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The Honourable Denis Paradis

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• (0850)

[*Translation*]

The Chair (Hon. Denis Paradis (Brome—Missisquoi, Lib.)):
Hello, ladies and gentlemen.

Pursuant to Standing Order 108(3), we will consider the 2017-2018 Annual Report of the Commissioner of Official Languages, referred to the committee on Tuesday, June 12, 2018.

Mr. Théberge, welcome to the Standing Committee on Official Languages. Perhaps you can introduce the people accompanying you this morning and then give a presentation of about ten minutes, as usual. We will then move on to questions, answers and comments from committee members.

Please go ahead, Mr. Théberge.

Mr. Raymond Théberge (Commissioner of Official Languages, Office of the Commissioner of Official Languages): Thank you.

Hello, Mr. Chair and honourable committee members.

It is with a strong sense of duty that I appear before you this morning. I would like to introduce my colleagues with me, Mr. Pierre Leduc, Ms. Ghislaine Saikaley and Mr. Éric Trépanier, who are all assistant commissioners, and Ms. Pascale Giguère, who is general counsel.

As you know, I tabled my 2017-2018 annual report on June 12, 2018. Today I would like to provide an overview of the report, and of my mandate and priorities, and talk about certain issues that I hope are important to us all.

This report recounts the many interventions by the Office of the Commissioner of Official Languages in fiscal year 2017-2018, which encouraged federal institutions to give the official languages the important place they deserve. For example, the Office of the Commissioner took action related to Canada's 150th anniversary to make federal institutions aware of the importance of offering Canadians and our many visitors experiences that reflect the country's linguistic duality.

[*English*]

The office of the commissioner also continued its discussions with federal institutions to identify compliance issues and to ensure that leadership leads to tangible and timely measures. However, some institutions are still struggling to comply with their language obligations. In 2017-18, my office received a total of 894 admissible

complaints, of which more than half were about services to the public. Clearly, there is still a great deal of work to be done with regard to respect for official languages.

In my opinion, federal institutions do not have the tools to properly assess themselves, particularly in relation to communications with and services to the public. This undermines the rights of Canadians, including members of official language minority communities. The current tools used to measure the performance of federal institutions in terms of official languages do not give an accurate picture of the situation, nor do they help federal institutions measure their actual progress in terms of their compliance with the Official Languages Act.

[*Translation*]

That is why I recommended that the Department of Canadian Heritage and Treasury Board review the current assessment tools and amend them accordingly. Having a clear picture of the status of the official languages in federal institutions is essential.

When we consulted federal institutions in the fall of 2016 regarding our tools and activities, we heard that they would like more support on official languages measures. The Office of the Commissioner is currently developing a new tool, the maturity model, to be implemented in 2019.

In addition to tools, leadership is crucial. Leadership must be shown by the government and in the public service, at all levels.

[*English*]

In my 2017-18 annual report, I also focus on leadership in the federal public service and look at the Clerk of the Privy Council's report on language of work. Given that the Clerk of the Privy Council, as head of the federal public service, has made language of work a priority in the public service in his report, I've recommended that the clerk establish an appropriate mechanism to ensure that, starting in September 2018, federal employees receive annual status updates on the work done by the committee responsible for implementing the recommendations contained in the report.

As you know, linguistic duality is one of Canada's core values. It's one of the cornerstones of our society's identity and diversity. However, there are challenges, which is why my office needs to remain vigilant and ensure that official languages continue to be a priority at the national level.

[Translation]

You have before you a document that summarizes my priorities as Commissioner of Official Languages. I have also provided it to my team.

I am pleased to have the opportunity this morning to talk to you about the three priorities that I will focus on in the coming years.

First, I will urge federal institutions to break down the barriers to achieving the objectives of the act by gaining a deeper understanding of the success factors.

As I said, leadership must be shown by the government and in the public service, at all levels. I want to see results and measurable progress for Canadians, including members of official language minority communities. A strong show of leadership would help the institutions ensure that official languages obligations are fully understood at all levels, that there is proper planning, and that results are effectively monitored.

[English]

My second priority will be to work with the federal government and its institutions to ensure they take the necessary measures to achieve the expected outcomes of the action plan for official languages 2018-2023: “Investing in our Future”.

Federal institutions must stay attuned to the needs and concerns of official language minority communities, particularly in the areas of immigration, justice and early childhood, to ensure that their actions and decisions come after careful consideration of the language rights of Canadians and the vitality of those communities. That's why I'll be keeping a close watch on the implementation of the 2018-2023 action plan. As I've said before, roles and responsibilities still need to be clarified, and accountability measures need to be defined.

• (0855)

[Translation]

Finally, I urge the government to undertake a meaningful modernization of the Official Languages Act so that it reflects both the heritage and the future of the official languages in Canada.

The Office of the Commissioner began considering the modernization of the act in the summer of 2017. It has stepped up its efforts in recent months to continue the dialogue with various key stakeholders.

In November 2017, the Office of the Commissioner also hosted a national conference to gather a broad range of viewpoints on a shared vision for the future of linguistic duality in our constantly evolving society.

[English]

When the act turns 50 in 2019, I will continue my analysis on its modernization and then issue my official position. For now, however, I am of the opinion that the federal government, which has already committed to this project, must consider three principles when modernizing the act: that the legislation must be relevant, dynamic and strong.

I encourage this committee to take the lead in modernizing the act. Official languages need to stay on the agenda, so that linguistic duality in Canada can continue to grow.

Thank you for your attention. If you have any questions, please feel free to ask them in the official language of your choice, and I'll be happy to answer them.

[Translation]

The Chair: Thank you very much for your presentation, Mr. Théberge.

We have some time ahead of us. We will begin the question and comment period with Mr. Alupa Clarke.

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Thank you, Mr. Chair.

Hello and thank you, Mr. Théberge. Hello also to the people accompanying you.

We are pleased to welcome you to the committee as the new commissioner. This is the first time. Welcome.

I think you have a dual role. It involves both the theoretical aspects of the act, as well as your duties at your office and your relationship with Parliament and the official language minority communities, OLMCs, and so forth.

The other part of your role is more political. You have to take action, be a watchdog and sustain the hopes of linguistic minority communities in Canada. There is even a kind of duality in your work: one part is more practical, while the other is more theoretical.

I see what you do and I think it is effective.

At the committee, we heard about a meeting this summer with young French-Canadians. At the meeting, you apparently told them to calm down a bit, not to expect too much, and not to demand ever more favourable measures from the government for the protection of linguistic groups.

I would like to give you the opportunity to explain that. It really surprised us a lot and we were a bit astonished by what those young people said.

Over to you.

Mr. Raymond Théberge: As you said, the commissioner has multiple roles, which include protection, promotion, influencers and education. I do not specifically recall that event. I remember meeting some young people, talking to them about the importance of filing complaints, and saying that it furthers linguistic rights. Perhaps we talked about modernization in that context. We talked about timelines.

Ideally, the act should be modernized as soon as possible, but under the circumstances, I think it would be difficult to get a new act by 2019. Perhaps that is why I said they should tone down their expectations. I do not at all remember telling those young people that they should not have any expectations for the Official Languages Act.

• (0900)

Mr. Alupa Clarke: Okay, thank you for your reply.

I would also like to know who you call in government when you want to discuss a finding, your ideas or other matters.

