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Chair

The Honourable Michael Chong

Standing Committee on Official Languages

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•(0845)

[Translation]

The Chair (Hon. Michael Chong (Wellington—Halton Hills, CPC)): Welcome to the 23rd meeting of the Standing Committee on Official Languages. Today is Thursday, May 8, 2014.

Pursuant to Standing Order 81, we are here to study the Main Estimates 2014-2015.

Today, we are hearing from Mr. Fraser, Commissioner of Official Languages, as well as Ms. Saikaley and Ms. Lagacé.

Welcome, everyone.

Mr. Fraser, you may begin.

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

[English]

Mr. Chair, honourable committee members, good morning.

It is a pleasure to appear before you today to present the main estimates of the Office of the Commissioner of Official Languages.

[Translation]

The Office of the Commissioner of Official Languages has a budget of \$20.8 million to carry out its mandate during the 2014-2015 fiscal year. This amount includes \$13 million in salaries, or 62.8% of the main estimates. Our workforce consists of 170 full-time equivalents.

Our operations are divided into three program activities: protection of Canadians language rights, promotion of linguistic duality and internal services.

Before we examine these activities in detail, a word about our recent move is in order.

[English]

On March 17 we relocated all of our employees in the national capital region to new offices, at 30 Victoria Street, in Gatineau.

The decision to move from our downtown Ottawa location was made about a year ago, for the following reasons: first, to foster cooperation and share common services with other agents of Parliament already located at 30 Victoria Street, notably the Chief Electoral Officer, Privacy Commissioner, and Information Commissioner; to embrace the new work environment, known in the public service as workplace 2.0, which is more conducive to collaboration

between employees; and to take advantage of lower rental costs resulting from a smaller office footprint, which in total represents about \$800,000 in annual savings for my office for the taxpayer. An advance against future appropriations was provided to fund the costs associated with the Office of the Commissioner's move in 2013-14.

[Translation]

To protect the language rights of Canadians, the Office of the Commissioner investigates and resolves complaints, conducts audits, evaluates the performance of federal institutions and intervenes before the courts, when appropriate. The expenditures planned for this activity in 2014-2015 are \$6.8 million, which amounts to 32.8% of the total budget.

Over the current fiscal year, my office will carry out audits of the Canada Border Services Agency, the Canadian Air Transport Authority, Elections Canada and the Treasury Board Secretariat. In addition, we will begin an audit of the Canada School of Public Service, we will publish follow-ups to our audits of Air Canada and Industry Canada, and we will begin a follow-up to our audit of Parks Canada.

[English]

I will continue to intervene before the courts on behalf of Canadians. For example, we are currently awaiting a Supreme Court ruling in the *Thibodeau v. Air Canada* case, and the case against CBC/Radio-Canada is still active.

In total, more than 400 admissible complaints are filed with my office every year. We will continue our ongoing efforts to reduce the length of our investigations. Recent efforts to improve our investigation process have included the launch of a web complaint form and a client satisfaction survey.

•(0850)

[Translation]

Expenditures linked to the promotion of linguistic duality account for \$6.5 million—a sum that represents 31.5% of the total budget. To promote Canadian linguistic duality, the Office of the Commissioner communicates regularly with parliamentarians, official language minority communities, federal institutions and the Canadian public.

Our research, our studies, our distribution of information products, and our exchanges with many key stakeholders and community representatives contribute to the promotion of linguistic duality among Canadians. That is an integral part of my mandate.

As part of our many planning activities, we will continue to work with federal institutions and organizing committees to help them integrate linguistic duality into the various activities leading up to the celebration of the 150th anniversary of Confederation in 2017. Canada's official languages are an important part of the country's history and a key component of its future.

[English]

We want to take a closer look at immigration in official language minority communities, as well as early childhood issues. In both cases, we will collaborate with governmental and community organizations already at work in these domains.

We will intervene with federal institutions to follow up on the recommendation of our August 2013 study concerning the bilingual capacity of the superior court judiciary. On a related note, we are organizing a conference on access to justice with the Bar of Montreal.

Our third program activity, internal services, allows the office of the commissioner to assemble resources that support the organization as a whole, including asset management, finance, and human resources management. This activity has been allocated a budget of \$7.4 million, which constitutes 35.7% of our total budget. These services, essential to any organization, ensure that taxpayers' dollars are used efficiently and transparently.

[Translation]

In addition to completing the logistical and administrative arrangements associated with the recent move to Gatineau, we will explore opportunities for further collaboration with other agents of Parliament on the delivery of the Office of the Commissioner's internal services, while upholding our mandate and maintaining our independence.

We will also migrate to the Government of Canada's PeopleSoft human resources information system, harmonize our employee performance management program with the Treasury Board Secretariat's new directives on performance management, and implement the shared case management solution for small departments and agencies. Lastly, we will develop additional technological tools to improve efficiency and employee workflow.

[English]

Mr. Chair and honourable committee members, thank you for your attention. I'd be pleased to discuss any aspect of our operations in more detail.

[Translation]

The Chair: Thank you, Mr. Fraser.

Mr. Godin, go ahead.

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

Mr. Fraser, Ms. Lagacé and Ms. Saikaley, welcome to the Standing Committee on Official Languages.

Commissioner, did you consistently support Bill C-208, which concerns the appointment of bilingual judges to the Supreme Court?

I introduced the bill in the House of Commons three times. Were you disappointed with yesterday evening's results?

Mr. Graham Fraser: I am always disappointed when a bill I supported is defeated. But I try to consider the issues objectively, without letting my emotions get in the way. I know it was defeated, but I still believe in and support the fundamental principle that Supreme Court justices should be bilingual.

Mr. Yvon Godin: Commissioner, I encourage you to have a look at what transpired in the House yesterday evening on CPAC. I asked Minister Raitt questions about VIA Rail. I had to repeat my first question three times because she couldn't understand the translation. So I said "welcome to the Supreme Court of Canada". I urge every Canadian to have a look at that. It gives you an idea of what the French-speaking community has to put up with.

