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Mr. Pablo Rodriguez

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• (0905)

[Translation]

The Chair (Mr. Pablo Rodriguez (Honoré-Mercier, Lib.)): Good morning to committee members and our guests. This is the second official meeting of the Standing Committee on Official Languages, but the first real working meeting, because last time all we did was elect the chair and pass certain routine motions.

At that first meeting, committee members said they would like to invite the Commissioner of Official Languages, Ms. Adam, to appear. We passed on the invitation and thank the commissioner for coming here today with her team, despite the very short notice.

Ms. Adam is at our committee meeting for two reasons. The first is to familiarize us further with her latest report, and the second is to plan our future work based on this report.

As you can see, colleagues, the orders of the day are quite simple. The first item is the appearance of Ms. Adam. The second, if we get that far, is the committee's future business.

Without further ado, I will turn the floor over to Ms. Adam. She may want to start by introducing her colleagues and then proceeding with her presentation.

Ms. Dyane Adam (Commissioner of Official Languages, Office of the Commissioner of Official Languages): Mr. Chairman, ladies and gentlemen, I will start by introducing the colleagues with me today. They are the Director of the Corporate Services Branch, Ms. Guertin; the Director General of Investigations, Mr. Robichaud; the Special Advisor on Parliamentary Liaison and International Affairs and also a Director General, Mr. Gérard Finn; and the Director General of Legal Affairs, Ms. Tremblay. Thank you for inviting us to your first working meeting.

As you mentioned, last week I tabled my fifth annual report, and I am here today to share the highlights with you. As a complement to my presentation, I have distributed copies of the 11 recommendations contained in my report. I would like to take this opportunity to point out to new committee members that we have adopted the idea of including recommendations in the annual report—that was not the tradition previously—following the recommendations, two or three years ago, by the Standing Committee on Official Languages of the House of Commons. So this is the third year that we have been making recommendations of this type.

Before getting to the heart of the matter, I would like to welcome all the members of this committee, especially those of you who are new. I would also like to thank our two veterans, Mr. Godin and

Mr. Simard for their dedicated work in advancing the cause of linguistic duality in Canada.

Mr. Yvon Godin (Acadie—Bathurst, NDP): On a point of order, Mr. Chairman, the document I have here begins at recommendation 6, and the same recommendation appears on the other side of the page? Are all the documents like mine?

The Chair: There may be an error.

Ms. Dyane Adam: There is an error.

The Chair: My copy does not have that error.

Ms. Dyane Adam: The recommendations are also summarized in appendix to the report. They are on pages 101 and 102 of the French version of the report, and on pages 97 and 98 of the English version.

The Chair: The recommendations are also included in the briefing note prepared by the researcher. If there still is a problem, we can send this document to your office later today.

With your permission, we will continue with Ms. Adam's presentation.

Ms. Dyane Adam: In the past, your predecessors called on several managers of various federal institutions to appear before them to give an account of how their organizations are applying the Official Languages Act. In some cases, they provided a series of reports and recommendations that I endorse whole heartedly, and which in many cases, support my own work. It is very helpful to the commissioner when parliamentary committees study our recommendations and, in some cases, echo them. This is how the Commissioner can really exercise her ability to have an influence on policy.

Our two official languages, English and French, as we well know, are the embodiment of an invaluable Canadian principle that we as Canadians are justly proud of. They are a value at the heart of our collective identity and well-being. This issue, as the newcomers here will see, touches on nearly all policy areas: labour, health, justice, education, immigration and many more. When we talk about the official languages in the federal government, we refer to it as a horizontal issue. It appears in virtually all federal institutions and all the entities that come under federal jurisdiction.

This year's annual report examines this fundamental Canadian value and provides a year in review for official languages from the perspective of ordinary citizens—their rights and expectations.

I want to start out by mentioning that the Government of Canada's commitment to linguistic duality in the last Speech from the Throne is very encouraging. However, we have just experienced a year of government transition that overall, slowed progress in this area and raised many questions for Canadians, including myself.

● (0910)

[English]

The Official Languages Act turned 35 this fall. And while it has had its share of successes, its full implementation remains a work in progress. The federal government still cannot say "mission completed" and pat itself on the back.

More than ever, firm and resolute leadership is required to ensure that the objectives of the act are fully realized. This is definitely not a case for letting our guard down. This leads me to one of my main concerns.

In the current context of the Government of Canada's expenditure review, I have a disturbing feeling of déjà vu. As they say, "Once bitten, twice shy". You may recall that the budget cutbacks and government transformation of the nineties brought about a significant erosion of linguistic rights in this country. At the time I called for a recovery plan, and in March 2003 the Government of Canada responded with the adoption of its action plan for official languages.

The action plan was the acknowledgement that there had been a significant setback, and it represents the Government of Canada's commitment to rectifying this situation. The action plan has received a new investment of \$750 million over five years in addition to what was already allocated within the federal system for official languages. So the government has made a clear commitment in the Speech from the Throne to fully implement the action plan.

Though the action plan is essential, we must remember that it is not a panacea; the focus on the cure should not be at the expense of the patient's overall state of health. It's not the funding provided in the action plan that is at stake but the resources devoted to the overall or entire official languages program.

So this government must learn from the past, and parliamentarians should continue to be vigilant to build on a foundation that must remain solid. That is why I have recommended that the government maintain intact the level of funding for the official languages program as a whole in the context of the current expenditure review.

The linguistic and constitutional rights of Canadians are not negotiable; only progress is acceptable, and this message must be clearly heard throughout the federal government.

● (0915)

[Translation]

My annual report also provides a review of the first year of the implementation of the Government of Canada's action plan for official languages. Let's start by mentioning some important initiatives.

This includes the adoption of new Treasury Board policies on the staffing of bilingual positions and increased access to language training for public servants. There was also the creation of the new

Canada School of the Public Service, progress in the areas of health and immigration, and a firm commitment to implementing the Action Plan for Official Languages. Parliamentarians, especially the members of the two Standing Committees, played a key role in achieving this progress. Previous committees were constantly vigilant by calling on those responsible for the official languages program to report on the progress achieved.

I encourage you to continue these efforts, because as I have noted, progress has slowed down when it should be accelerated. There are delays on many levels: the piecemeal way in which funds are allocated, the few tangible achievements to date, stagnating negotiations on federal-provincial agreements on education and an accountability framework that is still in the works. The government will need to get back on track to make up for lost time and deliver on its commitments to Canadians.

[English]

You will notice that many of my recommendations touch on the issue of accountability. Increasingly, Canadians expect the government that serves them to be accountable and to be able to show results. This principle applies to official languages as well. To guide the actions of all departments along these lines, I recommend that the Government of Canada reinforce its management accountability framework by ensuring that official languages are front and centre when providing services to the public. What this implies is the establishment of explicit performance criteria and, above all, ensuring that results are obtained and assessed.

When it comes to the vitality of the official language communities, the government must take the lead in its dealings with other levels of government. The key will be to adopt an approach that is tailored to the needs of those communities. Agreements on immigration are fine examples; these could be used as a model in other areas such as education, health, and early childhood development.

Canadians recognize the advantages of bilingualism and want to give their children the chance to learn the second official language. A recent survey by the Centre for Research and Information on Canada shows that 77% of Canadians believe it is important to keep English and French as official languages. What's more, eight out of ten anglophones believe it is important for their children to learn a second language, and three-fourths of them think the language should be French. So the demand is there, but the investments have not kept pace.

Given that half of the action plan funds cover education in minority communities and second language learning, it is important that Heritage Canada ensure in its negotiations with the provinces and territories that investments target these specific objectives and that governments show complete results.

In the area of health care, recent talks have opened the door to one of the Romanow commission's recommendations to adapt the Government of Canada's agreements with the provinces and territories to the needs of official language minority communities. Given the importance of this issue for these communities, I reiterate this recommendation in my annual report.

Other recommendations also touch on the area of air transportation, an area in which any setback to the rights of the travelling public and of staff members must be avoided in the context of Air Canada's reorganization.

There is also the issue of equitable access to justice in both official languages, which is not always possible, in large part because of the shortage of bilingual judges. For this reason, I also recommended that the process for appointing Superior and Federal Court judges be reviewed to ensure that the court system has an adequate bilingual capacity. Those subjected to court jurisdiction should be able to be heard and understood in the official language of their choice. Although this recommendation is addressed to the Privy Council Office, it can only be implemented with the cooperation of the Minister of Justice, who is responsible for appointing judges to the Superior Court. So as you are aware, Minister Cutler recently announced that he intends to review the process for appointing judges. He has been made aware of the problems caused by the shortage of bilingual judges, and I urge him to take this issue into account.