Mr. Raymond Th  berge: In general...

Mr. Alupa Clarke: Which ministers do you talk to?

Mr. Raymond Th  berge: To date, we have met with Minister Joly, Minister Duclos...

Mr. Alupa Clarke: In your daily life, when you want to talk to a government official, who do you call first?

The ethics commissioner, for instance, reaches out to a minister who deals with matters related to ethics, such as Scott Brison, who is responsible for ensuring that all departments comply with Canadian laws.

What official languages official do you contact in government?

Mr. Raymond Th  berge: Right now, I contact Ms. Joly, who is the minister.

Mr. Alupa Clarke: Very good. I am very glad to hear that.

What do you think about the responsibilities being split in two, in a sense? I think there was a decree whereby the Department of Canadian Heritage responsibilities were transferred to Ms. Joly's portfolio, which is tourism, the official languages and the Francophonie.

Do you think there is adequate governance of the official languages in government right now?

Mr. Raymond Th  berge: The governance issue came up often in discussions on modernizing the act. Is our governance structure the best? I would say not. For a number of years, our governance structure has not been the best. In 2003, there was a committee of ministers responsible for the official languages. Then it became a committee of deputy ministers. Then we had champions. Right now, it is a committee of assistant deputy ministers. So the governance structure is on the table.

Mr. Alupa Clarke: Very good. There are three priorities on the sheet you gave us. I was pleasantly surprised to see that this morning. It is a good idea to have those kinds of priorities, quite clear and written down in black and white. I am pleased to see that your third priority is the modernization of the Official Languages Act. For my part, I would have made that the first priority, but it is on the list all the same.

You touched on that earlier today. You said you want a new act that is relevant, dynamic and strong. Those are interesting adjectives, but I would like to know which priorities you want to see in the new act.

Mr. Raymond Th  berge: First...

Mr. Alupa Clarke: You talked about governance. That is one priority. What are the two others?

Mr. Raymond Th  berge: In terms of having a strong act and linking principles with practical aspects, that does in fact pertain to governance and possible compliance mechanisms. Right now, the act gives the commissioner significant investigation powers, but says practically nothing about following up on our recommendations.

Moreover, in terms of having a dynamic act, it is very important to understand that the act can evolve. For example, new technologies

play an important role in the provision of services and communications. How can we make sure the act can evolve so that it remains technologically neutral? Right now, we have to review part IV, which sets out the obligations regarding communications with the public and the provision of services. The issue of justice in French is also extremely important.

Of course, we should perhaps create a regulatory framework for part VII, which is not clear enough. There are other examples related to these three priorities, but these are practical examples.

Mr. Alupa Clarke: Is that all?

The Chair: That's all for now.

We now turn to a member from New Brunswick, Mr. Arseneault.

Mr. Ren   Arseneault (Madawaska—Restigouche, Lib.): Thank you, Mr. Chair.

Welcome, everyone.

Mr. Th  berge, welcome to this first meeting of our committee in your official role.

My questions pertain to the third priority on your list. I see there are three priorities. They should be put in order on paper, but I think the third priority should be the first one. It is to "call for the government to undertake a meaningful modernization of the Official Languages Act".

I would like to talk about part VII of the act. When I ask questions, I always have Justice Gascon's decision in the back of my mind, a decision that hurts minority communities.

How can part VII of the Official Languages Act be reconciled with its modernization? Part VII refers to the "Advancement of English and French" in Canadian society, and not to federal institutions. Their linguistic obligations are well described.

What about promoting the official languages in Canadian society? I am referring to subsections 41.1 and 41.2. They mention respecting provincial jurisdiction.

How can that be reconciled with the modernization of the act?

● (0905)

Mr. Raymond Th  berge: In terms of part VII, one of the challenges is that there is no definition in this section. It refers to "positive measures" that are to be taken to enhance vitality and support community development.

Pursuant to the Gascon decision, anything can constitute positive measures. It does not necessarily have to be a program or anything else in particular. Creating a committee can be considered a positive measure. That is problematic.

That said, promotion is something we are thinking about a lot right now at the Office of the Commissioner of Official Languages. We have a mandate for promotion, but we do not necessarily have the resources to carry out that mandate.

Protection and promotion require essentially the same resources. That said, certain federal institutions have the resources to conduct promotional and awareness campaigns. With regard to early childhood, for example, we have talked about educating parents and service providers about the importance of offering services in the minority language. That campaign did not take place.

In terms of promoting linguistic duality, once again, other federal institutions have the tools to promote linguistic duality in Canadian society. That is how we can work towards the ideal of the equality of French and English in Canadian society, something we are very far from right now. The word “promotion” also entails education and awareness, and those measures require tools that the Office of the Commissioner does not have right now.

Mr. René Arseneault: Perhaps this is a constitutional issue. It also says that “The Government of Canada is committed to enhancing the vitality of the English and French linguistic minority communities and supporting and assisting their development”, while respecting provincial areas of jurisdiction.

In a modernized, updated act, how can we achieve that objective while respecting provincial areas of jurisdiction?

Mr. Raymond Thériège: In any discussion about federal, provincial and territorial levels...

Mr. René Arseneault: I'm sorry to interrupt.

If I say this, it is because we are hearing everywhere outside Quebec, from francophone minorities, among others, that what the provinces do is quite flawed. They no longer try to do promotional work or use the federal funding to enhance the vitality and promote the development of their minority communities.

That is what I was getting at with my question.

Mr. Raymond Thériège: Looking at where we are at right now, there has in fact been some progress. I remember that at one time there were hardly any provincial services in French. As to the agreements between a province or territory and the federal government, the reporting requirements are not very clear in many cases. There should be very clear criteria for the linguistic clauses. An important part of a linguistic clause is promoting duality.

Further, in terms of duality and the Commissioner's mandate to work towards equality and promote linguistic duality in Canada, that affects everyone. It is important for the federal government to show leadership to ensure that the agreements signed with the provinces and territories are very clear, specifically, that the linguistic clauses are strong and robust and that there is a transparent reporting mechanism.

In terms of Canadians' support for the official languages, a number of surveys have clearly shown that it is very strong right now. So it is accepted, but now we have to get to the next level. We have to achieve greater acceptance. We have to make sure it is vibrant.

We have to make sure that all Canadians buy into the concept of duality, not just the francophone communities outside Quebec and the anglophone community in Quebec.

• (0910)

Mr. René Arseneault: Do I have any time left, Mr. Chair?

The Chair: That is all for now. We can come back to this later.

Mr. François Choquette has the floor.

Mr. François Choquette (Drummond, NDP): Thank you, Mr. Chair.

Thank you all for being here.

Mr. Thériège, how did you react emotionally to Justice Gascon's decision?

Mr. Raymond Thériège: I was floored. Honestly, I was very disappointed. I don't think the word “disappointed” is strong enough to convey what I felt. I remember we were at the office; the lawyers came in, looked at me and said it was not good news. I asked them if there was any good news, and they said not really.

This decision means that we can still receive complaints...

Mr. François Choquette: I apologize. I don't have much time.

I just wanted to get your real reaction. It is important because I have here the letter signed by the Fédération des communautés francophones et acadienne, the FCFA, and the Quebec Community Groups Network, the QCGN. You also received that letter. Addressed to Minister Joly, the letter says the following:

It was with considerable concern that our two organizations learned, last week, that the Commissioner of Official Languages had modified his analysis and evaluation criteria for complaints...

