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## **Standing Committee on Official Languages**

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**EVIDENCE**

**Thursday, February 16, 2017**

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**Chair**

**The Honourable Denis Paradis**



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• (1105)

[Translation]

**The Chair (Hon. Denis Paradis (Brome—Missisquoi, Lib.)):** Colleagues, we are ready to begin. I now call the meeting to order.

Before we go any further, I have a budget request for you. The motion reads as follows:

That the proposed budget in the amount of \$12,300, for the study of the issues related to the enumeration of rights-holders under section 23 of the Canadian Charter of Rights and Freedoms, be adopted.

The expense form provided by the clerk proposes a \$12,300 budget for this study. Is it the pleasure of the committee to adopt the budget?

**Some hon. members:** Agreed.

**The Chair:** The budget carries with unanimous consent.

**Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.):** Mr. Chair, I have a question.

I see on the form the “witness expenses” section. Is that for witnesses who will come to meet with the committee?

**The Chair:** Yes.

**Ms. Linda Lapointe:** Very well. I was just wondering who it was for.

**The Chair:** Okay.

The budget is adopted, then.

Pursuant to Standing Order 108, the committee is resuming its study of the issues related to the enumeration of rights-holders under section 23 of the Canadian Charter of Rights and Freedoms.

[English]

It's our pleasure to have with us today the Quebec Community Groups Network with Geoff Chambers, vice-president, and Sylvia Martin-Laforge, director general.

[Translation]

Also joining us, from the Quebec English School Boards Association, we have executive director Marcus Tabachnick, accompanied by another official.

Each group will have 10 minutes for their presentation. We will then proceed with questions and comments from the committee members.

Let's get started with the people from the Quebec Community Groups Network.

**Mr. Geoffrey Chambers (Vice-President, Quebec Community Groups Network):** Good morning, Mr. Paradis, Mr. Nater, and Mr. Choquette.

[English]

Good morning, members of the Standing Committee on Official Languages. I'm Geoffrey Chambers, vice-president of the Quebec Community Groups. With me today is our director general, Sylvia Martin-Laforge.

Members of this committee are intimately familiar with the central role that education institutions play in the preservation of our official languages minority communities. Some of you have had leadership positions in these institutions, others have children enrolled in a minority system, and all of you continue to demonstrate an interest in and an understanding of the challenges these systems face, and in exploring ways in which the federal partner can help them survive.

The QCGN is here today to lend our support to the recommendations of the Quebec English School Boards Association and Fédération nationale des conseils scolaires francophones on how the census can be improved to improve planning and aid policy development in support of linguistic minority school systems. Both organizations have pointed out the importance of reliable, objective data on the numbers of rights holders under section 23 of the charter. This is data that is not always in the province's or territory's interest to collect.

Without doubt, a linguistic minority community cannot exist without schools that it manages and controls and without the structures that are required to manage and control those schools. It can neither manage nor control these institutions, nor hold provinces and territories to account, without accurate data that reflect our minority language education rights as defined in section 23 of the charter.

We offer the following recommendations to the committee for its study on the enumeration of section 23 rights holders.

One, focus on identifying and enumerating current and future rights holders. Do not get sidetracked in this exercise into investigating who is or is not a member of the English- or French-speaking communities in various provinces. These are also important questions, but definitional discussions that are accompanying the Treasury Board's current official language regulatory review should focus on rights holders. Data regarding minority language education is useful only when rights holders are solely evaluated. In other words, we can't make a recommendation or an argument to our provincial governments based on data that is not symmetrical with the rules of access. We do care about the rules of access, and under other circumstances we might be talking to you about them, but in regard to what we're hoping the census can provide for us, it is data on rights holders that is vital and that is not currently collected and not available to us from other sources.

Two, Statistics Canada must seek competent legal opinion in designing questions that enumerate section 23 rights holders. The resulting opinion must be publicly available to help all stakeholders in the discussion, including you, understand the complexity of minority language education rights. If you do not know who current and future rights holders are, how can you count them, and then how can you argue for services that they are going to require? Investment and establishment of resources can only be done efficiently if the data is good.

Three, during Tuesday's committee hearing, Monsieur Généreux asked Statistics Canada about the feasibility of adding a question to determine parental language of instruction preference for their children. We think this is a very interesting idea that should be pursued.

QCGN has a close relationship with Statistics Canada, which has an excellent consultation record with our community. We look forward to working with them on the questions that arise from our need to understand the matters that are being studied by the committee.

Thank you for today's invitation. I look forward to working with this committee and all that it does to support Canada's English and French linguistic minority communities.

• (1110)

**The Chair:** Thank you very much, Mr. Chambers.

We'll go now to Association des commissions scolaires anglophones du Québec.

Marcus.

**Mr. Marcus Tabachnick (Executive Director, Quebec English School Boards Association):** Mr. Chairman, Mr. Vice-Chairman, and members of the committee, I am Marcus Tabachnick—not that easy to say, but that's what it is—executive director of the Quebec English School Boards Association.

First and foremost, on behalf of our president, who unfortunately got bogged down with car problems on the way here and is not able to make it today, the Quebec English School Boards Association thanks you for the invitation to appear before this committee to discuss the study on enumeration of rights holders under section 23 of the Canadian charter.

The Quebec English School Boards Association welcomes this opportunity to engage in a discussion with you on a topic that is so critical to our minority community. We stated in our previous appearance before this committee how important it is to consult with the English community of Quebec and for us to be fully recognized as a minority language community as defined by the Canadian Constitution and the Charter of Rights. We must remind you that the Province of Quebec does not recognize our status as a minority language community, so these opportunities to meet with you are of special importance to us.

Our association represents the nine school boards plus one special status school board in Quebec, composed of approximately 340 schools and just under 100,000 students.

Education is not only the cornerstone of any society, it is the key element for the vitality and longevity of minority language communities. Our community is struggling to maintain our institutions and even our critical mass. Our rights in education are entrenched. The fragility of our community, though, is heightened by the fact that Quebec refuses to sign on to paragraph 23(1)(a) of the charter, which would provide some much-needed access to our schools to help maintain them, especially our small schools outside of the major urban areas.

We cannot overemphasize the importance of reliable data on the number of rights holders who are in Quebec under section 23. In Quebec, over roughly a 45-year period, or since about 1971, our school population in the English sector has declined from over 250,000 students to 99,500 today, or about 100,000 students, which represents about a 60% drop in enrolment.

The bigger problem for us is that our youth sector continues to decline. Currently our adult and vocational sectors are growing and keeping our numbers stable, but it is our youth sector that is going to sustain our system, not the adult sector.

The current data gathered is not necessarily representative for our minority community when gauging English public schooling eligible families. The Supreme Court of Canada has been clear in indicating that section 23 rights are applicable where numbers warrant. Given the numbers and size of the English community in Quebec, we are entitled to the maximum service given for education in any province.

We also have many different cultural communities in the province, and when asked, these communities would more than likely deem the English language as their preferred day-to-day language but not necessarily as their language spoken at home or the first language learned.

We never have a proper estimate, not only for our community as a whole, but more specifically for our education institutions, when seeking English eligible students. Many rights holders choose to send their children to French schools, private schools, or religious schools, and never apply for a certificate of eligibility for English education. It's based on the numbers of certificates of eligibility that the numbers of potential rights holders are provided to us as data from the Quebec government. As such, many Quebec children are never counted as potentially eligible. Of course, this has a long-term effect on planning, on the school distribution plans we prepare, and, of course, on any outreach or marketing efforts we make to engage people into our system.

The current census does not properly represent an accurate count of the minority rights holders under section 23, and it is the only form we can use as a base for the number of English eligible children in Quebec.

• (1115)

We need to be able to identify our potential clientele. The census does not currently include a question to parents on their own language of instruction and whether it was completed in Canada, including whether they completed elementary or secondary in English or French.

Reliable data on the number of children with at least one parent with rights under section 23 are necessary in order for the purpose of that provision to be fulfilled. The Supreme Court of British Columbia in a ruling last fall deemed that the Province of British Columbia had to collect that type of data. It is clear, however, that the simplest, most effective, and most reliable way to provide access to such data is through the federal census.

Moreover, such data should be collected for the entire country to provide numbers of rights holders in specific areas such as school catchment areas, which only the federal census can do. Therefore, the Government of Canada through the census is the level of government in the best position to ensure that minority school boards and also provincial and territorial governments have reliable data on the number of rights holders.