• (0920)

[Translation]

At the end of the day, for the government to truly promote the vitality of official language minority communities, as it has committed to do in the latest Speech from the Throne, it is essential that the federal system receive unequivocal instructions and feel compelled to act. The message must be clear.

With regard to Part VII, every federal institution has a duty to take the necessary measures to enhance the vitality of the official language communities and to promote English and French in Canadian society. According to the government's interpretation, section 41 merely states a political commitment and does not bind federal institutions in any way. Minority communities have had to take on the costs of court cases to have the mandatory, enforceable nature of this government commitment clarified. The Forum des maires de la Péninsule acadienne has asked the Supreme Court to hear this issue. And while legal experts discuss what legislators intended, the federal institutions are at a loss as to what is expected of them.

The ambivalence created by this lack of clarity paralyzes the action of federal institutions for minority communities and undermines the trust of Canadians in a State that proclaims its commitment but refrains from action. Minority communities are entitled to a legal commitment from the government, not just a political one. Indeed, I believe that the government's action plan will not be fully implemented without a clarification of the scope of Part VII of the Official Languages Act.

Rather than having recourse to the courts, parliamentarians can shed light on this issue for us. In my annual report, I recommend that the scope of Part VII be clarified through legislative or regulatory measures. Furthermore, I fully support Senator Gauthier's bill and I ask that you give this proposed legislation the support it deserves. The passage of this bill will in my opinion help official language communities respond to many challenges, and contribute to strengthening their means to develop. This bill would also ensure

that our linguistic duality is reflected to a greater extent across the country.

[English]

To conclude, the coming year will surely be full of challenges, but I am convinced that the government and parliamentarians will make the most of opportunities to make progress for official languages. For the government this means transforming the commitments already contained in the Speech from the Throne into concrete, specific, and measurable actions for all Canadians.

I would like to thank all of you for your commitment. I want to assure you of my full cooperation.

I would be pleased to answer any questions you may have on this report or on other issues linked to official languages.

[Translation]

The Chair: Thank you very much, Ms. Adam.

I am sure my colleagues will have a number of questions for you. As we agreed last week, we will begin with a seven-minute round for each party. The Conservative Party will speak first.

You have the floor, Mr. Lauzon.

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): Thank you, Mr. Chairman and Ms. Adam.

[English]

With regard to your report, I'd like to talk about action plan funding. The action plan includes an accountability framework that clarifies and assigns responsibility to departments and agencies with official languages obligations. It promises investments of \$751 million over five years, including \$381.5 million for education, \$269.3 million for community development, and \$64.6 million for the public service. In your report, you call on the federal government to ensure that these expenditures will not be affected by the current review of federal programs.

Your third recommendation is that the government "maintain, in the context of the spending review, the resources allocated to the Official Languages Program as a whole". At the same time, your report notes that the action plan does not contain a performance measurement system to ensure that the government's official languages program is being implemented by federal institutions.

Your fifth recommendation reads:

• (0925)

[Translation]

To reinforce the requirement that managers report on the implementation of the Act and to increase awareness among public servants regarding the importance of respecting the public's language rights, the Commissioner recommends that the Public Service Human Resources Management Agency: establish effective results-based assessment mechanisms and appropriate employee training...

[English]

Now, I understand your desire for the official languages program to be fully implemented in all its aspects, and I agree with that. However, calling on the government to maintain its current level of spending in the area implies that you are certain that the current amount of money allocated to the program is essential to the success of the program.

If the spending review does not apply to the program, and given the lack of measurable standards for the success of the program, how can you be sure that the amount of funding must be maintained? Shouldn't any funding decision that the government makes be based on optimizing the value for money?

Ms. Dyane Adam: What's important is that we sustain here the resources that are already allocated to official languages. Why? First of all, there right now are two types of investment in official languages. There is what I call the renewal plan, which is the action plan. That was a decision made by the government about four or five years ago, when they realized that when there were budgetary cuts in the nineties, there was a strong erosion in matters of official languages in this country. Cuts were made without looking at the consequences for either service to the public or other objectives linked to the Official Languages Act, such as support to communities and language of work obligations.

The action plan is a measure of redress decided on to ensure that we re-establish, more or less, where we were ten years ago. In the system there already are some investments spread out to the departments in official languages. The action plan is just an add-on to redress. I want to stress this, because it's not clear at times. The focus is on the action plan, and we forget that a lot of things are happening, that programs in official languages are already there.

For me, the first message is, yes, the government has fully committed itself, even in the throne speech, to implement fully the action plan. Unless the government changes its mind, we should be fine. What will happen to the other investments, though? That is a worry, and that is why I made recommendation three. If you give me something with one hand and you take away with the other, I'm not progressing very much, going one step, two steps.

This is a kind of warning signal so that when you do your expenditure review, please look to ensure that the official languages program is sustained and continues on its course of progress. In the past it did not happen. They just cut, and we know the consequences. I am in a preventive mode.

In terms of accountability, what is important for the government is that when they spend money, they can show results for citizens. When we administer resources, and I'm sure the resources are well spent, the tradition in the federal government has been to focus more on activities and processes, and say we did this, we spent that. But what are the results for the citizens, for Canadians? I think parliamentarians and Canadians are now asking for their governments, at all levels, to show results.

My recommendation goes along those lines. How will those investments make sure that we attain the objective, for example, of doubling the number of young bilinguals? That's what my recommendation focuses on, to please ensure that there are measures, indicators, established to show that as we have committed ourselves to double the number of bilingual—

• (0930)

Mr. Guy Lauzon: Ms. Adam, I guess to put it in simpler terms, I have taxpayers who won't accept—

[*Translation*]

The Chair: You are over your seven minutes now.

Mr. Guy Lauzon: Yes, but she has not answered the questions.

The Chair: Well, I think she feels she has answered them. Those were her comments.

We will now go to the Bloc Québécois. You have the floor, Mr. André.

Mr. Guy André (Berthier—Maskinongé, BQ): Good morning, Ms. Adam. Thank you for coming today despite the short notice. We discussed inviting you last Thursday, I believe, and here you are before us today. Clearly, the issue of official languages is of great interest to you.

I would like to come back briefly to the issue of accountability. You say that steps have been taken and that you are involved as the Commissioner of Official Languages. However, you are having difficulty understanding the scope of the expenditures made in this regard.

Do you have any concrete suggestions for incorporating the issue of accountability into the steps that should be taken in the area of official languages in the next few months?

Ms. Dyane Adam: First of all, the Office of the Commissioner is not part of the Action Plan. Our role is really to oversee the implementation of the official languages program by our federal institutions. So our role is an external one. We must ensure that each department, for example, the Department of Justice, will come close to achieving its objectives as regards official languages.

This year, my role was to check whether departments had started achieving the objectives during this first year of the Action Plan. In doing so, I noticed that progress was very slow. In some areas, such as education, no progress was made, negotiations between the provinces and the federal government have bogged down and are one year behind already.

With respect to examples of indicators, one of the objectives is to increase the number of young people entitled to education in French in French-language schools. We would like to see the current percentage of 65% increased to 80%. Theoretically, after the provision of funding and new agreements with the provinces, we should be able to increase the number of young francophones in minority communities enrolled in our schools from 65 to 80%.

I have asked the federal government to identify the indicators of progress, or to explain to us how it will measure the results achieved. It is all very well to provide funding, but will the government be accountable annually, or every two or three years? We need its accountability with respect to the results. A new accountability and coordination framework has already been established for the federal public service. If you look at this framework, you will see that it is really in administrative language. In this accountability framework issued by Treasury Board, there is only one reference to the official languages, where the document discussed is human resources and the ability of the institution or department to provide bilingual services. For Canadians and for myself, I think it is all very well to know that so many individuals in a particular department are bilingual. However, it would be much more interesting to know what goes on in the field, for example whether services are offered in French and English in BC or Montreal, and whether their quality is equivalent in the two languages.

So I ask whether, within the accountability framework, they have indicators of service in the two official languages that enable them to check and measure regularly the services provided in the two languages. That is the aspect on which we are focusing.

● (0935)

The Chair: You still have a little time left.

Mr. Guy André: To continue along the same line, if I understand you correctly, the people whose job it is to check on these indicators are not doing so at the moment.