Further on, the letter states that, “the FCFA and the QCGN are using their voice to ask you to take immediate action”, so that part VII of the Official Languages Act would always be maintained and accompanied by measures.

There is even a guide—the “Guide for Federal Institutions on part VII of the Official Languages Act”—whose suggestions must be implemented.

Perhaps you were astounded like the rest of us. I am one of the complainants in the Netflix case. There are four complainants in that case. We received your report, which states that the Office of the Commissioner is sorry, but it cannot accept our complaint. Based on the conclusions, it doesn't matter in the end because part VII currently means nothing.

But I did expect you to say that, on the contrary, that decision should be opposed. You are actually appealing it. So we should have something much stronger.

How do you explain your changing evaluation analyses without consulting the FCFA and the QCGN?

Mr. Raymond Thériège: The answer is fairly simple: the act has changed.

According to the act, and according to this decision, what we can do in investigations is now limited.

The most difficult element of this decision is the fact that it cannot be determined whether a complaint is substantiated unless the consequences of the policy are known. In other words, there must first be negative or harmful repercussions.

Once that has been established, a complaint can be filed. The act says that different criteria now have to be met.

I am meeting with Minister Joly next week to really talk about follow-ups regarding part VII, in light of this decision.

I remind you that the case is between the government and the Fédération des francophones de la Colombie-Britannique.

Mr. François Choquette: I want to clarify something: the act has not changed. The decision stems from a different interpretation of the act. The act has remained the same and part VII is still in it.

However, what is missing, Commissioner—and this is what the stakeholders are bringing up—are regulations on part VII.

We would not be in this situation if there were regulations or a ministerial directive that clarified part VII, right, Commissioner?

Mr. Raymond Thériège: You are completely right. That is why, as part of the modernization project, we will request—

Mr. François Choquette: Okay but that is a long-term project.

You are telling me that you will meet with Minister Joly soon. Will you tell her that a serious issue must be resolved immediately? Will you tell her that you are receiving complaints against Netflix and that you cannot even take action? Will you tell her that regulations must absolutely be reviewed or a ministerial directive must be launched so that you can do your job?

• (0915)

Mr. Raymond Thériège: At my meeting, I will indeed raise certain important elements related to this.

You are right. As you say, following the Gascon decision, especially with regard to part VII, how can I do my job?

Part VII affects communities more intimately. That is the part that requires federal institutions to take positive measures to support community development.

The definition of “positive measures” is currently unclear. Anything can be a positive measure.

So we are facing a new legal environment.

Mr. François Choquette: You are right. You explained things well regarding the complaint against Netflix in your preliminary report: anything is a positive measure. The action plan is a positive measure. The investment in CBC/Radio-Canada is a positive measure, while in reality, it has nothing to do with Netflix. We all agree.

That is why you must absolutely demand, during your meeting with Minister Joly this week or next week, a ministerial directive and regulations urgently. I think it is your role to ask for that.

We are currently reviewing the regulations. Could we add regulations on part VII to that review, which should be submitted over the coming weeks?

Mr. Raymond Thériège: It is interesting to note that the President of the Treasury Board is responsible for reviewing part IV, while part VII is the responsibility of Ms. Joly's new department.

That only confirms the urgency of modernizing the act.

The Chair: Thank you, Mr. Choquette.

I now give the floor to the member from Nova Scotia, Darrell Samson.

Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.): Thank you very much, Mr. Thériège, and your team. I thank Ms. Saikaley, who did a very good job as the acting commissioner.

Mr. Thériège, as you can imagine, we are very happy to have you with us today to obtain more details on your vision. This is our first face-to-face meeting.

The issue of part VII has been brought up by two of my colleagues. So I will not go back to that.

I would like to go over four points quickly.

The first has to do with federal institutions. I really like the fact that you talked about that a bit in your presentation because it is problematic. For a few years, the issue has been assessment. Who must report to whom to ensure that the act is respected in our institutions.

Can you briefly tell us how we can make sure to be successful within our governance?

Mr. Raymond Thériège: I talked about this earlier, when I provided a brief overview of various approaches used in the past. During our consultations on the modernization of the act, a number of stakeholders made many suggestions on how to ensure better governance. So this is a matter of governance.

We are talking a lot about a central body, but we are not saying what central body it is. It may be the Privy Council or the Treasury Board, but it must be a single entity, a central body, and not a division of responsibilities among various departments.

It is extremely important that this be conveyed to senior officials. It seems clear to me that, if the deputy minister does not encourage the implementation of the act or is not favourable to it, everyone would get that message. So it is extremely important.

Mr. Darrell Samson: Thank you very much.

I really liked what we had in the past. There was one department, deputy ministers and assistant deputy ministers. This tough issue is still on the table now.

The second issue of great importance for me is that of minority communities for which data and research are essential. The amount of research being done lately is not as significant as we would like. That is another issue I want to discuss with the department.

What is your opinion on the census? From now on, its questions will not cover the rights holders recognized in paragraph 23(1)(b) and subsection 23(2) of the Canadian Charter of Rights and Freedoms.

Have you had an opportunity to look into this since you were appointed?

● (0920)

Mr. Raymond Th  berge: Statistics Canada's senior officials came before this committee and made certain commitments regarding new questions. However, one thing is clear: the future of minority communities goes through education. Everything goes through education.

The identification of rights holders is also crucial to the sustainability of francophone school systems.

Mr. Darrell Samson: Thank you, that's very good. You are saying that it is ultimately critical for us to ask these questions in order to obtain data. Thank you so much.

You also touched on another extremely important topic we have been discussing for a long time—federal-provincial-territorial agreements, which are essential. You also brought up early childhood. So I would like you to talk to us a bit about that because, in reality, this is the first time, as far as I understand, that a language provision has been added to a federal-provincial agreement in one way or another. Some will say that it's not strong enough, but that is another issue.

Do you think every department should include that language provision when federal-provincial agreements are signed? How can it be included to ensure that the provinces and territories comply with it? If I was in charge of the portfolio, I should be able to influence the decision.

What do you think about this?

Mr. Raymond Th  berge: My opinion on this issue is very clear. I think we should have language provisions in all federal-provincial agreements. That is part of transparency and accountability principles.

Mr. Darrell Samson: Thank you. You answered my question very well.

I will now talk about services in French. Last year, our government had to impose a moratorium to save 187 federal offices providing bilingual services in Canada, eight of which, I think, were in Nova Scotia. Their existence is based on demographic criteria.

We are currently looking into this from a community perspective. When it comes to the importance of French schools, which you talked about, what have you learned so far? What progress has been made? Would you say that the consultations are going well?

Mr. Raymond Th  berge: We have submitted a special report to Parliament on the official languages regulations and part IV of the act. We have identified certain key principles, but the main reason we have to make those changes is that significant demographic changes have occurred across Canada.

Offices were not necessarily at the right location. It was complex. The way to determine who has a right, and when and how they can exercise it, is very complex.

For example, someone who travels by plane in Canada can go from an airport where services in French are available, board a flight that may provide services in French, but arrive in a place where there are none. So all that is unclear. It is very complex.