We're suggesting three potential areas for questions: language spoken at home and mother tongue; whether either or both parents' education was in English in Canada and to what level, whether elementary, secondary, or post secondary; and the number of landed immigrants or new Canadians who have had their education in English outside of Canada.

As we build a case for better access to English schools, that's the type of data we'll need in order to make those arguments for the long-term vitality and viability of our English school network.

Again, we thank you and we look forward to the exchange with you and to continuing discussions into the future.

**The Chair:** Thank you very much for your presentation.

We'll start this round of questions or commentaries with Bernard Généreux.

**Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC):** Thank you, Mr. Chair.

Thank you, witnesses, for being here this morning.

Thank you for saying I had a good idea. The question I had asked Mr. Corbeil was about kind of a survey question.

Of course, as he said, it's a two-sided knife, or whatever is the expression in English.

**Mr. Geoffrey Chambers:** It's a double-edged sword.

**Mr. Bernard Généreux:** Okay.

It's because you would get some data and it would put the emphasis on what the people want. Of course, if you ask someone what they want, they're probably going to tell you more what they would like to have but they are not necessarily allowed to have it, and that's the difference.

Mr. Corbeil didn't really agree. He was afraid of what he could get as data if he were to ask a question like this.

**Mr. Geoffrey Chambers:** Well, there's no question that it could capture a certain portion of the population who aren't rights holders but who would like to be rights holders. I don't think that data is irrelevant to the discussion, so I do think it could create some confusion and challenge to some traditional positions. But I don't think if it's truly the state of play politically, in terms of community individual positioning regarding language questions, that those are bad facts to have on the table, because deciding that we don't want to know that isn't constructive.

So I think you're approaching it correctly. Solving the policy questions that arise from that is a long-term project, but we're going to address those policy questions anyway, so why not do it with facts?

**Mr. Bernard Généreux:** Exactly what would you change in the survey or in the collection of data in order to get more efficient data?

**Mr. Geoffrey Chambers:** We think a question of the sort that you suggested would make sense. Getting more deeply into the technical matter of how to structure such a question is something we try to be careful about. We know that structuring census questions is a technical matter that Statistics Canada is very good at, and we don't have that kind of academic background. We wouldn't want to be the party responsible for drafting the actual question. I think getting at the facts in that area would provide us with useful information.

As I think we mentioned in our presentation, we have a high degree of trust in Census Canada. If they're given the instruction to do this, they'll know how to do it, and they'll do a good job of it.

• (1120)

**Mr. Bernard Généreux:** Mr. Tabachnick, I was going to ask you a question about the numbers you gave us with regard to the decline from 250,000 to 100,000. Over how many years did this happen, and was this in the seventies?

**Mr. Marcus Tabachnick:** It was from the seventies.

**Mr. Bernard Généreux:** In the seventies a lot of people flew to Toronto after the—

**Mr. Marcus Tabachnick:** There are all kinds of reasons behind it. In the 1970s, when there weren't the same restrictions there are today, about 55,000 of that population were what today we would call non-English non-French allophones, and about another 30,000 were actually French-speaking families who chose to send their children to English schools. You had 175,000 or so students who today would still qualify under the current rules, and then you had the mix of the others. We just don't have access to the others any longer.

So yes, people left Quebec. Many English-speaking people did leave Quebec, but that population has fallen by more than 50%. If you take out the adult section of our school board, you're looking at about an 80,000 to 85,000 youth sector compared to 175,000 previously.

**Mr. Bernard Généreux:** People say that most youth in Quebec are more bilingual than they have ever been before. Do you think it's true?

**Mr. Marcus Tabachnick:** It's absolutely true. You just have to spend a few minutes in many of our playgrounds and you'll see that our children and young people are speaking on one side to a friend in English, on the other side to a friend in French, and over there to a friend in another language, even.

**Mr. Bernard Généreux:** Why do you think that kind of situation has happened among the youth, mostly in Montreal or maybe a little bit in Quebec as well, but I think in Montreal mostly? Is it because of the immigrants, or what would be the reason our children are more bilingual than ever?

**Mr. Marcus Tabachnick:** We're a system that has to respond to the needs of the families we serve. There is a need. In order for us to keep our young people in Quebec, they have to be able to speak and live and work in the French language. The English system has gone to great lengths to ensure that there is a good bilingual program in every school. We have all versions of bilingual programs, including intensive, which starts from kindergarten.

**Mr. Bernard Généreux:** Yes, exactly, and by the way, I went into some schools in my riding, and now it has been three years since they have changed the system. Now they have started to learn in the second or third grade or something like that.

**Mr. Marcus Tabachnick:** Yes.

**Mr. Bernard Généreux:** The kids were impressive in English and I was very surprised. I'm in the most French riding in Canada, probably, so that was interesting.

**Mr. Marcus Tabachnick:** Maybe I'm older than most of you, but when I went to elementary school we got 45 minutes a week in French. Today up to 90% of a student's day may be in French. So we are creating bilingual students, absolutely. It's a goal that all of our school boards have.

As you know from your riding, we have a lot of mixed families— one parent French, one parent English. A lot of those families don't even know they're rights holders.

•(1125)

**Mr. Bernard Généreux:** Well, I'm about the only one in my riding, so....

**Voices:** Oh, oh!

**Mr. Marcus Tabachnick:** The reason we're asking for this type of data is that many people don't know they have a rights holder in the family, so they never even look to the English system. We need to know who is out there, and right now we don't have that information.

**The Chair:** Thank you.

We'll go now to Linda Lapointe.

[Translation]

**Ms. Linda Lapointe:** Good morning.

[English]

Welcome. I am very happy that you are here with us today.

I'll speak to you in French, because it's easier for me to ask you specific questions.

[Translation]

Are you able to determine how many rights holders can attend English-language schools? Do you know the exact number?

**Mr. Marcus Tabachnick:** We have 100,000 students in our system already; somewhere between 15,000 and 20,000 students attend French-language school because that is what their parents chose.

**Ms. Linda Lapointe:** Do those figures come from Statistics Canada or the Quebec government?

**Mr. Marcus Tabachnick:** They come from the Quebec government, which tells us what our population size is, including how many children with certificates of eligibility are in the French-language system. Those are the only numbers we have.

**Ms. Linda Lapointe:** Earlier, you mentioned the possibility of including exogamous couples, where one parent is anglophone and one is francophone. Do you think the children of those families are among the 120,000 students?

**Mr. Marcus Tabachnick:** A portion of them may be, but many families do not know they have a rights-holder. That is the case even today, even though Bill 101 has long been in force. A lot of people just don't know.

**Mr. Geoffrey Chambers:** We are calling for the collection of more accurate figures, scientifically speaking, precisely because the numbers are not reliable.

**Ms. Linda Lapointe:** At a meeting this week, representatives of the French-speaking community outside Quebec told us that it was hard to get reliable data from the census. Unless I'm mistaken, you would like the census to include more detailed questions to ensure that it takes everyone into account.

**Mr. Marcus Tabachnick:** It's very important to us that we know how many people there are. We need the real figures. It's a matter of planning for us. There are numerous cases.

We have 340 schools, and more than two-thirds of them have fewer than 200 students. Those 200 schools with fewer than 200 students are at risk of being closed. Many schools are facing closures.

**Ms. Linda Lapointe:** You know, my riding is home to McCaig Elementary School, Rosemere High School, and Lake of Two Mountains High School. I have these schools in my riding, but I have to say that the English-speaking population is large enough that it sends its students there. As soon as you get into the Upper Laurentians and the Lanaudière region, it's a problem.

**Mr. Marcus Tabachnick:** Laval is an exception.

**Ms. Linda Lapointe:** I didn't mention Laval because I know things are fine there.

**Mr. Marcus Tabachnick:** The Laval area is an exception to the rule.

**Ms. Linda Lapointe:** Are you familiar with the Survey on the Vitality of Official-Language Minorities, conducted in 2006?

**Mr. Marcus Tabachnick:** I am not.

**Ms. Linda Lapointe:** What about you, Ms. Martin-Laforge?

**Ms. Sylvia Martin-Laforge (Director General, Quebec Community Groups Network):** I am familiar with it, having worked in the federal government at the time.

Are you referring to the post-census survey?

**Ms. Linda Lapointe:** I am indeed referring to the Survey on the Vitality of Official-Language Minorities, which came out in 2006. You are familiar with it, then.

