



**THE ACTION PLAN FOR OFFICIAL LANGUAGES
COORDINATION PROGRAM
SUMMATIVE EVALUATION
Final Report**

October 2007

Evaluation Division



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EXECUTIVE SUMMARY

The federal government established the Action Plan for Official Languages Coordination Program (hereafter the “Coordination Program”) in 2003 to support the implementation of the Action Plan for Official Languages (hereafter the “Action Plan”), and particularly its Accountability and Coordination Framework. Both the Privy Council Office (now Canadian Heritage) and the Department of Justice received funding under the Coordination Program and jointly planned the summative evaluation of the Coordination Program, to be conducted in fiscal year 2007–2008. This document constitutes the final report of the summative evaluation of the Department of Justice component of the Coordination Program.

1. Program description

As part of the Coordination Program, the Official Languages Law Group is expected to actively monitor official languages matters affecting the federal government, to support legal counsel in departmental legal services units in their efforts to provide legal advice on legal issues relating to official languages, to promote knowledge among federal departments of the requirements under the Accountability and Coordination Framework and the *Official Languages Act*, to examine initiatives, programs and policies (including Memoranda to Cabinet and Treasury Board submissions) that could have an impact on official languages, and to support the work of the Committee of Deputy Ministers on Official Languages (now the Committee of Assistant Deputy Ministers on Official Languages), as well as federal ministers involved in official languages issues.

Activities of the Department of Justice Canada are expected to increase awareness among federal institutions of the spirit and purpose of the *Official Languages Act* and to strengthen horizontal coordination among federal institutions in their efforts to fulfill their obligations in the area of official languages.

Under the Coordination Program, the federal government allocated \$500,000 annually to the Department of Justice, starting in 2003–2004. All resources are Vote 1 resources, applicable to salary, operating, and other related expenditures.

2. Methodology

The methodology used to conduct this evaluation included a document review and interviews with representatives from a number of federal institutions (Privy Council, Canadian Heritage, Justice Canada, as well as other federal departments) and community organizations.

3. Findings

3.1. Rationale and relevance

As the federal government pursues its implementation of the Accountability and Coordination Framework, it will require the support of the Official Languages Law Group. This is particularly true in the context of the 2005 amendments made to Part VII of the *Official Languages Act* that create specific responsibilities that are subject to court remedy as needed. Several aspects of the *Official Languages Act*, including but not limited to Part VII, have yet to be clarified, and the Official Languages Law Group, as the centre of expertise on official languages, is expected to monitor these issues and support departments as required.

The financial support that the Coordination Program is providing to the Official Languages Law Group, combined with the expanded mandate defined in the Accountability and Coordination Framework, allows the Group to play a proactive role in monitoring and responding to legal issues relating to official languages. This approach aligns particularly well with the Department of Justice Canada's legal risk management approach.

Therefore, this evaluation concludes that there is a strong rationale for maintaining the component of the Coordination Program relating to the Official Languages Law Group.

3.2. Results of the program

During the first four years of program implementation covered by this evaluation, the Official Languages Law Group has contributed to the implementation of the Accountability and Coordination Framework through a series of activities:

- It has effectively implemented a monitoring system to scan media for issues relating to official languages and relevant court decisions. This information has been shared with federal departments, particularly with legal counsel within legal services units.
- It has offered multiple training and information sessions on official languages issues to a wide audience throughout Canada, particularly relating to the 2005 amendments to Part VII of the *Official Languages Act*. These sessions have raised awareness on the impact of these significant legislative changes. Since many dimensions of the *Official Languages Act* have yet to be clarified, the need for training and awareness activities is expected to remain in the future.
- It has provided legal advice to several federal departments, as they initiate new programs or introduce new policies that may have an impact on official languages. Training and information sessions have contributed to raising the number of requests for legal advice. The Official Languages Law Group has also supported litigant counsel on cases relating to official languages.
- It has actively participated in the various coordinating activities relating to the Action Plan for Official Languages (interdepartmental committees, working groups, reporting, etc.).