I am a bit concerned by the purely mathematical calculation because that is not the only way to measure a community's vitality. I think that we should have vitality criteria focused on, for example, the presence of schools and school centres.

In some regions, everything revolves around these school-community centres. So it should be much simpler. At the end of the day, it needs to lead to greater accessibility. In addition, it must be recognized that communities are not all alike. In some cases, special measures have to be taken to ensure that communities have access to services in French.

We are waiting for the results of the work, and we will respond through a report to Parliament.

The Chair: Thank you, Mr. Samson.

We now go to Mrs. Fortier.

Mrs. Mona Fortier (Ottawa—Vanier, Lib.): Thank you very much, Mr. Chair.

Commissioner, I am delighted to meet you. Although I am new to this table, it is not new for me to participate in the enhancement and development of communities, especially francophone minority communities in Canada. So I am really happy to be able to put questions to you today.

For 50 years, we have had a piece of legislation—perhaps I was not there at the beginning—that requires modernization. I think that the Prime Minister was pretty clear, on June 7 in the House, when he announced a modernization process during question period.

We know that the Senate is undertaking that process. We will do the same. In your role of commissioner, what type of exercise will you do?

We know what your priorities are, and that's very good. I would like to understand what type of vision you have for beginning the process of modernizing the act on your end over the next year.

● (0925)

Mr. Raymond Th  berge: We began that thought process a month ago.

In 2017, relatively informal meetings were held with key stakeholders. Since last April, we have held some 50 consultations, where we met with more than 300 individuals to discuss this modernization, Canadians' priorities, what they want the act to contain, and so on. There was also an online survey completed by 4,200 Canadians. They strongly indicated the importance of the modernization.

The proportion of respondents is noteworthy. Residents of all provinces and territories were invited to participate, about 50% of whom were anglophones and some 40% were francophones. So Canada's population was well represented. Then we analyzed all the briefs that were submitted to the Standing Senate Committee on Official Languages during its study of the act.

This morning, I talked about our principles. I think what would be important to remember, when the government moves forward with this modernization, is that the Office of the Commissioner has 50 years of experience. We know what works and what doesn't. The principles are fairly broad, but they help organize the important parts of the act around them.

A significant thought process will have to be undertaken afterwards on improvements we want to make. We want a very broad modernization that is not only about definitions. It must encompass governance, compliance mechanisms, regulatory frameworks for part VII, and a clarification of obligations and rights in the workplace. As you know, there is an important relationship between communications, service provision and the language of work. If the language of work is respected, the ability to provide services in French and in English will improve.

Mrs. Mona Fortier: You say that the government should undertake a “real modernization”. Do you have any recommendations on that?

We know that a number of exercises are underway. Even our committee will proceed to an examination and will study how the act will be modernized.

Do you have any recommendations for us?

Mr. Raymond Thériège: I will discuss that with Ms. Joly this week. I think it is important for the committee and the government to realize that a great deal of work has already been done. Does it need to be redone? Do all the consultations that have been conducted need to be repeated? I think that key stakeholders could submit presentations to the committee, for example, but I feel that a tremendous amount of work has already been done.

Mrs. Mona Fortier: Great, thank you.

I will come back to the report you submitted—your first annual report.

Ms. Saikaley, thank you for your work during the transition, as we know that this report is the product of a joint effort.

Ms. Ghislaine Saikaley (Assistant Commissioner, Compliance Assurance Branch, Office of the Commissioner of Official Languages): Thank you.

Mrs. Mona Fortier: The report focuses specifically on immigration. That brings us to the issue of language tests for economic immigrants. We know that tests are more expensive for francophones than for anglophones.

Based on your recommendations, how should the government deal with this situation?

Mr. Raymond Thériège: As far as I know, Immigration, Refugees and Citizenship Canada is currently looking into the issue of language tests. The department is looking for different suppliers who would be able to provide tests at a lower cost. We know very well that the cost of tests is a significant obstacle for francophone immigrants. In the federal-provincial-territorial action plan for increasing francophone immigration outside of Quebec, that is part of the department's work. It is trying to find new suppliers.

● (0930)

Mrs. Mona Fortier: Do you think the new action plan for official languages is on the right track regarding development in immigration?

Mr. Raymond Thériège: I'm pleased that there's a comprehensive federal-provincial-territorial plan on francophone immigration, which spans from the time when the immigrants are about to leave their country to when they settled. However, we must still overcome many challenges to meet our set targets. That said, positive steps have been taken in recent years.

Mrs. Mona Fortier: Thank you.

The Chair: Thank you, Ms. Fortier.

Sylvie Boucher, you have the floor.

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Hello, Mr. Thériège. You're meeting with us for the first time.

Hello, everyone.

I've been a member of the Standing Committee on Official Languages for a number of years. The same issues come up quite often.

Mr. Thériège, I don't know you very well. A number of organizations often want the Commissioner of Official Languages to act as a watchdog and to have teeth. You spoke of the three priorities in your mandate. The second priority is to “work with federal institutions and partners.” We're all aware of this issue and we must be honest. Some institutions are resistant to linguistic duality. When you work with federal institutions, there will always come a time when you need to have teeth, stand up and make waves for the benefit of linguistic minority communities. Will you be ready to do so for them and for us? When it comes time to stand up, speak up, play the role of a real watchdog and work with federal institutions, how will you put some teeth into your interventions?

Mr. Raymond Thériège: At this time, we can take a limited number of concrete actions, apart from the actions that enable us to conduct investigations and audits and ensure the implementation of recommendations. Take Air Canada, a repeat offender. We're all very familiar with the issue. In the case of this federal institution, the commissioner doesn't necessarily have the tools to make significant changes.

For 50 years, we've been conducting investigations and follow-ups. We must ask ourselves whether we've been able to change the behaviour of federal institutions. Do we have the necessary tools to change certain behaviours?

In the end, when we talk about federal institutions such as Air Canada or airport authorities, we want to know whether the institutions have changed their behaviour.

Among all the federal institutions, some are very compliant with the commissioner's recommendations. Perhaps the same compliance mechanisms applied to all federal institutions should be set out for Air Canada in the act.

Mrs. Sylvie Boucher: Okay.

In this case, what could help you to have teeth in your role? When I talk about teeth, I'm thinking of the commissioners of official languages who had them.

I'm wondering whether you're able to stand up for linguistic minority communities and act as a watchdog for their rights? That's what we need for official languages.

Mr. Raymond Th  berge: Certainly.

I feel very strongly about this part of the mandate. Honestly, everything we do is for community development. The issue of communications with and services to the public under part VII and the issue of justice are always discussed in terms of community development. If we're not doing it for this reason, then we must ask ourselves why we're doing it.

However, at some point, we must decide as a society whether duality deserves the tools needed to achieve it.

• (0935)

Mrs. Sylvie Boucher: I'll ask my question another way.

You spoke well. We have expectations of the Commissioner of Official Languages. We've toured around and met with many organizations. I must say that our committee is non-partisan. We're all working together for linguistic duality. The Liberals, New Democrats and Conservatives don't show their colours here.

We often hear that you won't make waves. Mr. Th  berge, today I'm asking you without any ulterior motive whether you will stand up and make waves if the linguistic minority communities require you to do so.

Mr. Raymond Th  berge: The answer is yes.

I certainly intend to speak up more often when events in the country are perhaps outside the commissioner's mandate, but are of crucial importance to our communities.

