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Mr. Steven Blaney

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• (0900)

[Translation]

The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)): Good morning and welcome to this fifth meeting of the Standing Committee on Official Languages. Today, we are extremely pleased to welcome the Commissioner of Official Languages, Mr. Graham Fraser.

On behalf of the committee members and on my own personal behalf, I would like to welcome you, Mr. Fraser on this, to your second appearance before our committee.

Without further delay, I will turn the floor over to the Commissioner. Then, we will begin the rounds of questions.

Commissioner, the floor is yours.

Mr. Graham Fraser (Commissioner of Official Languages, Office of the Commissioner of Official Languages): Thank you very much, Mr. Chairman.

Honourable members,

[English]

I'm very pleased to be meeting with you today. My first year as Commissioner of Official Languages has been an intense learning experience for me. It's been an opportunity for me to develop a greater understanding of the vitality of official language communities across the country and to experience first-hand their energy and determination to make their pressing needs known to all levels of government. Furthermore, I visited a number of these communities across the country to see this for myself.

Since I became commissioner, I've appeared before various parliamentary committees to explain my first annual report as well as my perspective on such issues as the 2010 Olympic Games, the relocation of head offices, the regulations of the Official Languages Act, the Air Canada Public Participation Act, the mandate of the CBC, the functional approach adopted by the Canadian Forces, and the suggested modifications to the Criminal Code to guarantee the language rights of the accused. I've also had the opportunity to share my vision of linguistic duality through, among other things, many interviews and speeches that I've given over the course of the year.

Over the past year I've realized the importance of parliamentary committee work on official languages. I'm thinking in particular of the work of the House of Commons Standing Committee on Official Languages on community vitality, which is providing invaluable information and guidance to the Government of Canada.

Moreover, the government can also draw on the results of the office of the commissioner's study on community vitality as it develops the second phase of the action plan for official languages.

Immediately upon taking office I was faced with a considerable challenge: the major task of examining the many complaints that were filed after the budget cuts made by the federal government in September 2006. For the office of the commissioner, this involved a preliminary examination based on an analysis of the application of part VII of the Official Languages Act since it was amended in November 2005.

As you know, I completed my final report on this subject last October 9. I took into account the comments made by the government and the complaints in response to my preliminary report. I concluded that the 2006 expenditure review was not consistent with the Government of Canada's commitment as it is expressed in part VII of the Official Languages Act or of the obligations of the federal institutions involved, which must take positive measures to implement this commitment.

[Translation]

Last week, I decided to intervene in the court proceedings initiated by the Fédération des communautés francophones et acadienne (FCFA) to oppose the government's decision to abolish the Court Challenges Program. I requested intervenor status because the questions brought before the court are of national interest. This legal recourse will allow the courts to clarify, for the first time, the scope of the language obligations set forth in part VII of the Official Languages Act, which was amended in 2005. The recourse and its aftermath will have a major impact on all federal institutions and official language communities.

In response to the request made in your October 2003 report, I carried out an audit of the health services offered to certain groups, such as veterans, Aboriginals, inmates and RCMP cadets. Clearly, the general shortage of available health care workers makes it difficult to hire bilingual staff, but the fact remains that these groups are entitled to receive services in the official language of their choice. I therefore recommend that the government act as quickly as possible to ensure the act is fully respected.

The Office of the Commissioner also carried out several research projects. In particular, we published three studies on community vitality in Halifax, Sudbury and Winnipeg, a follow-up study on international relations and a study on the perceptions of the Saskatchewan public of French culture and learning French as a second language.

The development of official language minority communities depends increasingly on provincial and territorial measures, in education, health and immigration. I was pleased to hear the declaration made by Francophone Affairs ministers last September stating their strong support for the renewal of the *Action Plan for Official Languages*. Provincial government representatives are anxiously awaiting a response.

Most recently, in its Speech from the Throne, the Government of Canada informed Canadians that it will develop a second phase to follow up on the Action Plan, which comes to an end in March 2008. This is a much anticipated initiative that demonstrates the government's leadership in linguistic duality.

I will be following this file closely.

• (0905)

[English]

After a year as commissioner, I have a much better understanding of the mechanics of the official language policies of the federal government. I can confidently say today that official languages cannot advance within the Canadian public service without strong leadership from its managers. Without strong leadership, the values associated with linguistic duality become a burden for federal public servants.

I've also come to the conclusion that linguistic duality is in fact an essential leadership skill for public service managers. How can you be a leader if you do not understand those you are leading? How can you respect members of the public if you're not aware of their language rights and culture? How can you really understand a country like Canada if you do not speak the two main languages of communication?

[Translation]

I am convinced more than ever that English and French are Canadian languages that belong to all of the citizens of this country. Education is therefore paramount, and I will continue my efforts to ensure post-secondary institutions recognize the value of educating bilingual students. Nationally, bilingualism is essential in several areas of activities for those who must demonstrate dealership. These sectors include, among others, the public service, which is the largest employer in the country. To guide me in my efforts, I will be conducting a study in cooperation with the Association of Universities and Colleges of Canada on second-language learning opportunities in Canadian universities.

As you know, my mandate is based on two separate but complementary functions: promotion and protection.

[English]

The events that marked the first year of my mandate have led me to reflect on my role as ombudsman and how it can contribute to the fundamental need to advance the culture of federal institutions and promote the added value that a strong language policy brings to the federal government.

Investigations, audits, and performance report cards remain important tools; however, we would like to expand our field of activity and are therefore considering other options.

My role as language ombudsman involves ensuring that the government and federal public service abide in a proactive way by the Official Languages Act. In the spirit of supporting federal institutions in the implementation of their obligations, and in order to ensure that the language rights of citizens, employees, and communities are fully respected, I'm reviewing other methods that could be added to the investigations, audits, and report cards that we already use.

I plan on expanding this role through intervention mechanisms that are based on a more effective dispute resolution process and the prevention of problems that can cause these disputes.

[Translation]

It is in the spirit of cooperation and prevention that I am monitoring the planning for the 2010 Olympic Games. This will be an exciting time for Canada, a time when the entire world will be watching. We are proud to live in a country that recognizes the importance of its linguistic duality. That is why Canada's bilingual image must be unequivocal, whether at international entry points like the Vancouver and Toronto airports, on VIA Rail or at U.S. border crossings. There is still time for us to prepare, and together with different partners (including the francophone community), we must get to work. This is why we are studying the preparatory work of the Organizing Committee from the point of view of linguistic duality. A report will be published in the fall of 2008, which will allow time for adjustments, if necessary. I do not want to have to criticize, after the fact, something that should be a national showcase and a great source of pride for all Canadians.

Also in 2008, the Office of the Commissioner will review all of the training offered by the Canadian Forces to its personnel to determine the extent this training is offered in both official languages. Obviously, we are working closely with the ombudsman at National Defence, Yves Côté, to ensure our processes are complementary.

We will continue reviewing official language community vitality in order to recommend tools that will help them focus their efforts with federal institutions to implement part VII of the Act as effectively as possible. As such, it is an opportunity to reaffirm the role federal institutions must play in implementing part VII.

I will also continue communicating to members of the public service my vision of leadership in terms of official languages. At present, a less thorough, even minimalist, application of the Official Languages Act appears to be taking place within the Public Service. Without sustained leadership from managers, backsliding is imminent. The Clerk of the Privy Council launched an initiative to renew the public service; clearly, linguistic duality must find its place in all parts of this reform. This is another issue I am monitoring closely.

● (0910)

[English]

On this same topic, the data I presented in my annual report on service to the public and language of work continues to be of concern. I'm worried that these shortcomings will only grow if the public service senses a lack of commitment to official languages by the federal government. While Canadian society may consist of many cultural identities, English and French remain its official languages of communication. Our official language and multiculturalism policies should work together to promote respect and equality of opportunity.

I began to explore the relationship between linguistic duality and cultural diversity, in particular, through a forum in Toronto last month. I intend to continue my work in this area in order to better understand how Canadians of diverse origins view their relationship with the two official languages and take this into account in our work and in our recommendations to government.

[Translation]

I have shared some of my priorities with you for the second year of my mandate. Obviously, in addition to my work as Commissioner, the government has an important role to play in Canada's linguistic duality. As such, I expect to see results from the government over the course of the next year in three specific areas.