Did the survey produce compelling data?

**Ms. Sylvia Martin-Laforge:** It's been a while. I would say that the realities of the English-speaking and French-speaking communities aren't that different. I can't say much more than that because I haven't looked at the 2006 census for quite some time. I remember that, at the time, the report was seen as significant. It's worth revisiting. It's 2017 now, so it might be a good idea to review how things are going.

**Ms. Linda Lapointe:** Perhaps the study should be conducted more often.

**Ms. Sylvia Martin-Laforge:** That may well be appropriate.

**Ms. Linda Lapointe:** The study was done in 2006. Then the provincial government identified who the rights holders were. That means the numbers aren't up to date. A census was done in 2016, but the questions weren't specific enough.

• (1130)

**Ms. Sylvia Martin-Laforge:** Precisely.

What's more, Quebec may not consider it to be in its best interests to have as clear a picture as we, in the minority community, would like. The responsibility for the study, then, would really have to fall to the federal government. In some provinces, the communities have an easier time obtaining or checking the numbers. In Quebec, however, as in other provinces I'm sure, the effort really has to come from the federal government.

**Ms. Linda Lapointe:** You talked about getting good data. How would that help you? I realize that it makes planning easier, but I'd like you to talk about that because it will all be on the record. What does having access to sound data enable you to do?

**Mr. Geoffrey Chambers:** In our talks with the provincial government, it would help us obtain resources for communities

where the English-speaking population needs or is entitled to English-language institutions.

In addition, a dialogue is ongoing around the details governing the rules of access. Sound data would pave the way for some open-mindedness around the possibility of certain categories of children being allowed to attend anglophone schools, be they actual rights-holders or potential rights-holders.

The number of students in some cities and regions can warrant either the existence or closure of an English-language school. It is therefore necessary to have detailed figures, just like those provided by the census. We could use the data to oppose school closures in rural or suburban areas with a smaller anglophone presence.

Reliable figures would open the door to all kinds of other discussions with the provincial government.

[English]

**Ms. Linda Lapointe:** Thank you very much.

I think that's my time.

[Translation]

**The Chair:** Thank you very much, Mr. Chambers.

I have to leave the meeting now, so before I turn the floor over to Mr. Choquette, I will ask Mr. Nater to take over as chair.

Thank you again. It was a pleasure to meet with you.

[English]

**Mr. François Choquette (Drummond, NDP):** Thank you very much.

Thank you for taking the time to be here today. I remember the last time you were here, when we spoke about the importance of a school to a region, to a community. Education is a big part of the vitality of a community. It's really important.

The decision made in the British Columbia case for the right to go to school, to have good numbers, to have good data, I think is important. I think it should ring a bell for this government that right now we don't have good data. With regard to saying that the province has the responsibility, they have other *politiques* that make it not a priority for them to have good data.

I want to hear from you on why you think it's so important for the federal government to have good data and to make them public so that you can access them and say, "You see? These are good numbers. We need services." Perhaps you could explain why it is so important.

**Mr. Geoffrey Chambers:** I'd like to start by saying that I think your point of departure is exactly right. The Maillé decision structure is the public policy context in which official language minority education particularly should be viewed.

The schools are important. The school boards are important. Control and management of the process of constructing an educational setting for the study body is important. The school boards provide additional structural support as one of the dimensions of community activity. These are buildings where the scout troop can meet, but they're much more than that as cultural and focus resources. All of those additional and ancillary qualities are not just a mistake. They are inherently part of the official language minority support structure that official language minorities across the country are entitled to have.

It is laid out in detail in Maillé what we need to do. I think you went from that starting point to exactly where we want to go. What we want to do, understanding those principles, is to try to apply them fairly and constructively in the context of the English-speaking community in Quebec. Without the data, without being able to say, for example, there are this many potential students in this big a community, then we can't make good arguments for keeping the school open or opening a school here. The effect of there being a school is important for the students and it's important for the community in a much broader way.

• (1135)

**Ms. Sylvia Martin-Laforge:** May I say something?

**Mr. François Choquette:** Yes, of course.

**Ms. Sylvia Martin-Laforge:** Mr. Tabachnick said that youth sustain the educational sector—elementary, secondary, post-secondary, and the rest. We come at it as well from the community sector. Youth are our only anchor to sustain the vitality of our community in Quebec, so the more that youth are interested and engaged in Quebec, the better we are.

From that point of view, the education system is fundamental. We're all interested in youth, but they go through our schools, and as we close small schools, there is less capacity to help the students, to talk to them about the culture of the English-speaking community, the promotion of a cultural community under section 23. So it's not just about the English school, it's about our community in those schools.

We differ a little bit from the francophones in that English is not at risk, but the communities are at risk. The schools are fundamental to our community in those small places. We need to do more work to understand how to manage not just the schools but also the system so that we can reassure ourselves that 20 or 30 years from now we will still have an English-speaking community. It's mostly by the schools; we can't have immigrants and... Also, people adhere to the English-speaking community not just because they have kids in school but they want access to health and social services and those things.

You know, by and large, the young people are our future. We need better data to be able to manage not just the school system but the vitality of our community.

**Mr. François Choquette:** Go ahead, Mr. Tabachnick.

**Mr. Marcus Tabachnick:** Just briefly—although I don't do anything briefly—questions about whether or not people are rights holders will help the people who do not know that they're rights holders understand that they actually have the rights holders in their families.

The example I can give you is that every year, our nine school boards receive hundreds of calls—hundreds is an underestimate—from people asking if they would be eligible. Or else they show up at the door of the school or the school board and say they want to register. Now there is a process they have to go through. It will help people understand that a family member, if they meet the criteria, is a rights holder. That will help the boards and the community identify the potential community for us, because it then allows people access to our basic service, which is education, but as Madame said, it is the other services that go along with the school. In small communities, the English school is the hub, the social centre. It's not just a school, it's where people go for information, for service, for support, and for meetings. If you close a small school in a small community, you close the community. That is serious for us.

[Translation]

**The Vice-Chair (Mr. John Nater (Perth—Wellington, CPC)):** Thank you, Mr. Choquette.

Mr. Vandal, you have six minutes.

• (1140)

[English]

**Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.):** Thank you.

[Translation]

Welcome to the committee.

[English]

I'm going to try to follow the ball here. Section 23 identifies three categories for Canadian citizens who have rights to minority education. The francophone communities are only using one of those categories, which is part of the problem—in fact, the problem—but for anglophone communities, section 23 is not used at all. Section 23 is contingent on section 59. There needs to be a proclamation by the Government of Quebec in order for section 23 to kick in.

Am I accurately describing what needs to happen?

**Mr. Marcus Tabachnick:** They've opted out of one section, paragraph 23(1)(a), which allows people who have had their education in English outside of Quebec access to English schools. The Government of Quebec does not recognize that part.

**Mr. Dan Vandal:** Okay.

You've probably said this, but how exactly is the data collected for English minority communities in Quebec?

**Mr. Marcus Tabachnick:** Basically, in terms of education, it's the number of families who have applied for eligibility certificates from the provincial government. That's the basic method of telling us how many students there are potentially.

**Mr. Dan Vandal:** It's the number of families who apply for eligibility certificates. So that is largely word of mouth? You have identified that many people don't know that they have these rights.



**Mr. Marcus Tabachnick:** You can apply for an eligibility certificate with the government or through your local school board. You fill out a form, a school board submits it to the government, and assuming there isn't a problem with it, then you get a nice blue piece of paper that says you're eligible.

**Mr. Dan Vandal:** And that's for all the children in the family.

**Mr. Marcus Tabachnick:** It's transferable from generation to generation, and it's for all. If one child has it, then they all have access the same way. We encourage families to get an eligibility certificate for every child, because eventually they'll have their own families, and if they have the certificate, their children can make use of it.

**Mr. Dan Vandal:** Okay.

**Mr. Geoffrey Chambers:** An eligibility certificate could provide access to a next generation, even if the certificate itself wasn't used. I had a certificate, but I went to a French school even though I could have gone to an English school. But should my kids, under whatever circumstance, go to an English school, then I have the certificate.

