Standing Senate Committee on Official Languages Comité sénatorial permanent des langues officielles

**OFFICIAL LANGUAGES: 2002-2003 PERSPECTIVE** 

STUDY OF THE ACTION PLAN FOR OFFICIAL LANGUAGES
AND THE ANNUAL REPORTS OF THE OFFICE OF THE COMMISSIONER
OF OFFICIAL LANGUAGES, TREASURY BOARD
AND THE DEPARTMENT OF CANADIAN HERITAGE

# Report of the Standing Senate Committee on Official Languages

37th Parliament, 2nd Session

The Honourable Rose-Marie Losier-Cool, Chair

The Honourable Wilbert Joseph Keon, Vice-Chair

October 2003

## **OFFICIAL LANGUAGES: 2002-2003 PERSPECTIVE**

STUDY OF THE ACTION PLAN FOR OFFICIAL LANGUAGES
AND THE ANNUAL REPORTS OF THE OFFICE OF THE COMMISSIONER
OF OFFICIAL LANGUAGES, TREASURY BOARD
AND THE DEPARTMENT OF CANADIAN HERITAGE

# Report of the Standing Senate Committee on Official Languages

The Honourable Rose-Marie Losier-Cool, Chair

The Honourable Wilbert Joseph Keon, Vice-Chair

October 2003

# STANDING SENATE COMMITTEE ON OFFICIAL LANGUAGES

#### **CHAIR**

Rose-Marie Losier-Cool Tracadie (NB)

**VICE-CHAIR** 

Wilbert Joseph Keon Ottawa (ON)

**MEMBERS** 

Gérald A. Beaudoin Rigaud (QC)

Maria Chaput Manitoba (MB)

Gerald J. Comeau Nova Scotia (NS)

Jean-Robert Gauthier Ottawa-Vanier (ON)

Jean Lapointe Saurel (QC)

Viola Léger Acadie (NB)

Shirley Maheu Rougemont (QC)

#### **CLERK**

Adam Thompson

### PARLIAMENTARY RESEARCH BRANCH OF THE LIBRARY OF PARLIAMENT

Marie-Ève Hudon, Analyst

## ORDER OF REFERENCE

Extract of the *Journals of the Senate*, Thursday, December 5, 2002:

The Honourable Senator Losier-Cool moved, seconded by the Honourable Senator Joyal, P.C.:

That the Standing Senate Committee on Official Languages be authorized to study and report from time to time upon the operation of the *Official Languages Act*, and of regulations and directives made thereunder, within those institutions subject to the Act, as well as upon the reports of the Commissioner of Official Languages, the President of the Treasury Board and the Minister of Canadian Heritage.

The question being put on the motion, it was adopted.

Paul C. Bélisle Clerk of the Senate

# **TABLE OF CONTENTS**

| FO              | REWORD   | 1 |
|-----------------|--|---|
| IN <sup>-</sup> | FRODUCTION   | 2 |
|                 | UNDERSTANDING THE OBJECTIVES OF THE ACTION PLAN AND OFFICIAL NGUAGES EXPENDITURES                      | 3 |
| 1.              | Action Plan  | 3 |
|                 | Official languages expenditures: Office of the Commissioner of Official nguages and other institutions | 5 |
|                 | INCREASING COOPERATION BETWEEN THE GOVERNMENT AND KEY AYERS IN ORDER TO FOSTER COMMUNITY DEVELOPMENT10 | D |
| 1.              | Provinces and Territories1   | 0 |
| 2.              | Health1  | 0 |
| 3.              | Immigration12  | 2 |
| 4.              | Arts and Culture1  | 3 |
|                 | IMPROVING ACCOUNTING, MONITORING AND COMMUNITY PROGRAM ALUATION PRACTICES19                            | 5 |
| 1.              | Implementation of Part VII1  | 5 |
| 2.              | Designated Institutions10  | 6 |
| 3.              | Accountability Framework1  | 7 |
| 4.              | Resources and Annual Reports18   | В |
| 5.              | Program Evaluation19   | 9 |
|                 | REACHING OUT TO COMMUNITIES IN ORDER TO BETTER IDENTIFY THEIR EDS2                                     | 1 |
| 1.              | Economic Development22   | 2 |
| 2.              | Agreements2  | 2 |

|     | R OFFICIAL LANGUAGES                      |    |
|-----|---|----|
| 1.  | Awareness Campaign                        | 23 |
| 2.  | Senior Federal Officials                  | 24 |
| 3.  | Staffing and Bilingualism Bonus           | 25 |
| 4.  | Language Training and Development         | 26 |
| 5.  | Anglophone Public Servants in Quebec      | 27 |
| 6.  | National Capital                          | 28 |
| 7.  | Francophones in the Northwest Territories | 28 |
| СО  | NCLUSION                                  | 30 |
| LIS | T OF RECOMMENDATIONS                      | 31 |
| ΑP  | PENDIX A - LIST OF WITNESSES              | 35 |
| ΑP  | PENDIX B – LIST OF ACRONYMS               | 37 |

The work of the Standing Senate Committee on Official Languages officially began with its creation in October 2002.

One of the mandates entrusted to our Committee is to study, and report on, the annual reports of the three main federal bodies responsible for official languages: the Office of the Commissioner of Official Languages, Treasury Board and the Department of Canadian Heritage.

Our Committee is today submitting its fourth report to the Senate. The report reflects our meetings with the Commissioner of Official Languages, the President of the Treasury Board and the Minister of Canadian Heritage during the second session of the 37th Parliament. It also deals with the results of our meeting with the President of the Privy Council, who appeared before our Committee to present the objectives of the new federal Action Plan for Official Languages.

The Action Plan, announced by Prime Minister Jean Chrétien on March 12, 2003, constitutes a first step toward revitalizing Canada's official languages program. One of the great innovations in the Action Plan is the introduction of an accountability framework designed to enhance coordination among the various institutions responsible for implementation of the *Official Languages Act*.

Our Committee is determined to advance linguistic duality and revitalize official languages in Canada. One of our main objectives in the years ahead will be to ensure that institutions that are the subject of this study will unite their efforts and strengthen their partnerships so that linguistic duality can, in the years to come, truly be a value that is part and parcel of the thinking of decision makers, government officials, official language minority communities and Canadians generally.

Respectfully submitted,

Rose-Marie Losier-Cool

Chair

# **OFFICIAL LANGUAGES: 2002-2003 PERSPECTIVE**

#### INTRODUCTION

Since it was created almost a year ago, the Standing Senate Committee on Official Languages has examined the activities of the main federal agencies responsible for official languages. Under sections 44, 48 and 66 of the *Official Languages Act*<sup>1</sup>, the Department of Canadian Heritage, Treasury Board and the Office of the Commissioner of Official Languages are required to report annually on their achievements in the field of official languages. In accordance with its mandate, the Committee has studied the three institutions' annual reports, as well as the 2003-04 Estimates of the Office of the Commissioner of Official Languages.

The Committee has also studied the Action Plan for Official Languages announced by Prime Minister Jean Chrétien on March 12, 2003. The Action Plan, the purpose of which is to strengthen coordination among the various institutions responsible for implementing the *Official Languages Act*, calls for new funding for official languages over the next five years. One of the major challenges in the coming years will be to ensure that the government honours its commitments and provides coordinated leadership to facilitate attainment of the objectives set out in the Action Plan.

This report addresses the primary concerns identified by the Committee in the course of its meetings with the Commissioner of Official Languages, the President of the Treasury Board, the Minister of Canadian Heritage and the President of the Privy Council. It is divided into five sections. First, it sets out the main objectives of the Action Plan and identifies major official languages expenditures. Second, it shows that the government has to increase cooperation with a number of key players in order to foster the full development of official language communities. Third, it discusses the issues of accountability, monitoring and evaluation in the context of programs aimed at official language communities. Fourth, it underscores the need to consult communities on a recurring basis in order to more clearly define and better meet their needs. Fifth, it urges institutions responsible for official languages to take a proactive approach in order to foster the advancement of linguistic duality in Canada.

-

<sup>&</sup>lt;sup>1</sup> Official Languages Act [R.S. (1985), c. 31 (4<sup>th</sup> supp.)].

# A. UNDERSTANDING THE OBJECTIVES OF THE ACTION PLAN AND OFFICIAL LANGUAGES EXPENDITURES

#### 1. Action Plan

The Action Plan for Official Languages will inject more than \$751 million over five years in three key areas: education (\$381.5 million), community development (\$269.3 million) and the federal Public Service (\$64.6 million). Specific measures are also included for the language industries (\$20 million) and for the introduction of a new accountability framework (\$16 million).

Education is the first key area of the Action Plan and the one in which most of the funds are to be spent. The Department of Canadian Heritage has set two main objectives for education in the years ahead. First, it wants the proportion of eligible students enrolled in French-language schools to rise to 80 per cent over the next ten years, from the current 68 per cent. Second, it wants to double the country's proportion of bilingual graduates over the next ten years, from 24 per cent to 50 per cent. To achieve these ambitious objectives, the Department intends to increase funding for the federal/provincial-territorial agreements that represent the government of Canada's main means of intervention in the education sector. These agreements are intended to cover the additional costs incurred in each province and territory to provide minority-language instruction and second-language education.

The new spending on education will cover a number of sectors, including early childhood, postsecondary education, school and community centres and distance Support for early childhood development in minority communities is essential in helping parents pass on their language and put their children in the minoritylanguage education system at a very young age. A study released in March 2003 showed that "[TRANSLATION] there is a growing consensus within Canada's Francophone community that the future of French-language schooling lies in preschool."<sup>2</sup> It is also essential to safeguard the viability of French-language school systems over the long term, by seeking to limit loss of enrolment as students move from elementary to secondary and from secondary to postsecondary. The Minister of Canadian Heritage told the Committee that "the possibility of taking post-secondary education in French is a determining factor in whether or not parents choose to enrol and keep their children in the minority education system." Moreover, as the Action Plan says, "using school buildings and providing additional areas for community use provides the vital space in which the community can build its identity and shape its contribution to society as a whole".4 Finally, distance education is one of the ways proposed to answer the needs

-

<sup>&</sup>lt;sup>2</sup> Interdisciplinary Research Center on Citizenship and Minorities (CIRCEM) and Canadian Teachers' Federation (CTF), *La petite enfance : porte d'entrée à l'école de langue française. Une vision nationale*, Ottawa, March 2003, p. 3.