First, the government must absolutely move to action and develop and implement the next phase of the Action Plan for Official Languages. Second, it must show strong leadership in order to improve the active offer of service to the Canadian public. Finally, it must consider official languages as a leadership skill during the renewal process for the public service.

[English]

I hope that you as well, members of the committee, will consider these issues, which I consider to be among the most pressing.

Thank you for your attention, and I'd be happy to answer any questions.

[Translation]

The Chair: Thank you very much, Commissioner.

We will now begin our first round of questions and comments with Mr. Pablo Rodriguez.

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Thank you very much, Mr. Chair.

Commissioner, it is always a pleasure to have you here with us. Welcome to you and to the members of your team.

In your report, you make frequent reference to the new provisions of part VII of the Official Languages Act. Among other things, you said that:

Most federal institutions are still unclear on how to give form to these obligations in their respective areas of operation.

This is a change that occurred two years ago, but two years have elapsed since Bill S-3 was adopted.

How do you explain this delay?

● (0915)

Mr. Graham Fraser: Time is needed for the effect of any legislative change to be felt. The Official Languages Act was first introduced in 1969 and was amended in 1988. We are essentially asking institutions to change their mindset, and that takes time. Some people believe that we should begin by introducing regulations, but I am not convinced that is the best strategy. The primary goal of part VII is to encourage government institutions to find new ways of working with official language minority communities.

Some institutions have made considerable progress, partly at the grassroots level, as some directors have reached out to the communities in an effort to establish a new dialogue with them. I hope that the progress reports filed by the institutions on how they are meeting their new part VII obligations will show that they have done more than simply hold meetings and train employees. We want to see that they have taken concrete measures.

Mr. Pablo Rodriguez: People working at the grassroots level often say that the communities do not know where to turn and do not feel that they have been consulted.

Do we consult the communities enough?

Mr. Graham Fraser: It varies from institution to institution and department to department. Some institutions and departments consulted the communities to garner an understanding of what measures would truly benefit them, while others favoured a different approach.

Mr. Pablo Rodriguez: Do you think that it would be an idea to have a more uniform approach?

Mr. Graham Fraser: We want it to become a reflex reaction, we could call it the part VII reflex. I often cite two examples to explain what I mean by a part VII reflex. A Parks Canada director in Jasper consulted with the community and offered it premises free of charge in exchange for the community providing Parks Canada employees with French conversation classes. My second example is that of the VIA Rail CEO. When he found out about his responsibility, he did not contact one community in particular, but instead contacted the FCFA and, following consultation, became a sponsor of the federation summit.

Mr. Pablo Rodriguez: As we do not have much time, with your indulgence, I am going to quickly move on.

You seem to be saying that the minister's two roles are irreconcilable. You said:

To adequately fulfil her role as coordinator for all of the federal institutions' official language activities, she must critically examine these institutions. Yet, if she herself is responsible for the official languages programs of one of these institutions, how can she be objective?

Am I correct in thinking that she has to oversee herself?

Mr. Graham Fraser: Exactly. After this observation appeared in our annual report, the Senate committee requested that we commission Prof Donald Savoie to carry out a detailed study into governance, in light of the decision to transfer the coordinating function from the Privy Council Office to Canadian Heritage.

Mr. Pablo Rodriguez: In our opinion, the Court Challenges Program is the major priority for the communities. When we visited different communities, it came up time and time again. You concluded that the decision to abolish the program flouted the Canadian government's commitment under part VII of the Official Languages Act, and you consequently recently decided to intervene in the case before the courts.

I would like you to give us an overview of your position on the decision to abolish the Court Challenges Program.

• (0920)

Mr. Graham Fraser: I did indeed table an affidavit in support of my application to intervene in the case. Our intervention will address some very specific points: the scope of the obligation imposed on institutions pursuant to subsection 41(2); what is meant by "positive measures"; what is the nature and extent of the duty to consult, a point that you raised; what review process the courts must follow to determine whether a federal institution is part VII-compliant; to what extent Canadian Heritage has met its responsibilities, a point that was also studied in as in-depth a manner as possible in our inquiry; and what is meant by the right to redress which is provided in part X of the act.

This will indeed be the first time that the courts will study and test the scope of the amendment. We want the scope of the act to be clearly established.

Mr. Pablo Rodriguez: Thank you.

The Chair: Thank you, Mr. Fraser.

Mr. Nadeau, you have the floor.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Mr. Chair.

Ms. Tremblay, Mr. Finn, Mr. Dusault and Mr. Fraser, good morning.

I am greatly concerned by the issue of official languages. There is a word that the Commissioner of Official Languages does not use, and that is "assimilation". And yet, when you consider communities and even the French fact in Quebec, you find that there are language transfers and that French is losing out to English in everyday speech.

It is important to fight assimilation. I recall that the Association culturelle franco-canadienne in Saskatchewan, known today as the Assemblée communautaire fransaskoise, had adopted a resolution to achieve 0% assimilation and 100% francization.

What can the Office of the Commissioner do to combat assimilation? It occurs mainly in areas where francophones are largely in the minority, although we do see it in the Pontiac, not far from here. There are Bilodeaus, Lalondes and Morands who no longer speak French. The Catholic archdiocese of Pembroke ran English-language schools in the Pontiac, and at the time, religion prevailed over language.

What is the Commissioner doing? And in your view, what more can he do? What can Canadian Heritage do to eradicate assimilation?

Mr. Graham Fraser: Mr. Chair, I think that vitality and assimilation are two sides of the same coin. The vitality of minority communities has often been raised, including as part of this committee's work. A dynamic community is one with social-cultural

and economic resources. It is one with a strong civil society that has the capacity to grow. Such communities do more than survive, they flourish; they can become regional centres.

We are conducting very specific and detailed studies on vitality, in very close cooperation with community institutions. Without addressing assimilation per se, those studies greatly contribute to the development of communities, not only in terms of demographics but also with regard to culture and community confidence. A confident society has much less to fear from assimilation.

• (0925)

Mr. Richard Nadeau: Mr. Fraser, studies along those lines were done, namely by the University of Moncton. They deal with the concepts of family, school, community, environment, quality of life, as well as everyday situations. But we know that education, health services, social services and access to decent income are under provincial jurisdiction. Provinces are responsible for many of those issues.

In my view and according to my personal analysis of the situation, I believe that the federal government turned a blind eye when provinces did not meet their educational requirements. Debates were held, and a number of gains were made, but things still remain to be accomplished in various areas.

How could we get the so-called anglophone majority provinces to better understand that the work of communities should no longer be hindered and that francophone communities need their social fabric in order to develop?

Mr. Graham Fraser: Mr. Chair, I would like to underscore the importance of the Action Plan for Official Languages and its renewal in that regard. That was one of my messages this year. During the throne speech, I was very pleased to hear that the government was committed to the plan's renewal.

In the part of the action plan dealing with education, there is a commitment to double the number of high school graduates who are fluent in both official languages. The wish was also expressed to substantially increase the number of people who can access French-language schools, in the case of francophone communities, and English-language schools, in the case of the anglophone minority in Quebec.

The right defined in section 23 of the Charter is vulnerable because it is limited to a single generation. The gap between the number of students attending minority schools and those entitled to do so shows that communities are losing out, because the right does not include any provisions with regard to grandparents.

Mr. Richard Nadeau: I am thinking of a very specific example, that is to say of an employer, in this case Via Rail in Montreal, who forces an employee to speak English during his shift, while the train is underway.

Is that an acceptable situation?

Mr. Graham Fraser: That is not at all acceptable. The supervisor oversees people who have the right, under the law, to work in either French or English. The managers and the supervisor have the responsibility to respect that obligation.

The Chair: Thank you.

Mr. Yvon Godin.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Thank you, Mr. Chairman.

Welcome. I do not much like using the word “ombudsman” given that you are our commissioner and an officer of Parliament. By the way, I would like to congratulate Ombudsman Yves Côté for the work he has done at National Defence. I think he has shed light on some very important and insulting issues. For example, he spoke about members of the Canadian Forces enrolled in courses at CFB Borden who could not receive training in their mother tongue. And yet, Canada comprises two officially recognized peoples, francophones and anglophones, and has two official languages.

The government is complaining about the fact that the war in Afghanistan is very expensive, that the Liberals did not do their work and implemented budget cuts. We have heard all that in committee. At the same time, people cannot be served in both languages, even at the reception desk. We are not asking for a lot. I think you would agree to say, Mr. Fraser, that we need leadership. However, if the top brass does not provide leadership, we can't simply blame the people following orders.