**Mr. Dan Vandal:** That's the only way that minority language data is collected in Quebec.

**Mr. Geoffrey Chambers:** Yes, and right now, as a practical matter, if I went to a French school, I probably wouldn't bother to go through the quite onerous process of getting the certificate and keeping it for 25 years in order for my kids to have that right, the documentation of the right, which they could actually use. So there is a question around the mechanics, which we could get at with more energy and possibly with some successful dialogue. If we had the data from the census, we could argue with the provincial government that, look, there's a mechanism here that's supposed to have this effect but actually has that effect, and it's not fair to the community. But we can't prove that now.

**Mr. Marcus Tabachnick:** The reality is that when you take your five-year-old by the hand to go and register for school, you're not thinking about your potential grandchildren. That's the reality of it, and that's why we need to know how many there are.

**Mr. Dan Vandal:** It does go very fast, I can tell you that.

**Voices:** Oh, oh!

**Mr. Marcus Tabachnick:** I know.

**Mr. Dan Vandal:** In effect, the census that's done every four years is of no value to you. Is it of any value at all to English-language minorities in Quebec?

**Mr. Geoffrey Chambers:** Speaking from the QCGN point of view, yes, there are lots of other settings in which the census data is very valuable.

**Mr. Dan Vandal:** For minority rights, I mean.

**Mr. Geoffrey Chambers:** Yes, well, for official language minority rights, the first language spoken and still understood, there are lots of contexts in which access to services isn't restricted by the access to education principles. If you want to go and get health and social services in the Gaspé in English, that's not based on whether or not you have the certificate. It's based on whether you're more comfortable talking to your doctor—

**Mr. Dan Vandal:** Right.

**Mr. Geoffrey Chambers:** The data we have now does support our advocacy in those areas, and it's been very useful, but it doesn't go that far in education.

• (1145)

**Mr. Dan Vandal:** I have one minute left here.

You mentioned that it affects your small communities. The English population, to my knowledge, is in Montreal. Or is it in Montreal? Where is the English population in Quebec?

**Ms. Sylvia Martin-Laforge:** There are over 800,000 in Montreal and about 200,000 in the regions.

**Mr. Dan Vandal:** So when you say “small communities”, are you talking about neighbourhoods?

**Ms. Sylvia Martin-Laforge:** If you go up to Gaspé, or Rouyn-Noranda, or Métis-sur-Mer, you'll find small communities there, but that's not unlike the francophones in the rest of Canada. It's not to say that Montreal doesn't have challenges.

[Translation]

**Mr. Dan Vandal:** Like Saint Boniface.

[English]

**Ms. Sylvia Martin-Laforge:** Yes, absolutely.

Our small communities are very similar to small communities in the rest of Canada where there are francophones. We have the same challenges. We have different challenges in Montreal, but there are challenges.

**Mr. Geoffrey Chambers:** Our numbers in Montreal, taken as a global number, don't really reflect the differences living in the east end, the West Island, the South Shore, or Laval. It's all different. It's not better or worse. There are ways of supplying resources and support in all the settings, but the settings are quite different.

[Translation]

**The Vice-Chair (Mr. John Nater):** Thank you, Mr. Vandal.

[English]

We have to move on, but I'm sure there'll be an opportunity to follow up on this.

**Mr. Marcus Tabachnick:** I was just going to say that in terms of small communities, we have schools with as few as 10 students. As I said, two-thirds of our schools are under 200 students. So there are a lot of small communities, and small schools that are serving smaller communities, right across the province.

[Translation]

**The Vice-Chair (Mr. John Nater):** It is now over to you, Mr. Lefebvre.

[English]

**Mr. Paul Lefebvre (Sudbury, Lib.):** Thank you for being here. I'm learning lots from the conversation today. It's very informative.

I'm going to go back to section 23 of charter, because the whole purpose today is to look at the census and to determine how the census can be used to determine who these rights holders are.

[Translation]

We are talking about francophones outside Quebec and anglophones in Quebec.

[English]

If the question does change and we're better informed, and the census does a much better job of identifying who the rights holders are, how would that empower the school board to advocate? You're saying right now that people don't know they are rights holders. If you have a better sense that in Deux-Montagnes there are more people who are rights holders than your numbers determined, how would you then go about informing them that they are rights holders?

**Mr. Marcus Tabachnick:** First of all, we don't know what the numbers are—

**Mr. Paul Lefebvre:** Yes.

**Mr. Marcus Tabachnick:** —but it's presuming that there are more.

Well, it's a multipronged approach. Obviously, we have an information campaign that we could embark upon in terms of asking people whether they know if they are rights holders: “The census tells us that there are this many, but we don't know who you are. Come and learn who we are.”

That's certainly one of the things thing that—

**Mr. Paul Lefebvre:** Would you be able to identify and specifically go into an area that you've identified?

**Mr. Marcus Tabachnick:** That's right.

**Mr. Paul Lefebvre:** However, from what I understand—and I'm talking about learning today—the anglophone community in that area would not be able to have a court action to say, “We know that the census shows there are people here who are not served by a school, and we want the education department to build a school in that area.”

Am I correct in understanding that's how it works? You would not be able to launch a legal action against the Government of Quebec to do that.

**Mr. Marcus Tabachnick:** No, but it would start from registering for the schools and the demand creating the procedure that will allow for a school to eventually be built.

**Mr. Paul Lefebvre:** That's interesting.

On another point, I'm a francophone in Ontario, and I received my schooling in French in Ontario. As you mentioned earlier, in our schools as well, we take the same English as the English school board would take, so it's equivalent. By the time we've graduated from our high schools, we've taken the same English courses.

You mentioned that your students are pretty much perfectly bilingual when they come out because they follow the same curriculum in certain cases. Can you elaborate on how the school board goes about creating these students who are very bilingual?

**Mr. Marcus Tabachnick:** We have a variety of immersion programs, from

[Translation]

the first language program,

● (1150)

[English]

where they're using exactly the same teaching materials and teaching methods that are in the French schools, to partial immersion, to later immersion. There are all types.

At the end of the day, at the end of secondary V in Quebec—we go to grade 11—we expect every student to be, at a minimum, conversant. The objective is to have them bilingual enough to live, work, and stay in Quebec when they're done with their schooling.

**Mr. Paul Lefebvre:** Awesome.

[Translation]

Mr. Arseneault, did you have a question?

**Mr. René Arseneault (Madawaska—Restigouche, Lib.):** Do I have time, Mr. Chair?

**The Vice-Chair (Mr. John Nater):** Yes.

[English]

**Mr. Geoffrey Chambers:** Can I add a point on that very quickly?

In taking the Ontario example and comparing it to Quebec, the provincial government will characterize the rights holders as being exactly the same kinds of number as the certificate holders. That is a misrepresentation, in our view. Imagine, in Ontario, if there were some kind of formal qualification required to establish that you were a member of the French-speaking minority, and it had managed, as a matter of practical reasons, to exclude a lot of people who themselves think that they are, or actually are legally.... That wouldn't be a desirable situation.

We want to be able to get into that dialogue, and we need the data.

**The Vice-Chair (Mr. John Nater):** Mr. Arseneault.

[Translation]

**Mr. René Arseneault:** Thank you, Mr. Chair.

Thank you very much for being here.

[English]

It's very interesting to have the other point of view, from another minority in Canada, being all, except Linda on this side of the table, “francophones outside Quebec”. I hate that expression.

[Translation]

I am a francophone outside Quebec and you are anglophones in Quebec.

[English]

I've heard Ms. Martin-Laforge's answer concerning the census. It would at least give you what I would call a precise, accurate picture of your community

[Translation]

if the questions were changed and all.

[English]

**Ms. Sylvia Martin-Laforge:** Absolutely.

**Mr. René Arseneault:** Okay.

Am I correct, in interpreting the Quebec law, that it cannot help the school board to build more schools or to fill up the schools? Am I correct to say that? That census for the Quebec reality won't help at all to grow your school or build other schools somewhere else in Quebec in—

**Ms. Sylvia Martin-Laforge:** I don't want to answer for Marcus. He's going to answer for himself.

From the QCGN's perspective, the more information we have, the better the case we can make. From a policy perspective and from an advocacy perspective, we need to know the numbers. In Quebec, we have to deal with the fact that Quebec counts us as English mother tongue numbers, and then there's a whole other group, the allophones.

The allophones and the anglophones in terms of “first official language spoken” make up over a million of us. We're almost at counterpoints with the province in terms of how we view our community and how the community wants us to view them. As for who comes in, such as the immigrants who come in who count themselves in terms of first official language spoken, they can get services in English at our bilingual institutions. They can get services in English if there's infrastructure there.