The issue of vigilance has come up again in light of some recent events. We must be very vigilant about the gains that we've made, because we can lose them.

Mrs. Sylvie Boucher: I hope that we'll never lose them. What we've gained belongs to us.

The vitality of linguistic minority communities depends on the fact that we'll stand together and speak up loud and clear to help the communities.

The Chair: Thank you, Ms. Boucher.

Mrs. Sylvie Boucher: Thank you.

The Chair: Mr. Rioux, you now have the floor.

Mr. Jean Rioux (Saint-Jean, Lib.): Thank you, Mr. Chair.

Mr. Th  berge, I'm pleased to meet you. I'm a new member of the committee.

The people whom I refer to as "wise" here are very familiar with the issue and live in minority communities. Personally, I have contact with a certain minority community in my constituency. I'm talking about the Saint-Jean-sur-Richelieu Garrison. Over 5,000 recruits are trained at the Royal Military College Saint-Jean. A microcosm of Canada is found in this area.

Two weeks ago, we participated in a mission in Western Canada. We mainly visited Yukon, British Columbia and Saskatchewan. As I was reading the text of the act, something bothered me. Paragraph (b) of the purpose section states as follows:

support the development of English and French linguistic minority communities

This is part of the act. However, a statistic reported to us in Vancouver showed that four out of five children can't attend a French early childhood centre.

Could we focus on this aspect as part of the modernization of the act? Is that possible?

I believe that, if young people can't integrate into the French system from the beginning, we'll lose them afterward. We can talk about immigration and recruit francophone immigrants. However, if we lose the base that already exists, immigrants won't be interested in integrating into the French system.

Mr. Raymond Th  berge: Obviously, we must ensure that we have the infrastructure needed to accommodate children in preschool and French daycares. The federal government and the provinces have a bilateral agreement on the creation of early childhood centres.

Is there enough funding available to meet the demand? That's another issue.

I believe that early childhood is part of an education continuum. Education starts in early childhood and continues until secondary school.

I don't know whether this type of aspect can be included in the modernization of the act. However, clearly it's one of the positive measures. We must ensure that children have access to French daycares and preschools in minority communities.

• (0940)

Mr. Jean Rioux: You're saying that this aspect isn't currently included in the act. It's part of the federal-provincial agreements on education. I've heard that early childhood funding doesn't necessarily end up where it belongs, and that there's a lack of accountability.

Does your mandate include the task of ensuring that the money ends up in the right place and that minority communities receive the funding allocated to them?

Mr. Raymond Th  berge: When it comes to the action plan, we're very interested in accountability, transparency and ensuring that resources and funding end up in the right place.

We'll analyze the situation and see the extent to which accountability is included in the agreements that we sign. It's extremely important. Some cases end up in court because certain provinces have used funding from one program to fund another program. The federal-provincial-territorial agreements must contain very strong language clauses, and the language clauses must include the accountability aspect.

Mr. Jean Rioux: Some people also told us that, to generate interest in maintaining their francophone culture, there must be a thriving cultural environment.

With regard to the Official Languages Act, is there any type of monitoring to ensure the promotion of anglophone and francophone cultures, as applicable, in minority communities?

Mr. Raymond Th  berge: The cultural development of a community should probably be mentioned in part VII of the act.

One thing is clear. Communities express themselves through culture. That's how they demonstrate their identity. In very small minority communities, it's sometimes difficult to access cultural infrastructure. That's why it's important to have schools and community centres with cultural components and to create francophone spaces where few exist. It's a matter of finding ways to bring francophones together in spaces where they can experience their language and culture. I believe that, if we're considering modernizing part VII of the act, we must include positive measures and cultural development and vitality.

Mr. Jean Rioux: Okay.

The Chair: Mr. Rioux, this concludes your comments. Thank you.

We'll suspend our meeting to take a ten-minute break, then we'll continue our discussions.

• _____ (Pause) _____

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• (0950)

The Chair: Let's resume the meeting. Bernard G  n  reux, you have the floor.

• (0955)

Mr. Bernard G  n  reux (Montmagny—L'Islet—Kamouraska—Rivi  re-du-Loup, CPC): Thank you, Mr. Chair.

Mr. Th  berge, I want to thank you and your colleagues for being here this morning.

Mr. Th  berge, you've been in your position for almost a year now.

First, I want to know whether you like your new job.

Mr. Raymond Th  berge: I'm passionate about my job. It gives me a great deal of satisfaction given where I come from and what I've experienced. I have the opportunity to work in an area that affects Canadian society.

Linguistic duality is a fundamental value of our country. This value is a way to show how open we are to others. I'm privileged to have been appointed to this position and to be able to defend this fundamental value.

Mr. Bernard G  n  reux: We're also privileged to be here, as elected representatives of our citizens.

Mr. Th  berge, I want to follow up on the comment made by Ms. Boucher, who hopes that you'll have teeth in your role as commissioner in the coming years. You talked about tools, without naming any, that could be made available to you. I remember that we've already discussed various aspects that could be included in the modernized act, including coercive measures.

Do you believe in the use of coercion, and if so, for what reasons? How could you apply coercion in different contexts?

Mr. Raymond Th  berge: Let's take another look at the special report on Air Canada. In this context, we mentioned some compliance mechanisms that could be useful to the commissioner.

I think this issue goes further. This shouldn't apply only to Air Canada, but also to other federal institutions. We need certain tools to follow up on our investigations.

Two weeks, I believe, after I started working in my position, I gave some interviews. I was asked many questions about the possible implementation of administrative monetary penalties, and I wasn't comfortable with the idea of imposing these types of measures. However, over time, I've realized that the act needs some teeth. Therefore, we must find mechanisms. Two mechanisms are often suggested. The first is to enter into binding agreements and the second is to impose administrative monetary penalties. It may be new for the Commissioner of Official Languages, but it's certainly not new for other agents of Parliament to have access to this type of compliance mechanism.

There's also talk of setting up an administrative tribunal to make things easier for complainants. The parliamentarians must determine what they want to give the commissioner.

Do we want to change the behaviours, as I said earlier? Have the behaviours changed in the past 50 years? In some cases, yes, and in other cases, no.

If we want this, we need incentives that will help us change the behaviours.

Mr. Bernard G  n  reux: Do these incentives need to be coercive? That's my question, or rather part of it.

Based on your personal values, do you believe that a coercive measure, such as a fine, is needed to change the behaviour of an organization composed of individuals or groups of individuals?

Mr. Raymond Th  berge: I believe that it's always better to ensure compliance through discussions and agreements.

Binding agreements aren't necessarily coercive. The agreement is made between two parties, and it has a time frame and certain conditions. However, it remains an agreement.

Administrative monetary penalties are already being imposed as part of the Environmental Damages Fund. A fund was created to protect the environment. We could do the same thing by establishing a fund for linguistic duality, which would include fines, in order to advance the concept of linguistic duality.

This year, one approach that I'll use with federal institutions consists of meeting one-on-one with senior officials. I'll meet individually with each deputy minister, for instance, to obtain their commitment to official languages. That's also a way of doing things.

In some cases, such as the travelling public issue, many key players are involved. Why not simply hold discussions to resolve the issue? In my view, this aspect goes well beyond the authority of the act in its current form.

•(1000)

The Chair: Thank you very much.