Ms. Dyane Adam: Generally speaking, we still require a significant improvement in this regard. The point of a number of the recommendations is really to develop these indicators. For example, in the area of immigration, the federal government has acknowledged that the official language minority communities should have their share of immigrants, because it is the only way of renewing our population at the moment. That is true everywhere, for both the majority and the minority.

The federal government has entered into agreements with some provinces. In these agreements, it included a language clause providing for an obligation to support the official language minority communities—francophones in this case—and it established some targets. The figure was supposed to be 30% a year or over a certain period of time.

So we will be able to check whether, after five years, the federal government has achieved its objective. This applies to education, but also to health.

Mr. Guy André: Thank you, Ms. Adam.

The Chair: Mr. Godin.

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

I would like to begin by welcoming Ms. Adam and her team. I would also like to thank you, Ms. Adam, for your excellent work in your capacity as an official of Parliament. I know that seven minutes is not a very long time, but I would like to come back to the issue raised by my Conservative Party colleague with regard to taxpayers. If we adopted the Conservative Party formula and implemented the Belgian model, Quebec would look after the interests of francophones and Canada would look after those of anglophones, a

situation which would end up costing taxpayers less. But we are not quite there yet. Let's hope we never get there.

I see that people are ready to adapt to official languages. Canadians are involved in that process. Last week, on the plane, I met an anglophone from New Brunswick who told me that immersion schools are full. This shows that people have accepted the fact that we have two official languages in Canada and that we must also provide services in both languages.

I would like to hear your opinion about the government's where, I think, there is lack of respect for official languages. As it now stands, within departments, there are many unilingual anglophone deputy ministers who are not covered by the Official Languages Act. It's the same inside departments.

I met with representatives from ACOA, the Atlantic Canada Opportunities Agency, who straight out told me that French was the second language and that there were no francophones who could meet with us. As for National Defence, last week, in a news program, it was reported that a priest has taken the train to return... Do you study these types of cases? I intend to call Department of National Defence officials before the committee because that department is the least respectful of the Official Languages Act. It's the Government of Canada Department which bluntly ignores official languages.

Once again, as regards part VII, does Robert Gauthier's bill address some of those issues? In fact, the object of the bill is to implement part VII of the Official Languages Act.

Unfortunately, I have to leave at 10 o'clock, so I'll ask my questions quickly.

As for Air Canada, is it true, madam commissioner, that the courts told you to hold back as regards official languages? Were you told to keep quiet and not go after Air Canada even if it violated the act, despite the fact that the act applies to Air Canada? Francophones don't matter; they are ignored. In my opinion, it is scandalous that the judge would have said that to you.

I would like to know what you think about what happened, Ms. Adam.

● (0940)

Ms. Dyane Adam: Mr. Godin, I might have to ask you to remind me of some of the questions you asked.

As for Air Canada, we received a court order when Air Canada was under the protection of the Companies Creditors Arrangement Act. As I stated at the press conference, not only was the request made to the Office of the Official Languages Commissioner, but also to almost all of the other monitoring agencies, to hold back in order to give Air Canada time to restructure and catch its breath. By now, of course, the situation has changed, which is why we recommended that, given the fact that Air Canada has restructured, the emphasis on official languages be maintained. We have therefore taken up our activities again, since the order took effect on September 30.

Mrs. Johane Tremblay (Director, Legal Services Branch, Office of the Commissioner of Official Languages): In addition, Mr. Godin, during these proceedings, when the judge issued his order regarding all the complaints against Air Canada filed by monitoring agencies, we managed to come to an agreement with Air Canada. We were the only ones who were able to do so, which as it happens, made it possible for us to investigate a number of complaints dealing with service to the public.

This means there were at least a few complaints that we could investigate further on. As the commissioner was saying, the order applied to all monitoring agencies. Since September 30th, however, we are in a position to investigate any and all complaints against Air Canada.

Ms. Dyane Adam: And to receive them. I take this opportunity to tell parliamentarians who travel that an unused right is a non-existent right. Whenever you find yourself in a situation when you do not receive service in your language from a federal institution, please file a complaint with the Office of the Commissioner because this is the trigger for direct contact with those institutions.

I will go back to your various questions. I do not know how much time is left. As to part VII of the *Official Languages Act*, on the language of work, this is a recurring issue, as you know. It is very important that this recommendation be truly implemented, especially since the bill you are referring to has already been or will soon be adopted by the Senate.

Mr. Gérard Finn (Advisor, Office of the Commissioner of Official Languages): It will be passed this week.

Ms. Dyane Adam: This is a bill that had already been passed before the election; it died on the order paper but is extremely important. Federal institutions behave like children or anybody else. When guidance is not clear, any resulting ambiguity leads to confusion. So, people improvise. When you tell an institution it can take action but does not have to, it behaves differently and the outcome is also different, of course. This bill therefore would clarify the obligations and duty to act of our institutions. For this reason, it is really important that you should official language support this bill to make sure it is adopted by Parliament and is fully implemented.

As to compliance with the official languages policy at the Department of National Defence, the issue has already been raised. We have different ways of checking compliance with the legislation in our institutions. There are of course the auditing and investigations now being done. We are currently conducting a major investigation on the issue of official languages compliance in the Department of National Defence. Since it is still underway I cannot comment on it but it deals with many of the issues you have raised, Mr. Godin.

Let's now turn to the language of work. As you know, service to the public is far from perfect; examples are to be found in my annual report. The audit shows that we are not yet mature, so to speak. As to the language of work, however, a huge amount remains to be done. Instilling respect for the language of the employee in senior management, among supervisors, is underway however. Last year, we issued a first study on the issue together with recommendations. This year, we will keep hammering on to make sure the public

service takes notice. The next study will deal with the situation in Quebec.

● (0945)

The Chair: I will have to cut you off, Commissioner.

Ms. Dyane Adam: Very well. Could I just finish? The third study will focus on Crown corporations because we know very little about what is happening in terms of language of work in this area.

The Chair: You still have two seconds and a half.

Ms. Dyane Adam: I'm done.

The Chair: Mr. Simard, you have the floor.

Hon. Raymond Simard (Saint Boniface, Lib.): Thank you Mr. Chair. Welcome Commissioner Adam.

You spoke earlier of the transition period during which the government got behind. I totally agree with you on that. My question has to do with the provinces.

It has often been said that certain provinces were more ready and willing to join forces with us when it comes to certain projects. Things run very smoothly with Manitoba and New Brunswick. I tend to agree with Mr. Godin. I get the feeling that provinces are now much more aware of these issues and are willing to commit. They say they are even willing to match funding, for instance. I did not use to be the case. I would like to hear your views on this.

Recently, we have learned that Alberta was going to require that a second language be taught, starting in 2006. This is truly extraordinary. It has come to the point where in the area of official languages, some western provinces are starting to urge us to do certain things. That's my first question.

My other question deals with the accountability of members of the government. In recent weeks, I have noticed that a number of new ministers were not aware of their responsibilities with regard to official languages. It is the duty of senior officials to make them aware but the latter, themselves, do not always know what these responsibilities are. As a government, we must make the senior officials aware so that their ministers take on their own responsibilities. I would like to hear your comments, if any, on this issue.

Ms. Dyane Adam: As far as the provinces are concerned, yes, findings at the grass-roots level indicate progress in several of them. Actually, in 2005, we will probably provide you with an update of the situation and how it unfolded.

In Manitoba—as you would know since this is your home province—, there has been real breakthroughs. In British Columbia, for the first time, French curricula are offered at the postsecondary level, at Simon Fraser University. The French language is emerging at the postsecondary level. I also suggest you track what is being done in Alberta, as you mentioned. It is the only province at this time to link economic development and the learning of a second language. It is making sure that young Albertans, probably in five to ten years, master at least one second language and maybe more when they complete their education. The province is convinced this is an essential component for the labour force in the 21st century.

French is expanding. There is an increase in demand for immersion in British Columbia and Alberta. As you know, Saskatchewan has a new official languages policy and has improved its French language postsecondary network. There also are one-stop service centres, the concept originated in Manitoba. That province also improved access to justice. In New Brunswick, also, there have been improvements. There is a new act, a new commissioner for official languages, a number of things.

In Ontario, progress is less obvious, I must admit. In Quebec, this year, there have been developments for the English-speaking minority especially in the area of health, since the government is committed to building a new hospital for anglophones. It's really positive.