I would like to give you another example of the lack of respect for the other language. I will pass out a copy of this document to all committee members.

The Chair: Mr. Godin, what is it you want to distribute?

Mr. Yvon Godin: This isn't explosive material; it will not blow up.

• (0930)

The Chair: Normally, documents are distributed to committee in both languages.

Mr. Yvon Godin: Mr. Chairman, I do not want to waste time with a point of order, but I can tell you that witnesses cannot distribute documents if they are not in both languages. I am submitting evidence, and nowhere in the rules does it say that committee members cannot submit evidence... I cannot translate evidence, Mr. Chairman.

The Chair: Is it a newspaper article?

Mr. Yvon Godin: It is something taken from the National Defence website. The French document that you have contains the word “and.” It is on page...

Point of order, Mr. Chairman.

Mr. Luc Harvey (Louis-Hébert, CPC): There is no way to follow along. You are saying things, but we have no idea what you are referring to. It is understandable that we have questions, Mr. Godin.

The Chair: Mr. Godin, I would ask you to wait until the document is distributed before continuing.

Mr. Yvon Godin: Is the clock stopped?

The Chair: It is standard practice for committee members to provide bilingual documents and I think that is a desirable practice. I accept the point that Mr. Godin wants to make this morning, for example in the case of a newspaper article, but I do call on the goodwill of parliamentarians to submit their documents in both

official languages, when possible, in order to set an example for our witnesses.

Mr. Yvon Godin: Mr. Chair, it is evidence, and I cannot translate it without destroying it. Instead of the word “and”, you should read the word “et”. I would also like to point out that I had asked the clerk whether my document was acceptable, and he told me that it was. I followed the rules of the committee.

On a page in French, you can read the words “Canadian Forces image gallery”. To me, that is not French, Mr. Commissioner. You can also see the words “Click Image to download”. That is not French either.

Do you agree with me that the example should come from the top? Things like this are an insult to the community. Once again, National Defence is violating the Official Languages Act. We are not talking about large sums of money, such as those at stake in the war in Afghanistan, but of small efforts. In my own Acadian French, I would say it takes “petit stuff sur le terrain” (“little stuff on the ground”).

Mr. Graham Fraser: Mr. Chair, I thank the member for the information he has given me, of which I had no prior knowledge. I would like to echo the member's comments with regard to the role played by Ombudsman Yves Côté. I read the statement he made before your committee last week. We spoke yesterday, and I congratulated him. I would also like to point out that we are working together to ensure there is no duplication of efforts, but rather a strengthening of our actions. That is something he indicated to the committee.

Last week, I met General Semianiw and I stressed the importance of leadership in this area. Far from undermining the importance of respecting our official languages, Canada's commitment in Afghanistan strengthens it. General Hillier has already said that the Canadian Forces had been sidelined for the past 20 years. Today, everyone is looking at the work done by the Canadian Forces, and that is increasing its importance.

In addition, the Royal 22nd Regiment's presence in Afghanistan has moved the issue of language duality and training to the forefront... We have begun to assess the training provided to our soldiers in the Canadian Forces.

• (0935)

The Chair: Mr. Godin, you have two minutes remaining.

Mr. Yvon Godin: On another topic, in yesterday's *L'Acadie nouvelle* newspaper, I read the following quote from the Canadian Press:

Francophones are running out of steam; the Commissioner of Official Languages has been asked to assess the situation in British Columbia

According to your comments, that is apparently not only the case in British Columbia, but across Canada. In my province, the Société des Acadiens et Acadiennes is saying that they are not receiving their funding. The communities are saying that they are awaiting the money and that they cannot operate for four months without money, and having to tap lines of credit.

Your presentation does not contain anything positive about the current state of affairs. Is the Canadian francophone community in danger? I do not hear any comments about how bad things are for anglophones. There are no website pages in English that are badly translated from French. With all due respect, I must say that there have been no complaints in that regard.

Do you think that the current government is headed in the wrong direction, especially since the minister is responsible for monitoring her own actions, and given that she will be making the decisions?

Mr. Graham Fraser: Mr. Chair, one thing I noticed when I visited communities and institutions in minority communities across Canada is that the same complaints came from both francophone institutions and anglophone institutions in Quebec. They have the same problem. As is often the case, when they request funding from the Department of Canadian Heritage, their cheques arrive in January or February, and they have to spend the money before the end of the fiscal year. That is a significant management problem. And that is not specific to British Columbia. I have heard the same thing in Quebec and Saskatchewan. I am sure you yourselves heard the same thing during your trip across the country.

The Chair: Thank you, Mr. Fraser.

We will now continue with Mr. Michael Chong.

Hon. Michael Chong (Wellington—Halton Hills, CPC): Thank you, Mr. Chair.

Thank you, Mr. Fraser, for your testimony.

[*English*]

First, I have two broad comments.

As a Toronto region MP, I'd like to offer the commissioner my thoughts regarding the intersection of linguistic duality and cultural diversity. I'm glad you're exploring this area, because I can tell you that the country's largest city region is changing rapidly, and more rapidly than most people in this town are aware of. It's something that one academic referred to as the galloping heterogeneity of the new Canada.

It's a region that has, as you know, almost 5.5 million people. It's going to 9 million people in just over 20 years. I don't think most Canadians are aware of how rapidly this region is growing. The fastest growing municipalities in the country are not in the west, in Alberta; they're actually in the Toronto region.

All this growth will be from immigration. If the region is properly represented in the House of Commons, this region, what the province is now calling the GTA, or the greater golden horseshoe, will have more seats than any other province, including the rest of Ontario.

So I think one of the big challenges for the Government of Canada in the coming years will be to balance this diversity with some of our nation's most cherished ideals. In other words, how do you accommodate this diversity while protecting and fostering some of the fundamentals on which this country was based? I think this study is going to be very important, and I'm glad to see you're undertaking it. I'd like to offer you my thoughts on it.

As the son of immigrants to this country... I think most new Canadians wholeheartedly embrace the ideals of bilingualism, and do so in a way that maybe native-born Canadians won't because they understand the need to speak another language. Most of them are coming from countries where English is not the mother tongue, and they are very open to learning a second or third language. So I think they will wholeheartedly embrace bilingualism, but only if bilingualism is not associated with ethnicity. The minute bilingualism or linguistic duality is in any way, shape, or form associated with ethnicity, you're going to get absolutely no uptake, no buy-in from these new Canadians. From my perspective, that is a very important part of how we can proceed with encouraging greater bilingualism and greater linguistic duality throughout this country.

The second broad comment I want to make is regarding the study you're undertaking with the Association of Universities and Colleges in Canada. As a graduate of the public education system in Ontario, I think I got a very good education, with one exception, and that is the fact that I was never properly encouraged to learn French. I did take high school French, but it was never the focus of the public education system the way it should have been. When the country's largest employer and its public institutions are bilingual, and you come to a town like this and suddenly realize the disconnect between our public education system and the need to speak French in federal institutions....

This is something that needs to be examined further. I guess one way to do it is through the poll method, where you encourage universities to strengthen their entrance requirements to include French as one of the requirements for entrants. The other way is to examine ways that provinces could require French as a requirement for graduation.

I live near Waterloo. If the University of Waterloo or Microsoft was not getting the graduates from high school it needed for engineering positions at Microsoft or for engineering positions at Research in Motion, there would be a hue and cry about it, but when the country's largest employer isn't getting the graduates it needs, there doesn't seem to be any action on it, with respect to universities or high schools and other pre-secondary institutions.

● (0940)

I encourage you to look at that because I think that is a big gap in public policy in this country.

My mother was European, and in Europe after the Second World War there wasn't a person who could speak a language other than their own native tongue. Within 15 or 20 years, most western European countries had adopted a policy of trilingualism. Today it's almost impossible not to speak French or English in your own native tongue in any country in western Europe, because the minute they detect any sort of accent in your use of their language, they flip to your language. There is no reason we couldn't achieve that type of policy here as well.

I don't know if you have any comments on those things.

● (0945)

The Chair: Please make it a very brief comment.

Mr. Graham Fraser: Mr. Chairman, all I will say is I appreciate very much the comments the member made, and I appreciate his contribution to the discussion we are undertaking in terms of the challenges of diversity and duality.