We are talking about the highest court in the land, and yet our Prime Minister refuses to appoint judges who are bilingual. There's all this talk about language equality, but exactly where does that equality stop? The Official Languages Act has been around for 45 years. Those appearing before the Federal Court or the Federal Court of Appeal can be heard and understood in their first language, but not those going before the Supreme Court.

I am disappointed, and the tremendous value I place on both of our official languages is probably why I get so upset. Anglophones would never be in this boat, in other words, they would never have to appear before a Supreme Court judge who didn't understand them. But francophones do.

My next question is an important one. It concerns something that really bothered me at the time and still does, even though I will try not to let my emotions get the better of me.

You mentioned your office move, Mr. Fraser. You now share office space with those who work for the Conflict of Interest and Ethics Commissioner and the people at Elections Canada, among others. That leads me to wonder about partisanship. I'm not sure whether I'm explaining myself clearly, but I wonder whether there's a risk to agents of Parliament sharing office space. I imagine you would say no, since you agreed to the move. Nevertheless, the fact that all of you are working together does worry me somewhat, in that you might have to investigate the Conflict of Interest and Ethics Commissioner one day, or vice versa.

Sharing office space may very well save you \$800,000, but does it not jeopardize the non-partisanship of agents of Parliament?

● (0855)

Mr. Graham Fraser: I don't believe so. Had I felt there was a risk, I would not have agreed to the move.

As agents of Parliament, we always discuss certain matters. We stand united on certain issues. For instance, a few years back, the President of the Treasury Board gathered us all to discuss something. We got together and signed a joint letter regarding Bill C-520.

There are certain issues that affect all of us, as agents of Parliament, but that in no way prevents one of us from investigating a fellow agent of Parliament. The Auditor General does yearly audits on each of our offices. The Auditor General doesn't spend any less time or effort or exert any less rigour in auditing our books just because we are agents of Parliament. And the exact same principle applies when we are called upon to investigate a matter involving another agent of Parliament.

All agents of Parliament are now required by law to be bilingual at the time of their appointment. And I find that reassuring when it comes to the leadership of our organizations. This ensures that, right from the moment they are appointed, agents of Parliament have a clear understanding of what linguistic duality entails.

Mr. Yvon Godin: It's a shame it doesn't work that way at the Supreme Court, but it will come. I have no doubt that it will happen eventually.

You brought up Bill C-520, and I'm sure some of my colleagues are going to ask you about it. It's a very important bill dealing with the non-partisanship of agents of Parliament.

As for me, I'd like to come back to the cuts at CBC/Radio-Canada. Last week, Hubert Lacroix appeared before the committee. We are struggling to understand how the federal government could have cut the broadcaster's budget by \$115 million. The minister in charge told us that the government wasn't to blame this time. But the elimination of wage indexing and spending cuts at CBC/Radio-Canada represent millions of dollars.

Isn't CBC/Radio-Canada, the nation's public broadcaster, at risk of not adequately fulfilling its mandate in official language minority communities? In Moncton, for instance, cutting one of the two journalist positions at RDI would mean half the budget gone. How can that not affect the broadcaster's obligations towards official language minority communities?

I'd like to hear your views on that, commissioner.

● (0900)

Mr. Graham Fraser: I am indeed concerned about the impact the cuts could have on CBC/Radio-Canada's ability to continue serving official language minority communities.

It is often hard for parliamentarians, Canadians, and listeners and viewers in majority language communities to understand just how vital CBC/Radio-Canada is to those who live in official language minority communities. Whether you are talking about anglophones in Sept-Îles or francophones in Saskatoon or Moncton, CBC/Radio-Canada is often their only source for TV and radio news. It's always challenging for families wanting their children to grow up in a French environment outside Quebec or in an English environment far away from Montreal. That's the challenge I faced as a father living in Quebec City. I can tell you that the role CBC/Radio-Canada plays in official language minority communities is vital.

The Chair: Thank you.

Mr. Gourde, go ahead please.

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Thank you, Mr. Chair.

Thank you, Mr. Fraser, Ms. Saikaley and Ms. Lagacé.

Mr. Fraser, you've always been a proponent of people from different communities in the country taking part in exchanges, in other words, leaving their region to have a different language experience in another region.

Right now, the temporary foreign worker program is causing some problems. It is a fact that some regions of the country are experiencing a labour shortage, which is leading Canadian companies to spend considerable time and energy recruiting workers from other countries to fill those temporary jobs. That's a frequent occurrence in the summer. Wouldn't it be more beneficial to channel that same energy into hiring young Canadians, 18 to 25 year olds from out east, to fill those temporary jobs for 3 or 4 months and provide them with accommodations? At the same time, they could live that very language experience you are supportive of.

I am convinced that, across Quebec and the Maritimes, we could find 100,000 young people who were ready and willing to work. With the same supervision provided to foreign workers who come here, young Canadians might be inclined to have that experience, which could last three months, once or twice in their lives. It would benefit bilingualism in Canada.

Mr. Graham Fraser: That's a wonderful idea. I learned French while working summer jobs. It wasn't through an exchange program, but they were still three- or four-month stints I spent immersed in French in Quebec. Similarly, some of my francophone colleagues learned English while working summers jobs in Toronto and going to university.

I discovered that, under the current exchange system, it's easier for a teacher from Ontario to take part in an exchange with a teacher from Australia than with a teacher from Quebec. Under that program, the teachers switch jobs and homes for a year. Likewise, it's much easier for a teacher from Quebec to go on the same kind of exchange with a teacher from France than one from Ontario. I think it would be worthwhile to explore those opportunities. A lot of things would be possible if we changed our approach.

Mr. Jacques Gourde: Today, we are really seeing young Canadians making a genuine effort to learn both official languages. The francophones want to learn English just as much as the anglophones want to learn French. And the statistics back that up.