So, as far as provinces are concerned, I think there really is a lot of movement. What is the federal role in this area? What can the federal government do when there is such a thrust? What should be its role? It must show leadership and support all measures aimed at the full compliance with legislation. I remind you that the Canadian Constitution provides that legislators in Parliament are committed to work to improve the situation and to promote the equality of the French and English language. This is the direction we want, not backward but forward.

As to the accountability of senior officials in government, twice I have recommended in reports that deputy ministers and assistant deputy ministers, the senior level of the federal machinery of government, be under the same language obligations as CEOs and so on.

As a matter of fact, this report shows—as other studies do—, that one of the major irritants in the machinery of government and for those employees with language obligations in the chain of command, is that their supervisors, those at the top, do not fall under this requirement. That is the disconnect. This illustrates vividly the frustration found in the civil service and the point you made, Mr. Simard: if those senior officials in regular contact with ministers are not aware of the issue or not fluent in both languages, there is a problem.

As recently as last week, I met the group of deputy ministers and told them just what I have told you, something that surveys in the public service attest. In fact, maybe there is no need for legislation or policies to declare their positions bilingual: they may put their bilingualism in practice on a daily basis with their employees. But there is no doubt a deep uneasiness within the federal public service. As you said, it is certainly a problem for a unilingual anglophone minister if his entourage cannot really introduce him or her to this issue.

• (0950)

Hon. Raymond Simard: Do I have any time left?

The Chair: You have 45 seconds.

Hon. Raymond Simard: I will make use of them. I also wanted to speak to you briefly about economic development in minority communities. Recently, economic development infrastructures have been developed in our area. I am absolutely amazed to see the impact it has on the development of our community. Could you quickly comment on this?

Ms. Dyane Adam: I get the feeling you want me to congratulate Manitoba for its leadership.

Hon. Raymond Simard: No, it's just the environment that I know.

Ms. Dyane Adam: Still, you are perfectly right. Manitoba has been a true champion of minority groups' economic development. It has established a partnership with Human Resources, making it a front leader. There are now elements of infrastructure throughout the country that make it possible to promote the economic development of our communities, our small businesses and projects.

I take this opportunity to emphasize that this issue really deserves your attention because there is no economic development policy for official languages minority groups. The Human Resources Department actually took the lead. But, as we know, Industry Canada and several other departments are involved in economic development. I agree that there is a level of cooperation in the works, but coordination is lacking. Within the federal government machinery, there is no partnership aimed at supporting communities and working closely with them.

I would be happy to come back to discuss this further.

• (0955)

The Chair: Thank you, Commissioner Adam.

We are starting the second round. Everybody now has five minutes instead of seven. We will start with Mr. Vellacott.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Thank you for your presentation.

[*English*]

My question follows up on my colleague Mr. Lauzon's question, Ms. Adams, and the whole point you've made here in terms of the action plan itself. I need to come back to this because I didn't feel we got an answer there. You touched more on some other things instead.

He makes the point that the action plan doesn't contain a performance measurement system to ensure the government's official languages program is being implemented by federal institutions. That's your statement, in effect. If that's the case, if it doesn't have that performance measurement system there, but you're asking that the spending review not apply to this particular program, and given the lack of measurable standards for the success of the program, how can you be sure that the amount of funding must be maintained? Maybe it's more or maybe it's a lot less. So there's a contradiction here in that you say there are no measurable standards and yet there should be no cutting of funds with respect to the action plan itself. Something doesn't square there, and I'm just pressing you to justify the seeming contradictions in the statements here.

Ms. Dyane Adam: What I'm saying is that the investments are necessary. It's the right direction, we need to go there, and so on. But you need to establish performance indicators. They are working at it, but what I deplore is that they're slow at it.

Mr. Maurice Vellacott: Let me interject then that until those performance measures are in place, how can you say with total confidence that you don't need a whole lot more money or that you could get by with less?

Ms. Dyane Adam: I didn't say we need more money. I said for the money that is invested, ensure that it is invested.

I don't even know if it is, because for the first year of the action plan, as I said, I'm not as clear on what they did or invested. So it might be part of the surplus. I don't know. I cannot answer this question for you.

Mr. Maurice Vellacott: Okay.

Ms. Dyane Adam: That is why I say we need to know where it goes and if it goes.

Mr. Maurice Vellacott: So until those measures are in place, how can you say with the same confidence that we need x number of dollars or that we shouldn't be subject to that spending review? I guess that's my point. It's hard to do that; otherwise, it's just a simple bureaucratic statement: we want to maintain our budgets, but it's not based on measurable standards.

Ms. Dyane Adam: The action plan is only one part of the investment of the federal government in official languages. This one has an accountability framework, but the problem I have with it is that their performance indicators are not clearly defined. This is what I'm asking for.

Secondly, they will do their own assessment of the action plan, the implementation, in about a year and a half...after two and a half years. They will have to report to Parliament what they did.

With respect to the other resources, investments in official languages across the apparatus, what we need to understand here is that what I am interested in as commissioner is to see that the institutions deliver on the obligations of the government in matters of official languages. When they do not deliver in terms of language of work—and there are significant problems—when they do not deliver services to the public in both official languages, I evaluate them on that.

If we do audits, if we do—

Mr. Maurice Vellacott: I understand. Maybe I'll just interject again. All I'm saying is that in future I think it would work better. I think you're on a little shakier ground when you say, on the one hand, there should be no cuts in review or anything, and on the other hand, we don't have measurable standards—you said that yourself—in respect of the action plan, but we can't have a cut of any dollars, this is the exact amount of dollars. I'm just going to leave it there, because maybe in future you need to make sure that squares away.

I want to move to another area, the scope of the Official Languages Act, where you're asking for there to be an annual report. In recommendation 8 you call on the federal health minister to ensure that federal, provincial, and territorial health agreements include linguistic provisions for health care for minorities, saying the provinces should develop these service models that respond as much as possible to community conditions, and so on. A recommendation like that gets into the area of provincial jurisdiction. In recommendation 7 you're recommending that the Minister of Canadian Heritage require each provincial minister of education to produce an annual

report on the increasing number of bilingual graduates. Are those recommendations consistent with the exercise of federal spending powers and respectful of the constitutional jurisdiction of the provinces? Particularly in respect of Quebec, where they have had the French language now for some 25 years, how would that recommendation work, where you're encouraging...? If that's what we're doing, that's fine.

•(1000)

The Chair: Mr. Vellacott, you're over the five minutes.

Mr. Maurice Vellacott: Oh, okay.

[*Translation*]

The Chair: I will give you only a few seconds to deal with this issue.

[*English*]

Mr. Maurice Vellacott: It's the jurisdictional issue, I guess.

Ms. Dyane Adam: Yes, it's within their jurisdiction.

Mr. Maurice Vellacott: Is it within the jurisdiction of the Official Languages Act to insist that they give reports on health?

Ms. Dyane Adam: Yes, it is.

Mr. Maurice Vellacott: Thank you.

[*Translation*]

The Chair: Thank you.

Mr. Godbout.

Mr. Marc Godbout (Ottawa—Orléans, Lib.): Good morning, Commissioner Adam. It is a pleasure to see you.

I would like to follow up on the questions raised by my colleague from New Brunswick. Personally, I've always enjoyed fiddling with part VII of the Official Languages Act. Yourself directly raised the issue in your report. You say that the government should take all necessary measures. And further, that the legislative approach seems more reasonable than having recourse to the courts.

You have referred to the bill now before the Senate. Have you also considered other options such as legislative or other measures that the government could take?

If I have any time left, I would then like to go back to the issue of education.

Ms. Dyane Adam: I could not say that we studied in detail the regulatory aspect of it, namely the possibility of enacting a set of regulations for institutions that would lay down, so to speak, the measures to take, but we considered it.

In an area such as community development, what would be mandatory would be resources and not results because those could vary, making such an obligation hard to enforce. The idea would be to take all positive measures to promote development. Of course, the legislation would always set the goal, what we want to achieve. The regulations, on the other hand, would instead clarify how institutions should go about it. It could in certain cases be quite specific, such as the regulations governing the offer of services to the public. It could in addition set the number, the size of the demand or the responsibilities of the office. It could set the framework for defining the measures taken by the institution and the government.

This shows that the regulations, when designed well, can make it possible to reach a goal and frame the action of our institutions to help them see how they can contribute to the goal.