<sup>&</sup>lt;sup>3</sup> The Honourable Sheila Copps, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 26, 2003, Issue No. 7, p. 11.

<sup>&</sup>lt;sup>4</sup> Government of Canada, *The Next Act: New Momentum for Canada's Linguistic Duality. Action Plan for Official Languages*, Ottawa, National Library of Canada, 2003, p.27.

of remote communities, particularly anglophone communities outside the Montreal region.

The Committee acknowledges that these various means, if they are adapted to the unique needs of each community, could help to improve minority-language education and second-language education. However, the Committee is concerned about the findings of a study published by the Office of the Commissioner of Official Languages in 2001, which said that "only about half the target school population (that is, children born of parents who have French as their mother tongue according to section 23(2)(a)) [of the Canadian Charter of Rights and Freedoms] is enrolled in Frenchlanguage schools."<sup>5</sup> One of the major problems for official language minority communities in the area of education is thus how to make sure that parents with the right to send their children to minority-language schools do in fact exercise that right. Support for minority-language schools is key to community development and is essential in ensuring that communities continue to live in their own language. Community development will benefit if parents are able to find the means to keep young people in their community and encourage them to go to school in their own language. The Minister of Canadian Heritage told the Committee that she wants to make parents in minority communities aware and accountable by looking "into the possibility of establishing a parents monitoring committee" that would look at the negotiation of future federal/provincial-territorial agreements on education. A monitoring committee would ensure greater transparency in the negotiation process.

The development of language minority communities is the second key area of the Action Plan. As noted in the Action Plan, "the minority communities need broader access to quality public services in their own language and equitable access to appropriate government programs that can assist them in their development." The new spending on community development will cover a number of sectors, including health, justice, immigration, economic development, strengthened partnerships with the provinces and territories, and assistance for community life.

In the area of health, the government wants to improve access to health services in minority communities based on three priorities: training, recruitment and retention of health care workers; networking; and primary health care. In the area of justice, the government plans to improve access to justice in both official languages through funding for projects carried out with government or non-governmental partners; stable funding for associations of French-speaking lawyers; the creation of a mechanism for consultation with communities; and the development of training tools for Department of Justice legal counsels. The Commissioner of Official Languages spoke to the Committee about the importance of taking the necessary measures to help all provincial and territorial governments set up "the appropriate institutional structures to allow

<sup>&</sup>lt;sup>5</sup> Angéline Martel, *Rights, Schools and Communities in Minority Contexts, 1986-2002: Toward the Development of French through Education*, Ottawa, Office of the Commissioner of Official Languages, 2001, p. 9.

<sup>&</sup>lt;sup>6</sup> The Honourable Sheila Copps, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2<sup>nd</sup> Session, May 26, 2003, Issue No. 7, p. 19.

<sup>&</sup>lt;sup>7</sup> Government of Canada, op. cit., p.31.

Canadians to access the justice system in both official languages." Our Committee's third report, which was tabled in the Senate on May 28, 2003, contains seven recommendations on access to justice in the two official languages. In the areas of immigration and economic development, the federal government plans to fund pilot projects aimed at promoting immigration in minority Francophone communities and providing the technological infrastructure needed to deliver services in official language minority communities. The Department of Canadian Heritage also plans to increase its financial contribution to two types of mechanism designed to support community development: federal/provincial-territorial agreements on the promotion of official languages, and Canada-community agreements.

The federal Public Service is the third key area of the Action Plan. Treasury Board's role with regard to official languages has three aspects: (1) communications with and service to the public; (2) language of work; and (3) the participation of English-speaking and French-speaking Canadians. To be exemplary, the Public Service must be capable of serving Canadians in the official language of their choice, wherever their location in the country; of allowing its employees to work in the language of their choice in regions designated bilingual; and of promoting the development of official language minority communities. Initiatives are therefore being taken to help federal institutions integrate linguistic duality into their day-to-day practices. Their objective will be to change ways of thinking in the Public Service, encourage innovation, strengthen the Treasury Board Secretariat's expertise and capacity in monitoring institutions subject to the Official Languages Act, and improve the language proficiency of public servants.

The government has also introduced a new accountability and coordination framework aimed at strengthening the government's political, administrative and financial involvement in official languages. Its three main aims are to raise awareness of the importance of respect for linguistic duality in all federal institutions, strengthen consultation mechanisms with the communities, and establish overall coordination of the government process on official languages. The responsibilities of the various departments as defined in the *Official Languages Act* are preserved. The President of the Privy Council is responsible for ensuring implementation and evaluation of the Action Plan. The Department of Justice will be given an expanded role, because it will from now on have to review federal institutions' initiatives, programs and policy orientations likely to have an impact on official languages.

# 2. Official languages expenditures: Office of the Commissioner of Official Languages and other institutions

The Committee studied the 2003-04 Estimates of the Office of the Commissioner of Official Languages and learned that new resources have been allocated to the Office of the Commissioner of Official Languages for 2003-04 (\$3.4 million) and 2004-05 (\$4 million). These new resources will enable the Office to step up its involvement in a

<sup>&</sup>lt;sup>8</sup> Dyane Adam, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2<sup>nd</sup> Session, December 2, 2002, Issue No. 2, p. 15.

<sup>&</sup>lt;sup>9</sup> Standing Senate Committee on Official Languages, *Study of the report entitled "Environmental Scan: Access to Justice in Both Official Languages"*, Third Report, Ottawa, May 28 2003.

whole range of issues, whether to increase its research capabilities, consolidate its auditing of federal institutions or improve liaison with communities, public servants and parliamentarians. The Office also plans to raise its profile in certain regions of the country, such as British Columbia, Saskatchewan and New Brunswick, which will allow it to be more in tune with the specific needs of those communities.

The data on official languages expenditures within the main institutions responsible for official languages are somewhat disparate and lacking in uniformity. Using data provided by the main departments and agencies covered by the Action Plan for Official Languages, the Committee produced Table 1, which is a profile of the key sectors/programs within which official languages expenditures are incurred. The data are for last fiscal year (2002-03). Table 1 also gives a breakdown by sector/program of the expenditures projected in the Action Plan for the next five years. Some data are currently unavailable because a few departments and agencies (i.e., Canadian Heritage, Human Resources Development Canada, Industry Canada, Justice Canada, Citizenship and Immigration Canada) first have to finalize arrangements with Treasury Board to allocate the funds they were given under the Action Plan. The Department of Canadian Heritage's financial commitments are currently being negotiated with the provinces and territories. Negotiations are also under way with the provinces and territories on Department of Justice contraventions.

TABLE 1 – OFFICIAL LANGUAGES EXPENDITURES (...in thousands of dollars...)<sup>10</sup>

| DEPARTMENT/   | EXPENDITURES - OFFIC   | IAL                                     | ADDITIONAL FINANCIAL CO   | MMITMEN    | TS SET O   | UT IN TH   | E ACTION   | PLAN FO    | OR OFFICIAL        |  |
|---|--|---|---|------------|------------|------------|------------|------------|--------------------|--|
| AGENCY  | LANGUAGES (LAST FISCAL   |   | LANGUAGES   |            |            |            |            |            |                    |  |
|   | · ·  | 2002-                                   |   | 2003-      | 2004-      | 2005-      | 2006-      | 2007-      | TOTAL              |  |
|   | Sectors/Programs   | 2003                                    | Sectors/Programs  | 2004       | 2005       | 2006       | 2007       | 2008       | (five years)       |  |
| Office of the<br>Commissioner of<br>Official<br>Languages | OFFICE OF THE COMMISSIONER  • Investigations   | 15,020<br>5,205                         | FINANCIAL COMMITMENTS  None   | <u>0</u>   | <u>0</u>   | <u>0</u>   | <u>0</u>   | <u>0</u>   | <u>0</u>           |  |
| Languages   | <ul><li>Communications, research<br/>and analysis</li><li>Corporate Services</li></ul>   | 4,988<br>4,827                          |   |            |            |            |            |            |                    |  |
| Canadian<br>Heritage                                      | OFFICIAL LANGUAGES SUPPORT BRANCH • Salaries and operating PROGRAMS 1) Education   | 279,190<br>6,250                        | FINANCIAL COMMITMENTS   | N/A        | N/A        | N/A        | N/A        | N/A        | 415,000            |  |
|   | Federal-provincial-territorial agreements     Official Languages Monitor Program     Summer Language Bursary   | 188,616<br>7,026<br>11,982              | Targeted funding – minority language     Targeted funding – second language | N/A<br>N/A | N/A<br>N/A | N/A<br>N/A | N/A<br>N/A | N/A<br>N/A | 209,000<br>137,000 |  |
|   | Program     Language Acquisition     Development Program   | 1,454                                   | Official Languages Monitor     Program     Summer Language Bursary          | N/A<br>N/A | N/A<br>N/A | N/A<br>N/A | N/A<br>N/A | N/A<br>N/A | 11,500<br>24,000   |  |
|   | Promotion     Support to communities     Federal-provincial-territorial agreements on services in  | 34,747<br>13,171                        | Program  2) Promotion  Support to minority communities                      | N/A        | N/A        | N/A        | N/A        | N/A        | 19,000             |  |
|   | the minority language Interdepartmental Partnership (IPOLC) Administration of justice Support for linguistic duality Cooperation with the voluntary sector Youth Employment Initiative | 6,317<br>649<br>3,977<br>1,021<br>3,980 | Intergovernmental cooperation   | N/A        | N/A        | N/A        | N/A        | N/A        | 14,500             |  |

<sup>&</sup>lt;sup>10</sup> Table 1 is not exhaustive. The data contained in this table are drawn on letters received by the Standing Senate Committee on Official Languages from most of the departments and agencies covered by the Action Plan for Official Languages, in the course of summer 2003.