We work very hard in health and social services as one sector—and in that sector for sure—to ensure that those people who want access to services in English get them. It's sometimes harder in the Gaspé, but we work really hard. We have the numbers, we make inroads, and we use those numbers to give more access to our community.

**Mr. René Arseneault:** Yes, I do understand your answer. It's a very good answer, but my question was more in the context of the school boards, schools, and kids, and—

**Ms. Sylvia Martin-Laforge:** Yes, but in my answer, I'm just preparing this for Marcus to say—

**Voices:** Oh, oh!

**Ms. Sylvia Martin-Laforge:** —that if we had the numbers for the schools, we could probably do more work around that as well.

**The Vice-Chair (Mr. John Nater):** We're over the time for this round, but why don't we hear from Mr. Tabachnick? Then we'll go to the next round.

**Mr. Marcus Tabachnick:** First of all, thank you, mother.

**Voices:** Oh, oh!

**Mr. Marcus Tabachnick:** It's not that there are no English schools ever built in Quebec. Currently, a number of schools are under construction for the English sector, and a number of schools have *agrandissements* under way currently.

It's a process. You have to prove the need, and we don't have the data to say—if we can attract those students to our schools—that there is a need because the *masse critique* is there. That's the information we don't have at the current time.

No, the day after the census report comes out, it will not build a whole series of new schools, but it becomes part of the process in getting new schools built.

• (1155)

**Mr. René Arseneault:** Can I continue?

**The Vice-Chair (Mr. John Nater):** No. We'll come back to you in the next round.

Mr. Génèreux.

[Translation]

**Mr. Bernard Génèreux:** Thank you.

I would just like to have something clarified.

I am the perfect example. My spouse is anglophone, specifically, an anglophone Montrealer. We live in La Pocatière, in a largely French-speaking riding. Our children are bilingual because we spoke English at home. They didn't, however, do their schooling in English.

My son lives in the Montreal area, west of the island, in Rigaud. In theory, his children are rights holders, and, according to what you said, if I don't apply to the Quebec government for a certificate, future generations of our family will not be considered rights holders.

**Mr. Marcus Tabachnick:** Your son or his children could apply for their own certificate at some point. It would be much easier, however, for future generations if you were to apply and obtain the certificate now.

**Mr. Bernard Génèreux:** I see.

Thank you.

[English]

**The Vice-Chair (Mr. John Nater):** Madame Boucher.

[Translation]

**Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC):** Thank you, Mr. Chair.

I am always impressed whenever I meet with members of Quebec's anglophone community. You definitely have the fighting spirit. It is often said that francophones have Latin blood. You do too, for that matter.

Quebec does not recognize your status as a minority community; that's a fact. I used to work for the Quebec government, so I am familiar with the situation. The information we have is necessarily skewed. The province recognizes that English is your mother tongue but not the fact that you are rights-holders. Is that right? Some of you are considered rights-holders in Quebec, but for the most part, that isn't the case. The data provided by the province is therefore skewed, in Quebec.

Mr. Tabachnick, you mentioned discussions that were going on at Treasury Board. We met with people from Statistics Canada, and we talked to them about the census questions. I didn't quite understand what you said about the Treasury Board discussions. Could you explain that again?

**Mr. Marcus Tabachnick:** I'm not sure I understand your question.

I didn't actually mention Treasury Board. It may have been Mr. Chambers who brought it up.

**Mrs. Sylvie Boucher:** I know that one of you did, because I took note of it as soon as it was said.

[English]

**Ms. Sylvia Martin-Laforge:** Is it the new regulatory piece out of the federal government?

[Translation]

**Mrs. Sylvie Boucher:** Yes, maybe.

[English]

**Ms. Sylvia Martin-Laforge:** Well, that process is just starting, Madame Boucher.

[Translation]

**Mrs. Sylvie Boucher:** I see.

[English]

**Ms. Sylvia Martin-Laforge:** So people all over the place right now are thinking about definitions and about how to count what. I can't really comment on what will come out of those kinds of things right now, but everybody is thinking about how to count differently, to count better. The francophones want to expand definitions, so it seems to be a time when we're all worried, or concerned, or thinking about how to count and what the definitions are, and for sure, in English-speaking Quebec, we are very attuned to definitions that have to consider the English-speaking community. You can't have definitions that are just for the *francophones hors Québec*—Monsieur Arseneault doesn't like to be called that—but we have to see minority communities as minority communities across Canada.

Do you have something to add?

**Mr. Geoffrey Chambers:** I'll just give an example to back it up.

As you point out, there's one official language in Quebec. It's not English, and we don't have an objection to that, and we're not trying to attack that social bargain, which is functioning pretty well, but as a result of that, unlike in Ontario where there's a ministry that addresses the question and is there to receive representation from this francophone minority, there's no English minority, so there's no ministry.

Now we're trying to develop some channels so the government can, on a public policy plane, have a dialogue with the community and not run into the kind of problems they've had with the last two major pieces of reform legislation. They were drafted in such a way that they didn't take the historical rights of the community into account, and they had to be changed in the course of their adoption in the National Assembly, which was complicated, difficult, and embarrassing. It wasn't really the purpose of these pieces of legislation to put the community in a bad situation. It was unintended; they just didn't know how to do this, that sort of situation.

We have to have a better dialogue. Better facts can establish a better dialogue. While there is only one official language in Quebec, the education act refers to the English minority. The health and social

services act and the preamble to the charter of the French language refer to the English-speaking community. We're not absent. It's confused, and we need to get precision.

• (1200)

[Translation]

**Mrs. Sylvie Boucher:** We've talked a lot about English-language schools. We have also frequently heard that some public schools in francophone communities in Quebec had very high dropout rates.

Are things the same on the English side?

**Mr. Marcus Tabachnick:** That's the case in some schools, but the completion rate for the anglophone community overall is nearly 90%.

**Mrs. Sylvie Boucher:** Very good.

**Mr. Marcus Tabachnick:** That includes students with disabilities or adjustment or learning problems, as well, 95% of whom are integrated into regular classrooms.

Although we are always working towards 100%, we are doing quite well since our completion rate hovers around 87% or 88%.

**Mrs. Sylvie Boucher:** That's very good.

**Mr. Marcus Tabachnick:** Indeed, it's not bad.

**The Vice-Chair (Mr. John Nater):** Thank you, Ms. Boucher.

[English]

You will have another round, in a couple of rounds, if you have more questions—

**Mrs. Sylvie Boucher:** I hope so.

**The Vice-Chair (Mr. John Nater):** —since Monsieur Généreux did take some of your time.

We will suspend for a few minutes and then reconvene for the next round.

• (1200)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1210)

**The Vice-Chair (Mr. John Nater):** Welcome back, everyone.

Mr. Samson will start our second round.

[Translation]

Your turn.

**Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.):** Thank you, Mr. Chair.

Thank you for being here. We always enjoy hearing from witnesses who can give us information that directly reflects the people in the communities. Oftentimes, we don't have all the answers, and we need to hear from people who know the challenges and can give us insight into those issues.

I'd like to make a few comments. Perhaps you will have some to add afterwards.

When I think about the Canadian Charter of Rights and Freedoms, I think about the rights that it grants. I am reminded of what the community was able to achieve with the Nova Scotia government, in terms of the questionnaire for school enrolment, be it in anglophone or francophone schools. If a French-speaking Acadian isn't aware of their rights when filling out the form, they may choose to enrol their child in a school closer to home. It's important, then, that people be aware of their rights. You talked about that, but I'd like to delve a bit deeper.

I can tell you that many Acadians in Nova Scotia still have no idea that the province has francophone schools and that they have the right to send their children there. Some are even under the impression that the French-language schools administered by the Conseil scolaire acadien provincial, the province's francophone school board, are private schools. That is what they think, and I have no idea why. That speaks to a lack of education and awareness-raising.

To let people know that they are rights-holders, the federal government agreed to include a question in the form asking whether they are rights-holders. That question appears in both the English and French versions of the form. A rights-holder is defined in section 23. I'm referring to all three paragraphs in the section, not just the first. It took a few years of squabbling to convince the government. As you can imagine, the English-language school boards weren't exactly thrilled. The information is found in the form they provide. How much effort goes into promoting that right? I'm not sure, but, at the very least, the questionnaire is helpful in letting people know about their right. It simply boils down to a right and the need to promote that right.