I couldn't agree more with the comments he made about the importance of education. It's a theme that.... Everywhere I travel in Canada I make an effort to talk to people, both at universities and in secondary education, about the importance of this, and I appreciate his comments.

The Chair: Thank you, Mr. Fraser.

And it could eventually be a matter that would be covered by the committee as well.

We will now move to the second round of questioning, beginning with Mr. Jean-Claude D'Amours.

[*Translation*]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Thank you, Mr. Chair.

I would like to thank you, Mr. Commissioner, as well as your associates, for appearing before us this morning.

You spoke about the Court Challenges Program by saying that you intended to intervene before the Supreme Court, because it was an issue of national interest. I would not presume to speak for you, but the words "national interest" mean that this is something that must be considered the same way across the country, given that there are francophones living across Canada and that they must be respected on a par with anglophones. I know that the scope of the Court Challenges Program extended beyond language rights.

You also indicated in your conclusion that you wanted to see results, and action being taken. I find it rather odd that the Conservative government says that it wants to do this and that, but it seems to be taking forever to do something concrete. Furthermore, their actions often have negative consequences on communities, as when they cancelled the Court Challenges Program.

Would you want the Conservatives to stop talking and start taking concrete and positive action, such as reinstating the Court Challenges Program?

Mr. Graham Fraser: Mr. Chair, I would like to come back to the government's commitment to renew the Action Plan for Official Languages, which was announced in the throne speech.

I was very pleased with that commitment and I said so publicly at the time. Furthermore, I also said something that relates to the member's comments: a throne speech is a menu, not a meal. The government, therefore, has announced its menu, and we are awaiting the meal.

Mr. Jean-Claude D'Amours: And we are hungry!

Mr. Commissioner, I agree with you: francophones and minority groups across Canada are hungry. I like your way of seeing things, that was very eloquent.

We will pursue our study of the Court Challenges Program. We have heard people say that the Court Challenges Program did not serve a purpose and had run its course, up to a certain point.

Would you agree that the Court Challenges Program could be useful as long as there is injustice and that minorities have to assert their rights?

● (0950)

Mr. Graham Fraser: Mr. Chair, our report on the investigation into the 117 complaints received with regard to the September 2006 budget cuts contained a legal study on the potential impact of those cuts. Much of the progress that has been made is due to decisions rendered by the Supreme Court following recourse to the Court Challenges Program.

A network of school boards was created because we went before the courts asking that section 23 encompass the right of communities to control their schools. Are the implications of sections 16 and 23 set in stone? No, of course not. There are grey areas. It is for that reason that we ask the courts to clarify the charter rights.

There is an ongoing dialogue between parliamentarians, citizens and Canadian courts. In many cases, Canadians are represented by the Commissioner of Official Languages in areas dealing with language rights.

The Chair: Thank you, Mr. Fraser.

Mr. Pablo Rodriguez: I have a brief point of order, Mr. Chairman.

Mr. Fraser referred to a legal study, or analysis. Would it be possible to have a copy?

Mr. Graham Fraser: It is part of our study.

Mrs. Johane Tremblay (Director, Legal Affairs Branch, Office of the Commissioner of Official Languages): It was tabled with the court. We could...

The Chair: Would you like the document to be distributed to committee members? Is it available for public consumption?

Mrs. Johane Tremblay: It is now.

The Chair: Would it be possible to send a copy to our researcher or clerk, so that he can distribute it to committee members?

Mr. Graham Fraser: It would be my pleasure.

The Chair: Thank you.

We will now move on to Mr. Pierre Lemieux.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Thank you very much for being here today.

I would like to talk about the notion of positive measures. In your last report, you said that for a measure to be considered positive, it would have to involve concrete action.

[*English*]

It is one that is designed to yield positive results. That's a good definition. I understand that.

I think some of the interpretation comes into what's a positive result. I'll give you an example. If a program is funding certain organizations and the expectation is they will provide results A, B, C, and D, that's the expectation. Instead, they're only delivering results A. They are not realizing their full potential or they're not delivering the full results. This can come down to money. The government would like to see \$10 worth of results for their investment and they're getting \$2 worth of results for their investment, for the investment of taxpayers. If you talk to the organizations that were receiving that money, they will complain because they just lost funding. They will say they were achieving result A. They will forget the fact that A, B, C, and D were what was anticipated.

The question of positive results has a macro and a micro view, I think. On the micro view, as I said, the organization or organizations will complain they've lost funding and that even that modest result of A is now going to go away because they don't have funding any more. However, from the macro point of view, if the program is not managed well or if it's inefficient or it's not delivering the full results package for the money that's being invested, that money could be better used to serve, for example, official language communities with programs that are delivering a full suite of results, ones that are meeting expectations.

As the commissioner, how do you incorporate that into your understanding of positive measures, the micro versus the macro in terms of results? How would you respond to that?

• (0955)

Mr. Graham Fraser: Mr. Chairman, when we undertook our study or our investigation, one of the key things we wanted to find out was precisely whether that kind of analysis had been done, and we found no evidence it had.

Our interpretation of the obligations the government has is, effectively, that it should take positive measures and take into account the impact of decisions in terms of the.... Now, the very process of doing that analysis is critical to evaluating whether in fact a measure does have—

[Translation]

The Chair: Order, please.

If you want to have a conversation, I would invite you to step out of the room so that everybody can hear the witness.

Carry on please, Commissioner.

[English]

Mr. Graham Fraser: I certainly don't challenge the right of the government to govern and make decisions concerning programs, as I stressed in the report I made. However, the government does have the obligation to respect the law, and we had no evidence that was done. We had no evidence that the kind of process the member is referring to was undertaken.

Mr. Pierre Lemieux: Just to follow up on this, how do you deal with the transition time? What I mean by a transition time is that sometimes, for example, there is a funding cut to a particular program and the program has to reorient itself, or the funding perhaps has to show up again under a slightly different form later on, but it's better applied. And there is definitely a transition period.

We saw that, for example, with *alphabétisation*. Under the action plan, there was no funding touched for official language communities under

[Translation]

literacy. In general, with regard to literacy,

[English]

there were some funding cuts, but we now have a much more focused program; it's actually delivering better results. But there's a transition period in there. It might take six or nine months while organizations reorient themselves and the government makes clear what its expectations are.

In that six-month or nine-month window, or one-year window, whatever that window happens to be, how does the commissioner handle it, because you need time to transition and organizations need time to transition? If the government is heavily criticized by the third month or in the initial stages of the transition, we're not at the end of the process yet. So I'm wondering how you view that process and how you deal with it.

[Translation]

The Chair: My apologies, Mr. Lemieux, but you are out of time. We will have to ask the commissioner to give his answer at a later date.

Mr. Gravel.

Mr. Raymond Gravel (Repentigny, BQ): Thank you for being here, Mr. Fraser.

I am new to the official languages committee, but I know that the committee travelled across Quebec and Canada to meet with official language minority communities. The English-language community in Quebec seems to be doing well. It is not at risk of being assimilated, is it?

Mr. Graham Fraser: The problem in Quebec is that there are some very specific issues concerning services such as, for example, medical services. The survival of English-language schools is also a problem. Indeed, particularly in the regions, the issue is somewhat paradoxical. The concentration of the English-speaking population means that the problem is less evident in Montreal. Let me explain the paradox that is affecting schools in Estrie, Quebec and Trois-Rivières. English-speaking parents often send their children to French-language school to allow them to learn French and become fully bilingual. This undermines the vitality of a key institution for the English-language community, that is to say their school.

Furthermore, a lot of exogamous families who speak French in the home but who have the right to send their children to English-language school avail themselves of this right. In the communities such as Granby, Sherbrooke and Trois-Rivières, there is a shortage of anglophone children who speak English at home in English-language schools because their parents want them to learn French. However, on top of that, these English-language schools also have to provide additional support to children who come to school with no English but who are entitled to go to school in English. It is a little bit like what is happening in French-language schools outside Quebec.

There is also a problem with regard to health services. I would like to underscore the importance of the Quebec government having signed an agreement to participate in the Official Languages Action Plan. Thanks to this agreement, 4,000 Quebec healthcare workers have undergone specialist English training so that they can provide healthcare services to Quebec's anglophones.