| DEPARTMENT/             | EXPENDITURES - OFFIC                                      |               | ADDITIONAL FINANCIAL COMMITMENTS SET OUT IN THE ACTION PLAN FOR OFFICIAL                                     |                 |                 |                 |                 |                 |                  |  |
|-------------------------|---|---------------|--|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|--|
| AGENCY                  | LANGUAGES (LAST FISCAL                                    |               |  |                 | ANGUAG          | •               | ı               |                 |                  |  |
|                         |   | 2002-         |  | 2003-           | 2004-           | 2005-           | 2006-           | 2007-           | TOTAL            |  |
|                         | Sectors/Programs  | 2003          | Sectors/Programs   | 2004            | 2005            | 2006            | 2007            | 2008            | (five years)     |  |
| Treasury Board          | OFFICIAL LANGUAGES BRANCH                                 | 4,542         | FINANCIAL COMMITMENTS  | <u>N/A</u>      | <u>N/A</u>      | <u>N/A</u>      | <u>N/A</u>      | <u>N/A</u>      | <u>64,600</u>    |  |
| Secretariat             | Salaries  | 3,132         | Innovation Fund and  | 1,000           | 2,000           | 3,000           | 4,000           | 4,000           | 13,000           |  |
|                         | Operating   | 1,410         | Partnership Fund   | 1,000           | 2,000           | 3,000           | 4,000           | 4,000           | 73,000           |  |
|                         | Operating   | .,            | Management – Innovation Fund   | 200             | 200             | 200             | 200             | 200             | 1,000            |  |
|                         |   |               | Centre of Excellence   | 800             | 2,800           | 2,800           | 2,800           | 2,800           | 12,000           |  |
|                         |   |               | Linguistic Training Study  | 500             | 0               | 0               | 0               | 0               | 500              |  |
|                         |   |               | Recruitment support  | 400             | 400             | 400             | 400             | 400             | 2,000            |  |
|                         |   |               | Rebuilding capacity (Public<br>Service Commission)   | N/A             | N/A             | N/A             | N/A             | N/A             | 36,100           |  |
| Privy Council<br>Office | INTERGOVERNMENTAL<br>AFFAIRS                              | <u>1,283</u>  | FINANCIAL COMMITMENTS  | 3,000           | 2,000           | <u>4,500</u>    | 2,000           | 2,000           | 13,500           |  |
| Office                  | Salaries  | 898           | Implementation of the Action   | 3,000           | 2,000           | 4,500           | 2,000           | 2,000           | 13,500           |  |
|                         | Operating   | 385           | Plan   | ,               |                 | ,               | ,               | ,               | ,                |  |
| Health Canada           | OFFICIAL LANGUAGE<br>COMMUNITY DEVELOPMENT                | N/A           | FINANCIAL COMMITMENTS  | N/A             | <u>N/A</u>      | N/A             | N/A             | <u>N/A</u>      | 119,000          |  |
|                         | BUREAU  N/A   |               | <ul> <li>Support to networking</li> <li>Support to training and retention of health professionals</li> </ul> | 2,000<br>10,000 | 3,000<br>10,000 | 3,000<br>15,000 | 3,000<br>20,000 | 3,000<br>20,000 | 14,000<br>75,000 |  |
|                         |   |               | Primary Health Care     Transition Fund  |                 |                 | 30,000          |                 |                 | 30,000           |  |
|                         |   | 10.000        |  |                 |                 |                 | 1               |                 |                  |  |
| Human<br>Resources      | SECRETARIAT, OFFICIAL<br>LANGUAGE MINORITY<br>COMMUNITIES | <u>13,820</u> | FINANCIAL COMMITMENTS  1) Support to communities   | <u>N/A</u>      | <u>N/A</u>      | <u>N/A</u>      | <u>N/A</u>      | <u>N/A</u>      | <u>29,300</u>    |  |
| Development             | Salaries  | 1,157         | • Literacy   | N/A             | N/A             | N/A             | N/A             | N/A             | 7.400            |  |
| Canada                  | Operating   | 663           | Pilot projects for child care  | N/A             | N/A             | N/A             | N/A             | N/A             | 10,800           |  |
|                         | Program Funds   | 12,000        | Develop NGO capacity     Economic development  | N/A             | N/A             | N/A             | N/A             | N/A             | 3,800            |  |
|                         |   |               | • Internships  | N/A             | N/A             | N/A             | N/A             | N/A             | 7,300            |  |
| Industry Canada         | INDUSTRY CANADA   | N/A           | FINANCIAL COMMITMENTS  | <u>N/A</u>      | <u>N/A</u>      | N/A             | N/A             | <u>N/A</u>      | <u>53,000</u>    |  |
|                         | N/A   |               | 1) Economic development  |                 |                 |                 |                 |                 |                  |  |
|                         |   |               | Outreach and counselling   | N/A             | N/A             | N/A             | N/A             | N/A             | 8,000            |  |
|                         |   |               | Internships  | N/A             | N/A             | N/A             | N/A             | N/A             | 2,000            |  |

| DEPARTMENT/           | EXPENDITURES - OFFIC   |               | ADDITIONAL FINANCIAL COMMITMENTS SET OUT IN THE ACTION PLAN FOR OFFICIAL                  |               |                          |               |               |               |                    |  |
|-----------------------|--|---------------|---|---------------|--------------------------|---------------|---------------|---------------|--------------------|--|
| AGENCY                | LANGUAGES (LAST FISCAL Sectors/Programs  | 2002-<br>2003 | Sectors/Programs  | 2003-<br>2004 | -ANGUAG<br>2004-<br>2005 | 2005-<br>2006 | 2006-<br>2007 | 2007-<br>2008 | TOTAL (five years) |  |
|                       |  |               | Pilot projects (tele-training and tele-learning)  | N/A           | N/A                      | N/A           | N/A           | N/A           | 10,000             |  |
|                       |  |               | <ul><li>Francommunautés virtuelles</li><li>2) Languages Industry</li></ul>                | N/A           | N/A                      | N/A           | N/A           | N/A           | 13,000             |  |
|                       |  |               | Canadian Network of     Languages Industries  | N/A           | N/A                      | N/A           | N/A           | N/A           | 5,000              |  |
|                       |  |               | Marketing and branding     Research Centre for  | N/A           | N/A                      | N/A           | N/A           | N/A           | 5,000              |  |
|                       |  |               | Language Technologies   | N/A           | N/A                      | N/A           | N/A           | N/A           | 10,000             |  |
| Justice Canada        | OFFICIAL LANGUAGES LAW GROUP   | N/A           | FINANCIAL COMMITMENTS   | N/A           | N/A                      | <u>N/A</u>    | <u>N/A</u>    | N/A           | 47,999             |  |
|                       | N/A  |               | Access to justice in both official languages support Fund                                 | 3,814         | 3,809                    | 3,309         | 3,309         | 3,309         | 17,550             |  |
|                       | * It should be noted that the Administration of Justice in both  |               | Legislative Instrument Re-<br>enactment Act   | 564           | 605                      | 605           | 605           | 562           | 2,942              |  |
|                       | official languages Program and the related funds are being   |               | Languages rights  | 186<br>N/A    | 191<br>N/A               | 191<br>N/A    | 191<br>N/A    | 191<br>N/A    | 950<br>24,057      |  |
|                       | transferred from the Department of Canadian Heritage to the Department of Justice starting in 2003-04. |               | <ul> <li>Contraventions</li> <li>Accountability and<br/>Coordination Framework</li> </ul> | 500           | 500                      | 500           | 500           | 500           | 2,500              |  |
| Citizenship and       | CITIZENSHIP AND<br>IMMIGRATION CANADA  | <u>N/A</u>    | FINANCIAL COMMITMENTS   | N/A           | <u>N/A</u>               | N/A           | N/A           | <u>N/A</u>    | 9,000              |  |
| Immigration<br>Canada | N/A  |               | Recruitment and integration<br>of immigrants  | N/A           | N/A                      | N/A           | N/A           | N/A           | 9,000              |  |
| TOTAL                 |  | N/A           |   | N/A           | N/A                      | <u>N/A</u>    | N/A           | N/A           | <u>751,399</u>     |  |

# B. INCREASING COOPERATION BETWEEN THE GOVERNMENT AND KEY PLAYERS IN ORDER TO FOSTER COMMUNITY DEVELOPMENT

To foster the development of official language communities, it is essential that all players with a key role in official languages firmly believe in the validity of linguistic duality and make a commitment to foster the full development of official language communities. Federal institutions, provincial and territorial governments, community stakeholders, education administrators, health care administrators, the private sector, public servants, members of the community and others are among the players that have to be involved in making decisions related to official languages. Coordinated action by these key players will open the door to true equality for Canada's two official languages.

#### 1. Provinces and Territories

Many of the initiatives identified in the Action Plan for Official Languages are in areas of provincial jurisdiction, such as education, administration of justice, health, economic development and culture. To ensure that the money spent in these areas serves to improve minority-language services, it is essential that the federal government improve its cooperation with the provincial and territorial governments. The success of the Action Plan depends to a large extent on the willingness of the provinces and territories to implement it. As the Commissioner of Official Languages suggested, it is important that the government undertake to develop "a framework for cooperation with the provinces and territories, which are called upon to contribute significantly to achieving the plan's objectives." A framework of this kind would, over the long term promote a genuine change in perception within the various levels of government by encouraging them to integrate linguistic duality into their everyday practices.

#### **RECOMMENDATION 1**

The Committee recommends that the government develop a framework for cooperation with the provinces and territories to ensure their full participation in achieving the objectives of the Action Plan for Official Languages.

#### 2. Health

The Committee holds the view that more cooperation in the health sector is needed if we are to address the problem of access to health services in official language minority communities. Support for the training of health care professionals who can deliver services in both official languages has until now been one of the primary means by which the federal government has dealt with the shortage of health care services, particularly in francophone communities. Since 1999, the *Centre national de formation en santé*, located in Ottawa, has helped to facilitate access to studies in the health sciences and medicine for some 112 students from francophone minority

<sup>&</sup>lt;sup>11</sup> Dyane Adam, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2<sup>nd</sup> Session, May 5, 2003, Issue No. 6, p. 32.

communities. The aim of the *Consortium francophone de formation et de recherche en santé*, an initiative funded by Health Canada that is the second phase of the project endorsed by the *Centre national de formation en santé*, is to increase the number of francophone professionals in minority communities through expanded access to available programs and the deployment of training across the country. But training new professionals may not be sufficient in the short term to rectify the scarcity of health services in French. It has been estimated that "[TRANSLATION] the number of francophones enrolled in health-care training programs would need to be tripled, even quadrupled, just to meet current needs among Canada's francophone minority populations." 12

There are already professionals able to speak both official languages working in many regions of the country. However, members of official language communities who account for a small proportion of the population in a given area are often reluctant to request services in their own language. Meanwhile, health care professionals are not always conditioned to actively offer services to the public in French. The Committee believes it is essential that the necessary means be taken to ensure true active offer of health services in the minority language where the need exists. With that goal in mind, it strongly urges the federal government to initiate discussions with the provincial and territorial departments of health and with administrators of health care facilities across the country in order to identify ways of encouraging bilingual professionals to use French or identify themselves to their patients as francophones. To complement these incentives, the government should consider options for providing language training to health care professionals in the regions. In a speech he gave in May 2003, the President of the Privy Council stated, "For anglophone health professionals in Quebec, the funding [provided for in the Action Plan for Official Languages] will include [...] professional and language training, especially in the regions."13 This commitment to language training must target not only Anglophone communities, but also all official language minority communities in regions where the needs are most pressing.