These activities have contributed to a heightened awareness throughout the federal government on official languages issues. They have also ensured consistency in the advice given throughout the Department of Justice Canada, particularly its departmental legal services units

3.3. Cost effectiveness / alternatives

The Coordination Program allocates a total of \$500,000 annually to the Official Languages Law Group to cover operational expenditures, mostly related to salaries and benefits for three new positions with the Group. At the time of the evaluation, the Official Languages Law Group had filled all three positions. This is a cost-effective initiative, and no alternatives were suggested or identified during the evaluation process.

1. INTRODUCTION

The federal government established the Action Plan for Official Languages Coordination Program (hereafter the “Coordination Program”) in 2003 to support the implementation of the Action Plan for Official Languages (hereafter the “Action Plan”), and particularly its Accountability and Coordination Framework. Both the Privy Council Office (now Canadian Heritage) and the Department of Justice received funding under the Coordination Program and jointly planned the summative evaluation of the Coordination Program, to be conducted in fiscal year 2007–2008. This document constitutes the final report of the summative evaluation of the Department of Justice component of the Coordination Program.

1.1. Context for the evaluation

In 2003, Treasury Board approved funding for the Coordination Program, covering five fiscal years, from 2003–2004 to 2007–2008. Participating departments jointly developed a Results-based Management and Accountability Framework (RMAF) that called for a formative evaluation of the Coordination Program to be completed in 2005–2006, and a summative evaluation to be conducted in 2007–2008. The joint formative evaluation of the Coordination Program was completed in March 2006. As for the summative evaluation, individual reports have been prepared on the Department of Canadian Heritage and the Department of Justice Canada components of the Coordination Program. This document constitutes the report prepared on the Department of Justice Canada component.

1.2. Scope and objectives of the evaluation

This summative evaluation covers activities carried out by the Department of Justice Canada during the five-year funding period associated to the Coordination Program. The evaluation addresses issues of rationale and relevance, success, cost-effectiveness, and alternatives (Appendix A includes a list of all the issues and questions that this evaluation addresses).

1.3. Structure of the report

This document contains five sections, including this introduction. Section 2 describes the Fund, and Section 3 describes the methodology used to complete this evaluation. Section 4 summarizes the findings from the evaluation, and Section 5 presents the conclusions and lessons learned.

2. DESCRIPTION OF THE COORDINATION PROGRAM (DOJ COMPONENT)

This section of the report describes the overall policy context relating to the Coordination Program, the Department of Justice Canada component of the Coordination Program, including its goals, activities, management structure, and resources.

2.1. Policy context

The Action Plan includes two central components:

- First, the Action Plan includes an Accountability and Coordination Framework that pursues three strategic objectives:
 - raise awareness of the *Official Languages Act* in all federal institutions
 - strengthen consultation mechanisms with communities
 - establish overall coordination of the government process on official languages.

The Framework specifically describes obligations under Parts I and V and the commitments set out in Parts VI and VII of the *Official Languages Act*, as well as roles and responsibilities of federal departments and agencies in meeting statutory and policy requirements related to official languages. In addition to reaffirming existing responsibilities related to official languages, the Framework adds new policy requirements that federal departments and agencies must comply with in the areas of memoranda to Cabinet development, strategic planning, horizontal coordination, legal advice, and program evaluation.

- Second, the Action Plan includes an investment of \$751.4 million, allocated to eight federal departments over a five-year period (2003–2004 to 2007–2008), which targets four policy areas: education, community development, services to the public, and language industries.¹

To support horizontal coordination among federal departments, the Coordination Program initially assigned both funding and responsibility to the Official Languages Branch (Intergovernmental Affairs) within the Privy Council and to the Department of Justice Canada. Over a five-year period, the Coordination Program allocated \$13.5 million to the Privy Council Office and \$2.5 million to the Department of Justice Canada to pursue two objectives:

- to maintain a coordinated approach to the initiatives of federal institutions in order to respect the *Official Languages Act*
- to promote respect for rights and freedoms, the law and the Constitution, and provide high-quality legal service and counsel to the government.