My officials are reminding me of an example, which would be to enshrine the foreseen obligations in the accountability framework of the action plan we were discussing earlier. There could be avenues other than a bill. But, as you know, a piece of legislation remains a piece of legislation and is always preferable to policies, guidelines or even regulations.

Mr. Marc Godbout: May I go on, Mr. Chair?

The Chair: Yes, go on, you have two minutes left.

Mr. Marc Godbout: You also alluded to the fact that negotiations are stagnating in the area of education. In your view, what is causing this lack of progress in the negotiations to reach a formal agreement for the Official Languages Program in the area of education, as well as for special funding for school management, an issue that I know rather well?

• (1005)

Ms. Dyane Adam: I have no idea. However, I would invite you to put that question to the responsible department, namely Canadian Heritage.

I know that this lack of progress will have an impact in the field. We know for instance that in Saskatchewan the very survival of the community is at stake. It is a small minority. In two places, Moose Jaw and Saskatoon, they are more or less waiting for the federal government funding to start building two school community centres. All parties are ready to proceed. Because of that delay, they could not begin construction. Such is the impact.

We talked earlier about results which must become the basis for measuring the efficiency of our programs and our action. We should not always say that we have allocated such an amount of money and that we have done this or that. We should ask what is the outcome on the field, either positive or negative, when we decide to act or not to act.

The Chair: Thank you.

We will now go to Mr. Desrochers. You have five minutes.

Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ): Thank you very much.

Good morning, Ms. Adam, and to the officials that accompany you this morning.

In your opening statement, you talked about the Action Plan for Official Languages, which is worth \$750 million over five years. You also said that your organization's budget had been significantly reduced following budgetary cuts in the mid-90s. Does this \$750 million make up for the shortfall that you have experienced? Would it be right to say that you are catching up? Will these \$750 million give you the resources that you require to do a better job?

Ms. Dyane Adam: There was some confusion in the media and I must admit that such a situation is always annoying. Regarding the \$750 million, this funding was not for my organization. This amount is allocated to the Official Languages Program. An amount of \$350 million is given to provinces for second language training and for minority language education. An amount of \$35 million is allocated to the federal bureaucracy to support language training and issues surrounding working language.

The Office of the Commissioner of Official Languages has a budget of \$18.5 million. We would be pleased to explain how we are using that money. However, I would be happy to have a budget of \$750 million, but it would not be a good thing because the police must not be richer than the people they are watching.

In my view, there could have been more in that action plan. There is nothing regarding culture, which is ironic since we are talking about official languages. So the plan has flaws but it is still a step forward.

I have a concern. In my view, when the government established this action plan, it was a recovery plan, to give a new impetus, etc. There was a lot of enthusiasm, and motivation was high. However, one forgets that there is already as much money and even more within the machinery of government. What concerns me is that while everyone is all excited and publicly commits to the full implementation of the action plan, we might forget that there some \$600 million a year are already invested in official languages in various areas in the public service and there will be no one to protect that amount of \$600 million.

Mr. Odina Desrochers: Let's go back to your total budget. Do you have enough money to obtain the human and financial resources required to correctly do your job, bearing in mind that we have fallen behind in the past few years?

I understand that the \$750 million are not allocated to you. So let us talk about your total envelope. What are your relations with Treasury Board or the department you are negotiating with to obtain the status quo or an increase of your operating budgetary envelope?

• (1010)

Ms. Dyane Adam: The Office of the Commissioner has had—my colleague Ms. Guertin will be able to confirm this—an increase in its budget, thanks largely to the recommendations by both parliamentary committees. Some cuts had been made but it was important to resume the carrying out of duties that had been left aside at the time of the budgetary cuts. The auditing function, in particular, had been abandoned by the previous commissioner. We have re-established that function. We also increased our legal staff, given that there are more and more cases in the area of official languages being tried in front of tribunals and in which the Office of the Commissioner must intervene. This will reinforce our parliamentary strength.

When I was appointed commissioner, for all practical purposes, nobody had been assigned to the parliamentary sector, even though we are supposed to be an agent of Parliament. So now we have three or four persons working in the area of relations with Parliament.

Moreover, this is the last year where we are entitled to such an increase. Is that right, Louise?

Mrs. Louise Guertin (Director General, Corporate Services Branch, Office of the Commissioner of Official Languages): Yes, that is the year that has just ended.

Ms. Dyane Adam: So the year that is covered in this report.

Last year, when I was asked whether, in my view, the Office of the Commissioner had everything that it required, I answered that it was rare... In my opinion, it is important at this point to build upon what we have got, which means ensuring the full implementation of the auditing function and everything else that we have undertaken, before considering new undertakings.

Let us build upon what we have. Our resources only allow us to do four audits a year. If there are requests for more pressing audits...

The Chair: Thank you, Madam Adam.

We will now hear Mr. Peter Julian, who is replacing Mr. Godin.

Mr. Julian, you have the floor.

[English]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Thank you very much.

I represent the riding of Burnaby—New Westminster. I'm a new member of Parliament from British Columbia. I take your report from two perspectives, first as a former resident of Quebec, an anglo-Quebecker, having lived in a number of different regions—Saguenay-Lac-Saint-Jean, the Eastern Townships, Montreal, and the Outaouais.

[Translation]

Secondly, I also have the perspective of someone living in French in British Columbia and very much involved in the francophone community. It is the most rapidly increasing francophone community in the country. I must mention as well that the existence of immersion schools in British Columbia is supporting that francophone presence, which was not that significant when I was young. There are now more than 30,000 anglophones and other language communities who live their whole life in French. It is interesting to see the situation from these two perspectives.

Regarding your report, I looked at it briefly and, in my view, it is excellent. My questions deal with the will of this government to comply with the Official Languages Act and to strongly implement its action plan.

First, do you believe that there is a real will in this regard?

Second, since we know that the implementation of the Action Plan for Official Languages is lagging behind, in your opinion, will it be possible to catch up?

Third, could you elaborate on the complaints that you have received from the public? Perhaps you have done so before I came

in; I apologize if that is the case. However, it would be interesting to have some details on the type of complaints received.

[English]

My fourth question concerns something that's a bit beyond your responsibilities, but is another issue within the federal public service, that of having an appropriate representation from visible minorities. Of course, visible minorities are found in greater concentrations in my area in British Columbia, for example, or in southern Ontario. In my particular riding more than 100 languages exist in the local school board. In fact, as a candidate for the election, I had to campaign in more than 20 languages. So there's an incredible diversity beyond English and French, but there is, in a sense, a balance between encouraging more visible minorities and making sure we maintain and enhance our services in official languages. I'd be interested in knowing whether there have been any discussions within your office about how to provide a synergy in those two areas.

●(1015)

[Translation]

The Chair: Because you took so long to ask your question, Ms. Adam only has two minutes left to answer it.

Ms. Dyane Adam: I will try to be very brief, even though it is not my usual style.

Even though in its Speech from the Throne, the government states its intentions and commitment to implement the plan, I for one will gauge its will by the action it takes. It is the only way to determine whether it is serious or not regarding the implementation. Now, is it possible to catch up? I believe so.

The federal government does act quickly in some issues and does reach some objectives. We have a good machinery and a number of persons of a very high calibre. It is a question of leadership. We must ensure that the leaders in the political arena and the public service work hand in hand. When that is the case, there is no problem. On the other hand, if either one fails to show leadership, implementation problems frequently arise.

[English]

With respect to the types of complaints, 80% are usually linked to service to the public—83% from francophones across Canada—and the balance would be for language of work issues and for part VII of the act, which is another obligation of the government. In terms of where they come from, it's mainly from this area, but also from New Brunswick and Ontario. After that, it's a bit less.

Is that enough for now for the types of complaints?

Mr. Peter Julian: Yes.

Ms. Dyane Adam: Fourth is the visible minority issue. As I often say, the federal government is not like a business. You have to manage many objectives at the same time, so you can achieve the objectives of official languages and meet the visible minorities' equity issues.

It's not under my responsibility, as you clearly mentioned, but we are interested in that, because for the managers—

[Translation]

The Chair: I am sorry, Ms. Adam, but I will have to interrupt you.

[English]

The Chair: We're now at the third round. Again, five minutes each.

Mr. Scheer.