#### **RECOMMENDATION 2**

The Committee recommends that the government work jointly with the provincial and territorial departments of health and with administrators of health care facilities across the country in order to identify ways of encouraging active offer of services in the minority language and provide language training in regions where the needs are most pressing.

Special efforts also have to be made in minority anglophone communities, which also face specific problems in terms of access to health care. In light of the Action Plan for Official Languages, the Committee notes with concern that in Quebec, "There are major inter-regional variations in real access to these services, a problem which

<sup>&</sup>lt;sup>12</sup> Information taken from the Internet site of the *Centre national de formation en santé* (http://www.cnfs.ca).

<sup>&</sup>lt;sup>13</sup> The Honourable Stéphane Dion, *The health component of the Action Plan for Official Languages: a story of exemplary cooperation*, Speech delivered at the Symposium on the Creation of a French-language Health Network for Nova Scotia, Dartmouth, May 23, 2003.

becomes more serious the farther away one is from the Greater Montreal area." In these circumstances, it is vital that the government work closely with Quebec's *Réseau communautaire de services de santé et de services sociaux* and the province's educational institutions to ensure that all anglophone communities have access to health professionals able to provide services in English.

#### **RECOMMENDATION 3**

The Committee recommends that the government step up its cooperation with Quebec's Réseau communautaire de services de santé et de services sociaux and with Quebec's educational institutions, in order to ensure that all anglophone communities in that province have access to health professionals able to provide services in the language of the minority.

#### 3. Immigration

The Committee believes that the government should step up its cooperation in the area of immigration. A study carried out for the Office of the Commissioner of Official Languages in 2002 found that one of the obstacles encountered by immigrants who were trained abroad and wanted to settle in official language communities is that their foreign credentials are not formally recognized. For immigrants who intend to practise a regulated profession, such as engineering or nursing, "the recognition of such credentials for the purpose of immigration is entirely separate from their recognition by professional associations." Another recent study by the Office of the Commissioner of Official Languages showed that the federal government has had trouble putting in place effective measures to help communities recruit and integrate francophone immigrants. One of the reasons why it is hard for francophone immigrants to integrate into the community may be that they are unable to find a job related to their skills. Close coordination between the federal government, the provinces and professional associations is therefore essential in fostering recognition of the professional credentials of people from other French-speaking countries.

The problems associated with the shortage of skilled workers, the recognition of foreign credentials and the regionalization of immigration are concerns for the current Minister of Citizenship and Immigration. According to him, "it's going to be up to communities to play a much larger role than they do today in helping attract and retain the immigrants they need to flourish in the future."<sup>17</sup> To act on the findings of the Commissioner of Official Languages' studies on immigration, the Committee urges the Minister of Citizenship and Immigration to work with the provincial immigration officials

<sup>&</sup>lt;sup>14</sup> Government of Canada, op. cit., p. 41.

<sup>&</sup>lt;sup>15</sup> Carsten Quell, *Official Languages and Immigration: Obstacles and Opportunities for Immigrants and Communities*, Ottawa, Office of the Commissioner of Official Languages, 2002, p. 50-51.

<sup>&</sup>lt;sup>16</sup> Jack Jedwab, *Immigration and the Vitality of Canada's Official Language Communities: Policy, Demography and Identity*, Ottawa, Office of the Commissioner of Official Languages, 2002.

<sup>&</sup>lt;sup>17</sup> Citizenship and Immigration Canada, *Notes for an Address by The Honourable Denis Coderre, Minister of Citizenship and Immigration*, Meeting of the Canadian Bar Association, Montreal, PQ, May 3, 2003, <a href="http://www.cic.gc.ca/english/press/speech/canadian-bar.html">http://www.cic.gc.ca/english/press/speech/canadian-bar.html</a>.

and professional associations to ensure that the official language communities benefit from the inflow of skilled immigrants. The recruitment of professionals from other French-speaking countries should in particular be viewed as another solution to the accessibility problem encountered by those communities in the health sector. Fostering recognition of the foreign credentials of francophone immigrants who work in health care will enable communities to attract health care professionals who are able to communicate in French and at the same time broaden the range of health services available in their region.

#### **RECOMMENDATION 4**

The Committee recommends that the Minister of Citizenship and Immigration work with provincial immigration officials and professional associations to foster the recognition of foreign credentials, in particular those of francophone health care professionals who wish to settle in official language minority communities.

#### 4. Arts and Culture

The Committee's view is that the arts and culture sector also requires greater cooperation between the various players concerned. The Minister of Canadian Heritage told the Committee that she could not speak about her department's activities related to the promotion of official languages without mentioning support for the artistic and cultural development of communities in such areas as culture, broadcasting, the arts, publishing, music and film. The role of the Department of Canadian Heritage is to "make sections 41 and 42 of the *Official Languages Act* a reality in arts and culture by fostering the dissemination and promotion of artistic products and events of the Canadian francophonie.<sup>18</sup>

The Committee observed that the member organizations of the *Fédération culturelle canadienne-française* (FCCF) were very disappointed when the Action Plan for Official Languages was tabled. They criticized the federal government's lack of commitment to arts and culture. The FCCF stated, "[TRANSLATION] supporting Canada's two official languages without supporting at the same time the cultures that bring them to life is nothing more than an attempt to keep up appearances." To recognize the real contribution of arts and culture to the development of official language minority communities, it will be necessary to strengthen the mechanisms for cooperation between the federal institutions responsible for this area and representatives of the minority communities. The Committee believes that linguistic duality has to be a real priority in institutions like the Canada Council for the Arts, the National Arts Centre, the Canadian Broadcasting Corporation, the National Film Board, Telefilm Canada, the Library and Archives of Canada, national museums and the Canadian Radio-television

<sup>&</sup>lt;sup>18</sup> The Honourable Sheila Copps, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2<sup>nd</sup> Session, Issue No. 7, p. 13.

<sup>&</sup>lt;sup>19</sup> Fédération culturelle canadienne-française, "Le plan Dion : un rendez-vous manqué", News Release, March 14, 2003.

and Telecommunications Commission (CRTC). Without active support from those institutions for arts and culture in minority communities, it is unlikely that real development of official language minority communities will be achieved.

#### **RECOMMENDATION 5**

The Committee recommends that the Department of Canadian Heritage intensify its collaboration with the federal institutions responsible for arts and culture, with a view to making linguistic duality a genuine priority within these institutions.

Development of the country's official language minority communities is difficult to envisage in isolation from support for the cultural industries, which contribute to the communities' economic health while offering them an opportunity to increase their visibility on the national scene. In a brief submitted to the President of the Privy Council in May 2002 when he was developing his Action Plan for Official languages, the Fédération des communautés francophones et acadienne du Canada underscored the importance of cultural industries to community development:

[TRANSLATION] In the so-called "industry" sectors, such as publishing, popular music, film and television, product marketing is an essential key to developing projects and activities. It is also becoming an increasingly important yardstick for measuring how well a business is doing. [...] Much remains to be done before representatives of French-speaking Canada are guaranteed the opportunity to circulate their works and their products and to reach the audiences or markets at which they are aiming.<sup>20</sup>

A commitment from the government to support language industries is also essential because Canada is facing a serious shortage of workers in that sector in the years ahead. The Action Plan for Official Languages in fact includes expenditures to support the development of language industries in Canada. The Action Plan recognizes that in recent years, language industries have "brought about the production and distribution of official documents in both languages [...] have made it easier to access government programs and have fostered communication between English- and French-speaking Canadians." However, the Committee feels it is unlikely that these new expenditures will be enough to meet the growing demand for translation, interpretation and other language technologies (e.g., captioning). The Committee reminds the government that cultural and language industries can have considerable impact in terms of the economic development of official language minority communities. As the Minister of Canadian Heritage pointed out, investing in language and culture has real economic

<sup>&</sup>lt;sup>20</sup> Fédération des communautés francophones et acadienne du Canada, *Des communautés en action. Politique de développement global à l'égard des communautés francophones et acadiennes en situation minoritaire*, document submitted to the President of the Privy Council, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, the Hon. Stéphane Dion, Ottawa, May 2002, p.21.

<sup>&</sup>lt;sup>21</sup> Government of Canada, op. cit., p. 57.

benefits: "We invest in language and culture and it creates jobs."<sup>22</sup> The federal government therefore has to look for ways of stepping up its cooperation with the private sector in order to more actively support the development of cultural and language industries, as those industries contribute to the vitality of official language communities and are truly an economic asset for Canada.

#### **RECOMMENDATION 6**

The Committee recommends that the government take joint action with the private sector in order to more actively support the growth of language industries in Canada and the growth of cultural industries within official language minority communities.

# C. IMPROVING ACCOUNTING, MONITORING AND COMMUNITY PROGRAM EVALUATION PRACTICES

### 1. Implementation of Part VII

Mechanisms to promote coordination among the federal institutions subject to the Official Languages Act have existed for a number of years. Some institutions must, for example, submit annual reports to the Treasury Board Secretariat on their management of official languages programs. Since 1994, the federal government has also had a framework designed to make federal agencies and departments accountable for the development and vitality of official language minority communities. Under the terms of this accountability framework, 29 designated departments and agencies<sup>23</sup> must submit an annual action plan to the Department of Canadian Heritage on implementation of section 41 of the Act, and a report on the results. As well, a memorandum of understanding was signed in 1997 between the Department of Canadian Heritage and the Treasury Board Secretariat regarding implementation of Part VII of the Act.

In her most recent annual report, the Minister of Canadian Heritage said that the federal government is demonstrating tangible and concerted commitment to linguistic duality. The minister told the Committee that she works closely "with 29 federal agencies and departments to encourage development of official language strategic planning, reporting and evaluation of their activities." However, federal institutions' degree of commitment to their official languages responsibilities varies greatly from one institution to the next. In the past, a lack of resources was often cited to justify inadequate follow-up on the part of institutions that did not meet their official languages

-

<sup>&</sup>lt;sup>22</sup> The Honourable Sheila Copps, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2<sup>nd</sup> Session, May 26, 2003, Issue No. 7, p. 26.

