

Consumer Advisory Panel

August 21, 2023

Delivered electronically

Financial Services Regulatory Authority of Ontario
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Subject: Response to Consultation on Proposed Guidance on Public Warning Notices

The Consumer Advisory Panel (CAP) is submitting this comment letter in response to the Proposed Guidance outlining the process for FSRA to issue public warning notices to notify consumers and the public about unlicensed activity or other improper dealings with FSRA-regulated products and services. The CAP commends the intent behind this Guidance to enhance consumer protection, deter unlicensed activities, and maintain the integrity of licensees in the regulated sectors. However, the CAP is concerned that the approach, as proposed, will not reach its key target audience.

The CAP is not convinced that using website postings and news releases as the primary channels for public warning notices will reach the consumers that would find this information most helpful. In today's crowded information marketplace, relying primarily on press releases and website postings is not a recipe for achieving meaningful consumer awareness and precaution.

The CAP acknowledges that FSRA is currently engaged in a range of consumer education and public awareness outreach initiatives that are utilizing different media outlets to reach to divers and numerous consumers. The CAP encourages FSRA to use the partnerships created and the lessons learned from these campaigns to inform its approach to the publication of warning notices.

To improve the effectiveness of public warning notices, the CAP suggests that they be composed in plain language and, in addition to press releases and web postings, be made available on additional communication channels, including:

- *Social Media Campaigns:* Social media platforms have become powerful tools for disseminating information quickly and reaching a vast audience. Utilizing platforms such as Twitter (X), Facebook, LinkedIn, and Instagram could significantly amplify the reach of public warning notices.

- *Collaboration with Consumer Protection Organizations:* Partnering with consumer protection organizations and non-profit entities can enhance the dissemination of warning notices and provide additional channels for consumer education and awareness.
- *Mobile Applications and Alerts:* Creating a mobile application or integrating public warning notices into existing financial service apps would enable direct and timely communication with consumers who are more likely to engage with notifications on their smartphones.
- *Collaboration with Media Outlets:* While issuing press releases is mentioned in the Guidance, exploring further collaboration with media outlets, including television, radio, and online news sources, could generate broader coverage and awareness.
- *Multilingual Outreach:* Given the diverse population in Ontario, translating warning notices into multiple languages may enhance their accessibility and understanding for various ethnic communities.

Additionally, incorporating multimedia elements into the public warning notices, such as infographics, videos, and interactive content, can increase their attractiveness and engagement potential among consumers.

The CAP also recommends conducting periodic assessments of the communication strategies employed to ensure effectiveness. Regular reviews will help identify opportunities for improvement and allow for adjustments to keep public warning notices relevant and impactful.

In conclusion, the CAP supports the objectives outlined in the Guidance, but urges FSRA to explore additional communication avenues to maximize consumer awareness and protection. By adopting a multi-channel approach to disseminating public warning notices, FSRA can better achieve its desired outcomes and uphold its mandate as an outcomes-focused and consumer-centered regulator.

The CAP also has issue with the timing and duration of this consultation. When arranging a consultation, particularly one that would benefit from consumer input, FSRA should be mindful of people's availability and capacity. Allocating, as this consultation did, only a 30-day timeframe in the vacation-heavy month of August, is not the optimal for allowing the public to provide meaningful responses to the requests for comments.

Thank you for considering these suggestions. The CAP is eager to see the positive impact that the effective implementation of this Guidance will have on consumer protection and financial sector integrity.

Sincerely,

Consumer Advisory Panel