However, an English speaker from a small town in Estrie explained to me that there is a world of difference between learning English to help a child who presents with a broken arm and helping somebody with a problem such as the onset symptoms of Alzheimer. A higher level of linguistic ability is needed to meet the needs of an aging community.

Generally speaking, the English-language community is nowadays far more bilingual than the French-language minority community, there is no disputing that. The linguistic capacity of Quebec's English-speaking community has changed, but we cannot forget that one demographic group, those aged over 65, grew up and worked in Quebec at a time when people did not need to speak French in order to have a successful career. These people have now retired. They need social services and healthcare services, and it is a lot harder for them to function in the Quebec of today than it was 20 or 30 years ago.

The English-language community in Quebec experiences real difficulty in having its right to receive health services in English upheld. The education system is also vulnerable. I am not saying that it is all doom and gloom. The Quebec government offers significant cooperation, but the problems are real.

•(1000)

The Chair: You have less than a minute remaining, Mr. Gravel.

Mr. Raymond Gravel: You recently decided to intervene in favour of the Court Challenges Program. Could you give us an overview of your position on the program?

Mr. Graham Fraser: I believe that the program has played an extremely important role. We carried out an in-depth inquiry into the decisions that were made, decisions regarding not only the abolition of the Court Challenges Program, but other programs that affect Canada's linguistic minorities as well. Our inquiry did not allow us to say that the government had complied with the act. We published our final report on October 9, and we were faced with four options. We could have reported to the governor in council, we could have reported...

The Chair: Thank you, Mr. Fraser. I like the way that you bring up issues, not much gets by you...

Mr. Graham Fraser: Thank you, Mr. Chairman. I can come back to that, if you want.

The Chair: We will move on to Mr. Godin.

Do you have a document for us this time, Mr. Godin?

•(1005)

Mr. Yvon Godin: You want another document? Here goes part two...

Some hon. members: Oh, oh!

Mr. Yvon Godin: Thank you, Mr. Chairman.

Mr. Fraser, I would like you to clarify something that you said earlier. In answer to a question from a Conservative member, I believe, you said that funding is provided, but not until the financial year is underway. For example, funding is provided in January or in February, leaving only a short period of time for it to be spent. Correct me if I'm wrong, but I believe that is not the case. The Canadian Press said, and I quote:

In addition to underfunding, a number of organizations complain that Canadian Heritage funding often arrives three or four months late.

That means that the problem is not that the funding comes through in January and has to be spent by the following January.

Mr. Graham Fraser: No, that is not what I said.

Mr. Yvon Godin: That is what I understood.

Mr. Graham Fraser: No, what I said was that funding sometimes comes through in January or February and has to be spent by the end of the financial year, which is March 31. This means that they have a month to spend the money.

Mr. Yvon Godin: I agree with you, but that is not what I understood.

Mr. Graham Fraser: I apologize if I did not express myself clearly.

Mr. Yvon Godin: It could be that you expressed yourself very clearly, but that I misunderstood you. Yes, I can sometimes admit my mistakes.

Some hon. members: Oh, oh!

Mr. Yvon Godin: Groups often have to get a line of credit to fund their activities. Then they have to deal with the government saying that they're not producing results. How can you blame them? It's the perfect recipe for bankruptcy.

This is an issue that I would like us to study. How can it be that the government is allowed to release the funding late and then say that the groups are failing?

Mr. Graham Fraser: There is another point I could add for your consideration. Some representatives of an official language minority group told me that having very limited time within which to spend the money resulted in other negative impacts. The organization in question had planned to hire a community group or a small- or medium-size company in the community as a consultant. Unfortunately, when there is very little time, these small organizations do not have adequate resources to comply with their contract obligations. They are required to go to the big companies. That is another fact that works to the advantage of large companies and to the disadvantage of SMEs in the community.

The Auditor General has published a report in the past about the problem of underfunding, and she recommended multi-year funding. That avoids this type of annual crisis.

Mr. Yvon Godin: I am trying to highlight the fact that the government claims that the programs are not working and that is why it prefers to give the money directly to beneficiaries. The programs are not working because it is not giving money to the organizations. Would you agree that could be the reason for the problem?

I am also thinking of part VII of the Official Languages Act. The act was amended in 2005, but there were no consultations. There were no consultations about literacy. During the only consultation process that occurred, people simply got angry. So they gave money to the associations again, and actually even gave them more, in order to keep them quiet. but that is not the real situation. There are two issues: funding and funding on time.

Mr. Graham Fraser: It is true that the Auditor General has done a more comprehensive study, one that far exceeds my abilities to do a financial analysis of the way in which the program works. I would refer you to the three studies put out by the Office of the Auditor General of Canada.

You mentioned the issue of consultation. This is something we discovered when we were looking into the budget cuts. We saw no evidence that there had been any consultation, and we found no evidence of compliance with the obligations set out in part VII of the Official Languages Act. That is why we asked for intervener status.

The Chair: Thank you.

We will now begin our third round. Mr. Murphy, a Liberal member, has left.

• (1010)

Mr. Pablo Rodriguez: I will begin, and I will share my time with Mr. D'amours.

Mr. Fraser, you said, and I quote:

At present, a less thorough, even minimalist, application of the Official Languages Act appears to be taking place within the public service

That is a quite a harsh estimate, and disturbing as regards the implementation of the Official Languages Act.

I would like to come back the Court Challenges Program. I am sure you have followed the entire saga on this subject. The government's side has tried to block any debate on this issue, and the chair of the Standing Committee on Official Languages actually refused to talk about it. He had to resign, and we moved onto something else.

When we resumed our work a few weeks ago, and we asked, once again, that the committee look into this matter, there was, of course, a great deal of resistance from the government members. They were absolutely determined to block any discussion on the Court Challenges Program.

Mr. Luc Harvey: I have a point of order.

We were meeting in camera when this issue was discussed, and now it is being talked about in public.

The Chair: That was just a point of order.

Mr. Pablo Rodriguez: A comparison has been made between the withdrawal of the Court Challenges Program and that of legal aid programs in a number of provinces. Can a parallel be drawn between these two types of programs with regard to the functions they perform in Canada?

Mr. Graham Fraser: I will consult my legal counsel, but it is important to recall that the Court Challenges Program was set up to protect the rights defined in the charter. The program dealt solely

with cases where charter rights were at stake. You might say that those rights were constitutional rights.

Mrs. Johane Tremblay: I would add that the legal aid programs have a very specific objective. Of course, they allow people who don't have the means to do so to access the court system, in such areas as family or criminal law.

What we are talking about here is a program that provides Canadians with reasonable access to the courts in order to have their constitutional rights upheld. Legal aid would not have allowed communities to go to court and ask for their own schools pursuant to section 23. These two types of programs have very different objectives.

Mr. Jean-Claude D'Amours: Mr. Commissioner, have you ever heard of cases where the Office of the Commissioner of Official Languages could help groups cover part or all of their costs incurred in defending their rights?

Mr. Graham Fraser: Mr. Chairman, our legislation does not allow us to grant financial assistance or pay such costs.

Mrs. Johane Tremblay: I would like to take this opportunity to make a clarification: the commissioner can intervene in a court action intended to uphold constitutional rights, but he cannot initiate such action.

Mr. Jean-Claude D'Amours: Very well.

You have been the Commissioner of Official Languages for the past year now. During that time, the Conservative government has issued a number of confusing messages with regard to official languages.

I would like to know whether the Conservative government consults with you often to see if it is headed in the right direction with regard to official languages or, on the contrary, whether it does not solicit your advice regularly.

Mr. Graham Fraser: I would say that I meet with ministers and deputy ministers to talk about their departments around the time when the annual report is published.

• (1015)

Mr. Jean-Claude D'Amours: I apologize, Mr. Commissioner, does the government specifically ask you...

The Chair: Your time is up, Mr. D'Amours.

We will now move on to the Bloc Québécois. We will hear from Mr. Nadeau.

Mr. Richard Nadeau: Would you like to answer Mr. D'Amours? I found that very interesting.

Mr. Graham Fraser: I have a number of conversations with ministers on specific issues, but the Court Challenges Program includes complaint mechanisms and processes dealing with inquiries and preliminary reports, whereby departments respond, publish reports or other such things. In a process as formal as that, I do not expect to receive phone calls with proposals for this and that. I do not think that would be appropriate.