But they encounter a big problem when they enter the workforce. After spending a year, or two or three in the same unilingual workplace, they gradually lose their ability to speak the other language.

Would that same kind of exchange be possible? Canadians today are working in large companies with employees in a number of provinces. Wouldn't it be possible to give young people in different language communities access to work exchange opportunities for a few months a year so they could have that exposure and keep up their language skills?

● (0905)

Mr. Graham Fraser: That could work not just in the private sector, but also in the public sector.

I read a Department of Canadian Heritage report on the efforts being made to promote the use of both official languages. According to the report, the department had set up an employee exchange program, so an employee working in an English-speaking region could go on an exchange and switch jobs with an employee at the same level working in a French-speaking region. I found that wonderful. When I read the next page, I learned that the department had sent two employees on an exchange. It's a shame that the scale of the program is so small. People don't realize what an impact a wider-reaching program could have.

Indeed, I believe young public servants should have the opportunity to incorporate these kinds of experiences when carving out their careers.

Mr. Jacques Gourde: I believe Farm Credit Canada has a province-to-province exchange program for workers, as part of its mandate. It does a lot of exchanges. It would probably be worth exploring to find out how it works. I think it's done systematically. It would likely be a good lead to follow.

I saw young people from other provinces who worked in Quebec, as well as Quebecers who spent two or three years working in a different office emerge from the experience with a broader and stronger vision of the country. They become excellent ambassadors. If it is doable, that is something I propose to you.

Mr. Graham Fraser: I have, in fact, met many adventurous public servants who had applied for jobs in different parts of the country and who came out with an appreciation for Canada's diversity. As far as I know, it's always been on the person's own initiative. I'm not sure whether any programs exist to encourage that sort of thing. If so, they aren't very well-known.

Mr. Jacques Gourde: If you happen to learn of any, perhaps you could promote that kind of leadership. It would no doubt be an excellent example to set. It might inspire other departments or businesses across the country to follow suit.

I have no further questions.

Thank you, Mr. Fraser.

The Chair: Thank you.

Ms. St-Denis, go ahead.

Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.): Good morning. Thank you for being here.

Coming back to the estimates, I see that amounts allocated to official languages are going to the departments. Wouldn't it be more effective if that money were going to your office? We've heard that sometimes the money isn't used. In fact, the money isn't subject to any kind of oversight.

Mr. Graham Fraser: That would require transforming the office into a kind of central oversight body for official languages within the government and transferring certain powers currently held by Treasury Board back to Canadian Heritage, the Canada School of Public Service and other departments. It would mean a fundamental change in our role as an ombudsman and agent of Parliament. The office would have to become a central agency of sorts.

● (0910)

Ms. Lise St-Denis: That would be a more effective way to protect the rights of anglophones and francophones in minority language communities.

Mr. Graham Fraser: It would be an entirely different, albeit interesting, approach. I'm reluctant to speak off-the-cuff about what would be more effective, but it would certainly make it easier to track spending in some areas. As things stand, it's pretty difficult to determine what language training costs are, now that managers within each department are responsible for incorporating language training in the learning plans of federal employees. Spread out over 260 federal institutions, it's harder for us and even the Auditor General to figure out.

If Parliament decided to turn the commissioner's office into a central government agency, we would go from being an agent of Parliament, an ombudsman and a complaints investigator to being an official languages administrator.

Ms. Lise St-Denis: During your presentation, you said that the protection of Canadians' language rights was one of your program activities. It entails a number of things: conducting investigations, resolving complaints, performing audits and, where appropriate, intervening before the courts. This program activity accounts for 36% of your budget.

How much of that 36% do you spend on court-related activities?

Mr. Graham Fraser: I am going to ask Ms. Lagacé to answer that.

Ms. Colette Lagacé (Director, Finance and Procurement, Office of the Commissioner of Official Languages): Hello.

We have to be careful when figuring out that amount, because every investigation is separate. The commissioner's office has its own legal services. The legal affairs unit accounts for 8% to 10% of the office's total budget, so between \$800,000 and \$1,000,000. It has eight lawyers.

Mr. Graham Fraser: In terms of the cost of court-related activities, it's not easy to anticipate how many times we will have to go before the courts or how much a case will cost. Supporting a court case is less costly than initiating legal action. It costs more when we are the ones leading the charge. We always perform a strategic assessment to figure out the point at which we will have to intervene and the level. That includes such considerations as whether we have to wait for the Supreme Court to consider a matter or whether we have to go before the Federal Court. We assess all of that. We have to estimate what those costs will be every year.

Ms. Lise St-Denis: Let's discuss the census rules.

How do the new census rules affect our ability to more effectively identify francophone communities, in other words, determine the number of people in them and ascertain their economic situations?

Mr. Graham Fraser: If I may, I'd like to wait until the second half of the meeting to answer questions on the economic impact on communities. A colleague of mine who has examined the issue in greater detail will be appearing in the second hour.

I know it's harder to obtain accurate data on some small communities. But I'm not in a position to say exactly what the consequences will be. We don't yet have that information.

• (0915)

Ms. Lise St-Denis: Does the commissioner's office believe that the federal government bears a historical responsibility for the disappearance of French in some of the country's communities, in light of all the anti-French legislation that has been passed? Does the assessment take that reality into account?

Mr. Graham Fraser: Yes, and by the way, that is the underlying reason for the Royal Commission on Bilingualism and Biculturalism being set up in the 1960s. The Official Languages Act is somewhat the main recommendation made by the commission. In addition, the Canadian Charter of Rights and Freedoms clearly established language rights, and in a series of rulings, the Supreme Court made the need to repair the damage done by a century's worth of harmful legislation perfectly clear.

The act, charter and Supreme Court decisions all reflect a desire to repair the damage. After French was dropped as a language of instruction in schools, policies, the charter and Supreme Court decisions paved the way for the return of French-language schools to each province, as well as school boards.