<sup>&</sup>lt;sup>23</sup> It should be noted that the Department of Canadian Heritage recently agreed to put the CRTC on the list of federal institutions designated in the 1994 accountability framework, thus increasing the total number of designated departments and agencies to 30.

<sup>&</sup>lt;sup>24</sup> The Honourable Sheila Copps, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2<sup>nd</sup> Session, May 26, 2003, Issue No. 7, pp. 14-15.

obligations.<sup>25</sup> The philosophy that underlies the new Action Plan for Official Languages presupposes stronger interdepartmental coordination among all federal institutions. The Department of Canadian Heritage remains responsible for implementation of Part VII of the Act and must assume its obligations vis-à-vis the institutions designated in the 1994 accountability framework. The Committee considers that the Department should be provided with the human and financial resources sufficient and necessary to ensure close follow-up with the departments and agencies that submit action plans to it on implementation of Part VII of the Act.

#### **RECOMMENDATION 7**

The Committee recommends that the government allocate to the Department of Canadian Heritage sufficient human and financial resources for it to carry out properly its role of following up on the federal institutions designated by the 1994 accountability framework, designed to ensure implementation of Part VII of the Official Languages Act.

### 2. Designated Institutions

The Department of Canadian Heritage has the authority to recommend additions to the list of institutions designated under the accountability framework adopted in 1994, taking into account the needs and priorities identified by official language communities. For example, following a recommendation made in the first report of the Standing House of Commons Committee on Official Languages, <sup>26</sup> the Department of Canadian Heritage agreed to put the CRTC on the list of federal institutions designated under Part VII of the Act. The Department recognized that CRTC decisions can have a significant impact on the development of official language minority communities and took the necessary measures to make the CRTC accountable for its official languages obligations. When the Commissioner of Official Languages appeared before our Committee on May 5, 2003, she supported the idea of adding the Department of Indian and Northern Affairs to the list of designated institutions: "This would involve having the department responsible for aboriginal affairs embrace linguistic duality and establish a link [between it and] Indian and aboriginal affairs." The Committee thinks that a number of other key departments and agencies should be added to the list of federal institutions designated under the 1994 accountability framework. It recommends that the Department of Canadian Heritage undertake a revision of the list in consultation with representatives of the official language minority communities, with a view to including the departments and agencies with specific obligations for the development and vitality of minority communities. By making these institutions more accountable for official

<sup>&</sup>lt;sup>25</sup> See for example: The Honourable Sheila Copps, *Proceedings of the Standing Joint Committee on Official Languages*, 37th Parliament, 1st Session, Meeting No. 40, May 28, 2002.

<sup>&</sup>lt;sup>26</sup> Standing House of Commons Committee on Official Languages, *Role and Responsibilities of the Canadian Radio-television and Telecommunications Commission in Developments in the Area of Official Languages in Canada*, Ottawa, Public Works and Government Services Canada, February 2003.

<sup>&</sup>lt;sup>27</sup> Dyane Adam, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 5, 2003, Issue No. 6, p. 44.

languages, the government would be better placed to push for real progress in linguistic duality throughout the country.

#### **RECOMMENDATION 8**

The Committee recommends that the Department of Canadian Heritage revise, in consultation with representatives of the official language minority communities, the list of institutions designated under the 1994 accountability framework, with a view to including the departments and agencies with specific obligations for the development and vitality of official language minority communities.

#### 3. Accountability Framework

The Action Plan for Official Languages calls for the introduction of a new To facilitate implementation of this new accountability accountability framework. framework, a departmental committee made up of representatives of the Privy Council, Treasury Board, the Department of Canadian Heritage and the Department of Justice will be charged with coordinating the implementation of the Action Plan at the federal level. Representatives of different federal departments and agencies could join this committee as its work reaches issues directly involving their own official languages responsibilities. The federal government's commitment to establish an accountability framework is essential to federal, provincial and territorial official languages activities. It is certainly important to make sure that the funding invested in official languages meets communities' real development needs. The institutions joining the newly formed committee have to demonstrate a determination to see that the commitments under this new administrative framework are indeed implemented. Without greater accountability on the part of institutions for their official languages obligations, it is unlikely that the framework will lead to lasting change.

When the President of the Privy Council appeared before the Committee, he said that the accountability framework would make it possible to redefine the government's obligation to reflect the realities of the official language communities in the various programs and policies it develops. The accountability framework does not however make Part VII of the *Official Languages Act* binding because, according to the President of the Privy Council, the responsibility is not solely federal but lies with the provinces as well. The Committee regards section 41 of the Act as being of fundamental importance for the official language communities. The government must make a commitment to support them while respecting provincial areas of jurisdiction. In her annual report for 2001-02, the Commissioner of Official Languages recommends "that the government clarify the legal scope of the commitment set out in section 41 of the *Official Languages Act* and take the necessary action to effectively carry out its responsibilities under this provision." The Minister of Canadian Heritage acknowledged when she appeared before the Committee that the federal government's commitment to the official language

<sup>&</sup>lt;sup>28</sup> Office of the Commissioner of Official Languages, *Annual Report 2001-2002*, Ottawa, Minister of Public Works and Government Services, 2002, p.121 (Recommendation 3).

minority communities could only be fully met if the communities were guaranteed legal recourse. In her view, "case law must decide on matters of accountability with respect to the *Official Languages Act*." <sup>29</sup>

When the Action Plan for Official Languages was announced, the Commissioner made a commitment to watch over its implementation closely. Comprehensive evaluations of the measures in the Action Plan are planned for the midpoint (i.e. 2005-06) and the end of the implementation period (i.e. 2007-08). The Committee considers, in light of the Commissioner's remarks, that the departmental committee in charge of coordinating the Action Plan should develop an accountability mechanism involving precise criteria and indicators that will enable it to accurately measure federal institutions' performance with regard to official languages. It is essential that the institutions responsible for implementing the Act and the Action Plan continue their efforts to make federal institutions account for official languages. Modernization of the accountability process has been one of the Auditor General's priorities for several years. According to her, "effective accountability is not just reporting performance; it also requires review, including appropriate corrective actions and consequences for individuals."30 The government must equip itself with appropriate tools for ensuring that federal institutions have indeed bought into the objectives identified in the plan.

### **RECOMMENDATION 9**

The Committee recommends that the departmental committee responsible for coordination of the Action Plan develop an accountability mechanism involving precise criteria and indicators that will enable it to measure accurately federal institutions' performance with regard to official languages.

### 4. Resources and Annual Reports

In her annual report for 2001-02, the Commissioner of Official Languages recommended "that the federal government allocate adequate resources to ensure that the Treasury Board Secretariat can fully exercise its role in supervising and evaluating federal institutions." The new funding provided for in the Action Plan for Official Languages will enable the Treasury Board Secretariat to act as a centre of excellence for bilingualism. It will offer support, advice and information to federal institutions in the formulation of their policies and in the preparation of the reports on official languages that they are required to submit to it annually. It intends "to develop new performance

<sup>&</sup>lt;sup>29</sup> The Honourable Sheila Copps, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 26, 2003, Issue No. 7, p. 27.

<sup>&</sup>lt;sup>30</sup> Office of the Auditor General of Canada, Report of the Auditor General of Canada to the House of Commons. Chapter 9 – Modernizing Accountability in the Public Sector, Ottawa, Minister of Public Works and Government Services, 2002, p.1.

<sup>&</sup>lt;sup>31</sup> Office of the Commissioner of Official Languages, op. cit., p.52. (Recommendation 5).

indicators as well as assessment and self-assessment tools that the federal institutions can use to measure their capacity to provide bilingual services."<sup>32</sup>

Furthermore, the Auditor General of Canada says that accountability should serve in particular to "encourage improved performance of programs and policies, through reporting on, and learning from, what works and what does not."33 In a context of promoting fuller accountability government-wide, it is vital that federal institutions incorporate the Auditor General's suggestions into the way they report to Parliament. The Committee encourages the Office of the Commissioner of Official Languages, Treasury Board and the Department of Canadian Heritage in particular to describe in their next annual reports to Parliament both the successful and the unsuccessful aspects of their official language activities. In its next insert on Interdepartmental Coordination, for example, the Department of Canadian Heritage should do more than merely describing the undertakings of each of the institutions required to prepare an action plan in accordance with section 41 of the Act. Instead, the Department should identify the practices, both sound and questionable, put in place by these institutions. The Department should also offer advice to these institutions on how to better strengthen communities and foster their development. Parliamentarians and the general public would then be in a better position to take an objective look at the progress achieved within the institutions. The institutions themselves would find it easier to improve their official languages program management by learning which practices work and which do not.

#### **RECOMMENDATION 10**

The Committee encourages the Office of the Commissioner of Official Languages, Treasury Board and the Department of Canadian Heritage to include in their next annual reports both the successful and the unsuccessful aspects of their official languages activities, to help parliamentarians and the general public take a more objective look at the progress achieved within their institutions.

#### 5. Program Evaluation

Many agreements administered by the Department of Canadian Heritage will have to be renegotiated in the next year. Among them are the federal/provincial-territorial agreements on education, the federal/provincial-territorial agreements on promotion of official languages and the Canada-community agreements. The Committee reiterates that if the goals that have been identified in the areas of education and community development are to be attained, it is essential that specific, measurable performance indicators be included in the new agreements the Department signs with the provinces and territories. Defining such indicators will promote fuller accountability,

<sup>&</sup>lt;sup>32</sup> The Honourable Lucienne Robillard, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 5, 2003, Issue No. 6, p. 10.

Office of the Auditor General of Canada, op. cit., p. 4.

more effective program evaluation, and more adequate results analysis. At the same time it will give parliamentarians straightforward information on performance and on the effectiveness of the programs offered by the Department of Canadian Heritage. The Department also has to look for ways of taking full advantage of existing tools to ensure that the objectives are actually met. For example, it has to acquire the means to ensure closer monitoring of the commitments made in the action plans submitted to it under federal/provincial-territorial agreements.