On February 6, 2006, the federal government transferred the funding and related responsibilities previously assigned to the Official Languages Branch (Privy Council), to the newly formed Official Languages Secretariat with Canadian Heritage (PCH). In practical terms, this means that for the last two years of the Action Plan (2006–2007 and 2007–2008), the Official Languages Secretariat (PCH) is managing the remaining \$4 million originally allocated to the Privy Council.

2.2. Program logic

This sub-section describes the program logic linking activities that the Department of Justice Canada undertakes as part of the Coordination Program and their expected results.

2.2.1. Program goals

The Department of Justice Canada is expected to engage and support coordination activities that the Official Languages Secretariat undertakes in the areas of communications, consultations, liaison, strategic planning, research, and evaluation and to provide legal advice related specifically to the implementation of the Action Plan, its Accountability and Coordinating

¹ In addition, since 2003, the federal government made the following allocations to support the objectives of the Action Plan: Human Resources Development Canada (\$36 million), Health Canada (\$10 million), and Statistics Canada (\$10 million).

Framework, and more generally the *Official Languages Act*, constitutional language rights provisions, and other federal, provincial and territorial laws and regulations relating to language rights.

2.2.2. Program activities and outputs

As part of the Coordination Program, the Official Languages Law Group, within the Department of Justice Canada, is expected to undertake the following activities:

- Actively monitor official languages issues affecting the federal government. These activities include legislative, case law and media monitoring to identify, early on, legal risks related to official languages that could affect the federal government.
- Support legal council in departmental legal services units in their efforts to address legal issues relating to official languages.
- As needed and applicable, promote awareness within federal departments of the requirements under the Accountability and Coordination Framework and the *Official Languages Act*. This includes the development of appropriate tools to support federal departments.
- Systematically examine initiatives, programs and policies (including Memoranda to Cabinet and Treasury Board submissions) that could have an impact on official languages to ensure consistency with constitutional, statutory, and other requirements relating to official languages.
- Support the work of the Committee of Deputy Ministers on Official Languages (now the Committee of Assistant Deputy Ministers on Official Languages), as well as federal ministers involved in official languages issues.

2.2.3. Expected impacts

Activities of the Department of Justice Canada are expected to increase awareness among federal institutions of the spirit and purpose of the *Official Languages Act* and to strengthen horizontal coordination among federal institutions in their efforts to fulfill their obligations in the area of official languages.

2.3. Management structure

The Official Languages Law Group, within the Department of Justice Canada, manages the resources allocated through the Coordination Program. The General Counsel and Director of the Official Languages Law Group manages these resources and is directly accountable to the Associate Deputy Minister.

2.4. Program resources

Under the Coordination Program, the federal government allocated \$500,000 annually to the Department of Justice, starting in 2003–2004. All resources are Vote 1 resources, applicable to salary, operating, and other related expenditures.

3. METHODOLOGY

The methodology used to evaluate the Coordination Program covered both activities initiated by the Department of Canadian Heritage (formally the Privy Council) and those initiated by the Department of Justice Canada. It included key informant interviews, a document review, and a review of similar initiatives. This section provides further details on each research method.

3.1. Key informant interviews

Interviews were conducted with key informants involved with the Privy Council, Canadian Heritage, and Justice Canada, as well as other federal departments. More specifically, the following key informants were interviewed:

- key personnel of the Official Languages Secretariat (Canadian Heritage), former team members of the Official Languages Branch (Privy Council Office), and key personnel of the Official Languages Law Group (Justice Canada) (3)
- departmental official languages champions and senior management (6)
- key personnel in other federal departments and agencies with responsibilities under the Official Language Action Plan Coordination Framework (12)
- legal counsel (employees of Justice Canada assigned to various departments and agencies) (6)
- community organizations (6).