Personally, I am convinced that, since 1982, the creation of important institutions like schools and school boards has had an undeniable effect on the vitality of the communities. And federal support for programs has contributed to the emergence of other community institutions, such as French-speaking jurist associations in nearly every province. Some provinces, like Prince Edward Island, unfortunately don't have one. Nevertheless, all of those things attest to the recognition that correcting the detrimental effects of history is imperative.

The Chair: Thank you.

Ms. Bateman, you have the floor.

[*English*]

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Thank you very much, Mr. Chair.

Thank you to all of our witnesses, and a special welcome to Madame Lagacé.

[*Translation*]

This is her first time appearing before the committee, I believe.

[*English*]

at least while I've been here.

I have some very specific questions, just because I want to understand how these documents work. Thanks to our wonderful analyst Lucie Lecomte, we have great little tables that have been provided to us with the three key pillars: linguistic rights protection, linguistic duality promotion, and then, of course, internal services.

I'm just referencing your report on plans and priorities, and I see in the back—maybe you can help me with this—the analysis of the full-time equivalents relative to each of those three pillars. It occurs to me you're in the business of providing a very important professional service not only to Parliament but to Canada.

Professional services are always human-intensive, and you have the 63, 59, and 48 full-time equivalents in that order. You have the highest cost for internal services with the lowest number of FTEs, and that doesn't usually make sense, because you guys are always in the business of providing professional services. I'd just like to understand that if I could. What accounts for that difference?

Mr. Graham Fraser: Let me give you a partial answer, and I'll ask Madame Lagacé to provide more of the details.

There are certain elements in internal service costs that I think are a bit deceptive. For example, all of the costs of my office, including my travel costs, are defined as part of internal services. Similarly, there are—

• (0920)

Ms. Joyce Bateman: You don't travel worth.... It's \$2 million more than.... You're basically talking about \$21 million, so you would think if it were even, it would be \$7 million, \$7 million, and \$7 million. It's \$6 million, \$6 million, and \$8 million, and that's just ballpark with rounding. I'm just curious: you can't travel that much.

Mr. Graham Fraser: There are other elements. For example, costs that might, with a different accounting system, be allocated to each branch are covered by internal services. So all of the telephone costs, some of the rental costs of our regional offices—

Ms. Joyce Bateman: But, Mr. Fraser, you just said they would be allocated to each department.

Mr. Graham Fraser: But they are not now. Now all of those costs are included as internal services.

Ms. Joyce Bateman: Oh, so you have all of them included. Okay.

Mr. Graham Fraser: I'll ask Madame Lagacé to give you a more detailed explanation than that one.

Ms. Joyce Bateman: I'm just curious, because, you know, usually the human cost is the most expensive component in providing anything like this. It's just such a material difference, it kind of makes me....

Once an auditor, always an auditor, right?

[*Translation*]

Ms. Colette Lagacé: Under current Treasury Board rules, we have to include the office. Ever since the 2012 budget, we have had to include the reallocation of costs. We did our best and we funded an IM/IT project. That accounts for some \$2.9 million and is included in the \$7.4 million, which puts the real cost of internal services at \$4.5 million currently. And that is equivalent to roughly 24% of the office's total budget.

As an agent of Parliament, we contacted the people at Treasury Board to tell them about our concerns. They are paying attention. We are going to make a greater effort to ensure that, the next time we bring the numbers to you, we will be applying new rules devised with our Treasury Board colleagues. For the time being, however, we are following Treasury Board's rules, but the numbers we're being given aren't entirely accurate.

Ms. Joyce Bateman: Thank you.

Now for my second question.

[*English*]

On this one, I don't understand why this would be the case. In the analysis that we have from Lucie Lecomte from the Library of Parliament—it's pulled from the main estimates, and it's pulled from your documentation, Commissioner—it shows the full-time equivalents by fiscal year, and it's quite precise. It starts in 2008 and goes to 2012-13, and it has 159 full-time equivalents. Yet in the report on plans and priorities, if you add them up, it actually works out to 170. In fact, you have it summarized that if you add them up in the part II, the analysis of programs by strategic outcome, it's 170, and you also have that summarized further on page 9, actually, of the report on plans and priorities.

So I'm just curious; you're reporting there are 11 full-time...now obviously maybe you're not filling everything, but that's again a material difference. What does that relate to?

Mr. Graham Fraser: Let me take a stab at this, and then Madame Lagacé can correct me or amplify what I have to say.

As I understand it, we have an authorization for full-time equivalents of 177. We are now at about 170. One of the problems is that it becomes such a rolling number, and one of the challenges in matching our forecasting to the final results is that it always takes longer to fill positions than is predicted. So at any given time there are a certain number of vacant positions. When we did an A-base review, there was a recommendation that we create some additional positions to deal with the backlog. We initially attempted to do this with what's called determinate positions, meaning people would not have a guarantee of a permanent, full-time job in the public service. It proved to be very difficult to attract people for these. We have now made the decision to make some of those positions permanent so that we have a better chance of actually filling those positions. But it's a

• (0925)

Ms. Joyce Bateman: How did that decision fit with your A-base review decision, or discussions, which clearly said, and recommended to you and your executive, to hire part time so you aren't...I don't want to say saddled with a burden in perpetuity, but that's basically what your decision would have been? I mean, they were recommending—

Mr. Graham Fraser: It always becomes a question of how to match the needs that we have in the organization with the money that we have available. There are sometimes quite detailed conversations about it.

Ms. Joyce Bateman: Did you have another review process to change from the determination that was done in your A-base review?

Mr. Graham Fraser: We completed the recommendations of the A-base review process. There is a continuing process of internal audits that take place from the recommendations of the audit and evaluation committee, who look very carefully at our operations.

Ms. Joyce Bateman: What is your process for integrating the continual improvement potential of internal audit processes into the reality of managing the operation?