However, I am often asked to come and speak about programs before departmental management committees. We work with institutions. In my presentation, I spoke about wanting to develop other kinds of intervention mechanisms. Among other things, we have to establish new relationships with institutions in order to make further progress. It is not enough to make reports that address complaints. We cannot simply establish a formal process of complaint-inquiry-report without ever getting to the bottom of things. We cooperate with institutions and are initiating a dialogue with them. We realize there is a systemic problem and we want an in-depth discussion to see how we can address those fundamental problems.

Mr. Richard Nadeau: I am happy that we are beginning to see some progress. The Official Languages Act was proclaimed in 1969, and the federal government is starting to accomplish something. As they say, better late than never.

Montreal is home to 47% of Quebec's population. That province's Law 101 was instrumental in teaching the French language to the children of the Quebec nation. In Montreal, there is a gap between allophone immigrants who learn to speak only the English language and allophone immigrants who learn to speak only the French language. In the data that is available, in Charles Castonguay's studies, for example, the English language is the winner. And therein lies a problem. Earlier, I spoke of language transfer. I think the correct term would be "language substitution". Assimilation is taking place in Montreal, a city which is the heart of Quebec and which represents the special nature of the Quebec nation within North America.

I would like to deal with that aspect. I am convinced that you are aware of language substitutions and the danger that they represent. We need the support of the Office of the Commissioner of Official Languages. It is important to promote the French language throughout Quebec in order to maintain the French fact that is Quebec, a province that covers less than 2% of North America.

I will ask you a direct question, and you can tell me whether or not you are able to answer it. Do you think that the ability to speak both French and English should be a requirement for an ambassador for Canada, a country which is considered to be bilingual?

Mr. Graham Fraser: Mr. Chairman, the answer is yes.

Mr. Richard Nadeau: That is an excellent answer. I have just returned from a ministerial meeting of the Francophonie in Laos. How can Canada be part of the Francophonie when its ambassadors, its frontline representatives abroad, cannot speak French, even in a situation such as that one? It is rather disappointing.

Thank you very much.

• (1020)

The Chair: Thank you, Mr. Nadeau.

The commissioner recently issued a report on that subject.

We will now move on to the government side and hear from Mr. Luc Harvey.

Mr. Luc Harvey: First, Mr. Fraser, allow me to thank you for returning to see us on what is almost the first anniversary of your appointment.

I am married to an anglophone from Ontario. We live in Quebec, and my children are fluent in both languages, English and French. My eldest daughter has just returned from Mexico where she went to learn a third language, Spanish.

Do you think that they are assimilated?

You seem to be saying that anyone who learns a second language is about to become assimilated. In my opinion, the more bilingual Canada becomes, the more likely everyone will be able to speak two or even three languages, as is the case in many European countries where people speak two languages plus one more. There, people are bilingual and they have a knowledge of a third language. Here, if we learn a second language, we are moving closer to being assimilated, something that must absolutely not happen.

Am I in the process of being assimilated?

Mr. Graham Fraser: Mr. Chairman, if I said something that might give one the impression that learning a second language is a step towards becoming assimilated, then I apologize. I will read the transcript to see if I erroneously gave that impression. That is exactly the opposite of what I meant. I believe that the knowledge of a second language represents an asset, and a bridge towards other languages. That is something that I have said throughout the country, when speaking to anglophones as well as to francophones; bilingualism is not a barrier, it is a door that opens onto the rest of the world.

I believe that the honourable member is saying that it is easier to learn a third language than it is to learn a second one. I will tell you something that is anecdotal, but is nevertheless interesting. A number of young Canadians travelled abroad. Some of them went to South America, where they studied Spanish. Others went to Japan, where they learned to speak Japanese, or to China, where they learned to speak Chinese, or to India, where they learned to speak Hindi. But how many of these young people started by first learning the other official language? I find it fascinating to see how the new generation considers language to be a natural tool for learning about other cultures, and for truly becoming citizens of the world.

Through the chair, I would like to extend my congratulations to the honourable member's daughter.

Mr. Luc Harvey: I have four daughters.

Some hon. members: Oh, oh!

Mr. Luc Harvey: How much time do I have left, Mr. Chairman?

The Chair: You have one minute and a half.

Mr. Luc Harvey: As a follow-up to my question, you know that our committee published a report on the Vitality of Official Language Minority Communities; there were 38 recommendations in that report. I imagine that you have read it.

Mr. Graham Fraser: Yes.

Mr. Luc Harvey: And you are aware of the 38 recommendations?

Mr. Graham Fraser: Yes.

Mr. Luc Harvey: Of those recommendations, which ones should the committee tackle first as it moves ahead with the linguistic communities file?

Mr. Graham Fraser: That is a very good question. I should have reread the report before coming here today.

One thing that I did read, though, Mr. Chairman, was the government's response to the recommendations. What I found surprising was that the 38 recommendations dealt with things that the government should do, while, in response, the government listed what had already been done, with the notable exception of a program related to challenges surrounding access to employment. In its October 6 response, the government said that it was in the process of developing a program. To me, that meant that they would follow up on at least one of your recommendations, instead of simply providing you with a list of what had already been done.

But perhaps I could ask Mr. Finn to answer the question.

• (1025)

The Chair: Saved by the bell.

I apologize, I almost forgot our last questioner, Mr. Godin.

Mr. Yvon Godin: How could you do that?

Some voices: Oh, oh!

The Chair: Need I remind you that I am the chairman of this committee?

Mr. Yvon Godin: You said that our ambassadors must absolutely speak both languages. How do you feel about our deputy ministers?

Mr. Graham Fraser: Obviously...

Mr. Yvon Godin: Thank you for your answer; I will now move on to my next question.

Some voices: Oh, oh!

Mr. Graham Fraser: One of my current themes is leadership. So, if I am right in saying that mastering both official languages is an essential component of leadership, it follows that deputy ministers who, by definition, are public sector leaders, should by all means learn to speak both official languages.

Mr. Yvon Godin: Let us go back to Mr. Harvey's question about the 38 recommendations. I will read you recommendation 39, because there were 39 recommendations in the report. It is very important; this is what it says:

That the Government of Canada adopt a broad approach in its renewal of the Action Plan for Official Languages, including in particular:

- active involvement of the communities, provinces, territories and federal government in developing, implementing and evaluating the action plan;
- flexibility in identifying the key sectors targeted, for which the amount of funding can vary with the priorities set out by the communities.

That is perhaps one recommendation that you can take a closer look at, and include in one of your own recommendations.

Mr. Graham Fraser: I take note of it and I would like to thank the honourable member for having reminded me of the 39th recommendation, which is consistent with the position that we put forward in your report and with what we hope to be able to bring before the courts when they deal with the scope of part VII.

The Chair: You have two and a half minutes remaining.

Mr. Yvon Godin: Could you please tell us what you think about the Court Challenges Program? Mr. Chong often says that the program had more to do with legal aid. However, there is a

difference between legal aid and the Court Challenges Program. That is a well-known fact. Mr. Baird, the minister at the time, said that the government would not give Canadians money to fight the government and its legislation.

Does that not mean that the government's position is that there are laws, but that it will not give communities... The danger is that ordinary citizens would never be able to afford taking a case to the Supreme Court. But, when the Court Challenges Program was in place, Ms. Paulin from Tracadie-Sheila, to mention just one example, was able to win a case involving the RCMP in New Brunswick. The federal government may say that in the end it was the province that provided the settlement, but it was thanks to the Court Challenges Program that the case was made public. The danger with cancelling the Court Challenges Program is that official language minority communities have lost one of the tools they had for defending their rights under the Canadian Charter of Rights and Freedoms.

• (1030)

Mr. Graham Fraser: As Ms. Tremblay pointed out, there is a difference between legal aid and the Court Challenges Program, and that has to do with the importance of the rights Canadians have under the charter.

I think that by definition, a right defined in the charter is not just an individual right of the person who brings the case forward. There is also a national and collective implication when a right is redefined, when the scope of a right is defined by the Supreme Court and when this court defines the meaning of the charter. This is not necessarily so for a civil case or for a request for protection that an individual takes to court. That is an important distinction.

Let us look at some of the cases that went to the Supreme Court as a result of the Court Challenges Program. I am thinking of cases such as Arsenault-Cameron and Mahé. These are very specific examples where the right of citizens to education and the right of communities to control their schools were established by the court. There are French-language school boards throughout the country as a result of a Supreme Court decision, and this decision was handed down because of the Court Challenges Program.

