaucratic operatives these days.



Innovation Minister François-Philippe Champagne had his own ideas on how to proceed with the consumer file, writes Ken Rubin. The Hill Times photograph by Andrew Meade

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OTTAWA—One of Justin Trudeau's promises from the Liberal 2019 election platform was to create a federal consumer advocacy office. But that—like other campaign promises—seems to have evaporated, and was both superficial and controversial.

Trudeau's Dec. 19, 2019, mandate letter to then-innovation minister Navdeep Bains asked him to “create a new Canadian Consumer Advocate to ensure a single point of contact for people who need help with federally regulated banking, telecom or transportation-related complaints.”

The idea—as recently obtained access-to-information documents note—was narrow, and was put forward to draw in the existing complaint mechanisms of the Canadian Radio-television and Telecommunications Commission, the Canadian Transportation Agency, and the banking

ombudsman into a central office. This would require changes to “four pieces of legislation (Banking Act, Telecommunications Act, Broadcast Act, Canada Transportation Act) and four Ministerial mandates.”

However, no mention was made of whole consumer files like food, housing, or health that could use federal advocacy intervention.

Even some insiders at Innovation, Science, and Economic Development Canada (ISED) mentioned that, federally, “the (proposed) role of Advocate needs to be revisited and reassessed as markets and technology evolve.”

No records were provided outlining a broader advocacy office with flexibility that was forward-looking, and really independent. Noticeably absent in the documents is any talk of an advocacy office aggressively tackling the tight control industrial oligarchies have on the consumer marketplace.

A Dec. 20, 2019, document had mentioned creating “an interdepartmental forum for departments and agencies to discuss and take action on emerging consumer policy issues, set priorities for collaboration, monitor results and cohesively report back to Canadians.” But that was not done.

The records reveal the proposed none-too-ambitious advocacy office was originally supposed to be in place by the summer of 2021. Costs for such an initiative were not included in the received documents.

It appears the advocacy office proposal met resistance from the banking, telecom, and transportation agencies that would lose all or part of their complaint mechanisms and funding. No records were provided of industry weighing in.

As well, by 2021, the political will for the idea seemed to have dimmed with no mention made by Prime Minister Trudeau of a consumer advocate office in the 2021 mandate letter to new Innovation Minister François-Philippe Champagne.

Existing consumer groups had been divided on the merits of such a government-sanctioned advocacy office that would have little independence, have no penalty powers, and which could mean cuts to their roles and cost award or other government funding.

As the advocacy office idea faded away, only the Consumers Council of Canada remained committed to pressing for one that they now wanted to be a broader, independent body. On their website, they argue that “Canadian consumers deserve a national agency that has the sole objective to argue for consumers, advance their needs, and stress the relationship of those needs to the decision-making processes within agencies of government.”

But that was not met with enthusiasm by other consumer groups that remained suspicious of the motivations behind a proposed consumer government advocacy bureaucratic intervention office, seeing it more as an attempt to stifle and control any independent consumer advocacy at a time when it is most needed.

Champagne—himself a very ambitious minister championing industry—had his own ideas on how to proceed with the consumer file.

He embarked on getting a few million dollars more annually in place through the Office of Consumer Affairs to disperse among consumer groups to do research projects on areas like shrinking food packaging that his government thought would benefit consumers and the government's standing.

Champagne has now widened who can do consumer research to academics, think tanks, and other groups—some with corporate ties. That will likely lessen monies on which some consumer groups were relying, and weaken the thrust for a more progressive, fairer marketplace.

An ISED spokesperson indicated that “tripling its investment” in consumer research and analysis is where the initiative now stands, with no mention of an advocacy office or of bolder interventions. However, the increased monies are still minuscule compared to those received by industry in addition to incentives for the corporate sector lobby.

In the meantime, some consumer groups are trying to wean themselves from mainly relying on government grants and regulatory cost awards, looking to new funding models ranging from mass membership dues, to government-sanctioned utility check-off fees, and to billing the private sector for court actions either through class actions or in individual cases.

Meeting the issues of affordability, lax regulation, and unfair marketplace tactics needs a more aggressive federal-provincial/territorial co-operative approach, the enactment of tougher consumer protection laws, and the active participation of Canadian consumers. So, it is understandable that an advocacy office would be questioned as an effective tool for consumer protection, empowerment, and advancement.

The federal consumer advocate office—either housed inside government, or as a quasi-government agency with a narrow or more general-purpose focus—has its supporters and detractors. But the idea never gained widespread consumer trust, nor—as expected—corporate or interagency acceptance, and is now effectively politically dead.

Such election promises can go by the wayside even though politicians are always saying they will somehow help consumers find the means to meet growing problems.

Effectively protecting and encouraging consumer involvement, or achieving greater marketplace compliance and consumer protection seems to be far from what is on the minds of most political and bureaucratic operatives these days.

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