Mr. Graham Fraser: How did we do that?

Ms. Joyce Bateman: What is your process? How do you do that?

Mr. Graham Fraser: Well, there is a risk-based audit process. There is a risk-based evaluation. There is a plan of internal audits over the next few years in which we decide—

Ms. Joyce Bateman: The question is on how you.... For instance, we've instituted that throughout the public service of Canada, and it's a very, very good thing. How departments integrate that information into a process of continual improvement is quite another question. I'm curious to know how you do that.

The Chair: Thank you, Madam Bateman.

Ms. Joyce Bateman: Oh.

Just quickly.

The Chair: Go ahead, Mr. Fraser.

Mr. Graham Fraser: It becomes part of our management process. We have senior managers who regularly appear with the audit and evaluation committee. When there are audits and evaluations, there is a management response. Those become integrated into our proceedings.

We've been very fortunate with the outside members who are part of our audit and evaluation committee. There's a kind of ongoing discussion. I treat them really as if they were my board of directors. There's an ongoing dialogue with those external experts; I found it almost a quarterly seminar on governance that was very valuable for me.

Ms. Joyce Bateman: Excellent.

Thank you so much.

The Chair: Mr. Chisu.

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Thank you very much, Mr. Chair.

Thank you very much, Mr. Fraser, Ms. Saikaley, and Ms. Lagacé, for being here. Thank you very much for your presentation.

I want to start with a very small question. In your presentation you explained that the office of the commissioner has a budget of \$20.8 million to carry out its mandate. This amount includes \$13 million in salary, or 62% of your budget.

So now when we are speaking about the activities, that is, protection of linguistic rights, promotion of linguistic duality, and internal services, when I'm doing the addition, taking out the services, I don't understand those numbers. Are you including the salaries, for example, in the protection of linguistic duality? What is the percentage of the salaries that are part of each of the three main programs that you are developing? On one side is this one of 62%, they are all salaries, and you have some programs to develop. How are you doing it? If you are adding the numbers, it's not matching somehow.

• (0930)

Mr. Graham Fraser: Yes, salary numbers are included. But when we start looking at specific activities, for example, one of the things we try to do in analyzing our numbers is to work out how much it actually costs to do an investigation. We calculated that it costs roughly \$2,000 for a formal investigation and roughly \$700 for an informal investigation. That is really just the time cost of the average length of time that an employee spends on that, so it's a calculation of that salary cost. That doesn't take into account the legal consultation that will take place with our legal people or the various other operational costs. So it can sometimes be difficult, for me at any rate, to sort through the figures.

I'll ask Madame Lagacé to give you a more detailed answer from the accountant's vantage point.

Mr. Corneliu Chisu: I know a lot of innovative accounting and so on. I'm an engineer, so when I'm looking at the numbers, I would like to have some explanation for the numbers. It's nice to have percentages, it's nice to have numbers, but you need to see behind the numbers to know what is really going on.

Mr. Graham Fraser: Before I pass the microphone to Madame Lagacé, let me point out that I am neither an accountant nor an engineer. Thanks to Madame Lagacé's very careful management of our finances, we have had ten consecutive unreserved opinions from the Auditor General.

I will pass the microphone to the person who understands the numbers much better than I do.

Mr. Corneliu Chisu: This is just to understand things; there's nothing wrong here.

The Chair: Madame Lagacé.

[Translation]

Ms. Colette Lagacé: We have a budget of approximately \$20.8 million. Of that, \$18 million goes to salaries and operations and \$2 million covers employee benefits. The commissioner's office has no authority over that amount. It falls under the jurisdiction of the Treasury Board Secretariat, which handles collective bargaining. So we can't touch that \$2 million. All we can do is collect it and put it in the superannuation fund.

Of the \$18.6 million we manage on a daily basis, \$13 million goes towards salaries and \$5 million goes to operations. Further to Budget 2012 and in support of the government-wide effort, we committed money from that \$5-million operating budget to fund an IM/IT project internally. We requested funding from the Treasury Board Secretariat but ultimately concluded that we should make an effort. So we funded the project internally. That leaves roughly \$4 million to cover rent, telephone services and other expenditures

reflected in our array of programs. If you add \$6 million, \$6 million and \$7 million, you get about \$18 million.

The Chair: Thank you.

Mr. Nicholls, go ahead please.

Mr. Jamie Nicholls (Vaudreuil-Soulanges, NDP): Thank you, Mr. Chair.

Commissioner, you indicated that justice was a strategic priority. You published your study on access to justice about 9 months ago.

What reply did you receive from Minister of Justice Peter MacKay on that issue?

Mr. Graham Fraser: We received an informal reply. I had given him notice before the presentation of that study at the Canadian Bar Association in Saskatoon, last August. When we put some questions to him in Saskatoon he seemed to react in a positive way, but in a rather informal context of questions and answers in public.

Officially we have received no response nor indication that our recommendations are being followed or that an agreement was being worked on with the attorneys general of the provinces. And so we are still waiting for an official reply. We were only told that they were continuing to study the possible effects of our recommendations.

• (0935)

Mr. Jamie Nicholls: Do you know when the minister will provide an official reply?

Mr. Graham Fraser: I do not know.

Mr. Jamie Nicholls: Thank you.

Out of curiosity, I would like to know how many employees you have in your office.

Mr. Graham Fraser: There are 170.

Mr. Jamie Nicholls: You have 170 employees?

Mr. Graham Fraser: As I said, that can vary from one day to the next. It is often difficult to pin down a precise figure because there is always turnover. Some positions are not staffed, some people retire, and others are promoted. In any case, there are about 170 employees.

Mr. Jamie Nicholls: Since I am an MP it is easy for me to understand why you have such expenses. The MPs only have four or five employees in their offices. Certain members around this table spend \$400,000 a year for a four-person office. So your figures are reasonable since you have 170 employees.