The Chair: Thank you very much, Commissioner.

We have now completed the third round.

We will begin the fourth round with Ms. Maria Minna from the Liberal Party.

Hon. Maria Minna (Beaches—East York, Lib.): Thank you, Mr. Chairman.

You had a forum in Toronto that looked at the connection between duality and diversity. I would like to hear your impressions of the forum. It was most interesting, because children in my riding speak the language of their parents, of course, but they are often very interested in learning French, because they do not feel they are citizens of the country unless they know the two languages. I would like, first of all, to hear your impressions of the forum.

[English]

Deuxièmement, I find that there are immigrants in Toronto who come from French-speaking countries, like Congo. The families in my constituency are telling me that they're having difficulty accessing good French schools for their children. One family has actually taken their children out of the French school in Toronto because they found the level of French of the teacher in the class was not to the level they expected, or good.

This is something that would be unfortunate, because with a lot of the immigrants coming who already speak French, it's something we would want to encourage, to maintain and to strengthen, rather than....

I wondered if that was something you had looked at or have any information on from that aspect.

Those are the two things.

Mr. Graham Fraser: Mr. Chairman, it was a fascinating day that we spent in Toronto, and we had representatives from a wide variety of ethnocultural groups, English-speaking and French-speaking. It enabled us to have a better sense of their concerns.

We were also struck, and it confirms the comment the member made, by the degree of interest and support there is for the principle of linguistic duality in Canada. The statistics show, in fact, that there is a higher level of official language bilingualism among people who come from other countries than there is among Canadians who've been here for several generations. I think this shows the degree to which one of the things that attracts immigrants to this country is the concept of linguistic duality. This is not a barrier; this is part—I hate to use the word branding—of the way people identify us as a country in the world.

In terms of the challenge for French language schools in Ontario and in other provinces, there is a study that was done on French language schools in Toronto that showed some really interesting social tensions between franco-Ontarians, who had certain expectations, both linguistic and educational, from the schools—the children of Quebecers who had moved to Ontario—and often African immigrants who had come from a more rigorous French colonial education tradition.

• (1035)

Hon. Maria Minna: Mr. Fraser, I apologize. I think my colleague would like to throw in another question, and then maybe you can piggyback on that one.

Mr. Graham Fraser: It is a phenomenon that we're aware of and that I find a particular challenge for minority communities, to welcome French-speaking immigrants to the school system and the other elements of the community.

[Translation]

Mr. Pablo Rodriguez: I regularly meet with representatives from the communities and anglophone groups in Quebec. There is an urgent problem. I received a very specific, detailed note over the weekend from the director general of the Townshippers' Association. She told me that the association is experiencing a budget crisis at the moment. There is no longer any money in the account, and the amounts required for people's wages have to be deposited this week.

They're not getting any money from the Department of Canadian Heritage. I have heard that a number of anglophone groups in Quebec are in a similar position. Apparently, this week the representatives from the department told them that they would be issuing an emergency cheque, but that this might not happen, because the department can issue only six emergency cheques, and that this must be done for a number of groups.

The departmental officials suggested changing the rules and issuing more emergency cheques. The money that has been promised should simply be provided rather than cutting off the funding to anglophone organizations in Quebec!

I was wondering whether you were aware of this situation and whether the Office of the Commissioner of Official Languages could do anything about it.

Mr. Graham Fraser: I was not aware of the specific cases you described. The systemic problem, which I described in response to other questions, occurs again and again. I heard similar testimonies regarding Quebec institutions, as well as institutions in other parts of the country. I've taken good note of the problem. Clearly, there is a systemic problem.

The Chair: Thank you very much, Mr. Fraser.

I now give the floor to Daniel Petit.

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Thank you very much. Good morning, Mr. Fraser. I am pleased to see you again.

I would like you to speak to a potentially sensitive issue. There is one thing I would like to know, given that you have tabled a report. I am relatively new to this committee. I have been a member for longer than Mr. Gravel, but no longer than a year, at most.

When I first came to the Standing Committee on Official Languages, the first thing I learned from Mr. Godin—who is, for all intents and purposes, an official languages institution—was that the committee had never before travelled to meet francophone communities outside Quebec. This was the first time since 1969. All of us, including Mr. Godin, were quite surprised. Given that this was my first time, I wasn't as surprised as he was. He was completely taken aback, and he spoke about it on three or four occasions.

We visited all provinces and heard from their francophone communities in order to see how things were going on the ground. Naturally, we tabled a report, entitled *Communities speak out: hear our voice. The vitality of official language minority communities*. I can tell you that I learned a lot of things, and in little time! I was with Mr. D'Amours when we visited a centre in New Brunswick where Quebec physicians go to work because it is more financially advantageous to them. They speak French with the nurses who are trained there. It is a very nice centre. It all appears to have been developed over the past four or five years. That is a good example of vitality.

I also visited Newfoundland. That province has a very small group of francophones, some 3,800, but it is quite powerful. It is an extremely wealthy and well-structured community. I am not referring to the fishers of Port aux Basques, I am talking about those I was able to meet.

From the start, let me say that I have not read your report from beginning to end. You have two reports, the 2005 annual report on official languages and, specially, the report I've taken good note of, the second volume.

•(1040)

Mr. Graham Fraser: That is the Canadian Heritage Report.

Mr. Daniel Petit: The Canadian Heritage Report addresses the official language outcomes of designated federal institutions. It refers to the often-quoted sections 41 and 42. I am wondering whether that was only to please me. When I consider a number of areas, progress has effectively been made. Not only has money been given, but on top of that, the money has been put to more productive use. I get the sense that there are good things in the report.

You have already addressed the issue. I will attempt to repeat what you said word for word, without getting out of context. In your latest annual report, you recommended, and I quote:

The Commissioner recommends that the Minister for Official Languages ensure Canadian Heritage review its accountability mechanisms for the implementation of sections 41 and 42 of the Act in order to place more emphasis on results.

There seem to be results, but when I read that, I am a bit perplexed. I would like you to explain what the shortcomings are. What is the problem? Is it only a document that public servants have been producing for the past 30 years? Practically speaking, is there something in there? You have detected something, and I would like to know what.

The Chair: You have a good minute, or even a minute and a half left.

Mr. Daniel Petit: I would like to have left you longer.

Mr. Graham Fraser: One of the recommendations that I made regarding Canadian Heritage was that the accountability system should be reviewed. I made that recommendation partly because of the changes to the governance system. Responsibility for coordination and oversight used to fall under the purview of the Privy Council, but was transferred to Canadian Heritage. They are two separate functions: one is to implement programs, and the other is to ensure oversight.

We believe that it is difficult for the same department to adequately carry out both roles. We therefore asked Professor Donald Savoie to carry out a study on the governance of official languages in Canadian Heritage and provide us with an overview of the consequences of transferring the responsibilities from the Privy Council to Canadian Heritage. It is our means of following up on our concerns on this matter.

The Chair: Thank you very much.

Mr. Nadeau.

Mr. Richard Nadeau: Thank you, Mr. Chairman.

Mr. Fraser, I would like to discuss the issue of promoting Canadian French around the world. TV5 is the third largest TV network in the world. However, Canada and Quebec note that TV5 is not well-represented in the program schedule, even though the network is important for us.

It is perhaps, therefore, no surprise to learn that 85% of TV5 programs are funded by France. It is important to note that TV5 is

broadcast in 203 different countries, that is almost every country in the world.

What is your position with regard to TV5 and the need to involve the Canadian francophone community in promoting Quebec and Canada around the world?

Mr. Graham Fraser: I believe that Canadian involvement is very important. Furthermore, I heard recently that the French government support of TV5 was less than certain. If I'm not mistaken, the Canadian and Quebec governments acted together to try to convince France to continue supporting TV5.

I always feel at home when I watch Canadian programs broadcast on TV5 when I'm abroad. Both as a Canadian viewer and as somebody who has travelled around abroad, I understand the importance of TV5 and its role as a platform for Canada and Quebec.

•(1045)

Mr. Richard Nadeau: Earlier today, and during the course of some of our other meetings, we have discussed an issue that you address in your book *Sorry, I Don't Speak French*, that is to say, making the knowledge of French a criterion for university admission.