When it comes to education, I often compare the situation to that of children with autism. When a student is autistic, that child is entitled to receive extra support. It is not necessarily for parents to tell the school board or school that their child has the right to receive a particular type of assistance. The school has to come to that realization and recognize that the child is autistic and therefore has special needs; it is for the school to advise parents of the extra support available to the child. That's rather interesting, is it not? The school and the community are the ones that provide the information. It is a right, and not extending it is irresponsible.

The right conferred by section 23 of the Canadian Charter of Rights and Freedoms is not really brought to the attention of community members; they are not on the receiving end of any announcements or promotion, and I find that deeply troubling.

To arrive at the necessary data, adding questions to the census would help tremendously. It would not solve the problem entirely, though. I don't want to single anyone out, but we all know full well that certain parents will fill out the questionnaire hastily without paying too much attention. They may not be as conscientious as others. At least the tool exists and helps make people aware of their right to have their child complete their schooling in their language.

•(1215)

I'd like to make another analogy, if I may, even though I am well aware that my colleagues will say that I tend to spend a lot more time setting up my questions than actually asking them. I didn't know this, but the parliamentary secretary informed me today that I even had

the right to appear as a witness. Eventually, then, I will contribute to the debate as a witness, and you will have the opportunity to ask me questions.

All kidding aside, thank you for being here, Mr. Tabachnick.

I'd like you to make some general comments on rights determination, comments you haven't already made in previous answers.

**Mr. Geoffrey Chambers:** You are right; if there are no data to support the argument that some members of the community are not recognized, we have nothing on which to base our claims or to set up programs and services for them. Not all problems will be solved as soon as we have that data, but it is an important tool. It's a step in the right direction; a stage along the way.

You are in a position to recommend that those questions be added to the census. It will not necessarily solve all the problems, but it is something we would like, because it could help us.

**Mr. Darrell Samson:** Ms. Martin-Laforge, Mr. Tabachnick, do you want to add anything?

[English]

**The Vice-Chair (Mr. John Nater):** We don't really have any time left in your round. We may be able to come back—

**Mr. Darrell Samson:** I want to get some time from my colleague, too.

**Voices:** Oh, oh!

**The Vice-Chair (Mr. John Nater):** Perhaps in the next round...or we'll have you back as the witness.

[Translation]

Mrs. Boucher, you have five minutes.

**Mrs. Sylvie Boucher:** Mr. Chair, I am going to share my time—  
•(1220)

**Mr. Darrell Samson:** You are going to give me your time?

**Mrs. Sylvie Boucher:** No, I am going to share it with Mr. G n reux.

The question I want to ask has come up in the past.

Did the 1982 Canadian Charter of Rights and Freedoms change anything for the anglophone community in Quebec?

**Mr. Geoffrey Chambers:** Yes. Because of the charter, some provisions of Bill 101 on signage in French were relaxed. The legislation was not enacted exactly as planned, because the notwithstanding clause was in effect for a period of five years. The program that Claude Ryan subsequently set up and that is still in place, comes from the rights set out in the charter.

There are a number of other examples like that.

**Mrs. Sylvie Boucher:** It affected you specifically.

**Mr. Geoffrey Chambers:** Yes.

**Mr. Darrell Samson:** Especially in health care.

**Mrs. Sylvie Boucher:** It had an effect in all areas.

**Mr. Geoffrey Chambers:** There are tonnes of examples.

**Mrs. Sylvie Boucher:** Thank you.

My colleague Mr. Généreux can take over now.

**Mr. Bernard Généreux:** Thank you.

We have been establishing the background for an hour and a quarter. Now I would like you to tell the committee what you want to see in the 2021 census. What changes can we ask for now so that, in 2021, we get valid data that will allow you to obtain additional services? That is the basic question before us today.

I will give you all the rest of my time so that you can tell us what you want.

**Mr. Marcus Tabachnick:** As I explained in my brief, we are asking for two or three things. However, it is not up to us to design the questions; it is up to you and Statistics Canada.

Our specific suggestion is to ask parents whether they were educated in English or in French, and to what level: elementary, secondary or post-secondary.

**Mr. Bernard Généreux:** What would that change?

**Mr. Marcus Tabachnick:** The children of parents who went to primary and secondary school in English in Canada would then have the right to go to school in English.

**Mr. Bernard Généreux:** That is the case at present.

You would like the question to be asked in order to change the way in which rights holders are recognized. Is that what you are really saying?

**Mr. Marcus Tabachnick:** Yes, it would allow us to determine who the rights-holders are.

If someone went to school in English, they have the right to enrol their children in an anglophone school. A number of people do not know that. I know, because our school boards are always being asked by parents whether they have the right to enrol their children in those anglophone schools.

I will not answer Mr. Samson's question directly, but I must clarify this. In Quebec, if parents want to be able to enrol their children in an anglophone school, they have to fill out a form and answer a question that is designed to establish whether they are rights-holders. The provincial government then determines whether a person is a rights-holder or not.

The first question would be to find out where the parents went to school and to what level. That is very important because the Government of Quebec defines a rights-holder as someone who has gone to school in English, in Canada, up to such and such a level.

**Mr. Bernard Généreux:** In the last census, that question was not asked so clearly, was it?

**Mr. Marcus Tabachnick:** No, it was not.

The other point is about our future battles, not the ones we are fighting now, because we are always focused on the future. So, are there new Canadians who—

**Mr. Bernard Généreux:** Actually, Mr. Tabachnick, let me point out that we are already dealing with the future. We are talking about 2021, and this is 2017.

**Mr. Marcus Tabachnick:** Yes, I know, but we have to fight a number of battles. One of them is about newcomers. Did they go to

school in English, depending on the part of the world they came from, whether it was Australia, the United States, India or anywhere else? That question is just as important because the Government of Quebec recognizes only rights-holders or those who have asked for a certificate of eligibility. We cannot fight against that idea without the data that allows us to do so.

• (1225)

**Mr. Bernard Généreux:** Okay, thank you.

**The Vice-Chair (Mr. John Nater):** Thank you very much.

Mr. Choquette, you have the floor for three minutes.

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

[English]

I want to come back to the post-census evaluation. Was the QCGN consulted when the post-census was done? Are you consulted on the evolution of the census? What is your collaboration with Statistics Canada?

**Ms. Sylvia Martin-Laforge:** In 2002 and around that period, when the Government of Canada was looking at the first action plan and there was a notion that there would be a post-censal survey, *enquête postcensitaire*, the English-speaking community was consulted.

I have to say that at that time, the English-speaking community had less capacity than it has now to work on, as a community, the specific questions or understanding of the questions that should be asked that would help us in the English-speaking community. There was less capacity in the English-speaking community for many structural reasons.

To be fair, Statistics Canada, at the time Jean-Pierre Corbeil, was working on the file and did consult with the English-speaking community. We were there, but I'm not sure that we were able as a community, as we are now, to give the best information. Monsieur Corbeil was very helpful in telling us and helping us and advising us, but the art of the possible in the English-speaking community is understood much better now. I'm not sure that we would have gone to you in 2006 with the same capacity in front of you. So that's number one for 2006.

I think that as a community we are now perhaps more forceful in understanding what we need to ensure our community for the future. Our work with StatsCan is ongoing. We have a very good relationship with StatsCan, and I think that StatsCan, with its expertise and now our expertise, would be able to answer what Monsieur Généreux just said. What questions do you need? We're not statisticians and we don't have the right words to ask the questions, but I think over the past 10 or 15 years we have come to a better understanding as a community of what we need and how we can use it to the advantage of our community and the minority communities, writ large, to do the work, so thank you for that. I have confidence that we have a better ability now than we did at the beginning of 2000 and 2006.

**The Vice-Chair (Mr. John Nater):** Mr. Choquette, we will come back to you.

[Translation]

Mrs. Boucher, you have six minutes.

**Mrs. Sylvie Boucher:** Thank you.

Like my colleagues, here I am again, trying to better understand the issue.

When Mr. Corbeil came to meet with us last Tuesday, we asked him about the census. In his own words, he said that it was perhaps not the best vehicle for obtaining that data. According to him, the census already has an enormous amount of questions.

In your opinion, what would be the best way to collect data that would provide the government with a simple, clear, way of helping francophone minority communities outside Quebec and anglophone minority communities in Quebec? The goal is to have a clearer idea, a better picture, of the situation for people in minority settings. What is your best idea on the matter?