The Department of Canadian Heritage also has to take measures to ensure that the results of its evaluations are used to improve its official languages programs. As stated in the Department's annual report, evaluations of the Official Languages in Education Program (OLEP) and Support for Official-Language Communities Program (SOLCP) are currently under way. The results of those evaluations should be available in the summer of 2003. They have not yet been made public. The Committee criticizes the Department of Canadian Heritage for its ineffectiveness in releasing the results of the evaluation of these two programs, given that the related federal-provincial agreements expired more than six months ago. To ensure that the funds invested truly meet the needs of official language minority communities and make it possible to meet the objectives established in each province and territory, the Department should have released the evaluation results to the provincial education ministers, school boards and community representatives before starting the process of negotiating new agreements. According to the Treasury Board policy on evaluation, the Department is required to "ensure that the government has timely, strategically focussed, objective and evidencebased information on the performance of its policies, programs and initiatives to produce better results for Canadians.34 The Committee recommends that the Department of Canadian Heritage demonstrate due diligence and improve its administrative practices surrounding the evaluation of its official languages programs.

#### **RECOMMENDATION 11**

The Committee recommends that the Department of Canadian Heritage improve the administrative practices surrounding the evaluation of its official languages programs so that it can report the results to Parliament and the players concerned within a reasonable time frame. Whether in the area of education or community support, evaluation results must guide the negotiation of federal/provincial territorial agreements from the start of the renewal process.

It should be noted that a formative evaluation of the Interdepartmental Partnership with the Official-Language Communities (IPOLC) is currently being conducted within the Department of Canadian Heritage. The aim of this five-year initiative is to encourage other departments to support the development of minority communities by creating "sustainable links between these communities and the

<sup>&</sup>lt;sup>34</sup> Treasury Board Secretariat, *Evaluation Policy*, 2001 [1994], <a href="http://www.tbs-sct.gc.ca/pubs\_pol/dcgpubs/TBM\_161/ep-pel\_e.asp">http://www.tbs-sct.gc.ca/pubs\_pol/dcgpubs/TBM\_161/ep-pel\_e.asp</a>.

participating departments and agencies."<sup>35</sup> This program is one of the Department's main mechanisms for implementation of Part VII of the Act. Since the Partnership's introduction in June 2000, it has made possible the signing of 15 memoranda of understanding with partner institutions in support of community development. The results of the formative evaluation of the program will be released in the fall of 2003. If parliamentarians are to take an objective look at management of the IPOLC, the evaluation should indicate, through clear and concise findings, the extent to which the program meets the objectives set for interdepartmental coordination. The program will end in 2004-2005. Before any new financial commitment is made regarding the IPOLC, it is essential that the Department of Canadian Heritage conduct a comprehensive evaluation to measure the program results and the effectiveness of program management.

#### **RECOMMENDATION 12**

The Committee recommends that the Department of Canadian Heritage undertake a comprehensive evaluation of the Interdepartmental Partnership with the Official-Language Communities before the program ends in order to ensure that it is managed effectively and that it meets the objectives set for interdepartmental coordination.

# D. REACHING OUT TO COMMUNITIES IN ORDER TO BETTER IDENTIFY THEIR NEEDS

Anglicization is a problem for many francophone communities. Because they account for too small a proportion of the local population, some communities have trouble accessing education and other services in their own language. Under the Treasury Board's Official Languages Regulations, not all communities are guaranteed federal government services in both official languages. In fact, the conditions set out in the Regulations are such that 96% of the anglophone minority and 92% of the francophone are covered. Many of the communities not entitled to services in both languages are located in more remote areas. It is very hard to ensure the survival of those communities because they often lack the social and economic conditions that would allow them to live in their own language. To ensure that the needs of official language communities, particularly the most vulnerable communities, are met, the Committee expects federal institutions to consult community representatives on a recurring basis before new funds for programs aimed at those communities are even committed. Strengthening community consultation mechanisms is one of the main objectives of the new accountability framework proposed in the Action Plan for Official Languages.

-

<sup>&</sup>lt;sup>35</sup> Canadian Heritage, *Official Languages, Interdepartmental Coordination, 2001-2002*, Ottawa, Minister of Public Works and Government Services, 2003, p.1.

### 1. Economic Development

The Committee is of the opinion that access to technology and participation in the knowledge-based economy are essential for members of official language communities, remote communities in particular. In its Action Plan for Official Languages, the government plans to support initiatives designed to foster the economic development of official language communities. For example, the government will make it easier for communities to access government programs and services delivered by Industry Canada, Human Resources Development Canada and the various regional economic development agencies (i.e., Western Economic Diversification, the Atlantic Canada Opportunities Agency, the Federal Economic Development Initiative for Northern Ontario (FedNor) and the Economic Development Agency for the Regions of Quebec). Next, the Francommunautés virtuelles program, which "aims to expand Frenchlanguage content, applications and services on the Internet, as well as to encourage French-speaking Canadians to make full use of information and communications technologies", 36 will be enhanced.

In that connection, during an evaluation of the Francommunautés virtuelles program in October 2000, 37 the regional distribution of funded projects was the subject of much debate. To rectify the situation, the consulting firm hired by Industry Canada to conduct the program evaluation recommended that "the regional distribution of contributions be defined in terms of minimum and maximum contribution amounts by region in order to ensure an optimal and equitable distribution across Canada."38 The government has to ensure that it fosters access to technology and participation in the knowledge-based economy in all official language communities. Before the new economic development funds provided for in the Action Plan are spent, the government must undertake to consult the communities, especially those are the most vulnerable, in order to determine how the money might best meet their needs.

#### **RECOMMENDATION 13**

The Committee recommends that the government consult the official language communities before spending the new economic development funds provided for in the Action Plan in order to identify means of fostering access to technology and participation in the knowledge-based economy in the communities that are the most vulnerable.

#### 2. Agreements

As stated in the previous section, many agreements administered by the Department of Canadian Heritage are about to expire and will have to be renegotiated in the coming year; among them are the Canada-community agreements. When she

<sup>36</sup> Industry Canada, Francommunautés virtuelles, June 2003, http://francommunautes.ic.gc.ca/.

<sup>&</sup>lt;sup>37</sup> Industry Canada, *Francommunautés virtuelles* Program Evaluation, October 25, 2000, http://www.ic.gc.ca/cmb/welcomeic.nsf/vRTF/AuditVerificationPDF2/\$file/FrancommunauteF.pdf. 38 *Ibid*.

appeared before the Committee, the Minister of Canadian Heritage said that her Department was reviewing its funding methods in order to bring them more in line with the reality of community organizations. The current funding methods used in the Canada-community agreements are often based on individual initiatives and short-term project funding. That type of funding can be a bureaucratic burden for community organizations, which do not always have the resources to administer the funds they receive and manage all the related paperwork. Multiyear funding is one of the solutions being considered by the Department of Canadian Heritage. Multiyear funding aims to simplify administrative processes by providing organizations with financial resources for a specific number of years (ongoing funding) rather than on a project-by-project basis (project-based funding). The Department of Canadian Heritage has to move in that direction. Moreover, community representatives have to have their say in how their Before it starts negotiating the new Canada-community funding is allocated. agreements, the Department, in cooperation with the communities, should review the current funding methods and focus more on the importance of a long-term commitment to community development.

#### **RECOMMENDATION 14**

The Committee recommends that the Department of Canadian Heritage always consult minority community representatives before it starts to negotiate the Canada-community agreements in order to determine whether it should adopt funding methods that aim for a longer-term commitment to community development.

# E. FOSTERING A PROACTIVE APPOACH WITHIN INSTITUTIONS RESPONSIBLE FOR OFFICIAL LANGUAGES

The Committee recognizes that if federal institutions are to make official languages a real priority, there has to be a change in thinking. Steps must be taken to foster a more proactive approach in all federal institutions so that they are ultimately convinced of the benefits of supporting linguistic duality in Canada. The Committee strongly urges the institutions covered by this study, that is, the Office of the Commissioner of Official Languages, the Treasury Board, the Department of Canadian Heritage and the Privy Council, to set an example and be more proactive in their official languages activities in the next few years.

#### 1. Awareness Campaign

One of the Treasury Board's preferred strategies for fostering such a change in thinking is to launch a Public Service-wide awareness campaign. "One objective will be to transform public servants' attitudes and behaviours to create an atmosphere that is more conducive to the use of two official languages. [...] We will encourage managers to demonstrate ongoing leadership and to work with their employees in making

bilingualism a more integral part of workplaces."<sup>39</sup> The Commissioner of Official Languages also thinks that promotion is an important tool for making linguistic duality a core value not only within the Public Service but also among the population at large. The promotion of official languages must be done on several fronts at once, to make sure that the objectives identified in the Action Plan for Official Languages are tackled effectively. "There is no lack of ideas there. So the government needs to act in a concerted way to take ongoing concrete measures to promote official languages."<sup>40</sup> It is therefore essential that the Privy Council, the Treasury Board, the Office of the Commissioner of Official Languages, the Department of Canadian Heritage and the other partners undertake to develop a campaign to raise awareness among the various players involved in official languages and the general public. This campaign must be launched as soon as possible so that all decision makers and key players can understand and participate in the promotion of linguistic duality.

#### **RECOMMENDATION 15**

The Committee urges the government to launch a national awareness campaign designed to ensure that decision makers and key players understand and participate in the promotion of linguistic duality.

#### 2. Senior Federal Officials

The Commissioner of Official Languages and the President of Treasury Board both say that senior public servants must set an example of respect for language requirements within the federal Public Service. To ensure that official languages objectives are achieved, this leadership must be shown throughout all federal institutions. In her last annual report, the Commissioner of Official Languages referred to the establishment of an initiative focusing on the Leadership Award, which is presented to a manager in an institution subject to the *Official Languages Act* who demonstrates outstanding leadership in promoting linguistic duality and implementing the Act in his or her institution. That is a good example of a proactive approach.

The *Policy Concerning the Language Requirements for Members of the Executive Group*, issued by Treasury Board in 1998, requires incumbents of EX positions in the National Capital Region and regions designated bilingual to meet the language requirements of their positions (i.e., a C-B-C profile)<sup>41</sup> by no later than March 31, 2003. In the fall of 2002, the President of Treasury Board reiterated her commitment to reinforcing the Policy's provisions and clarified the punitive action that could be taken by the institutions concerned. "The number of executives who did not

<sup>&</sup>lt;sup>39</sup> The Honourable Lucienne Robillard, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 5, 2003, Issue No. 6, p. 8.

<sup>&</sup>lt;sup>40</sup> Dyane Adam, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 5, 2003, Issue No. 6, p. 38.

This profile means that a superior rating (C) has been obtained in reading, an intermediate rating (B) in writing and a superior rating (C) in oral interaction.

meet the deadline dropped to 120 as of March 31."<sup>42</sup> Executives who had not been able to meet the deadline will be assigned to new responsibilities. An action plan setting out such transition measures must be submitted to Treasury Board by each of the institutions covered by the Policy. It is important that the action plans reflect the seriousness with which the institutions are taking the guidelines issued by Treasury Board. The Board will have to show leadership if any institutions are slow in submitting their action plans or do not identify transition measures appropriate for their executives and consistent with the Policy's requirements.