I have spent longer out of Quebec than I have spent living in Quebec, and I have noticed that, since the mid-90s, English-language-dominated school boards have become inclined to stop offering French as a second language at secondary schools. I'm not talking about schools that provide an official immersion program, or core French as it is often referred to in education circles.

Does the fact that these courses are no longer being offered not set alarm bells ringing? It is important that French be recognized by all Canadians, and not just parents who want their children to learn French.

Mr. Graham Fraser: I agree wholeheartedly with what was said about the importance to be given to the teaching of basic French, or, as it is known in English, core French.

We must not forget that 1.1 million students in English Canada are learning French, and only 300,000 of them are in French immersion programs. Most of these students are taking core French. It is a widespread phenomenon. And I find it extremely annoying when people question the value of teaching core French.

However, I would like to give you an example of something positive. My friends must be getting tired of listening to me talk about this. I am referring to the Edmonton Public School Board, which conducted a study of what was happening there in 2000-2001. Enrolment levels for the French program had dropped by 12%. A report set out 14 criteria that were required in order to provide high quality French education. A sizable budget was made available for the implementation of these 14 criteria. The result was a 25% increase in enrolment, and the type of drop that we normally see in grades 9 and 10 has almost been eliminated.

As a result, 63% of the students who are receiving post-secondary education in French at the Saint-Jean campus of the University of Alberta come out of immersion programs. In my opinion, this means that the experiment was a success. It gives me a reason to be somewhat optimistic. And it provides other school boards with an example that they may wish to follow.

• (1050)

The Chair: Thank you for that anecdote, Mr. Fraser.

We will now hear Mr. Godin.

Mr. Yvon Godin: Thank you, Mr. Chairman.

You expressed concern about the fact that language training is no longer provided by the Canada School of Public Service. In the past, the public service had its own school where this type of training was provided. The new government, if we can call it that, decided to change directions. This seems to trouble you. I would like to hear what you have to say about it.

Mr. Graham Fraser: Mr. Chairman, I am more interested in results than in the means to achieve them. I have heard arguments both for and against this decision. It is now up to the department to ensure that people who are in positions where bilingualism is a requirement are indeed bilingual.

Some say that the centre will lose all control if the school is not given that responsibility, while others believe that it is a way to make the department and the employees themselves more accountable. Personally, I feel it is too soon to comment on the effect of this decision.

Mr. Yvon Godin: Should we not consider what effects this might have in rural areas, where there is no institution that can provide language training? This involves the public service, its responsibilities, government money and the likelihood that people living in rural areas will have to travel elsewhere for training. As for the communities, there may be places in Canada where no language training is available. We don't know how widespread the effects of this change will be. It may work in urban centres like Ottawa, Toronto, Montreal and even Moncton or Fredericton, but has anyone given any thought to how this could negatively impact the small regions?

Mr. Graham Fraser: I have taken note of the honourable member's remarks, and will keep them in mind when the time comes to examine the impact of this decision.

Mr. Yvon Godin: Thank you.

That is all.

The Chair: We have completed our fourth round. Mr. Chong has indicated that he wishes to ask an additional question. If the committee agrees, we could allow him three minutes.

Mr. Chong, you have three minutes.

Hon. Michael Chong: Thank you, Mr. Chairman.

We remain concerned over symptoms that arise over official languages issues. Perhaps it would be a good idea to get to the bottom of this.

Perhaps it would also be a good idea to consider a third language policy. I spoke about this last year, at a committee meeting during which you were introduced.

[*English*]

If we could examine a policy of trilingualism, in some ways we might address a number of issues that you touched upon in your testimony. It would be a policy where two of the three official languages would be a requirement for graduation from high school, and the third one would be the student's choice. So if you're an aboriginal, it could be a native language. If you were somebody living in Vancouver, it could be Chinese or Japanese. If you were living in Montreal, it could be Spanish.

This policy would obviously be to the benefit of national unity. It would address some of the foundational problems we have with respect to accessing health care for people in both official languages. If you were in the armed forces or the RCMP, it would address a lot of the other problems we might have. It would be good for international commerce. It would be good for cultural diversity.

I think it's something you might look at as you go forward in your role in the next six years.

• (1055)

[*Translation*]

The Chair: Mr. Chong, you should allow Mr. Fraser to respond. He has only one minute.

[*English*]

Hon. Michael Chong: Yes. I would encourage the Commissioner of Official Languages to take a look at this. A lot of what we talk about is symptomatic of deeper problems, and the deeper problems rest with the education system in this country. Potentially a policy that would encourage greater use of both the French and English languages, a policy that would require students to have knowledge of those two official languages and a third one... As Luc Harvey mentioned, two plus one might be the way to deal with the galloping heterogeneity we're seeing in the country's largest cities and at the same time deal with some of these symptomatic problems that you identify in your annual reports.

[*Translation*]

The Chair: Mr. Fraser, you have time to give a very brief answer. You have 30 seconds.

[*English*]

Mr. Graham Fraser: Mr. Chairman, I deeply appreciate the member's interest in this issue. As I said earlier, I think it's much easier to learn a third language than it is to learn a second language. The degree to which language duality intersects with cultural diversity is a subject that we've already undertaken. I will certainly take into consideration the member's very interesting point.

[*Translation*]

The Chair: Thank you, Commissioner.

Mr. Godin wishes to make one last point. I will then conclude with a question to the commissioner.

Mr. Yvon Godin: I must speak out. The Standing Committee on Official Languages practically suffers from a syndrome, or rather a cancer. I must say a few words about this.

Is it a syndrome to have to demand that the government respect both official languages before adopting a third one? Before hastening to adopt a third language, wouldn't we be better advised to resolve the problem at hand, to make sure the law is being complied with, and that the two official languages of our two founding peoples are being respected? And do we want to keep our country unified, from the west coast to the Atlantic coast? Mr. Commissioner, is this a syndrome? As a commissioner, do you yourself suffer from this syndrome?

Adopting a third language does not fall under your responsibility. Pardon me for saying so, but you are the Commissioner of Official Languages; it is your responsibility to make sure that the legislation voted by Parliament pertaining to our country's two official languages, French and English, is respected.

Mr. Graham Fraser: Mr. Chairman, I am well aware of my mandate, my obligations, my responsibilities and my aspirations.

I had understood the member to be talking about a symptom, and not a syndrome. One symptom that I have observed is that after nearly 40 years, the government is still unable to fulfil its obligations. This is what I had understood—

Mr. Yvon Godin: Mr. Chairman, if we were to start focusing on a third language, would we run the risk of having English and Chinese prevail in Vancouver?

The Chair: Order please. We are going to wrap up.

Mr. Godin, you have one minute remaining.

Mr. Yvon Godin: Mr. Chairman, wouldn't there be a danger of letting the issue of official languages fall by the wayside if we were to consider adopting a third language?

I am open to the idea of a third language, but it is your responsibility, as well as that of the Standing Committee on Official Languages, to make sure that the two official languages of the two founding peoples of Canada are respected within the federal government.

Mr. Graham Fraser: I agree with the member: my mandate is very clear.

The Chair: Thank you very much, Commissioner Graham.

In addition to the clarifications on national stewardship, you have also made linguistic clarifications. Commissioner Graham, I wish to thank you. Your appearance this morning was very well prepared. You tabled documents, your statement, and a news release. On behalf of members of this committee, I wish to thank you. I would also like to acknowledge the synergy that you have developed with the Ombudsman of the Canadian armed forces. He also appeared before this committee and helped us advance in our work, just as you have done this morning.

I will give you the last word. Tomorrow, the same committee will be meeting to discuss future business. We already have a schedule, but if you had to recommend one or two topics to explore, what would they be?

• (1100)

Mr. Graham Fraser: As I stated at the end of my presentation, the government must absolutely move to action and develop and implement the next phase of the Action Plan for Official Languages, and this committee must oversee its development. What is important is that its approach be broad-based and strategic.

One of the points that I continue to stress is the importance of leadership. Fluency in both official languages is a crucial component of leadership. This type of leadership must also be manifest in the renewal of the public service. A huge percentage of public servants will soon be retiring; a demographic renewal process is underway. In these circumstances, we must not forget the importance of linguistic duality and bilingualism.

The Chair: Commissioner Graham, I wish to thank you and your team for taking the time to meet with us this morning.

See you again.

The meeting is adjourned.

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