A total of 28 interviews were conducted involving 33 individuals. Interviews were conducted by telephone or in person, as appropriate.

3.2. Document Review

In consultation with Canadian Heritage and Justice Canada, a series of relevant documents were identified and reviewed. These documents can be grouped under the following categories:

- official documentation relating to the Coordination Program (Action Plan for Official Languages, Treasury Board Submission, Results-based Management and Accountability Framework for the Coordination Program, Mid-term Report on the implementation of the Action Plan for Official Languages)
- documents relating to the formative evaluation of the Coordination Program
- strategic planning information prepared for managers of the Coordination Program
- financial information
- presentations made by the Coordination Program group
- information relating to the post-censal survey
- information relating to the Horizontal Results-based Management and Accountability Framework prepared for the Official Languages Program (both the long and abridged versions) and the performance measurement strategy (Official Languages Program Information Management System)
- documents relating to the work of the Committee of Deputy Ministers on Official Languages (CDMOL) and the Committee of Assistant Deputy Ministers on Official Languages (CADMOL)
- documents relating to consultations (both internal to the federal government and with external stakeholders)
- information relating to the advisory function of the Official Languages Law Group within the Department of Justice
- other relevant information (information on Bill S-3, Annual Reports from the Commissioner of Official Languages, documents from Official Languages Champions, etc.).

3.3. Review of similar initiatives

Two suitable coordination initiatives were identified in collaboration with Canadian Heritage for this review on the basis of their similarity in terms of scale and coordination function. For this review, appropriate documents from each initiative were gathered and reviewed, and interviews were conducted with key informants.

Key documents pertaining to the mandate, structure, processes, and expected outcomes of each initiative were reviewed, which included the following.

- *Multiparty Agreement for the 2010 Winter Olympic and Paralympic Games* (November 14, 2002)
- *Integrated Results-based Management and Accountability Framework and Risk-based Audit Framework for 2010 Winter Olympic and Paralympic Games* (draft as of March 31, 2007)
- *2010 Olympic and Paralympic Winter Games RMAF/RBAF Implementation Team: Terms of Reference* (August 18, 2006)
- *The 2010 Olympic and Paralympic Winter Games Federal Secretariat: 2006/2007 Annual Progress Report – Delivering on our Commitments* (March 2007 version)
- *A Canada for All: Canada's Action Plan Against Racism – Annex C: Horizontal and Integrated Results-based Management and Accountability Framework/Risk-based Audit Framework* (August 31, 2005)
- *Terms of Reference for the Action Plan Against Racism Interdepartmental Working Group*
- *Evaluation Assessment of Canada's Action Plan Against Racism: Final Report. PRA* (June 16, 2006)
- *Baseline Information for Canada's Action Plan Against Racism: Final Report. PRA* (May 25, 2007)

Key informant interviews were conducted to assess both the extent to which processes have been implemented as expected and in a cost-effective manner, and the results of these coordination initiatives to date. Three interviews, including a total of four key informants, were conducted in person or over the telephone, as appropriate.

4. KEY FINDINGS

This section presents key findings from the document review and key informant interviews, beginning with those on the rationale of the Justice Canada coordination component. The findings on the success of the key activities undertaken by the Department of Justice in support of the Coordination Program are then presented.

4.1. Relevance of Justice Canada's component

The relevance of the Department of Justice Canada's component of the Coordination Program is intrinsically linked to the department's new responsibilities included in the Accountability and Coordination Framework, which are unfolding in an evolving legislative context. The component is also aligned with the current service delivery approach within the Department of Justice Canada. This sub-section further explores these findings.

