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Chair: Mr. Emmanuel Dubourg



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• (1535)

[*Translation*]

The Chair (Mr. Emmanuel Dubourg (Bourassa, Lib.)): Welcome to meeting No. 8 of the House of Commons Standing Committee on Official Languages.

Madam Clerk, are there any replacements?

Who is in the room?

The Clerk of the Committee (Ms. Josée Ménard): Mr. Généreux is here in the room with us, and Mr. Mazier will be replacing Mr. Williamson today.

The Chair: Thank you very much.

The committee is meeting today as part of its study of the impact of the COVID-19 pandemic on the government's ability to deliver information in both official languages.

The proceedings will be made available via the House of Commons website. So you are aware, the webcast will always show the person rather than the entirety of the committee. To ensure an orderly meeting, I would like to outline a few rules to follow.

For those participating virtually, members and witnesses may speak in the official language of their choice. Interpretation services are available for this meeting. You have the choice, at the bottom of your screen, of either Floor, English or French. Before speaking, click on the microphone icon to activate your own mic. When you are done speaking, please put your mic on "mute" to minimize any interference.

A reminder that all comments by members and witnesses should be addressed through the chair. Should members need to request the floor outside of their designated time for questions, they should activate their mic and state that they have a point of order. If a member wishes to intervene on a point of order that has been raised by another member, they should use the "raised hand" function. This will signal to the chair your interest to speak and create a speaker's list.

In order to do so, you should click on "Participants" at the bottom of the screen. When the list pops up, you will see next to your name that you can click "raise hand".

When speaking, please speak slowly and clearly. When you are not speaking, your mic should be on mute. Unless there are exceptional circumstances, the use of headsets with a boom microphone is mandatory for everyone participating remotely.

Should any technical challenges arise, please advise the chair. Please note that we may need to suspend for a few minutes as we need to ensure all members are able to participate fully.

With regard to a speaking list, the committee clerk and I will do the best we can maintain consolidated order of speaking for all members, whether they are participating virtually or in person.

I would now like to welcome our witnesses.

Joining us today are Mrs. Linda Cardinal, Emeritus Professor, University of Ottawa, Ms. Stéphanie Chouinard, Assistant Professor, Department of Political Science, Royal Military College of Canada and Department of Political Studies, Queen's University, Mr. François Larocque, Professor, Faculty of Law, Common Law Section, University of Ottawa, and Mr. Martin Normand, Postdoctoral Fellow, University of Ottawa.

Your opening statements should not exceed seven and a half minutes.

I would also like to point out to the participants that I use a yellow card to indicate when you have approximately one minute left to speak. However, I also have a red card which, as in soccer, means your time has expired.

I would like to begin by giving the floor to Ms. Chouinard for her opening statement.

Ms. Chouinard, you have the floor.

• (1540)

Ms. Stéphanie Chouinard (Assistant Professor, Department of Political Science, Royal Military College of Canada and Department of Political Studies, Queen's University, As an Individual): Thank you, Mr. Chair.

I would like to thank the members of the committee for having given me this opportunity to speak today.

The study you are commencing today is important and your work happens to come at a more exciting period for official languages than we have had for a long time. We therefore need to make the most of it.

My statement today is based on two key ideas.

First of all, during the pandemic, the government's *modus operandi* has been that because we were in an emergency situation and had to do things quickly, official languages were suddenly not as important as the central issue of protecting Canadians. We should have done it the other way around. It's precisely because the government's primary goal is to protect Canadians that official languages should have been central to its actions during the pandemic. Official languages are a tool, not an obstacle, to better protection for Canadians.

Secondly, it's precisely because, in times of crisis, when the government goes into autopilot, that best practices need to be in place already. In other words, COVID-19 has taught us that it is important to be prepared upstream and to have well-established procedures and "reflexes". Otherwise official languages end up on the back burner whenever there is an emergency.

If the federal government came up short in its linguistic obligations beginning in March, it's because the government does not instinctively consider the linguistic impacts of implementing the measures, or treats them as optional. Official languages must become part of the federal government's autopilot mode.

Since the month of March, my colleagues and I have noticed a looser attitude towards federal linguistic obligations at daily press briefings, sometimes implicitly and sometimes explicitly, an example of which was the circumvention of bilingualism requirements for cleaning product labels.

In the spring, my colleague Martin Normand and I published an article entitled "Talk COVID to Me: Language Rights and Canadian Government Responses to the Pandemic". We are also working with another colleague, Jean-François Savard, on a chapter about this topic for a forthcoming book.

Mr. Normand and I will both be speaking again about some of the major themes in our work. I will be addressing two areas: daily press briefings and other traditional radio and television communications, and social network communications.

Both official languages were certainly used in daily press briefings, but French was sometimes not as much in evidence. The Prime Minister also made some videos for children with Dr. Teresa Tam, but these were never made available in French.

Government communications on social media are not controlled to the same degree because some of the legislation, including the Official Languages Act, dates back to before these media existed. We hope that this will soon be dealt with. However, social media have become an important source of information for the public.

Our analysis of Twitter, for example, determined that French was not used as much as English by the federal government, with about 79.4% in English and 20.6% in French.

Why, beyond compliance with the act, are these observations important? We looked at it through two lenses, public safety and public health.

From the public safety standpoint, citizens need access to clear information about measures and regulations. Many stakeholders spoke to Canadians during the crisis via simultaneous interpretation

or subtitling on digital platforms. But not everyone has the technological means to access these digital retransmissions.