While supporting the efforts deployed to implement the Policy, the Commissioner of Official Languages nevertheless deplores the fact that it does not apply to Deputy Ministers. According to the Commissioner, "It is puzzling to say the least that the federal government requires its managers to be bilingual but not its senior leaders." The current Clerk of the Privy Council, who is responsible for executive appointments in the Public Service, does include in the performance contracts he signs with Deputy Ministers the strategic priority of respecting the two official languages. Steps must be taken to ensure that all Deputy Ministers are genuinely implementing the requirements of the *Official Languages Act* and the related Treasury Board policies within their institutions. The Clerk of the Privy Council should therefore develop performance indicators that will enable him to evaluate precisely the degree to which the Official Languages Program in all federal institutions is being implemented. Senior managers would then be required to demonstrate that they are committed to exercising greater leadership in encouraging the emergence of a linguistically exemplary Public Service.

#### **RECOMMENDATION 16**

The Committee recommends that the Clerk of the Privy Council take the necessary steps to evaluate the performance of Deputy Ministers with regard to the implementation of official languages requirements in their institutions.

#### 3. Staffing and Bilingualism Bonus

To make its new approach a reality, Treasury Board intends over the course of the coming year to undertake a review of its policies, to ensure that they convey a clear and renewed vision of linguistic duality. The President of Treasury Board argues that changing the attitudes also requires strengthening the linguistic capabilities of government employees. "Phasing out nonimperative staffing from the top down" is one of the options envisaged by the Board. This would make it possible to give preference to the recruitment of candidates who are already bilingual when staffing

<sup>&</sup>lt;sup>42</sup> Treasury Board Secretariat, *Update on the Linguistic Profile of Public Service of Canada Executives*, <a href="http://www.tbs-sct.gc.ca/ollo/even/index">http://www.tbs-sct.gc.ca/ollo/even/index</a> e.asp.

<sup>&</sup>lt;sup>43</sup> Dyane Adam, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, December 2, 2002, Issue No. 2, p. 13.

<sup>&</sup>lt;sup>44</sup> The Honourable Lucienne Robillard, *Proceedings of the Standing Senate Committee on Official Languages*, 37th Parliament, 2nd Session, May 5, 2003, Issue No. 6, p. 9.

bilingual positions. As proposed by the Commissioner of Official Languages, this elimination of nonimperative staffing could initially apply to internal recruiting for executive positions, starting in April 2004, and for other bilingual positions starting in April 2006. The requirements would not apply for the moment to recruitment from the outside. Consultations with the main stakeholders will be held over the next few months to assess whether the Commissioner's proposals can be acted upon.

One of the policies that would have to be reconsidered in some depth by Treasury Board, in the Committee's opinion, is the one on the bilingualism bonus. This policy has for a number of years been the subject of heated debate within the Public Since 1977, it has provided that anyone who meets the language Service. requirements of his or her bilingual position is eligible for an \$800 bonus. Originally, the purpose of the bonus was to reverse the predominance of English within the Public It has never been indexed to the cost of living. Shortcomings in the Service. administration of the bonus have emerged over the years, since certain public servants have managed to receive it without meeting the language requirements of their positions. Every Commissioner of Official Languages since 1979 has recommended ending the program, calling for the integration of recognition of the additional difficulties involved in working in both languages into the salary envelope itself, rather than taking the form of a bonus. In her last annual report, the Commissioner of Official Languages reiterated her proposal to eliminate the bilingualism bonus and recognize bilingualism as a basic skill. The Committee considers this a promising option and one that is more consistent with reality. However, the main Public Service unions have for a long time opposed the idea of doing away with the bilingualism bonus and are even suggesting that it should be increased. In the context of official languages renewal within the Public Service, it is essential that the dialogue between Treasury Board and the unions be pursued, with a view to determining the best way of recognizing public servants' linguistic capabilities while respecting the main official languages objectives. Treasury Board must show leadership and take advantage of this opportunity to review its policy on the bonus.

#### **RECOMMENDATION 17**

The Committee recommends to Treasury Board that it review, in collaboration with the main Public Service unions, its policy on the bilingualism bonus.

### 4. Language Training and Development

The Committee notes that funds have been allocated to language training and development in the Action Plan for Official Languages so that public servants get better access to language courses early in their career, continuous training is provided for public servants who want to improve their language proficiency throughout their working life, to computerize teaching materials and to increase the variety of learning methods so that they are better geared to the needs of employees. At the present time, federal departments have the possibility of sending their personnel on training outside the

Public Service, but most of them still opt for the language training provided by the Public Service Commission. In recent years, the training provided by the Public Service Commission has apparently been characterized by accrued delays. Within this context, the government should recognize that there are a number of teaching establishments outside the Public Service with acknowledged expertise in language training and development. They often use the latest teaching methods, tailored to the needs of their various clienteles. The government should seek to benefit from the expertise and methods used on the outside by examining the possibility of working more closely with teaching establishments that have recognized skills in language training and development. Bill C-25,45 which is currently being studied by the Senate, endeavours to review certain practices aimed at modernizing the Public Service of Canada. The bill calls for the creation of a Canada School of Public Service that would be the new institution responsible for public servant training. According to an announcement made by the President of Treasury Board on September 16, 2003, it is expected that "if Bill C-25 receives Royal Assent, [...] the Government has decided that language Training Canada will be transferred to the new school."46

#### **RECOMMENDATION 18**

The Committee recommends that the new Canada School of Public Service (as designated in Bill C-25) investigate the possibility of setting up partnerships with teaching establishments that have recognized skills in language training and development, so that public servants learning their second language can benefit from this outside expertise.

#### 5. Anglophone Public Servants in Quebec

It has been acknowledged for a long time that the anglophone participation rate in the federal Public Service in Quebec (about 8 per cent) is clearly too low given the proportion of anglophones in Quebec's population (about 13 per cent). And yet the Official Languages Act requires that the members of the two major linguistic communities have equal opportunities for employment and advancement in the Public Service. They must be represented more or less proportionally to their demographic weight. The Commissioner of Official Languages said to the Committee that the Quebec Federal Council had made anglophone under-representation within the federal administration in that province one of its priorities. The Council has an official languages committee, which plans to make anglophones a designated group in the same way as women, aboriginal people and people with disabilities, in order to encourage departments to hire personnel more representative of the population they serve. The federal government, in particular the Treasury Board Secretariat, has to continue in that vein and urge federal departments in Quebec to adopt strategic plans

<sup>&</sup>lt;sup>45</sup> Bill C-25, An Act to modernize employment and labour relations in the public service and to amend the Financial Administration Act and the Canadian Centre for Management Development Act and to make consequential amendments to other Acts, 2<sup>nd</sup> Session, 37th Parliament.

<sup>&</sup>lt;sup>46</sup> The Honourable Lucienne Robillard, *Speech before the Senate National Finance Committee regarding the Public Service Modernization Act*, September 16, 2003, <a href="http://www.tbs-sct.gc.ca/media/ps-dp/2003/0916a">http://www.tbs-sct.gc.ca/media/ps-dp/2003/0916a</a> e.asp.

aimed at recruiting more anglophones. The plans must make the departments more accountable by committing them to implement this objective effectively.

#### **RECOMMENDATION 19**

The Committee recommends that the government urge federal departments located in Quebec to adopt strategic plans aimed at recruiting more Anglophones from Quebec<sup>47</sup> in their institutions.

#### 6. National Capital

A more proactive approach by federal institutions responsible for official languages must not be restricted to the Public Service. When the Commissioner of Official Languages appeared before the Committee, she reminded the members how important it is in a bilingual federation to have a bilingual national capital. Over the past three years, the Commissioner has repeatedly approached the City of Ottawa and the federal and provincial governments to argue that Canada's capital must be able to offer services in both official languages. She has taken on the role of persuading the various stakeholders of the relevance and value-added that bilingualism represents for the capital of a country where the equality of two languages is officially recognized. The Government of Ontario has still not declared the new City of Ottawa bilingual under its provincial legislation, despite a request from City Council to do just that. On December 16, 1999, the Senate unanimously passed a motion for Ottawa, Canada's Capital, to be declared officially bilingual. The Committee urges the government to continue its approaches, in particular to the Ontario government, in order to promote a change of attitude at Queen's Park and stronger leadership on linguistic duality in Canada's capital.

#### **RECOMMENDATION 20**

The Committee recommends that the government pursue the commitments made by the Senate on December 16, 1999, by acting on the unanimous motion to have the City of Ottawa declared officially bilingual.

### 7. Francophones in the Northwest Territories

In the winter of 2003, the Committee examined another issued raised in the last annual report of the Commissioner of Official Languages, namely the status of official languages in the Northwest Territories (NWT). In the fall of 2001, a parliamentary committee began a review of the NWT's *Official Languages Act*.<sup>48</sup> At the same time, representatives of NWT's francophone community filed suit in the NWT Supreme Court

<sup>48</sup> Official Languages Act (R.S.N.W.T. 1988, c. O-1)

\_

<sup>&</sup>lt;sup>47</sup> "The terms "Anglophones" and "Francophones" refer to employees in terms of their first official language. The first official language is the language declared by employees as the one with which they have a primary personal identification (that is, the official language in which they are generally most proficient)", Treasury Board Secretariat, *Annual Report on Official Languages 2001-02*, 2002, Ottawa, Treasury Board Secretariat, p. 42.

claiming that neither the territorial government nor the federal government was meeting its obligations regarding application of the Act. The Special Committee on the Review of the Official Languages Act of the NWT tabled its final report and draft amendments to the Act on March 3, 2003. To get a better understanding of the issues at play, the Committee asked representatives of the Department of Justice of Canada and members of the Fédération franco-ténoise to present their view of the situation. In his testimony before the Committee, the president of the Fédération franco-ténoise asked:

that the Senate [...] see to the creation of a special committee composed of members of existing Senate and House of Commons Committees responsible for official languages to examine the Official Languages Bill of the Northwest Territories, with a view to ensuring that language and constitutional rights are respected. We are asking that this Committee urgently examine that bill and ensure that it does not come into force before that review has taken place. We are also asking that this same special committee ask the Minister of Justice for a reference to the Supreme Court of Canada to clarify the situation for the parties and define the constitutional and legal status of this mysterious federal creation which is the Government of the Northwest Territories.<sup>49</sup>

While the problems encountered by the francophone community in the NWT are of great concern, the Committee holds the view that creating a special joint committee is not the best way of meeting the community's needs. On June 13, 2003, the NWT Legislative Assembly decided not to proceed with the study of the bill proposed by the Special Committee because it felt that more extensive changes were needed in the way the Act is applied. A new bill to be drafted and submitted to the NWT legislature in the fall of 2003 will take into account more of the recommendations made in the Special Committee's final report. The bill should, for example, provide for the appointment of a minister responsible for implementation of the Act and application of the Act to all NWT government departments, offices and agencies. It is essential that the federal government, in particular the Department of Justice, undertake to review the newly proposed bill to ensure that it meets the needs of the NWT's official language communities, the francophone community in particular. The federal government has a duty under section 43 of the Northwest Territories Act<sup>50</sup> to ensure that the proposed amendments do not weaken the rights of francophone communities in the NWT. In addition to appointing a minister responsible for official languages, the NWT government would ideally take measures to ensure active offer of services in French throughout its jurisdiction in order to meet the real needs of those communities.