[English]

I'd like to get to your mandate of promotion of linguistic duality, which is nearly one third of your budget. My colleague Monsieur Godin mentioned Radio-Canada. We're very concerned about the CBC's cuts and the CBC's mandate also to help you promote linguistic duality. Monsieur Lacroix mentioned that the revenue shortfall might put the CBC's mandate in jeopardy and that there should be a national dialogue about this with Canadians.

Would you be willing to participate in that dialogue with Monsieur Lacroix to discuss the CBC's role in promoting linguistic duality?

Mr. Graham Fraser: Absolutely. I have, in the past, both before parliamentary committees and in op-ed pieces in newspapers—and a few minutes ago—talked about the importance of the role that CBC and Radio-Canada play for minority language communities. It's a role that is often either ignored or misunderstood by people who are in a linguistic majority situation, where they are able to see CBC or Radio-Canada as just one station on the dial of maybe 100 or 150 stations.

But if you are living in an isolated community, the Radio-Canada station if you are outside Quebec, or the English-language community stations that CBC provides in Quebec, is a critical lifeline for the vitality of those communities. I am full of admiration for the role that CBC reporters, journalists, and hosts play in those minority communities, where they often go above and beyond the role of simply reading the news or hosting a morning show by playing a critical community animation role.

The Chair: Thank you very much.

We have about five minutes left. Lastly, we'll go to Mr. Daniel.

Mr. Joe Daniel (Don Valley East, CPC): Thank you, Chair.

Thank you, Commissioner, for being here.

Obviously there are a lot of things happening in the minority community and linguistic groups around the country. I really just wanted to ask you how programs from the Department of Canadian Heritage, such as the development of official-language communities program, at some \$220 million a year, and the enhancement of official languages program, at another \$112 million per year, support the economies of minority linguistic communities.

• (0940)

Mr. Graham Fraser: I think they play a very important role. They support a whole series of community organizations, which in some cases play a critical role not only in the active support of the existing community, but in bringing people back to those communities.

I'm thinking of the community organization for anglophones in the Magdalen Islands, for example. By working with some of the French-language community organizations, they have created sufficient vitality, energy, and economic activity that they've attracted young people who have gone away to university to come back to the islands. I found the same thing in the Gaspé, where people who had gone away to post-secondary institutions, and in some cases to the armed forces, were reaching a stage in their lives where they wanted to raise their children, so they moved back home. That decision was influenced significantly by the community vitality and the organizations that are being supported by these programs.

Mr. Joe Daniel: Do you have any say in how that money is being spent? By “you”, I mean your department.

Mr. Graham Fraser: I'm in the influence business. We do investigations. We also will provide advice to institutions. Part of the obligations under the act are that federal institutions have to take positive measures for the growth and development of minority language communities. I will sometimes informally have meetings with executive committees of departments to encourage them to consult more closely with minority language communities. On a more formal basis, if there's a decision that's been made where

complaints have been laid, we do investigations and we will make recommendations as to how the department should better meet its responsibilities under part VII of the act.

I do not have a formal role in deciding how Canadian Heritage is going to spend money, but sometimes, informally, a community organization will talk to me. I have informal conversations with people and departments and will flag some of my worries, so there are informal dialogues that go on.

Mr. Joe Daniel: How do we evaluate the socio-economic situation in minority linguistic communities? Should we speak about the economic situation of individuals living in minority linguistic communities? Is the economic situation for minority linguistic communities different from the regional and national economic situation? What do you think?

Mr. Graham Fraser: It becomes a fine line. Certainly I am aware that it is difficult to use part VII of the Official Languages Act as a sweeping measure to stop elements that are affecting a community as a whole. For example, if a mill shuts down in a New Brunswick town and this has an effect on the entire community, it's difficult to use the provisions of the Official Languages Act to intervene in that situation.

That having been said, I think it is important that the members of minority language communities are able to thrive economically in their community. We have seen with the activities of the Réseau de développement économique et d'employabilité that there is a whole series of ways in which, by linking support for industrial activities or for tourism activities, there is a strong link between supporting small businesses in the tourism industry that offer services in both languages; that this has an impact on the economic vitality of the community as a whole by supporting the minority language businesses in that area.

• (0945)

The Chair: Thank you very much.

Our questioning of the commissioner has ended.

The chair will now call vote 1.

OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES
Vote 1—Program expenditures.....\$18,623,744

(Vote 1 agreed to)

The Chair: Shall the chair report this back to the House?

Some hon. members: Agreed.

The Chair: The chair shall report it back to the House.

Thank you very much for your questions and comments.

Now, is it the wish of the committee to continue to the second part of the orders of the day, which is the study on the economic vitality of linguistic minority communities, or do you wish to suspend for five minutes for a health break?

[Translation]

Ms. Lise St-Denis: We are continuing.

Mr. Jacques Gourde: Other witnesses are supposed to come to the table.

[English]

Mr. Jamie Nicholls: I think we should continue, Mr. Chair.

An hon. member: I think we need five minutes.

The Chair: Okay. We'll suspend for five minutes.

• (0945) _____ (Pause) _____

• (0950)

[Translation]

The Chair: We shall resume our hearing.

During the second hour of this hearing of the Standing Committee on Official Languages, pursuant to standing order 108, we will be studying the economic situation of minority official language communities.

We have four witnesses: Mr. Fraser, Mr. Giguère, Mr. Lorieau and Mr. Quell.

Welcome to all of you.

Mr. Fraser, you have the floor.

Mr. Graham Fraser: Mr. Chair, honourable members of the committee, thank you for giving me the opportunity to speak with you about this important issue of economic development in official language minority communities.

[English]

This is a complex and diverse topic, yet one that's been studied very little. As the community representatives who appeared before you have mentioned, the lack of research and data is a serious hindrance to understanding the issue and developing effective solutions. I'm therefore pleased that the committee is studying the matter, and I hope others will follow suit.