Mr. Andrew Scheer (Regina—Qu'Appelle, CPC): Just to follow up on what my colleague asked—he didn't really have a whole lot of time to go into it—and I'm sorry for being repetitive, but could you just explain, for recommendation 7, how that would work having a federal Minister of Heritage compelling provincial authorities to make these reports in areas that are quite obviously provincial jurisdiction—health in recommendation 8 and education in recommendation 7? And would the Minister of Heritage, or whoever it would fall under, be expected to pay for these reports?

Ms. Dyane Adam: I think it's still a question of accountability. As I mentioned in my presentation, I think more and more citizens want their governments—municipal, provincial, and federal—to be accountable.

Right now the federal government is investing, yearly, in education—

Mr. Gérard Finn: Around \$200 million.

Ms. Dyane Adam: —\$200 million through different negotiations with the provinces for the languages of the minorities through education, and the second official language. So if we are flowing funds, and that is citizens' money, to the provinces to ensure that more young people have access to language training, etc., then there has to be a way, an agreement, at the same time on how you will report back.

• (1020)

Mr. Andrew Scheer: I guess the flip side of that would be if provinces don't comply, the implicit thing is that there would then be a reduction in funding.

Ms. Dyane Adam: I'm not in a punitive mode. What I'm saying is you're flowing that money with specific objectives in mind, let's say doubling the number of citizens or young people who are bilingual. In the agreement you make with the provinces, ensure you have appropriate indicators to report to citizens what has been achieved on that goal. I think it's normal we would like that. So it could be the minister of education in that particular province who reports to their own citizens, but at least the feds and citizens everywhere would know how we are progressing toward those objectives, that it's not just an amount of money that is being flowed without really knowing what is happening at the end of the day in terms of results.

The Chair: Thank you.

[Translation]

The Chair: Mr. André.

Mr. Guy André: I have two questions. First, you have identified a shortcoming regarding legal services for francophones outside of Quebec. I believe it is not the first time that you are indicating that there is a gap in this regard.

Were there any improvements on this issue in the past few years?

Ms. Dyane Adam: There have been some in certain regions. Indeed, there is an improvement that is beginning to show up and that might be successful, and that is the gap between processes, structures and results.

Following several reports by the Commissioner for Official Languages on access to justice throughout the country, the Department of Justice undertook a study on the state of things. They have made their own findings, which confirmed ours, but at least they were apprised of the diagnostic and they took note of the situation. The department created a Canada-wide group made up of people responsible for the administration of justice in the various provinces. Almost all provinces are represented on this group. Isn't that so, Johane?

Mrs. Johane Tremblay: There are but a few exceptions.

Ms. Dyane Adam: We are now seeing emerging, thanks to that concerted effort, projects that are funded in whole or in part by the federal government and whose objective is precisely to reach that goal of a better access.

We were talking about Manitoba earlier. That is one of the provinces where a new service was developed to improve access to justice. There will be, among other things, more bilingual personnel, including administrative personnel, and not only judges, because that is also part of the whole issue, as well as an access via videoconferencing, for example.

There is as well the whole concept of a francophone itinerant court that just emerged in Saskatchewan.

So things are being done in various parts of Canada that are associated with findings that were made by the federal government and by my office, as well as the putting into place of Canada-wide structures. So we are seeing some initiatives that, hopefully, will be used by citizens.

Mr. Guy André: There were some concrete actions taken. Things are changing.

I would like to underline that mention is made in our report that the institutions that gave rise to the greatest number of complaints in the area of official languages are the Canada Post Corporation, the Department of Human Resources Development and, of course, Air Canada.

In your report, you mentioned the issue of Air Canada. You anticipate concrete action that will at least maintain the present situation in terms of official languages. However, regarding the two other institutions, HRDC and Canada Post, do you also anticipate some...?

Ms. Dyane Adam: Our first audit was that of Canada Post. We audited services to the public.

I will let my colleague and director general give you briefly the results of that audit. Basically, their performance varies depending on the nature of the post offices, whether they are franchises or post offices managed by Canada Post.

Mr. Guy André: In the case of franchises, there will also be changes.

Ms. Dyane Adam: The franchises' performance is less satisfactory in some areas of the country.

•(1025)

Mr. Michel Robichaud (Director General, Investigations Branch, Office of the Commissioner of Official Languages): We have discovered that in four cases out of five, service by a postal outlet managed by Canada Post was good. In other cases, those operating these postal outlets did not have, in their contracts, clear enough directions or language clauses concerning their responsibilities with regard to official languages.

We also checked what kind of follow-up Canada Post did of these postal outlets to ensure that their contracts included language clauses which were implemented. To that effect, we have made a good number of recommendations to improve the situation. We intend to do a follow-up over the next two or three years.

The Chair: Mr. Robichaud, I must now interrupt you to give the floor to Mr. Jean-Claude D'Amours.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Thank you, Mr. Chairman. Thank you Ms. Adam for appearing before us today.

I'd like to go back to page 3 of your presentation this morning, where you raise the Government of Canada's expenditures review. As you stated, the expression "once bitten twice shy" is particularly relevant here given the situation in the early 1990s. We all remember how difficult those circumstances were.

However, from the perspective of the current context, there is a very specific purpose to expenditure reviews. They are an opportunity to reassess our position, to determine whether or not our priorities are the right ones, given the needs of our population. I think that today, in this context, the government is truly trying to ensure that it has the right priorities.

Given this, we need to see what progress the provinces have made in terms of anglophone and francophone minorities, and to what extent people in general want increased opportunities for themselves and their children to learn the other official language. Your percentages provide this type of information but these are also issues that we hear being discussed within the population. Do you not feel that given the current situation, the will to move forward is a real one and the fact that we are conducting an expenditure and program review does not necessarily contradict that?

The issue of official languages in Canada is a priority for the government. I come from New Brunswick, where francophones have asserted themselves even though they are a minority. We need to continue to advocate for this. It must be a priority for the government. Do you not feel that overall, the indicators in this area are positive?

Ms. Dyane Adam: As Commissioner, I will feel reassured the day the government that you represent will say loudly and clearly that official languages are a priority, that is, when all the resources required for full compliance with the Official Languages Act are invested in all federal institutions.

This act has been in effect for 35 years. The resources I'm talking about are not necessarily financial resources; they also include measures taken by institutions. Often however, these measures have a price tag. For example, they may involve measures taken to ensure that all those in designated bilingual positions are bilingual, whether

they serve the Canadian public or whether they supervise English or French-speaking employees. Stringent mechanisms must be used to ensure that all necessary measures have been taken to ensure full compliance with the act.

I think that an exercise such as expenditure review is a very broad one; it includes many elements. The administrative body responsible for deciding how to reduce expenditures or reassign funds to other priorities is following government directives. If you tell these people that certain points are less important whereas others are very important, then they will ensure that the latter are maintained and that there is bilingual staff available to serve the Canadian public in all positions designated as such. They will also ensure that there are the appropriate supervisors available and they will pay attention to programs affecting minorities.

However, if there is any ambiguity, then they will pursue their goal which is to find specific sums of money. It is much easier to cut in some areas as oppose to others. We have seen this in the past. We mentioned, for example, the complaints that the Department of Human Resources Development received regarding translation. Their job bank displays job offers throughout the country. The problems we have had with this Canada-wide service in terms of official languages have been chronic. There has been a problem for a long time. You only need to visit these websites in order to see how poor the quality of the French is, and even the English in some cases. In fact, both language groups have had problems with this service. The necessary resources have to be invested in this in order to provide a respectable and fair service in both official languages.

I am telling you that as a government you must remain vigilant. In the 1990s, the government did not grasp these problems and did not measure the true impact of its budget cuts nor of the delegation of its services. We lost airports that were sold, for example in Sudbury, with no language provisions. Today, there is no guarantee of service in French for a community that is 30% francophone.

•(1030)

[English]

The Chair: Merci, Madame.

The next intervention is from Mr. Peter Julian.

Mr. Peter Julian: It's good to have another shot at this. I'll come back to my question around the reconciliation of visible minorities and issues of official languages, that is, maintaining and enhancing official languages services while also achieving our objectives around having a civil service and public sector that actually reflect the Canadian reality.

[Translation]

My second question is about the privatization of services. You just mentioned the Sudbury airport. I have the feeling that the same thing has happened with other airports throughout the country, for example in Vancouver. Because of this change in structure, services are no longer offered in both official languages. Is that true? Is it your perception that official languages are sidelined when these structural changes take place?