#### **RECOMMENDATION 21**

The Committee asks the Department of Justice to review the new bill amending the Official Languages Act of the Northwest Territories that is to be

29

<sup>&</sup>lt;sup>49</sup> Fernand Denault, *Proceedings of the Standing Senate Committee on Official Languages*, 37<sup>th</sup> Parliament, 2<sup>nd</sup> Session, April 7, 2003, Issue No. 5, p. 45.

<sup>50</sup> Northwest Territories Act (R.S.C. 1985, c. N-27)

tabled in the fall of 2003 to ensure that it complies with and respects the rights of the NWT's francophone community.

#### CONCLUSION

Based on its meetings, the Committee finds that the Office of the Commissioner of Official Languages, the Treasury Board, the Department of Canadian Heritage and the Privy Council appear to have made a commitment over the past year to revitalize Canada's official languages program. The Committee urges those institutions to take the necessary measures to implement the federal government's commitment set out in the Action Plan for Official Languages. All federal institutions must follow their lead and coordinate their efforts so that linguistic duality can, in the years to come, truly be a value that is part and parcel of the thinking of decision makers, government officials, official language minority communities and Canadians generally.

Over the past year, the Standing Senate Committee on Official Languages has itself committed to making the advancement of official languages one of its priorities. The Committee has already undertaken the study of a number of key issues involving health, justice and the commitments of federal institutions to official language minority communities. The Committee wishes to recall that these institutions remain, in the end, accountable and responsible for their actions to Parliament and the Canadian people.

In the months and years ahead, the Committee's work will thus be greatly influenced by the federal government's new commitment to implement the initiatives announced in the Action Plan for Official Languages. The Committee will be monitoring the activities of the players who are called upon to perform key roles in the area of official languages, in order to promote real progress in linguistic duality throughout the country.

The Committee recommends that the government develop a framework for cooperation with the provinces and territories to ensure their full participation in achieving the objectives of the Action Plan for Official Languages.

#### **RECOMMENDATION 2**

The Committee recommends that the government work jointly with the provincial and territorial departments of health and with administrators of health care facilities across the country in order to identify ways of encouraging active offer of services in the minority language and provide language training in regions where the needs are most pressing.

#### **RECOMMENDATION 3**

The Committee recommends that the government step up its cooperation with Quebec's Réseau communautaire de services de santé et de services sociaux and with Quebec's educational institutions, in order to ensure that all anglophone communities in that province have access to health professionals able to provide services in the language of the minority.

#### **RECOMMENDATION 4**

The Committee recommends that the Minister of Citizenship and Immigration work with provincial immigration officials and professional associations to foster the recognition of foreign credentials, in particular those of francophone health care professionals who wish to settle in official language minority communities.

#### **RECOMMENDATION 5**

The Committee recommends that the Department of Canadian Heritage intensify its collaboration with the federal institutions responsible for arts and culture, with a view to making linguistic duality a genuine priority within these institutions.

#### **RECOMMENDATION 6**

The Committee recommends that the government work jointly with the private sector in order to more actively support the growth of language industries in Canada and the growth of cultural industries within official language minority communities.

The Committee recommends that the government allocate to the Department of Canadian Heritage sufficient human and financial resources for it to carry out properly its role of following up on the federal institutions designated by the 1994 accountability framework, designed to ensure implementation of Part VII of the Official Languages Act.

#### **RECOMMENDATION 8**

The Committee recommends that the Department of Canadian Heritage revise, in consultation with representatives of the official language minority communities, the list of institutions designated under the 1994 accountability framework, with a view to including the departments and agencies with specific obligations for the development and vitality of official language minority communities.

#### **RECOMMENDATION 9**

The Committee recommends that the departmental committee responsible for coordination of the Action Plan develop an accountability mechanism involving precise criteria and indicators that will enable it to measure accurately federal institutions' performance with regard to official languages.

#### **RECOMMENDATION 10**

The Committee encourages the Office of the Commissioner of Official Languages, Treasury Board and the Department of Canadian Heritage to include in their next annual reports both the successful and the unsuccessful aspects of their official languages activities, to help parliamentarians and the general public take a more objective look at the progress achieved within their institutions.

#### **RECOMMENDATION 11**

The Committee recommends that the Department of Canadian Heritage improve the administrative practices surrounding the evaluation of its official languages programs so that it can report the results to Parliament and the players concerned within a reasonable time frame. Whether in the area of education or community support, evaluation results must guide the negotiation of federal/provincial territorial agreements from the start of the renewal process.

#### **RECOMMENDATION 12**

The Committee recommends that the Department of Canadian Heritage undertake a comprehensive evaluation of the Interdepartmental Partnership with the Official-Language Communities before the program ends in order to ensure that it is managed effectively and that it meets the objectives set for interdepartmental coordination.

The Committee recommends that the government consult the official language communities before spending the new economic development funds provided for in the Action Plan in order to identify means of fostering access to technology and participation in the knowledge-based economy in the communities that are the most vulnerable.

#### **RECOMMENDATION 14**

The Committee recommends that the Department of Canadian Heritage always consult minority community representatives before it starts to negotiate the Canada-community agreements in order to determine whether it should adopt funding methods that aim for a longer-term commitment to community development.

#### **RECOMMENDATION 15**

The Committee urges the government to launch a national awareness campaign designed to ensure that decision makers and key players understand and participate in the promotion of linguistic duality.

#### **RECOMMENDATION 16**

The Committee recommends that the Clerk of the Privy Council take the necessary steps to evaluate the performance of Deputy Ministers with regard to the implementation of official languages requirements in their institutions.

#### **RECOMMENDATION 17**

The Committee recommends to Treasury Board that it review, in collaboration with the main Public Service unions, its policy on the bilingualism bonus.

#### **RECOMMENDATION 18**

The Committee recommends that the new Canada School of Public Service (as designated in Bill C-25) investigate the possibility of setting up partnerships with teaching establishments that have recognized skills in language training and development, so that public servants learning their second language can benefit from this outside expertise.

#### **RECOMMENDATION 19**

The Committee recommends that the government urge federal departments located in Quebec to adopt strategic plans aimed at recruiting more Anglophones from Quebec in their institutions.

The Committee recommends that the government pursue the commitments made by the Senate on December 16, 1999, by acting on the unanimous motion to have the City of Ottawa declared officially bilingual.

#### **RECOMMENDATION 21**

The Committee asks the Department of Justice to review the new bill amending the *Official Languages Act* of the Northwest Territories that is to be tabled in the fall of 2003 to ensure that it complies with and respects the rights of the NWT's francophone community.

# **APPENDIX A - LIST OF WITNESSES**

| Organization  | Date                     |
|---|--------------------------|
|   |                          |
| Office of the Commissioner of Official Languages  | December 2,<br>2002, and |
| Ms. Dyane Adam, Commissioner  | May 5, 2003              |
| Ms. Johane Tremblay, General Legal Counsel and Director, Legal Services Branch                          |                          |
| Mr. Michel Robichaud, Director General, Investigations Branch   |                          |
| Mr. Guy Renaud, Director General, Policy and Communications Branch                                      |                          |
| Mr. Gérard Finn, Advisor to the Commissioner  |                          |
| Ms. Louise Guertin, Director General, Corporate Services Branch (only attended the May 5, 2003 meeting) |                          |
| Treasury Board  | May 5, 2003              |
| The Honourable Lucienne Robillard, President  |                          |
| Ms. Diana Monnet, Assistant Secretary, Official Languages   |                          |
| Mr. James Lahey, Associate Secretary  |                          |
| Department of Canadian Heritage   | May 26, 2003             |
| The Honourable Sheila Copps, Minister   |                          |
| Ms. Eileen Sarkar, Assistant Deputy Minister, Citizenship and Heritage                                  |                          |
| Ms. Susan Peterson, Assistant Deputy Minister, Cultural Affairs   |                          |
| Mr. Hilaire Lemoine, Director General, Official Languages Support Programs                              |                          |
| Mr. René Bouchard, Director General, Broadcasting Policy and Innovation                                 |                          |

| Date           |
|----------------|
| March 24, 2003 |
|                |
|                |
|                |
|                |
|                |

# APPENDIX B - LIST OF ACRONYMS

CIC: Citizenship and Immigration Canada

CMEC: Council of Ministers of Education, Canada

CNFS: Centre/Consortium national de formation en santé

CRTC: Canadian Radio-television and Telecommunications Commission

FCCF: Fédération culturelle canadienne-française

FCFA: Fédération des communautés francophones et acadienne du Canada

HC: Health Canada

HRDC: Human Resources Development Canada

IC: Industry Canada

IPOLC: Interdepartmental Partnership with the Official-Language Communities

JC: Justice Canada

OCOL: Office of the Commissioner of Official Languages

OLA: Official Languages Act

OLCDB: Official Languages Community Development Bureau

OLD: Official Languages Directorate

OLEP: Official Languages in Education Program

OLLG: Official Languages Law Group

OLSPB: Official Languages Support Programs Branch

PCH: Canadian Heritage (Department of)

PCO: Privy Council Office

POLAJ: Program for the Integration of Both Official Languages in the

Administration of Justice

SOLCP: Support for Official-Language Communities Program SOLMC: Secretariat, Official Language Minority Communities

TBS: Treasury Board Secretariat