4.1.1. New responsibilities

The Accountability and Coordination Framework, included in the Action Plan for Official Languages, assigns specific responsibilities to the Department of Justice's Official Languages Law Group:

“(…) the Justice Department's Official Languages Law Group will identify files with a potential impact on the Government's constitutional and legal obligations on official languages, monitor potentially controversial files, ensure that policies, programmes, initiatives and government documents are compliant with the *Official Languages Act* and the Constitution, and review government documents from the viewpoint of risk management and legal implications.”²

² Government of Canada. (2003). *The Next Act: New Momentum for Canada's Linguistic Duality: The Action Plan for Official Languages*, Ottawa, p. 72.

This set of activities modifies the mandate of the Official Languages Law Group by creating an expectation that it will proactively monitor actions and decisions of federal departments to assess their potential impact on official languages. Before the Action Plan for Official Languages, in accordance with the general mandate of the Department of Justice Canada, the Official Languages Law Group had been providing a wide range of advice and support relating to official languages. These services were largely delivered in response to requests from within the Department of Justice Canada or other federal departments. Following the tabling of the Action Plan for Official Languages, the Official Languages Law Group needed to maintain its capacity to respond to these requests for support and advice, in addition to building its capacity to proactively monitor and respond to significant issues relating to official languages.

As stated in the Accountability and Coordination Framework, the Official Languages Law Group's expanded mandate directly supports the Department of Justice's efforts in the area of legal risk management. By proactively monitoring issues relating to official languages and by offering avenues to avoid conflicts or litigation, the Official Languages Law Group is in a position to enhance the ability of the federal government to effectively advance its overall policy goals and objectives.

4.1.2. Evolving legislative context

Less than a year after the federal government tabled its Action Plan for Official Languages, the Senate initiated the process of modifying the *Official Languages Act* by introducing significant changes to Part VII on the *Advancement of English and French*.³ As a result of these amendments, which came into effect in November 2005, “every federal institution has the duty to ensure that positive measures are taken for the implementation of the commitments under subsection (1),” which relate to “enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and fostering the full recognition and use of both English and French in Canadian society.”⁴ These

³ Senator Jean-Robert Gauthier introduced the initial Bill S-4, *An Act to amend the Official Languages Act (promotion of English and French)*, in the Senate on February 3, 2004, but this Bill never completed the legislative process leading to its Royal Assent. On October 6, 2004, the Senator re-introduced the Bill as S-3, which received Royal Assent on November 25, 2005.

⁴ Section 41 of the *Official Languages Act*, 1985, c. 31.

amendments to the *Official Languages Act* also expanded the range of issues that may be the object of a court remedy to include those relating to the implementation of Part VII of the *Act*.⁵

These amendments to the *Official Languages Act* greatly expanded the requirement for monitoring and support to ensure that proper legal risk management be applied. Consultations held as part of this evaluation indicate that federal departments need to enhance their understanding of the scope and nature of these legislative amendments, and they require ongoing support as they take initiative to fulfill their obligations under the *Official Languages Act*. At the time of the evaluation, many issues remained as to the meaning of “positive measures” and the circumstances under which a court remedy may be successfully sought. A first test in that regard will come from the court remedy currently sought in relation to the federal government’s decision to abolish the Court Challenges Program.⁶

The evolving legislative context applicable to official languages also expands the need for departmental legal services units to build their expertise on official languages issues. Some federal departments, such as Canadian Heritage, have historically been involved in official language programs and policies, and their respective legal service units have built strong expertise in that area. Other federal departments have had a more limited involvement in official languages and have not required the same level of expertise on official languages within their legal services units. In this context, the expanded role of the Official Languages Law Group requires that it provide support to legal counsel and ensure consistency in the nature of the legal advice that various legal services units provide to their client departments.