Ms. Dyane Adam: It's more than a perception, it's a fact. A study on this issue was published in 1996 or 1997 and its title was: "Government Transformations: The Impact on Canada Official Languages Program". There are in this report several notable examples throughout the country, as you pointed out. It's very difficult. Sometimes these are total losses. There's nothing that can be done. In other situations we've been able to recover... I think that prevention is always better than any type of curative treatment. So when we engage in this type of exercise, let us be very alert.

To come back to the first question on diversity and duality, there are currently three or four central agencies considering this issue, among others. They are, the Public Service Commission of Canada, the Public Service Human Resources Management Agency of Canada, Treasury Board and the Canada School of Public Service. These four agencies are considering several issues, for example testing and language training. They're looking into whether or not training is adequate in the case of visible minorities, depending of the language of origin.

They're also looking at demographics. Visible minorities are found mainly in large urban centres, especially Toronto, Vancouver and Montreal. Of course, they are also found elsewhere but they're found mainly in these areas. We know that the pool of public servants is mainly located in certain areas of the country, here for example, but they do exist throughout the country. This is also a contributing factor to the difficulty in recruiting Canadians from these groups. This is a rather complex issue. They therefore have an action plan to look into ways of recruiting, retaining, and training people. The goal is that people from visible minorities in the federal public service be able to access designated bilingual positions.

Two thirds of positions in the federal government do not have any language requirements. You can therefore be part of the federal public service without being bilingual. But what is being done for those people from visible minorities who are interested in holding bilingual positions and administrative positions that do have language requirements, especially in Ottawa or in designated regions?

I think that their action plan would warrant an invitation from you to this committee. I personally cannot speak in any detail about their knowledge of the issue. For our part, we are keeping a close eye on the issue and they are keeping us informed.

• (1035)

The Chair: Thank you.

For the fourth and last round I now give the floor to Mr. Pierre Poilievre, for five minutes.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Thank you for appearing before us today. I would like to start with a more general question.

Have the other members ever noticed that some ministers cannot speak French and that others are not completely bilingual? Is there a contradiction when ministers do not meet the criteria required of public servants from their own department?

Ms. Dyane Adam: To my mind, ministers and elected officials are very different from people hired by the government, people who have made their careers in a bilingual public service, a public service

that operates bilingually in some parts of the country. Elected public figures are just like other Canadians: they come from all parts of the country, and some are bilingual while others are not. They reflect the Canadian population.

What is surprising among those elected officials—and I have seen this with some ministers—is that they were unilingual when they were elected and became bilingual within five years. They can genuinely speak both languages. However, some deputy ministers who have made their careers in the federal public service—of course, one does not become deputy minister overnight—and who had and still have the opportunity to learn the second language, the opportunity to be assigned to regions that are designated bilingual... For example, if they are in western Canada, we can see how they would have no opportunity to speak or hear the second language on a day-to-day basis, but they could still be temporarily transferred to regions that are designated bilingual to improve their skills in the second language. The requirements for public servants cannot be the same as those for our elected officials.

Mr. Pierre Poilievre: Thank you.

[English]

Last July the government appointed the Honourable Mauril Bélanger as the minister responsible for official languages. Just last week, on October 20, the minister remarked on Radio-Canada that "...the government wants people from private industry as deputy ministers. So it shouldn't force them to know both languages before they're hired."

I'm wondering how his remarks... The point I'm trying to make here is that you've said there is not a necessity for the ministers to be completely bilingual, because they come from regions across the country and give an accurate reflection of our country as a whole. Now we're moving down the ladder to deputy ministers, and the minister responsible for official languages says he doesn't believe they should necessarily have to be bilingual upon entrance into that position if they're coming from private industry. I'm wondering if I can get your response to that remark.

• (1040)

Ms. Dyane Adam: I think we have to look at the responsibility you have as a chief of an agency or a ministry. One of the responsibilities is to ensure that in those areas that are designated as bilingual you create a workplace that is conducive to the use of the two official languages. A simple administrative principle for those of us who have managed is that everything starts at the top. You have to embody the values and show this in your own behaviour, whether it's a case of ethical values or whether it concerns financial rigour in managing public funds or respect for the two official languages. You have yourself, in a way, to embody those values.

As we said earlier, words are good, but actions speak louder. Our study—we did surveys on this issue—repeatedly reinforced that. In an environment where the boss or the manager is really embodying it, enacting it, the employees will naturally use the language of their choice a lot more. That's why I insist on the importance of that.

I know you're asking questions of the minister of official languages. Right now, the current situation is that the deputies do not have that obligation. The minister is speaking based on what exists.

The Chair: Thank you, Madame.

[*Translation*]

Ms. Boivin.

Ms. Françoise Boivin (Gatineau, Lib.): Ms. Adam, thank you for being here today. I was really looking forward to seeing you.

Last week, the committee came together to begin its work. On that day, you had tabled your report and we were hearing about it in all the media. I am very impressed to see that here, at 10:45 a.m., we have been talking about official languages for almost two hours now and I haven't heard anybody shouting either on the right or on the left. I have heard well-put and intelligent questions and answers.

In my other life, before I was elected to Parliament, I had a call-in show. Every year, since my show was in the National Capital Region, the number of calls I got on the day your report was released gave me enough content to carry my show for two days. Quite often, it seems that extremists sit up and take notice as soon as official languages are mentioned. For several weeks now, that is all we have been hearing about. I have always been somewhat put off by this. Talking about official languages always strikes the nationalist chord present in all of us, whether we are anglophone or francophone. As you said at the beginning of your comments, here in Canada we are proud of our Official Languages Act. However, when your report is released, all too often all we hear are the negative aspects highlighted in the media.

I was happy to hear my colleague—I should say our mentor since he has been here so long—saying how well things are going in Manitoba. Of course things are not perfect, since there is always room for improvement, in Quebec and elsewhere. But I am always happy to hear that there are success stories.

I concede that I may not have read every single page of your report, but I did read the gist of it to prepare for our meeting this morning. I wonder whether it would not be in our best interest to highlight some of those excellent success stories. We still have our top 5 holdouts, like Canada Post and Air Canada. I understand how important it is to point out failures to ensure that things improve. However, we could underscore the positive, and highlight the year's big winner. I think that we have some excellent official language success stories in Canada. Perhaps I missed a few, and you will point them out. Good for you if you do, I'll be thrilled.

Secondly—very briefly—I would point out that I am a new member of Parliament, and as a new member of the Standing Committee on Official Languages, official languages are extremely important to me. Let's take bilingualism in the national capital. There is a lively debate in Ottawa. What role do you expect us, the Committee on Official Languages, to play?

You talked about leadership, and I'm very happy to hear it. Since this is a minority government, your next report will probably assess us all, since we will all be contributing to the legislation put through this year.

•(1045)

Ms. Dyane Adam: I think you have a very legitimate concern about how to highlight achievements in the area of official languages.

First of all, I should mention that the commissioner has a very specific role to play, as does the Auditor General. It is not up to us to offer congratulations. Our role is to audit, to conduct investigations, and to review what happened when there was a breakdown in service or a problem. That is where we come into play. As with the Auditor General, audits always highlight certain things, and the media often pick up on the poorest results.

To offset that, for four or five years now we have been including in our report awards for achievements. I'm referring to provinces and sometimes even to the private sector. We mention interesting things that have happened in Canadian society in the area of official languages. I took the initiative of establishing what is known as the leadership price at the Office of the commissioner. This year, it was the Deputy Minister of Citizenship and Immigration, Michel Dorais, who won the price. So we are very aware of this aspect.

Next year, in our annual report, if everything goes as planned, we should have a report card for the 30 federal institutions. That bothers people. We will be giving marks on their performance. We really hope that some institutions will shine among the others, and they will be making comparisons. We have established our indicators. I think this will meet some of your concerns and will provide a somewhat more balanced picture than if we simply took some cases randomly. That was our intention.

In reply to your other question, with respect to the role of the committee, parliamentarians, and more specifically committees, do have a role to play. I am there to provide you with the tools you require, to pass on our audits, studies, report and investigations. We cannot make these investigations public because of a provision in the statute, but we can make you aware of problems in certain institutions by writing reports on their performance. I always say that my role is linked directly to the Deputy Minister and the Minister, because I can work at both levels: the administrative leadership and the political leadership. In addition, there is your leadership, the parliamentary leadership.

If we want the act to make progress and if we want to achieve all the objectives within the various departments and agencies, it is very important that the three levels—the public service, the government and parliament—notice the same things, agree on the problems and on the corrective measures required, and that there be close monitoring of the implementation of these measures.