We will now go to François Choquette.

Mr. François Choquette: Thank you, Mr. Chair.

Once again, thank you all for being here today.

I want to revisit the letter I mentioned earlier, from the QCGN and the FCFA. As I said, both groups expressed concern about the fact that they weren't consulted. Why didn't you consult them and how would you approach the situation differently next time? Will you do the right thing and consult them?

Mr. Raymond Thériault: I am an ombudsman; I am independent and have full control over how my office operates. It's all case by case. In this specific case, we took certain steps in order to respect the decision. It is of the utmost importance that the commissioner's office preserve its independence.

Mr. François Choquette: I recognize that you are independent, but I also recognize that you work for the people, as do I, a member of Parliament. While I may be the one who makes the decision in the end, it's still advisable to consult the stakeholders.

The QCGN and the FCFA represent all of the official languages communities and anchors in the country. They need to be consulted so that they can provide another level of insight. Both the QCGN and the FCFA are outraged over the changes you made to your handling of complaints under part VII of the act. I appreciate that you were trying to respect Judge Gascon's decision and the new interpretation, but I still believe you could process complaints using a different approach.

Now, I'd like to come back to the Netflix complaint because, as you know and as I pointed out earlier, I am one of the four complainants. You mentioned the commissioner's powers.

In that investigation, when you asked whether you could see the confidential agreement, you were told no. When you asked for information on the discussions around the Investment Canada Act, you were told no as it was all reportedly confidential. You are nevertheless managing to draw some conclusions. I have trouble understanding how you can possibly arrive at the right conclusion without access to any of the information.

I find it especially difficult to understand how that's possible since you are now limiting your involvement to respect the Gascon decision, recognizing that it isn't the ideal situation. You could say what would be ideal, but you're basing your findings on the current state of affairs. As I see it, you should consult the politicians here at this table, as well as Minister Joly and the parties concerned, to reconsider how you examine complaints, but I don't know whether you will.

Mr. Raymond Thériault: I'll repeat what I said. We work on a case-by-case basis, and we'll look at how we can proceed going forward.

There's something I'd like to clarify. You're right that we didn't have access to some information, but it wasn't essential in order to determine that the complaint was not valid.

Canadian Heritage had not done its job because, in terms of the answers provided, certain gaps remained regarding the \$25-million allocation. Who did the money go to? Did it go to the English-speaking community in Quebec, the French-speaking communities outside Quebec or both?

Above all, however, we were not able to clearly show that the agreement had had a negative impact on the communities. That's the crux of Judge Gascon's decision. That doesn't mean that there won't be a negative impact in the future, at which point, a new complaint could be filed. The act very much limits what we can do in that area.

•(1005)

Mr. François Choquette: At the end of your report, you explain that no procedure or mechanism is specifically set out to take into account part VII of the act. You were talking about Canadian Heritage. You suggest that, when evaluating potential cultural investments, like that of Netflix, the department may not be able to proactively anticipate possible negative impacts on the status of French and English, as well as on the development and vitality of official language minority communities.

Certain media organizations saw that explanation in your report and concluded that Canadian Heritage had been cleared, albeit not exactly beyond reproach.

Mr. Raymond Thériault: In the course of the investigation, we did indeed find that no mechanism, policy or procedure was in place to measure the impact of those decisions. We are eager to study the issue so we can start developing the necessary tools to better measure the impact on communities.

The Chair: Thank you, Mr. Choquette.

It is now Mr. Clarke's turn.

Mr. Alupa Clarke: Thank you, Mr. Chair.

Commissioner, we've been told that the language component of the court challenges program has been on hold since March. Have you heard anything about that?

Mr. Raymond Thériault: When the news came out, we were overjoyed that the court challenges program was going to be reinstated, but we are still waiting. Nothing has been announced regarding the expert panel that is supposed to be set up to evaluate applicants' requests.

This is an unacceptable delay. Many people have been waiting a long time to apply for funding under the court challenges program. I have no idea why we are still waiting for members of the expert panel to be appointed.

Mr. Alupa Clarke: Thank you for your answer.

Let's talk about compliance now. I'm glad to see that your views on that issue have evolved. If the government decided to add enforcement powers to the Official Languages Act, would you prefer that they be given to the commissioner or an administrative tribunal?

Mr. Raymond Thériault: I can't say what I would prefer, as I still don't know. It's clear to me that we need the tools to follow up on our recommendations, but I still haven't decided whether the best way to do that is by creating an administrative tribunal or giving the Commissioner of Official Languages broader powers.

Mr. Alupa Clarke: I was also very glad to hear you say that the implementation of part VII of the act and the regulations made under it should not depend solely on a community's numbers, but should also depend on qualitative criteria such as the presence of schools. I believe a public consultation process is under way. Has the department consulted you on the matter? Did it ask you to recommend qualitative criteria that could be used?

Mr. Raymond Th  berge: Yes, we did provide our recommendations.

Mr. Alupa Clarke: Would you be able to forward those recommendations to the committee or, at least, think about it and let us know later?

Mr. Raymond Th  berge: Absolutely.

Mr. Alupa Clarke: Will you have the opportunity to review the list of qualitative criteria before it goes to the Governor in Council and before cabinet makes its final decision?

Mr. Raymond Th  berge: No.

Mr. Alupa Clarke: It would certainly be a good thing if you were able to review the list. The same goes for us, the committee members. We could even meet to study the matter.

Switching gears, I want to say that words matter. You urged the government to undertake a "meaningful modernization of the Official Languages Act". Are you concerned that any modernization of the act will merely be superficial? What would constitute a "meaningful modernization" of the act?

Mr. Raymond Th  berge: Anytime there is talk of modernizing legislation, we always worry that our expectations and those of the community will not necessarily line up with those of the government in power.

What I mean by "meaningful modernization" is that the first step has to be understanding what the flaws in the existing act are and, then, figuring out how the act can ensure communities' development and future in a meaningful way. The only way to do that is to make major changes, whether that means changing the regulatory framework associated with part VII or better aligning parts IV and V. Those kinds of changes will affect how federal institutions operate, to be sure. All that to say, the modernization must bring about real change.

• (1010)

Mr. Alupa Clarke: Thank you.

I have one last question. No matter what people say, the proportion of francophones in Canada is continuing to drop. Twenty or so years ago, we made up 25% of the population, but today, we account for just 23%. That's alarming to me because the notion of our founding peoples is fundamental to the country. Will francophones disappear altogether one day? I don't think so, because of Quebec.

Under the immigration plan, 4.4% of newcomers are supposed to be French-speaking. I would call it a theoretical target, one that takes serious political leadership. If I was immigration minister, I would immediately tell my staff that the mandatory target for next year was 5%. It wouldn't just be a theoretical number. Were you involved in the discussions leading up to that plan? What are your thoughts?

I am being absolutely serious when I say that we have to bring French speakers into the country. The situation is dire.

Mr. Raymond Th  berge: I had a very productive meeting on the subject with the minister and some members of his team, who confirmed to me that he was taking action but that the targets weren't being met. As long as we continue to fall short of the targets, the proportion of francophones in Canada will continue to decline, as you pointed out.

The number of francophones is far lower than their demographic weight. That demographic weight has to be kept up, and for that reason, we will continue to hold discussions with Immigration, Refugees and Citizenship Canada officials. We want to make sure that the department follows through on the plan. Although, some progress has been made, mainly through the express entry system and the francophone mobility program, the targets haven't been met, and the department is very much aware of that.