• (1230)

**Mr. Geoffrey Chambers:** Perhaps we are less precise on that point. Actually, we are aware of the fact that drafting questions for possible use in the census is technical. The question that we are presently trying to answer is quite complicated. The technical drafting must be based on a legal appreciation of the definition of the term “rights holder”. The legal basis is perhaps not exactly the same in all national contexts. The question may well be difficult and very complicated to draft; it may contain different elements or require different data. What we are asking may well be technical and difficult, we acknowledge that. That said, it is not really our job to determine all the details and to know how to deal with those questions. The data provided could still be useful. That's why it is our sincere wish for it to be dealt with by professionals.

**Mrs. Sylvie Boucher:** I asked friends the question; it turns out that very few of them knew what a rights-holder was. I imagine it's the same in your communities. Even people in a minority situation do not necessarily know what the term means. It's quite vague, even for us. We have to ask for a definition.

**Mr. Geoffrey Chambers:** You are quite correct.

**Mrs. Sylvie Boucher:** So perhaps the important thing is to better define the term “rights-holders”. That could perhaps make the rest easier.

**Mr. Marcus Tabachnick:** I would like to finish what Mr. Chambers said.

Perhaps we do not have the best vehicle, but it is the only one we have. So the challenge for us is to ask good questions, so that we can get answers and data that are as precise as possible.

**Ms. Sylvia Martin-Laforge:** To add to what Mr. Corbeil and my colleagues have said, I will say that we need a credible third party in order to ask the question. If it not through a census, a survey may well not be the most appropriate way. The answers obtained and the subsequent analysis of them must start from a credible basis. Statistics Canada is credible.

If it is not done through a census, there has to be another way of helping us.

**Mrs. Sylvie Boucher:** Did the 2006 study make it possible to get the clearest picture of the situation at the time?

**Ms. Sylvia Martin-Laforge:** Everyone used it. It could have been better, of course, but everyone used it, and we still use the data today. It is old, now, though.

**Mrs. Sylvie Boucher:** Yes, it is. We should think about getting other data.

**Ms. Sylvia Martin-Laforge:** We should think about getting another action plan.

[English]

It should be freshened up somehow.

[Translation]

**Mrs. Sylvie Boucher:** Yes, we have to bring it up to date.

[English]

**Ms. Sylvia Martin-Laforge:** Yes. Certainly, if this question is not treated in the census, in a census question....

**Mrs. Sylvie Boucher:** Yes.

**Ms. Sylvia Martin-Laforge:** If there is another way to treat it, fine, but it has to be a credible source, because that's what we all need.

[Translation]

**Mrs. Sylvie Boucher:** That is good, thank you.

**The Vice-Chair (Mr. John Nater):** Thank you, Mrs. Boucher.

Ms. Lapointe, you have the floor.

**Ms. Linda Lapointe:** Thank you.

I have some great questions for you, but I am waiting for a call and I may have to leave.

I would like to talk about rights-holders who have not been captured in the census. If we succeed in getting better data through a credible third party, if we have the replies we were looking for and good data, will that help the QCGN obtain resources from the federal government, will the result be that it better recognizes rights-holders?

• (1235)

**Ms. Sylvia Martin-Laforge:** It will certainly give a better overview of our situation. It helps us to build and to promote. The English-speaking community in Québec needs to be able to see itself into the future.

[English]

We don't have a lot of information unless it comes from the federal government. We use information from the federal government to make our case with the provincial government. You must understand that. There is no civil servant analyst with the Province of Quebec analyzing our situation.

[Translation]

**Ms. Linda Lapointe:** I had another question but you have answered it I believe. I wanted to know how the federal government could help you but you just answered that, didn't you?

**Ms. Sylvia Martin-Laforge:** Yes.

**Ms. Linda Lapointe:** I have another question. You say that you cannot define questions in the census, but have you properly defined your needs? Have you worked with Statistics Canada to define your needs for information? As I understand it, you do work with Statistics Canada. Are you working to define your needs as an anglophone minority in Quebec?

**Mr. Geoffrey Chambers:** Yes, and then—

[English]

**Ms. Linda Lapointe:** You can speak in English. That's not a problem for me.

**Mr. Geoffrey Chambers:** I'll do both.

[Translation]

What we get from Statistics Canada now, what is already in the census, is extremely useful. We are not looking for all our needs for data to be met.

[English]

What we have now is the basis. As Sylvia said, there aren't other good sources, because the community is not defined in a way that is favourable to or that captures its character by research that's done on the provincial plan. Statistics Canada, and census data, is a huge resource for us. We are asking for a small increase, particularly focusing on the question of educational access, which will be useful to us. Creating the picture of the community, which we have to do in order to make our arguments, is only possible based on data from the census and from other Statistics Canada sources. The "first official language spoken and still understood" measure is not a measure of ethnic derivation, which is the device that's used by the provincial government, so there is a huge gap. It doesn't capture much of our community.

[Translation]

**Ms. Linda Lapointe:** Thank you.

Earlier, we were talking about future battles. You said that you were looking at your future battles and you were looking for ways to get help. You mentioned new Canadians. For example, if people from Britain or New Zealand who came to settle in Ontario decide to go to Quebec, do they have access to anglophone schools?

**Mr. Marcus Tabachnick:** If they have temporary work permits, they can have access to anglophone schools. But if they want to stay in Canada, to become permanent residents, that's it, they have no access.

**Ms. Linda Lapointe:** Okay. However, if they are workers—

**Mr. Marcus Tabachnick:** The moment they apply, their temporary rights to have access to anglophone schools comes to an end.

**Ms. Linda Lapointe:** Even if they come from the Commonwealth?

**Mr. Marcus Tabachnick:** Yes.

**Mr. Geoffrey Chambers:** Temporary permits last for three years and can be renewed for another three years. It is very often the case that, after staying for five years, a family says:

[English]

"Well, we like Canada, and we're established here. It's five years, and we're going to apply for citizenship".

[Translation]

Very often, we require those students to go to another school, a francophone school, for their final year of high school. Just because of the fact that they decided to stay in the country, we require them to make that gesture of affiliation.

●(1240)

**Ms. Linda Lapointe:** So that is an example of a battle to be fought in the future.

**Mr. Geoffrey Chambers:** Yes.

**Ms. Linda Lapointe:** Okay. I have managed to find one at least.

Earlier, my colleague asked a question that really pricked up my ears. It's about school dropouts. Francophone schools in the Bases-Laurentides area, where my constituency is located, have the second highest dropout rate after Nunavut.

You were saying just now that your students have a 90% success rate, meaning that 90% of them obtain a high school diploma at 16 or 17. Are you in a position to tell us how you manage that?

**Mr. Marcus Tabachnick:** We are always in a position to share our experiences with you.

**Ms. Linda Lapointe:** You were saying that your students with ADHD were—

**Mr. Marcus Tabachnick:** I do not want to insult anyone, but have to say that, in the anglophone community, there is a particular philosophy. The importance of education is more of a factor in the minds of anglophone communities. As I said, I do not want to insult anyone. However, it is a reality.

**Ms. Linda Lapointe:** You are not insulting me.

[English]

**Mr. Marcus Tabachnick:** In the English community we prize education. We want our kids to go to school, stay in school, and do whatever. We don't have to have dinner tonight if it will help pay for our kids to stay in school and have their supplies.

We also treat our students more individually. Not every student learns at the same rate. Frankly, in my own philosophy, if young people graduate at 16 or at 17, there's no effect on their life. The important thing is to graduate, to have the access to post-secondary, and to have access to a good job. There's a different philosophy within our community, and we see that. It's a social phenomenon more than it is something special that we do. It's a support network.

[Translation]

As I said earlier, our schools really are at the centre of our communities. The idea of the school down the street does not exist in the anglophone community. We don't really have schools down the street. So our schools have to provide a lot more services than francophone schools perhaps do.

There's no big secret or magic wand involved.



[English]

**Ms. Linda Lapointe:** I can see, in Two Mountains and Rosemère, volunteers who are everywhere.

**Mr. Marcus Tabachnick:** There are thousands of volunteers.

**Ms. Linda Lapointe:** These people are everywhere.

**Mr. Marcus Tabachnick:** Absolutely.

[Translation]

**Ms. Linda Lapointe:** It's about belonging.

[English]

**The Vice-Chair (Mr. John Nater):** Thank you very much.

We have to move on to the second round.