4.1.3. Service delivery structure

The Coordination Program component relating to the Department of Justice Canada allows the Official Languages Law Group to initiate activities that cannot be covered through a cost-recovery service delivery structure. Increasingly, services that the Department of Justice Canada offers are delivered on a cost-recovery basis, meaning that federal departments who require legal advice from legal counsel must cover these expenditures. This service delivery logic hardly applies to an environment where the Official Languages Law Group proactively monitors and responds to emerging issues, creating a need for other sources of funding.

⁵ Section 77 of the *Official Languages Act*, 1985, c. 31.

⁶ On October 25, 2006, the *Fédération des communautés francophones et acadienne du Canada* initiated court proceedings relating to the federal government’s decision to abolish the Court Challenges Program.

4.2. Support to other federal departments

Through a combination of the enhanced mandate assigned by the Accountability and Coordination Framework and additional resources provided by the Coordination Program, the Official Languages Law Group has initiated a number of new activities to support other federal departments. These activities are provided in addition to the legal advice and support that the Official Languages Law Group has been traditionally providing. Because of the nature of activities undertaken, it is important to recognize that a distinction between activities provided as a result of the new mandate and those provided in accordance with the traditional role of the Official Languages Law Group cannot always be perfectly established. This sub-section presents the findings relating to the support that the Official Languages Law Group has been offering to other federal departments.

4.2.1. Ongoing scanning of official languages issues

During the first year of implementation of the Coordination Program, the Official Languages Law Group established a monitoring system to scan media for emerging issues on official languages that may have an impact on the federal government and court decisions relating to official languages. To date, this system has proven to be efficient in identifying a range of issues relating to official languages and language rights. As a result, the Official Languages Law Group has sent relevant information to departmental legal services units and has followed-up with them on strategies to mitigate legal risks. In this context, the primary responsibility for developing the appropriate strategy to respond to a potential legal risk relating to official languages rests with legal services units, which are in direct contact with client departments. Typically, the Official Languages Law Group does not communicate directly with client departments. Instead, it acts through legal services units within each department, either by drafting legal opinions itself or by supporting the departmental legal counsel in their efforts to support their client departments.

4.2.2. Training initiatives

One area in which the Official Languages Law Group has been particularly active is the provision of training and information sessions and activities, which have reached a wide audience. The Official Languages Law Group has been particularly active in this area over the past two years.

- In 2005–2006, the Group delivered 41 training and information sessions to approximately 1,250 participants. These sessions were offered in all regions, and the list of participants included senior officials, program managers, legal counsel, Official Languages Champions, and Official Languages Coordinators. Topics covered included new responsibilities under the *Official Languages Act*, the impact of recent court decisions, and other specific topics relating to official languages.
- In 2006–2007, the Group delivered 57 such training and information sessions, reaching more than 1,600 participants.

Other training and information activities that the Official Language Law Group has undertaken include a conference held in March 2007 on the impacts of the changes made to Part VII of the *Official Languages Act*. Close to 90 participants attended this conference, and the list of participants included legal counsel, program managers, the Office of the Commissioner of Official Languages, and official languages community organizations.

These activities have contributed to raising awareness on official languages within federal institutions. Interviews conducted as part of this evaluation indicate that the work of the Official Languages Law Group in this area is widely supported. Also, feedback from individuals who participated in these activities confirmed this opinion.

The range of issues addressed through training activities conducted to date is still relatively limited. Many issues relating to Part VII of the *Official Languages Act* or other parts of the *Act*, such as services to the public (Part IV), have yet to be clarified by the courts. As a result, the need for training and awareness activities is expected to remain in the future.

4.2.3. Legal advice and litigation activities

The implementation of training and information activities has triggered a greater need for legal advice. During the period covered by the Coordination Program's current funding cycle, the Official Languages Law Group has been providing between 170 and 225 pieces of legal advice each year. The majority of these (125 to 170 per year) were provided informally, and the

remaining (35 to 65 each year) were provided formally. These instances of legal advice related to multiple dimensions of official languages and reached many federal departments.⁷

The Official Languages Law Group has also supported several departments and agencies in their responses to parliamentary committees, to reports of the Commissioner of Official Languages, or to other reports relating to enforcement of the *Official Languages Act*.