The Chair: Thank you.

[English]

We'll go now to Emmanuella Lambropoulos.

Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.): Thank you very much for being here with us today.

I am new to this committee, too. As you can hear and see, I bring a different perspective.

I would like to ask you about the report. In the report, you mention that the QCGN and English-speaking Quebecers raised concerns that they aren't always able to find work in federal civil service. We know that the percentage of anglophone Quebecers is much higher than the percentage of anglophone Quebecers working in federal service within Quebec, so there's clearly a disparity there.

I'd like to know what changes you can recommend to make part XI of the act clearer for stakeholders to understand.

Mr. Raymond Th  berge: Work has been done with the federal council in Montreal to try to encourage greater participation of English-speaking Quebecers in the federal public service. That's on the table. I think there are also a lot of other issues right now around the English-speaking minority in Quebec which we have to look at.

We had somebody working one day per week on a project to try to increase the participation rate of anglophone speakers in the public service. It's a challenge. Our colleagues in the departments are aware of that.

• (1015)

Ms. Emmanuella Lambropoulos: Thank you very much.

I would imagine a lot of these offices are in regions outside of Montreal, where there are fewer anglophone Quebecers. What are some ways that we can attract or promote these jobs for the anglophone Quebecers?

Mr. Raymond Th  berge: The strategy is always to try to attract locally. As you well know, attracting people from other areas could be a challenge on the North Shore and a few other places. It's important that the recruitment process happen within those communities and that we make sure that the skill sets are available in those communities to carry out the work.

One of the challenges in some of these remote areas is the fact that the population is declining. People are moving to larger centres, so we have to retain the people who are there.

Ms. Emmanuella Lambropoulos: As you know, our committee will be looking into the action plan and trying to make changes to it. Unfortunately, the aspects that we will be reviewing—early childhood, immigration and justice—are mostly in the control of the provincial government. How can we ensure that these changes also improve the rights and access to services of anglophone Quebecers?

We're not exactly sure what direction the current provincial government may take. What are some protections that anglophone Quebecers will have through this action plan?

Mr. Raymond Th  berge: One of the things that are important to retain is that in the areas of health and education, for example, even if they are of exclusive provincial jurisdiction, there are important federal contributions to those programs. It is very important that we have the kinds of agreements—we were talking earlier about linguistic clauses—that ensure the English-speaking minority of Quebec gets access to their services, whether it's health care, education or justice. There are new dollars in the new action plan specifically for the English-speaking minority in Quebec.

Ms. Emmanuella Lambropoulos: For my last question, even though you've answered it a bit, I'd like us to realize that at one point the federal civil service and the people who work in these federal agencies within Quebec are perhaps in some ways the problem as to why more anglophones aren't working in these areas.

How can we make the act hold people more accountable for following the rules and following what's said in the act? As my colleague mentioned earlier, official minorities need a watchdog. You act as that watchdog. What would you recommend to make it better for minorities?

Mr. Raymond Th  berge: I think that in section 5 of the act, which deals with language of work, we have to better define the obligations of the act and make sure they're enforceable.

Ms. Emmanuella Lambropoulos: Thank you.

[Translation]

The Chair: Thank you, Ms. Lambropoulos.

It is now Mr. Choquette's turn.

Mr. Fran  ois Choquette: Already?

The Chair: Yes, already.

Mr. Fran  ois Choquette: Mr. Chair, I'd like to skip my turn, if I may.

The Chair: Very well.

We now move on to Darrell Samson.

Mr. Darrell Samson: Thank you, Mr. Chair.

Commissioner, I'd like to discuss the 50th anniversary of the act, which is coming up next year, and the reports that have been released over the past decade, namely those of your predecessor. It seems to me that we would do well to revisit the recommendations in those reports in order to take stock of the progress that's been made and recommend next steps to Canadians. I imagine you've already begun

to give it some thought, but I'm very curious to hear what your vision is, how you plan to organize the report that will coincide with the act's 50th anniversary, and what key points you intend to address.

• (1020)

Mr. Raymond Th  berge: Thank you for the question.

As you pointed out, next year will mark the 50th anniversary of the Official Languages Act. I can remember when the act came into law. Many things have changed over the past 50 years.

In the report, which we are already working on, it will be important to highlight the progress that's been made, because there has, in fact, been progress, particularly in the education and justice arenas. It will be equally important, however, to clearly identify the challenges that lie ahead. The report will recognize that, yes, some progress has been achieved, but that much more remains to be done. Clearly, the forces that drive a community's vitality will not change. Whether we are talking about demographics, culture, education or justice, those forces are the foundation on which communities are built.

The report will also address linguistic duality for the majority. It's a notion that must belong to all Canadians. As I touched on earlier, we must never take anything for granted. We must never stand still or let down our guard because to do so in a minority community is to go backwards.

The report will lay out how we need to position ourselves for the next 50 years, and the Official Languages Act will play a key role in that.

Mr. Darrell Samson: Am I to understand from your answer that you are likely to identify areas where progress has been insufficient or pressures communities currently face, as well as solutions to address them?

Mr. Raymond Th  berge: Yes, precisely.

The benchmark for progress depends on the area we are talking about. In some areas, such as early childhood development, we've seen considerable progress, but in others, that hasn't been the case.

In my report, I will outline where things stand, and determine where we are headed versus where we should be headed. I will also lay out the challenges we will have to overcome.

Mr. Darrell Samson: That's informative. In education, we would call that a summary. An initial summary would list all of the objectives, and a second summary would outline the results and new objectives for the next period.

When can we expect to receive the report?

Mr. Raymond Th  berge: In May 2019. It will be released earlier in the year than in the past.

Mr. Darrell Samson: Thank you.

The Chair: Thank you, Mr. Samson.

It is now over to Mrs. Fortier.

Mrs. Mona Fortier: Thank you very much, Mr. Chair.

I'm from the National Capital Region, Commissioner, and I represent the riding of Ottawa—Vanier. I paid very close attention to the talks between the Ontario government and the City of Ottawa on the issue of making the national capital officially bilingual. I'd like to hear your thoughts. Do you think it's possible to strengthen the Official Languages Act as it relates to the National Capital Region and the meaningful role it plays as an officially bilingual city?

Mr. Raymond Th  berge: The city of Ottawa is a very strong and powerful symbol for Canadians. It is the nation's capital, a city that should, in my view, reflect the country's linguistic duality, at the very least.

The bill passed by the province recognizes that the City of Ottawa's bilingualism bylaw satisfies the requirements set out in Ontario's French Language Services Act. I hope, then, that my provincial counterpart, Fran  ois Boileau, will be dealing with the matter.

The preamble of the Official Languages Act mentions the national capital region. What I find a bit surprising is that Ottawa did not embrace the principle of linguistic duality on its own, before it was thrust upon the city. By the way, the municipality had access to funding to advance official languages but did not use the money.

How is it that funding to support the development of French-language services in the City of Ottawa is available, but no one applied for it. This is where the situation stands: the preamble of the federal act refers to the city's bilingual character, the provincial act officially recognizes it and the Department of Canadian Heritage has made funding available to support it.