[Translation]

**Ms. Linda Lapointe:** I am sorry. I could go on talking about this for a long time.

[English]

**The Vice-Chair (Mr. John Nater):** Go ahead, Mr. Choquette.

**Mr. François Choquette:** Again, thank you, because we are all very much aware of what you need and what's important. I think this study on the census, and the other thing that the *Conseil du Trésor* will do about the regulations, will be very important to determine what we need to do to keep the vitality of our official language communities. That's really important for us.

In Drummond, for instance, we have small communities like South Durham and Trenholm. They want to stay alive, but it's difficult for them because they're in a region. It's not like in Montreal; it's another situation absolutely. We have the Eastern Townships School Board there. We also have an elementary school in Drummondville. To keep them alive, to keep them open, we need to have good data. That's why I understand the importance of a better census and better regulations, which is what the *Conseil du Trésor* is going to do.

I'm happy that you keep in touch with StatsCan. Are you also in touch with *Conseil du Trésor* about the new regulations?

• (1245)

**Ms. Sylvia Martin-Laforge:** Yes, absolutely. We are working with Carsten Quell and those folks. Stephen Thompson, who would have come today but was otherwise occupied, is very much in touch. We're not just keeping abreast of everything; we're also giving out our information, giving our input. It's very important to us to ensure that both the foundational pieces around definitions and how we treat the data are done.

In fact, I will just mention to the committee that one of the important things is the CROP survey that is done with the help of Health Canada every five years. It's on the CHSSN website. It has 3,000 responses. It has been done three times in a row. I would invite you to go and look. I mean, it's not the census, and that's where I worry that if we went to survey rather than census...but it gives us an indication.

With a multitude of tools, with surveys of our community and certainly the census, that gives us a good picture. We can talk about the community and the educational aspect as well.

Thank you.

**Mr. François Choquette:** Thank you very much.

[Translation]

**The Vice-Chair (Mr. John Nater):** The floor is yours, Mr. Arseneault.

**Mr. René Arseneault:** Thank you.

I would like to go back to what I was saying earlier, so I am going to change the subject a bit.

When you were talking about anglophone education earlier, Mr. Tabachnick, you said that your schools have become bigger. Since the charter was adopted, have you been aware of any legal battles in Quebec for schools to be built, with the government refusing because the number of students was too low?

**Mr. Marcus Tabachnick:** No, I do not recall any case going to court in order to get an anglophone school. The Government of Quebec operates according to a formula that considers a number of factors: the number of students within a 20 km area, the number of children, whether they have to cross a bridge to get there, and so on. There are all kinds of criteria. However, it does take us five or six years to convince the government to provide more.

I do not recall any case going to court. Perhaps there have been, but I do not recall any.

**Mr. René Arseneault:** Still on that same subject, you should know that francophones outside Quebec have had to fight long and hard for years and years. First, section 23 of the charter, then the 1990 Mahé case, stated that there had to be a sufficient number of francophones to justify education in French. Now we have to rely on Statistics Canada, and its famous forms, to provide us with the main tool that allows us to justify that number. The evidence we need to convince provincial governments to build schools in francophone minority settings is not something we control.

Could you confirm whether I am in error or whether what I read is correct? I am referring to the well-known Quebec right for people to be able to go to school in English based on certificates of eligibility. I do not want to compare francophones outside Quebec with anglophones in Quebec. However, I find those certificates to be permissive. When I read that, I tell myself that, if the anglophone community is organized, it is easy to do. Clearly, it must know that it has that right.

You say that the anglophone community in Quebec is being eroded. Let me ask you this question, which I focus strictly on the anglophone community in Quebec, excluding allophones. Am I right to believe that those certificates of eligibility allow anglophones in minority settings to have easier access to anglophone schools because those certificates of eligibility are easier to obtain?

Earlier, Mr. Généreux was talking about his children who went to a French school even though his wife is anglophone. Mr. Généreux's grandchildren therefore have access to English schools because it can be proven that their grandmother's first language is English. Am I right to say that?

•(1250)

**Mr. Marcus Tabachnick:** You can blame the Supreme Court of Canada. Its judges defined exactly what the provincial government's obligations are in this regard.

The anglophone population is quite large: 1 million people. In this context, the Government of Quebec has an obligation to provide us with as many services as possible. It's not the same thing in the case of Franco-Manitobans or Fransaskois. I am aware of the situation. However, in our circumstances, the number of students is high enough in our community for us to ask for the highest level of services possible.

I agree with you: it's much easier for us. It's simple, we complete a form where we write that the students have the right to go to the anglophone school and it's done.

**Mr. René Arseneault:** I'm glad to hear you say it. That's my understanding about the anglophones.

I can also take the example of my colleague Linda Lapointe. Since she and her spouse are francophones, their children could not have access to the English-language school. I understand that.

**Mr. Marcus Tabachnick:** Exactly.

The objective criteria are so restrictive that it's quite easy to determine which people have this right in a community. It's an advantage in negotiating a place, a school, or building a new school.

However, these same marginal criteria in turn exclude all sorts of members from the English-speaking community. There are families of Scottish descent and others who have undoubtedly spoken English for decades, but whose subsequent generations have legally lost the right to attend anglophone schools simply because some members of their families attended francophone schools in the 1960s.

[English]

**Mr. René Arseneault:** But the way I had read the documentation I have here, I thought that if, for example, the grandparents were anglophone—

**Mr. Geoffrey Chambers:** Not if they went to...if they went to school in the sixties, in the Protestant School Board of Greater Montreal, but in—

**Mr. René Arseneault:** That's true; it's after 1977, right.

So it's before 1977.

**Mr. Geoffrey Chambers:** That's a period of time when people in our community were saying, "I could get my kid into Brébeuf. It will be great for their career." And it was great for their career.

**Mr. René Arseneault:** It was, in fact.

**Mr. Geoffrey Chambers:** But that door is closed. That's an example that I take from my personal experience, but there are lots of examples. There are many composite families where they just missed the criteria.

So it's true, we could go to the provincial government and say we have the numbers and we have the right, build us a school. However, those numbers are based on a set of rules that are very strict.

**The Vice-Chair (Mr. John Nater):** That wraps up our round.

We do have a few minutes left. If there are a couple of short questions, we could fit them in.

Bernard, very briefly.

[Translation]

**Mr. Bernard Généreux:** Okay.

Do you think it's a form of discrimination?

**Mr. Geoffrey Chambers:** It's impossible not to conclude legally that it's discrimination.

Actually, in Quebec,

[English]

it's contrary to the UN Universal Declaration of Human Rights, article 26.3. It's against the Canadian Constitution. It's against the Quebec charter of rights. It's an exception because the French language was regarded as being in danger in the 1970s. I don't think that point of view was wrong; I'm not challenging that. However, it is an exception to the civil rights of those people in order to protect the French language in Quebec, which is a goal *que nous partageons*.

However, it does not change the fact that in familial circumstances, people sitting around the dining room table would like to do what the big documents of our civil society say you should be allowed to do, but, no, you're not allowed to.

[Translation]

**Mr. Bernard Généreux:** That's good.

Let me turn to something else quickly. You know that Mr. Samson is our expert in the world of education. He has been extremely involved in the world of minority education. If you have complaints, if you want the government to put in place very specific things or if you have very specific requests for Statistics Canada—although you have had a good relationship with the agency—I invite you to go by Mr. Samson's office because he is

•(1255)

[English]

the biggest advocate for this issue.

[Translation]

That might be interesting. We must give credit where it is due. In his case, he really is the expert in education in minority settings.

Thank you for being here today. It has been very enlightening.

I would like to know whether you think the Standing Committee on Official Languages can do something other than welcoming you and perhaps welcoming you again in the future if you have specific difficulties with Statistics Canada. We know that Statistics Canada will conduct studies and analyses in the coming months and years to formulate questions to be asked in 2021. Mr. Corbeil told us that even at Statistics Canada, he has to fight to be able to add new questions to the census. We can put pressure on Statistics Canada in order to ensure that we see very specific questions in the census. I invite you to make use of us, because we are here for you.

**Mrs. Sylvie Boucher:** We'll be there, that's for sure.

[*English*]

If there's nothing else for the committee, the meeting is adjourned.

**The Vice-Chair (Mr. John Nater):** I want to thank our witnesses for joining us today. It has been a good discussion. We really appreciate it.

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