As some have said in recent weeks, there are economic development opportunities on the horizon for official language minority communities, whether in international trade, economic immigration, or other areas for entrepreneurs, and small and medium-sized businesses. During my meetings around the country, I've noted considerable potential within official language communities, in many regions, in terms of entrepreneurship, economic development, and creativity. To develop this potential and seize the opportunities, English- and French-speaking minority communities must nonetheless have the right tools and resources.

[Translation]

At the start of my mandate, I launched a series of studies on the vitality of official language minority communities in several regions of the country. The studies involved various partners and found that, despite similarities, each community faces a different reality. Beyond their challenges, communities each have their own aspirations that motivate them to grow.

While the economic situation of minority anglophones and francophones in different parts of the country is now comparable to that of the majority, the situation varies greatly from one region to another, and minority communities continue to face major challenges. The people who have appeared before your committee expressed it well: each region and each community is unique, and

while best practices can be found in many communities, there is no single recipe for success.

[English]

In the west, for example, the economy is strong, the demand for labour is high, and workers are therefore pouring in from other regions of Canada and abroad. French-speaking communities in this part of the country therefore require more resources to meet an increasing demand in services and community support.

In some regions of the Maritimes and north and southwestern Ontario, on the other hand, a challenging economy sees young people leaving for large urban centres, which threatens their communities' future and entrepreneurship.

In Quebec, young English speakers have difficulty accessing the job market and are underemployed. They are leaving the province to settle elsewhere, which is undermining community vitality and renewal.

Federal institutions must therefore remain attentive and take these differences into account when creating programs and policies to support economic development and labour market integration. The institutions must also be flexible.

In the minority context, the implementation of positive measures does not always involve wide-reaching action. Sometimes small steps make a big difference to a community's growth and development.

• (0955)

[Translation]

We must remember that employment, education and immigration are jurisdictions that are shared with provincial and territorial governments. In transferring its programs and funds to the provinces and the territories, the federal government must ensure that the provincial and territorial government are aware of the needs of official language communities and the requirement to consult these communities to fully understand their unique challenges. In that sense, bilateral agreements must contain solid language clauses and accountability mechanisms to ensure that the needs of these communities are taken into account.

A healthy economy, job opportunities, the presence of employers and entrepreneurs, and opportunities for growth can all have a positive impact on a community's ability to stay dynamic, encourage its young people to remain, and attract new workers and new members. When a community organizes a tourism project, posts an event, creates a cultural product or develops a cooperative, its appeal goes well beyond the community itself.

[English]

Over the years, francophone and Acadian communities have targeted immigration as a solution for the future, a means of ensuring their growth. In recent years, the federal government has been working to modernize the Canadian immigration system with a focus on the economy, faster workforce integration, and the recruitment of immigrants with skills needed in Canada.

The new system gives priority to the economy and the role of employers. In this context, French-speaking minority communities should be promoted as privileged partners and a significant asset in attracting and retaining newcomers.

Whether for the French-language services and resources they have to offer, the infrastructure available to them, or their expertise, these communities are well placed to support employers, immigrants, and their families.

It is therefore essential that they have the tools required to build bridges with anglophone and francophone employers and with the provinces in order to make the most of the new immigration system.

[Translation]

Both directly and indirectly, many sectors have an impact on economic development, such as arts and culture, education and immigration. Cooperation among the various sectors and stakeholders and promotion of everyone's areas of expertise are key to the accomplishment and success of many community projects. Representatives from various sectors and federal institutions must work together toward community growth, each bringing their own skills.

On that note, I will conclude, Mr. Chair, by thanking you and the members of the committee for your work in carrying out this study, which I will read with interest.

The Chair: Thank you.

Mr. Nicholls, you have the floor.

Mr. Jamie Nicholls: Thank you, Mr. Chair.

Mr. Fraser, several witnesses have appeared before this committee and noted that even after improving the effectiveness of their organization that works with minority official language communities, they found it difficult to deliver their services because they lack stable and adequate funding. We have heard that repeatedly.

In your opinion, what tools do minority official language communities need for their economic development? What are they lacking?

Mr. Graham Fraser: They need to know that government rules are clear and they need to understand them, so that they can do long-term planning.

Moreover, their funding has to arrive on time. In certain cases in the past, the funding for projects would arrive in the fall, whereas the money had to be spent before March 31 of the following year. This was harmful in two respects. First of all, there was famine from March to October, and even until November or December. Then they had to act very quickly. Often they had to hire staff and it was very difficult to find people with the necessary skills in the community. They had to go to the large cities, large centres, in order to find people with the required expertise, which also undermined the economic vitality of the community. Rather than being able to use those funds to support people from the community, they had to find expertise in large urban centres.

Since that time, there has been improvement. I think that 25% of the funding now arrives at the signing. The situation has improved, but I continue to hear that there are delays in the case of certain programs that affect certain institutions.

• (1000)

[English]

Mr. Jamie Nicholls: We have heard the same thing from other witnesses, talking about road map programs not receiving the funding on time. It really does hamper the abilities of these organizations that provide the services and also the security of the organization itself.

I would like to go on to the question of the arts and culture sector and its importance to both minority language communities. We see cuts to CBC lately in English Canada. Linden MacIntyre, for instance, has just resigned in order to save the positions of younger employees at CBC. I heard Linden speak at Storyfest in Hudson, in my riding, on his book *The Bishop's Man*. We are losing really amazing people in the arts and culture sector and in the CBC due to the lack of vision of the government currently, cutting off the funding for CBC and Radio-Canada.

We are starting to hear from French services from Radio-Canada. The people providing the service are actually speaking up, and I am mentioning it to you because it has been mentioned that the English services and people working there are reticent about speaking up and making this a political issue.

But I can testify, as an anglo Quebecer, that all the services that are produced in English Canada are consumed in Quebec on English CBC. The same is true for French Canada. Minority communities in French Canada consume the services that are produced in Quebec for them.