Another area where the Official Languages Law Group provides support relates to litigation. In accordance with a departmental directive, all “litigation counsel must consult the Official Languages Law Group in the conduct of all language rights or language-related litigation and any matter involving the interpretation and application of the *Official Languages Act*, the Criminal Code or the Constitution and Charter’s language guarantees.”⁸ During the period covered by the Coordination Program’s current funding cycle, the level of support in this area has steadily increased.

A key result from these activities is the consistency in the advice that legal counsel provide. Legal counsel operating within legal services units who were consulted as part of this evaluation emphasized the challenging role that the Official Languages Law Group must play in this area. When a department is elaborating a new program or policy, it may require legal advice from its legal service unit on the potential impact of this new program or policy on official languages. Later on, a central agency reviewing this proposed initiative may also require legal advice from its legal services unit on the potential impact on official languages. In this context, it is critical to ensure consistency in the legal advice provided. All legal counsel consulted as part of this evaluation indicated that the Official Languages Law Group has largely succeeded in ensuring consistency. This is achieved mainly by monitoring, reviewing, and commenting on the advice provided by various legal services units.

4.3. Support to horizontal initiatives

The Department of Justice Canada is one of the lead departments responsible for the effective implementation of the Action Plan for Official Languages and its Accountability and

⁷ Information on the specifics of these instances of legal advice cannot be published, as it constitutes protected information.

⁸ Department of Justice Canada. *The Federal Prosecution Services Deskbook*. Available online from www.justice.gc.ca

Coordination Framework. As such, the Official Languages Law Group has been actively involved in a number of key activities:

- The Official Languages Law Group has participated in all meetings of the Committee of Deputy Ministers on Official Languages (CDMOL) and now the Committee of Assistant Deputy Ministers on Official Languages (CADMOL).
- As needed, the Official Languages Law Group has supported the work of the Support Committee to the CDMOL and the CADMOL, the Steering Committee, working groups, and the Interdepartmental Coordination Committee on Official Languages Research.
- The Official Languages Law Group has reviewed a number of Memorandums to Cabinet (MC) and Treasury Board (TB) submissions to determine their potential impacts on official languages. The Group monitors the agendas of Cabinet meetings to determine which MC or TB submissions may raise official languages issues. As a result, the Group reviews and comments on only a fraction of all MC and TB submissions. Legal services units within central agencies have also been required to comment on MC and TB submissions and, as such, have requested and received the assistance of the Official Languages Law Group.
- The Official Languages Law Group has contributed to the reporting activities relating to the Action Plan on Official Languages, including the development of the Horizontal Results-based Management and Accountability Framework and the Mid-term Report for Official Languages.

4.4. Allocation of resources

The Coordination Program has been providing \$500,000 annually to the Official Languages Law Group. As indicated in Section 2.4, all these resources are Vote 1 resources, applicable to salary, operating, and other related expenditures.

To implement its expanded mandate, the Official Languages Law Group opted for the creation of three new positions, including two legal counsel (LA-01 and LA-02B) and one legal assistant (CR-5). As a result of budgetary allocation delays, hiring procedures, and fluctuations in staffing, the Official Languages Law Group was not able to fill these three positions until the current fiscal year (2007–2008). As a result, actual expenditures associated with the Department of Justice Canada's component of the Coordination Program have been lower than expected during the first four years of program implementation.

5. CONCLUSIONS AND LESSONS LEARNED

This final section of the report presents conclusions and lessons learned, based on the findings presented in Section 4. The information is structured along the evaluation issues and questions listed in Appendix A.