• (1025)

Mrs. Mona Fortier: Wonderful, thank you. I wanted to hear your take on the issue. I imagine that, over the next year, you might look into strengthening the role of a bilingual national capital, not just in the preamble, but also in other parts of the federal act. I would look forward to hearing any suggestions you might have.

Now, I'd like to turn back to the topic of immigration, something that's been on everyone's mind in recent years. As we all know, the previous government had set a target of 4.4% for francophone immigration outside Quebec in the economic class, but the target wasn't reached. We have a target of 5%, so we need to find ways of achieving it. The official languages action plan for 2018-2023 sets out significant resources, as well as an approach that is aligned with the target. Is there a vision or method you would recommend for identifying positive measures? We've been talking about positive measures for some time now. They could help not only to bring the target within reach, but also to measure progress.

Mr. Raymond Th  berge: In terms of immigration, the simple measure is the number of French-speaking immigrants who settle in Canada. The action plan proposes a francophone path to integration for newcomers that starts before they arrive in Canada and continues until they settle.

Welcoming immigrants to Canada is an important element. I have lived in different regions and I can tell you that communities in different regions welcome immigrants in different ways. It is one thing to attract immigrants to regions, but it is another to retain them. It is important that all regions and communities benefit from francophone immigration, whether in Acadia or Winnipeg. It is

important to attract francophone immigrants. It is therefore extremely important to raise awareness among host communities.

Ultimately, if francophone immigrants are found only in large urban areas, small francophone communities across Canada will suffer. The same is true in Quebec, where one of the challenges related to immigration is the accessibility of French-language training. That's a problem.

Mrs. Mona Fortier: Thank you.

I'm done, Mr. Chair.

The Chair: Thank you, Mrs. Fortier.

Mr. G  n  reux, you have the floor.

Mr. Bernard G  n  reux: Thank you, Mr. Chair.

Mr. Commissioner, I would like to come back to the modernization of the Official Languages Act.

On page 11 of your report, it is mentioned that in November 2016, the government announced its decision to review the Official Languages Act. There are two paragraphs that talk about discussions, preliminary consultations, reflections that need to be considered, an expert advisory group. After that, we are still talking about informal consultations, exchanges and so on.

This government is a master at consulting, but it does not always act. That is what we are seeing with the court challenges program, which was announced a year and a half ago. A year and a half later, a group of experts has still not been formed.

In 2019, it will be the 50th anniversary of the Official Languages Act, but it is clear that the act will not yet have been amended, given that there are about eight months left before the next election is unofficially called.

What is the state of play? Do you think the government could give itself a timetable for modernizing the act?

• (1030)

Mr. Raymond Th  berge: It is up to the government to set a timeline. Given all the work that has been done to date and the fact that the Senate committee will be tabling its study in May, we will certainly have completed our work, and our position will be very clear. The FCFA and QCGN will also have done their job.

This does not require a very broad new consultation. This is optimistic, but I would like to see the modernization of the act completed in 2020.

Mr. Bernard G  n  reux: To date, the Standing Committee on Official Languages hasn't been asked to make an official decision or, at the very least, to consider the renewal of the act. Do you think our committee should be a stakeholder in this review?

Mr. Raymond Th  berge: The committee has an extremely important role to play in the modernization process. You are the ones who are able to communicate with your colleagues on this. You have a crucial role to play in the process of the modernization of the act.

Mr. Bernard G  n  reux: Beyond communicating with our colleagues about the modernization of the act, shouldn't we be a stakeholder in the analysis process?

Mr. Raymond Th  berge: Absolutely.

Mr. Bernard Généreux: At the beginning of your opening remarks, you talked about new technologies. It can be seen that the modernization of the act takes time, and its implementation will also take time. Meanwhile, however, technologies are evolving.

I would like to draw your attention to a very important element of technologies and their application: artificial intelligence. I would like you to consider the potential impact of artificial intelligence when making your recommendations on the modernization of the act, whether they relate to the regulations of the act or something else. Two years ago, we talked about translation problems, translators, interpreters and all that. Some MPs were using Google Translate, and it wasn't working well. Ms. Saikaley will remember that.

I think artificial intelligence will go much further. We must therefore ensure that the technologies will make it possible to maintain the current quality of both English and French in Canada.

Mr. Raymond Thériault: I had a few meetings with people from the Translation Bureau to discuss translation using artificial intelligence.

A certain level of quality has been achieved, but in my opinion, this level is not sufficient to ensure that the French and English versions are of equal quality.

Technology offers opportunities, for example, for service delivery. Websites in both official languages work very well, whether it is for online forms or something else. On the other hand, translations made using Google Translate lead to confusion. Moreover, it is clear that the French and English versions are not of equivalent quality.

There are possibilities. The act must be dynamic and evolve with the technologies, but unfortunately I have the impression that it will always be a little behind the technological developments.

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

Mr. Choquette, you have three minutes. This will be the last intervention.

Mr. François Choquette: Thank you, Mr. Chair.

I have talked a lot about Netflix today, but now I'd like to talk about minority media, which is in a very serious crisis right now.

The announced plan has been the subject of some criticism. For example, an editorial by Sophie Gaulin, editor of *La Liberté*, entitled "Who does Mélanie Joly think we are?", stated:

The bad news came through the Minister of Tourism, Official Languages and La Francophonie, Mélanie Joly. National Newspaper Week (October 1-7) [so, very recently] was well under way when on October 4, the minister decided to bring her good news to journalists. Her attempt to try to make Canadians believe that Justin Trudeau's government was intended to help the local and regional press.

Ms. Gaulin explained that the situation is getting out of hand, that there aren't many new measures and that, in western Canada, the \$4.5 million over five years for internships has its limits.

I'll return to what Mr. Généreux said about technological developments, which create new challenges in terms of compliance with the Official Languages Act. Of course, we are talking about modernizing the act, but what challenges do we need to overcome in areas such as Netflix, newspapers and minority media?

These media face great challenges and advertisements slip through their fingers. The government used to advertise in these media, but now there are almost none. I would like to hear from you about this case, which follows the Netflix case.

●(1035)

Mr. Raymond Thériault: The issue of minority media is related to the technology issue we discussed earlier.

Let's be honest, the printed version of the newspaper *La Presse* was unable to survive due to significant changes in its advertising revenues. The publisher of *La Presse* said that Google was going to look for \$1.3 billion in advertising revenue, an amount that used to go to traditional media.

I followed the evolution of the newspaper *La Liberté*, which was previously *La Liberté et le Patriote*. Do such minority media, which are very small, have what they need to survive the technological shift?

The action plan has two components. On the one hand, it provides \$4.5 million for internships, but I think the main need for the media is operating funds. There are not many trainees trained in the West. On the other hand, there is \$10 million, and I have no clear idea what it will be used for.

French and English-language media in minority communities are currently experiencing a crisis. Their model is very difficult to maintain under current conditions, especially with respect to advertising revenues.

The Chair: Thank you, Mr. Choquette.

Mr. Commissioner, I would like to thank you and the members of your team very much for that splendid presentation and your frank and direct answers to the questions of committee members. Your first appearance is a great success. Thank you very much for enlightening us.

We are going to suspend the meeting for a few minutes to go in camera to discuss committee business. I would ask those who are not attending the in camera part of the meeting to leave the room.

Mr. Raymond Thériault: Thank you very much.

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