

Media Release

CELA Condemns the Proposed Elimination of the Environmental Commissioner of Ontario

November 15, 2018

Toronto – The Canadian Environmental Law Association (CELA) reacted strongly to the Ontario government’s introduction of Bill 57, which proposes to wholly eliminate the independent Office of the Environmental Commissioner of Ontario (ECO), and to transfer the ECO’s existing duties to the Environment Minister and the Auditor General.

“There is no public interest justification for this ill-conceived proposal,” said CELA lawyer Richard Lindgren. “For over 25 years, the ECO has helped hold successive provincial governments accountable for their environmental decision-making, and the ECO has assisted countless Ontarians in exercising their legal rights under the *Environmental Bill of Rights* (EBR).”

Established under Part III of the EBR, the ECO is an independent officer of the Ontario Legislature. The ECO and her specialized staff conduct public education and outreach activities, and the ECO files annual and special reports with the Legislature to advise on whether – or to what extent – the government is complying with the EBR’s legal requirements.

In addition, the ECO reviews and reports upon energy conservation and greenhouse gas emissions. The Commissioner’s most recent report on climate change was filed in September, and correctly criticized the Ontario government’s repeal of the cap-and-trade program.

These important public roles and specialized reporting duties of the ECO have not been exercised by the Auditor General. The value-for-money audits typically conducted by the Auditor General are focused on financial accountability, while the ECO, with its considerable in-house expertise, has addressed environmental accountability and provided objective, non-partisan advice for over two decades.

“We have been pleased to hear the Premier in recent months promise to crack down on polluters and to ensure clean air, water and land for all Ontarians,” noted Theresa McClenaghan, CELA Executive Director. “Continuing the stand-alone role and expert functions of the ECO is an essential tool in achieving that objective, as seen in the Back to Basics report (<https://eco.on.ca/reports/2018-back-to-basics/>) that she released earlier this week. Eliminating the ECO is contrary to this government’s clear commitment to safeguard environmental quality.”

For these reasons, CELA calls upon the provincial government to withdraw Schedule 15 of Bill 57, which amends the EBR and terminates the ECO.

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For more information, or to arrange an interview, please contact:

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