

Remarks Delivered by John Lawford, Executive Director and General Counsel, PIAC to Consumers 150, Ottawa, 20 September 2017

Let me ask you: do you know what you're doing?

I sure don't. I've been working in public interest advocacy for 15 years and I still don't.

Let's face facts. Despite the good will here yesterday and today's turnout, we are weak, we are few, we are largely unsuccessful, we are old. Why?

Probably because I have not answered some of these fundamental questions first:

- 1 Are we or are we not a "movement"? I am aware of the genesis of the "consumer movement", of JFK's speech and Ralph Nader's early auto-safety work and subsequent Public Interest Research Groups (PIAC is roughly based on this) but I don't feel we are a movement now. Should we be rallying hundreds of thousands behind us and making political demands (as Ken Rubin I think suggested yesterday) or should we be reactive and "protecting" and "fixing" consumer "rights" (as I thought until recently), doing policy work and tribunal representation? Or both? Neither?
- 2 Either way, what are we called? "The Consumer Movement?" "Public Interest Advocates?" "Civil Society?" – as if the rest of society is not civil! Or, maybe even "Radical Leftist Front" (that last one is a favourite of mine coined by Tom Corcoran). Not agreeing about the name indicates we don't know what we are doing.
- 3 What are our principles?
- 4 What is our mission?
- 5 How are we organized? How should we be organized?
- 6 Who's in charge?
- 7 Most importantly, how can we get paid for what we do in the public interest?

This is for us to decide, to discuss, to debate – starting here at this conference but I hope continuing until we get it right – but not longer than about two years. I want to stand here before 2020 and say I know where we are going now; who we are; how we are going to do it.

So, let me start out the conversation by telling you, based on my limited experience at PIAC, what I think needs to be done before we will be able to answer those questions. It's a version of look in the mirror before going out: fix this and the insight will follow.

First, we need to coordinate, to centralize. Either this can be by a creating one, new, totally independent consumer organization, or we can work together in a federation or at least far more closely. This is especially important outside of Quebec, where the "rest of Canada" lacks good consumer representation. I note here that we are not, as non-profits and charities, subject to the *Competition Act*; we may combine as we like, we can be a cartel, coordinate thinking, corner the market on consumer and public interest representation.

Second: Widen our appeal. Make our “cause” attractive and interesting to the average person. We are grey while everyone else sells their work as multi-coloured, or even just black or just white. We are grey; beige; boring. Don’t say: “We are working for airline passenger rights” (yawn) say: “We will make sure you never sit on the tarmac again! You will never lose luggage again! You will never be bumped off a flight again!” They will love you then. But you must then deliver – or be seen trying damned hard to get there.

Third, stop working for nothing, or next to nothing! Contribution funds are not a substitute for core funding, for the sort of stable, long-term funding that Senator Ringuette said yesterday the sector lacks. In this regard, the worst culprit are government consultations. We give away our research, our opinion and wisdom – for nothing! And there is no guarantee the government will ever even consider our opinions. Consultations are killing us. Therefore, I call upon all groups here to boycott, as of 1 October, for one year, all non-funded government consultations. No money, no consumer voice. Why consultants should be paid at consultant rates but consumer groups should not is madness. It is a recipe to go broke. Boycott it and see whether government decides to help.

Fourth, share the pie. You will hear today from Duff Conacher about an old idea of soliciting consumer donations through billing or other means to fund us. PIAC also has proposed pooling cy-pres awards so all consumer groups can benefit (an idea mentioned by Senator Ringuette as well). We will hear today about class actions. But these should not be windfalls for one organization; the fruits of cy-pres should be shared to keep all groups going. In this vein, groups should cooperate to set aside a fund of our own for groups with acute short-term funding issues. PIAC is experiencing this at the moment and there are literally NO sources of funds.

Fifth – do public relations, do media relations. Sell your organization. Sell yourselves. Get over this attitude that is not something “civil society” does, or it is vulgar, or selling out, or whatever excuse. Get over the shyness; get over the self-loathing. If you don’t you will simply look terrible compared with those that do do PR. Corporations know this and spend tons on PR. You don’t have to spend tons on it but you have to spend some. Media training is also key; if you are unprepared or cannot deliver your message, it will be drowned out by those that do know how to give an interview. We will hear about both of these imperatives in the social media, media and fundraising panels today.

Sixth: roadmap it for people. Tell the public what you want them to do, when and how. OM lives for this. They are right. You need action. But you must suggest the action – or the sentiments you stir will go elsewhere – the energy will be lost. Spend time mapping out the actions you want people to do, make it simple for them, do it quickly. Steve Anderson, founder of OM, will speak to us about this at the lunch.

Seventh, and this is the message of the Charity Defense Council, whose own Jason Lynch is here with us today: spend what is necessary to succeed. Don’t stay small/be cheap. Forget overhead

ratios. Pay for the top talent (people drive our sector more than most); have up-to-date tools; be prepared to defend ALL non-profits and charities that are unjustly attacked for this approach.

Eighth, last one! Retain your employees. Great people transit our organizations, but they always leave far too soon. They leave us as there is no stability; no money. We must improve, and keep people, who will then stay and make us more stable with more money, and so on. The ultimate capital is human capital. We must pass our knowledge to the next generation. And retain them. That is the subject of our last panel.

So there you have it. My 8-point recipe for success. Discuss.

However, let me add two last observations.

First, I believe we should be able to swing a larger portion of the general public to our cause and our views than the ALT-R seems to be doing. That is because at bottom what we are “selling” to the public what actually benefits them! We deliver the public’s interest! All for one and one for all! (Whereas the ALT-R mantra only makes the ultra-wealthy wealthier and hurts the average person).

Second, I think we must stress that: “we come not to destroy capitalism, but to fulfil it.” We are not communists, socialists or “communalists”. We simply want consumers to get a fair deal. Balzac, or someone, somewhere, wrote or said that “behind every unexplained fortune lies a crafty crime”. I think these days that this can be more accurately stated as “behind every outperforming industry lies a consumer swindle.” It is our job to uncover those swindles and correct them, so consumers do not pay for cheating, and get some of the surplus from a growing capitalist economy, not just “shareholders” or increasingly, management.

All for one, and one for all! Thank you.