The Chair: Thank you, Ms. Adam.

Ms. Dyane Adam: Often, everyone agrees on the objectives, but the implementation component is sidelined.

The Chair: Thank you very much.

You have the floor, Mr. Desrochers.

Mr. Odina Desrochers: Thank you very much, Mr. Chairman.

Some notes show that the commissioner receives 1,031 complaints in 2003-2004, which was an increase of 23% over the previous year. As in the past, most of the complaints came from francophones—86%. Conversely, the number of complaints made by anglophones dropped by 52%.

First of all, could you explain why there was a drop in the number of complaints in 2003-2004? Second, could you tell us why there are still more complaints from francophones than from anglophones?

Ms. Dyane Adam: Yes. Why was there a decrease? There are several reasons. There is no doubt that the determining factor was the situation with Air Canada. Indeed, Air Canada has always been the object of the greatest number of complaints received by the office of the commissioner. This year, Air Canada received the third highest number of complaints. The complaints did not stop coming, but it was nevertheless a determining factor.

As for the fact that fewer anglophones filed complaints, all I can say is beware of statistics. Last year, we received many complaints from anglophones with regard to a very specific situation. Indeed, following the recommendations we made, Environment Canada changed the format of its weather reports in certain parts of the country, including Western Canada. French weather clips were added. The department had to do so, something which it was not doing before. So Environment Canada added French weather clips, which triggered a tidal wave of complaints, about one hundred—

• (1050)

Mr. Michel Robichaud: We received 145 complaints.

Ms. Dyane Adam: We received 145 complaints on that issue. In fact, the Department of the Environment was previously not abiding by the law. So, in fact, we received one complaint which was repeated 145 times, in other words, what was involved here—

Mr. Odina Desrochers: Were these complaints made by francophones or anglophones?

Ms. Dyane Adam: They came from anglophones.

Mr. Odina Desrochers: They came from anglophones!

Ms. Dyane Adam: Now let me answer your question as to why fewer complaints are made by anglophones. That change was made. Of course, in that particular case, we did not address the complaints by explaining to the people who filed them that, by adding a French segment to its weather forecasts, Environment Canada had done so for the purpose of sailing conditions—

Mr. Michel Robichaud: That's right. We had produced severe weather or hurricane forecasts in both languages, and anglophones were complaining about the fact that it took too long for them to wait for the English segment again.

Mr. Odina Desrochers: Are you serious?

Ms. Dyane Adam: Yes, but we nevertheless managed to find a solution with Environment Canada. In fact, we suggested that they produce segments to provide the information more quickly. And in the end, the final product was better in both official languages.

To come back to the lower number of complaints, it seems that in some cases people just got tired of waiting. And I hope to be able to address this issue at another point. Nevertheless, there are a number of files concerning certain institutions which have been dragging on for a long time. This has an impact on the complainants. Indeed, if you go up to a counter and you are not served in your language, it leads to what is called in my profession the extinction of a type of behaviour. If, for instance, I address you in French and you reply to me in English every time, well, the third time I speak to you I will get tired of the situation and will simply address you in English. It

may be called assimilation, but it's also extinction. If your behaviour is not reinforced, you will give it up. It's normal and it happens without people even realizing it.

This situation has occurred in some cases. The complainants found that the institution was simply not responding to them. We have some chronic cases of that nature and it would be my pleasure to describe the situation to you.

Mr. Odina Desrochers: Fine, thank you very much.

The Chair: Thank you, Mr. Desrochers.

Mr. Julian.

Mr. Peter Julian: Thank you very much. We have the action plan for official languages and we have the Official Languages Act. Beyond tabling a report, how does your office make sure that the action plan and the law are being respected?

My second question deals with complaints. Your report is excellent, but we don't really get a historical view about the number of complaints which were made five or ten years ago. In the case of language in the workplace, for instance, I would be interested in knowing whether there is a difference between the number of complaints filed today versus five or ten years ago.

[English]

Third, concerning support for people who work in the public sector who may not know the other official language but may be very keen to do so, how is the government acting in that regard? Is the process improving or is it not? We heard many years ago about people taking flights to France rather than using the language schools we have here in Quebec and New Brunswick, which are excellent for people learning French, and language schools in British Columbia, for example, for people learning English. Is that improving or not?

Ms. Dyane Adam: With respect to the language of work and anything linked to the designation of bilingual positions, for example, it's increasing in number, relatively speaking.

[Translation]

Mr. Peter Julian: Are you referring to the number of complaints?

Ms. Dyane Adam: Yes, the number of complaints. As for the rest

Mr. Gérard Finn: To ensure that the action plan is implemented.

Ms. Dyane Adam: Ensuring that the action plan is implemented is very important. How do we do this? Well, we write to all departments, that is, to the deputy ministers responsible for the various aspects of the plan, and they have to give us an account of the situation in the current year, after which we report to Parliament. So, we want to find out what the objectives are, how much money was invested, and we want to know what the outcomes are and if progress has been achieved. We have asked every department to provide us with that information. We will then be in a better position than we are this year to answer some of your questions.

You want to know which measures the federal government has taken to help public servants who want to learn a second language, but who are not in positions designated bilingual.

Under the policy, if a person is in a non-imperative bilingual position, that person more or less has the right to language training. We have recommended that young public servants who have recently entered the public service receive language training at a much earlier point and that bilingual candidates be recruited. Their numbers are increasing, because over the last 20 years we have invested in training young people across the country in becoming bilingual. Therefore, what we have recommended is that the government target young people who are skilled in their particular area, and who also are bilingual, but to also provide those people wanting to reach positions of authority and to serve the public the opportunity of learning a second language earlier on in their career.

This, in fact, is one part of the issue which central agencies are currently studying. They are trying to find out how to make language training more readily available to public servants, how to give more responsibility to public servants: they are trying to define what their share of responsibility for language training should be, they are addressing the issue of retention and how much the second language is being spoken. In my opinion, all these issues will help to provide an overview of the situation and enable better planning in the area of language training for public servants. I would say that this planning has been seriously lacking until now. But that is something they have recognized.

• (1055)

[English]

Mr. Peter Julian: I think in British Columbia, as I mentioned, we have more than 30,000 students who are in French immersion schools. There's a French immersion school just down the street from my home. There's an interest that is extremely strong. However, there seems to be a disconnect between recruitment for the public service and these students in British Columbia who are learning French and becoming bilingual. I think in a sense that has to be part of the strategy and part of the plan. We have the interest out there, but there's this disconnect between recruitment in Ottawa and people out in my region, for example, who work very hard for many years to become bilingual.

Ms. Dyane Adam: To put it in a nutshell, I can say I don't think the federal government is speaking out loud across the country and saying, listen, we are the most important bilingual employer in Canada—and probably in many countries—and we want you; if you

are bilingual, if you're young, if you have invested in the two official languages and you've learned on your own, we want you.

[Translation]

The Chair: Thank you, Ms. Adam.

This brings to an end our discussion on the first point on the agenda and, in fact, our meeting. We have had four complete rounds of questions and about 20 interventions and exchanges. I would like to thank you for your discipline and for the quality of your preparation.

I would also like to thank Ms. Adam, the commissioner, as well as her team, for having been able to make it here today despite the short notice and for having addressed our questions in such a detailed matter. Thank you very much.

Ms. Dyane Adam: It was our pleasure.

The Chair: If committee members are agreeable, we will adjourn the meeting and meet again next week to study Mr. Simard's motion and that of Mr. Vellacott, which was tabled this morning. I would also ask you to prepare for the discussion on the other point on the agenda, which is very important for us, namely our business and our priorities for the coming weeks. The next meeting will take place on Thursday morning, from 9:00 to 11:00.

Mr. Odina Desrochers: All right.

The Chair: That's settled then. The day after tomorrow we will discuss the priorities of this committee and the two motions. Mr. Simard's motion will be held off until Thursday, if that's all right with you.

Ms. Françoise Boivin: But we have not received it yet.

Hon. Raymond Simard: Would committee members normally receive this motion? I tabled it with the clerk.

The Chair: They have received it and it was distributed this morning.

Ms. Françoise Boivin: Are you the one who moved it?

Hon. Raymond Simard: No, not that one.

The Chair: Mr. Simard's motion has been distributed. You most probably received it at your office. Mr. Simard's motion was distributed earlier, and Mr. Vellacott's this morning.

The meeting is adjourned.

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