So these cuts are being made: do you think this will make it more difficult to get a quality service in minority communities?

The Chair: Thank you, Mr. Nicholls.

Mr. Fraser.

Mr. Graham Fraser: I think there are two elements to keep in mind.

One is the challenge that families living in a minority situation have in continuing to keep that language alive for themselves and for their children. If you are living in Toronto or Montreal, you may have 150 channels in your language. If you are living in Baie Comeau or Saskatoon, you are very dependent on CBC or Radio-Canada, so it is very important that the service that is available is a service of quality.

The other element is the degree to which it will be possible for CBC and Radio-Canada to maintain the network of services that now exists in those minority communities. I am thinking of the English community network of CBC Radio that serves all of the communities off the Island of Montreal, which is really one of the few ways in which those communities can hear themselves reflected on the radio.

If you go to Saint Boniface, Regina, or other centres, it becomes clear that those local programs are a critical forum for the community to learn about itself and to communicate with other members of the community. They are absolutely critical. You can't take that amount of money out of the system without having an impact on what is going to be produced.

•(1005)

The Chair: Thank you.

Mr. Williamson.

Mr. John Williamson (New Brunswick Southwest, CPC): Mr. Fraser, good morning. It's good to see you and your colleagues.

[Translation]

Good morning everyone.

[English]

This is not where I wanted to go, but how much money was taken out of the CBC budget by the Government of Canada? They receive \$1.1 billion a year, and the head of the CBC has been in recently to say that the loss of hockey has been problematic, but as well it's the problem of producing shows that people just aren't watching, and declining viewership.

Mr. Graham Fraser: If you look at public broadcasters around the world, out of 18 public broadcasters, CBC is 16th in terms of the amount of support it receives from the public.

For many years, the CBC was able to paper over that hole by delivering hockey on the English network. Now that is no longer there as a revenue source. Having stripped away the fig leaf, if you like, that *Hockey Night in Canada* represented for the CBC in terms of the private sector providing support for public broadcasting, it then becomes a question for the government to say, "What is our commitment to public broadcasting?"

There has been, if you like, a natural disaster in terms of... When there is a serious impact—if there's a flood in Calgary—the federal government by and large doesn't say, well, Calgary is still getting the same amount of money it always has for water control from the federal government; they say that there is actually a specific crisis here: what do we think the citizens of Calgary deserve in terms of a response to a particular crisis? And this is a crisis for public broadcasting.

Mr. John Williamson: I think that's a fair comment in terms of the impact the hockey is having. I concede, actually, that CBC/Radio-Canada does a good job transmitting news and ideas from one part of the country to the other, particularly Radio-Canada as it relates to news in other parts of the country into Quebec. And if my colleagues on the other side ever want to propose that the CBC or Radio-Canada, instead of cutting jobs in the regions, start with the national capital in Ottawa, I'd be happy to support that.

For example, when the Liberals cut program spending in the mid-1990s, they cut the regions before they cut Ottawa. Mr. Godin's not here today, but if it meant moving the job from Ottawa to Moncton, for example, I'd support him on that.

But I actually want to come back to an issue you have talked to me about before, and others. I know it's one you are interested in, perhaps even passionate about. It's something Monsieur Godin brought up earlier, and that is the question of bilingual Supreme Court judges, which I know you support. I do not, but let's not get into a discussion on the issue.

But I'm curious to know; in light of the recent Supreme Court decision on the Senate and amending the Senate and making change

to the Senate, whereby the Supreme Court ruled that the federal Parliament could not make a unilateral change to the makeup of the Senate, would you concede that, with reference to the Senate, to make a change to the bilingual Supreme Court judges, as a federal institution, would require the consent of the provinces? We don't need to get into it—seven of 10 or a unanimous number of provinces—but that provincial consent would be required to change the makeup of the courts so judges had to be bilingual in order to be appointed.

•(1010)

Mr. Graham Fraser: I have not had a legal opinion on the impact of the government's reference on the Senate case, but I think, and my sense from the coverage in *La Presse* this morning is that, there is a substantial legal debate under way as to whether this would represent a significant change to the nomination process. Looking at the fundamental principles—and let me stress that I am not a lawyer, so I would await clearer legal decisions or legal advice on this before making a....

But if you look at the Official Languages Act and the Charter of Rights and Freedoms, and the clear statement that French and English have equal status in this country, and you look at the degree to which various Supreme Court decisions have been made to repair damage done in the past so as to ensure equal status, I think you could make the argument that there is an obligation to ensure that there is equal status. And certainly we have heard and you have heard a series of complaints that equality is not now the case before the Supreme Court. I've given a number of examples in the past of how that equality....

Now when the Official Languages Act was being amended in 1988, the Minister of Justice at the time, Ramon Hnatyshyn, was asked about the fact that there was a specific exemption for the Supreme Court. He said he didn't think there was at that point a sufficient pool of judges to allow that exemption to be removed, but this would be something that could be examined in the future, which, to my mind, if you were looking at the intention of the legislator, at the point that the Official Languages Act was amended, certainly did not exclude the idea that this requirement could be introduced in the future.

Parliament has voted last night on one approach, but I think there are other approaches that could be examined that would not necessarily involve a constitutional amendment.

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

The bells are ringing for votes, which will take place in 20 minutes. The committee has two options. We can adjourn immediately so you can get down the hall to the votes or we can continue for another 10 minutes. What would the committee like to do?

Ms. Lise St-Denis: Ten minutes.

[Translation]

Mr. Jacques Gourde: I move that the committee adjourn.

[English]

The Chair: Okay. Because there is no consensus, we'll adjourn.

I want to thank Mr. Fraser and the other members of the Office of the Commissioner of Official Languages for their appearance in front our committee today both on the estimates and on our study, although I think we tangentially touched on the study in our questions and comments.

I appreciate everyone's questions and comments.

Without further ado, this meeting is adjourned.

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