5.1. Rationale and relevance

As the federal government pursues its implementation of the Accountability and Coordination Framework, it will require the support of the Official Languages Law Group. This is particularly true in the context of the 2005 amendments made to Part VII of the *Official Languages Act* that create specific responsibilities that are subject to court remedy as needed. Several aspects of the *Official Languages Act*, including but not limited to Part VII, have yet to be clarified, and the Official Languages Law Group, as the centre of expertise on official languages, is expected to monitor these issues and support departments as required.

The financial support that the Coordination Program is providing to the Official Languages Law Group, combined with the expanded mandate defined in the Accountability and Coordination Framework, allows the Group to play a proactive role in monitoring and responding to legal issues relating to official languages. This approach aligns particularly well with the Department of Justice Canada's legal risk management approach.

Therefore, this evaluation concludes that there is a strong rationale for maintaining the component of the Coordination Program relating to the Official Languages Law Group.

5.2. Results

During the first four years of program implementation covered by this evaluation, the Official Languages Law Group has contributed to the implementation of the Accountability and Coordination Framework through a series of activities:

- It has effectively implemented a monitoring system to scan media for issues relating to official languages and relevant court decisions. This information has been shared with federal departments, particularly with legal counsel within legal services units.
- It has offered multiple training and information sessions on official languages issues to a wide audience throughout Canada, particularly relating to the 2005 amendments to Part VII of the *Official Languages Act*. These sessions have raised awareness on the impact of these significant legislative changes. Since many dimensions of the *Official Languages Act* have yet to be clarified, the need for training and awareness activities is expected to remain in the future.
- It has provided legal advice to several federal departments, as they initiate new programs or introduce new policies that may have an impact on official languages. Training and information sessions have contributed to raising the number of requests for legal advice. The Official Languages Law Group has also supported litigant counsel on cases relating to official languages.
- It has actively participated in the various coordinating activities relating to the Action Plan for Official Languages (interdepartmental committees, working groups, reporting, etc.).

These activities have contributed to a heightened awareness throughout the federal government on official languages issues. They have also ensured consistency in the advice given throughout the Department of Justice Canada, particularly its departmental legal services units.

5.3. Cost effectiveness/alternatives

The Coordination Program allocates a total of \$500,000 annually to the Official Languages Law Group to cover operational expenditures, mostly related to salaries and benefits for three new positions with the Group. At the time of the evaluation, the Official Languages Law Group had filled all three positions. This is a cost-effective initiative, and no alternatives were suggested or identified during the evaluation process.

APPENDIX A:
List of Evaluation Issues and Questions

List of Evaluation Issues and Questions

The following table includes the evaluation issues and questions that the Summative Evaluation of the Coordination Program addresses. As indicated in the table, some questions apply to both Canadian Heritage and Justice Canada, whereas other questions apply to only one department.

Evaluation framework		
Issues/Questions	PCH	DOJ
Rationale and relevance		
1. Does the Coordination Program continue to be consistent with departmental and government-wide priorities?	X	X
2. Does there continue to be a need for the Federal government to support official languages programs?	X	
Results		
3. What is the value added, by the Coordination Program, to a global approach in actions by federal institutions to enforce the <i>Official Languages Act</i> in its entirety?	X	X
4. Has horizontal coordination among federal institutions resulted in strengthened and enhanced federal official languages policy?	X	X
5. Have tools produced by the Coordination Program been effective in helping federal institutions to fulfill their responsibilities under the <i>Official Languages Act</i> ?	X	X
6. Has knowledge of the spirit and intent of the <i>Official Languages Act</i> been strengthened within federal institutions and among federal public servants?	X	
7. Have research findings been disseminated and used in decision-making processes?	X	
8. Do the policies and programs of federal institutions better take into account the concerns of official language minority communities?	X	
9. Has the Coordination Program had any unintended positive or negative impacts?	X	X
Cost effectiveness/alternatives		
10. Do the Program benefits outweigh the costs? Are there more cost-effective ways of achieving horizontal coordination?	X	X
11. Have changes in the governance structure impacted the ability of the Coordination Program to fulfill its mandate?	X	X