Others might say that the rate of French-English bilingualism is higher among francophones and that they should be able to understand instructions in English. This excuse is not only unconstitutional, but false. There are many unilingual francophones, particularly among seniors, which is precisely the population most at risk from COVID-19 complications.

We have anecdotal evidence of francophones outside Quebec who tuned into to Quebec government press briefings to obtain information in French and who were complying with these measures rather than those applicable to their own province. Non-compliance with local restrictions could not only have an impact on public safety, but also legal consequences for citizens, such as fines.

From the public health standpoint, language barriers can have a negative impact on patient health, whether from diagnostic errors or inappropriate treatment.

Ontario's former French language services commissioner had previously pointed out that these risks are higher among vulnerable populations, including francophone seniors and immigrants who have a poor command of English.

In short, during a health crisis, all citizens should be able to contribute to the effort of limiting the spread of the disease, and that depends on having all essential information available in both official languages.

● (1545)

What should be done on the basis of these findings? A change in the federal government's mindset is required to address its linguistic obligations, and it must extend beyond the official languages commissioner's office. The pandemic has brought to light all of the various mechanisms required by the government to act in times of crisis, and shown that no government body can shirk its linguistic responsibilities.

Official languages must be seen as a way of reaching out to and communicating with Canadians, and not as a barrier to communication. The official languages need to be viewed as a way of protecting Canadians, and not as an impediment to their protection. If the State is to be nimble in responding quickly and effectively in times of crisis, then it needs the tools that would enable it to act rapidly and effectively in both official languages. It's important not only because it's an obligation, but also because lives are at stake.

Pragmatically then, how to begin the process of turning this around? We knew it before, but now it has become completely obvious: digital federal communications must be subject to the Official Languages Act. Digital communications alone will not do it, however, because far too many Canadians still rely on traditional media. We quickly realized that Canada's chief public health officer, a role that was always just about invisible to most Canadians, had become a key player in communicating and coordinating during the pandemic. The position should have been designated bilingual, as is the case for other officers of Parliament.

My colleague Mr. Normand will talk about the situation in the provinces, but there is room for the federal government to play a leadership role for the federation, as large amounts of important information about managing the pandemic have been coming from the provincial governments. Although the Emergency Measures Act was not declared during the pandemic, it would be worth considering, before another crisis forces us to do so, how the government's action plan could be deployed, and how to make sure it complies with its linguistic obligations.

If the government is to become a true champion of official languages, just as it claims to be a champion of feminism, then it should develop an official languages policy analysis tool like the one that was developed to carry out a comparative gender-based analysis, usually referred to as GBA+.

Thank you for your time and your attention. I'll be more than happy to continue the discussion with you.

The Chair: Thank you, Ms. Chouinard.

We will now move to Mr. Normand for seven and a half minutes.

Mr. Martin Normand (Postdoctoral Fellow, University of Ottawa, As an Individual): Mr. Chair, committee members, it's my turn now to thank you for this opportunity to appear before your committee.

As the country copes with the second wave of COVID-19, it's a very good time to ensure that government linguistic obligations are maintained and met. I hope you will take away two points from my statement.

I'll begin with some data on provincial government communications from our recent research. The findings are clear...

Mr. Marc Dalton (Pitt Meadows—Maple Ridge, CPC): Mr. Chair, I have a point of order.

I'm having a lot of trouble hearing what the witness is saying. The microphone may be too close.

The Chair: Thank you, Mr. Dalton.

Could the clerk look into the technical side of things? Should I ask Mr. Normand to continue so that the sound can be checked?

Mr. Normand, please continue to speak for a few more seconds so that we can check whether everything's working.

• (1550)

The Clerk: Could you speak a little louder, Mr. Normand?

Mr. Martin Normand: I'll begin with some data on provincial government communications from our recent research. The find-

ings are clear: communications in French were inadequate across Canada, even in those provinces and territories where linguistic obligations are more stringent. This lends support to the idea that respect for the status of French was considered less important than protecting Canadians.

I also feel that the parameters of your study are too narrow. Official languages pertain to much more than communication issues. They cut across many areas of government action. Communication problems do not reveal the whole story of the COVID-19 pandemic's impact on francophone minority communities. Their health and security also rest on the formulation of public policies and on delivering services to the public.

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Chair, I have a point of order.

The witness should not be so close to the microphone. The sound is distorted and I'm sure the interpreters are having trouble understanding.

The Chair: Okay.

Mr. Bernard Généreux: The witness should lower the sound a bit.

The Chair: Okay. Noted.

Mr. Normand, move away from your microphone a bit and don't touch the switch.

Mr. Martin Normand: I'll give it another try.

The performance of the provincial and territorial governments in terms of communications in French has been erratic, even where the obligations are more stringent.

The linguistic obligations of the Government of New Brunswick are also often cited as an example. Yet in spite of these protections, government communications since the beginning of the crisis have been unsatisfactory. For example, even though it would have been possible to use simultaneous interpretation during his press briefings, Premier Higgs has not made use of interpreters for several weeks and has refused to answer any questions put to him in French. After some hemming and hawing, the province's official languages commissioner, Shirley MacLean, recommended that the premier be accompanied by a bilingual spokesperson when giving speeches. He has not yet done so.

Ontario's current Communications in French Directive was established following a series of problems with French-language communications during the H1N1 flu crisis. In spite of this directive, all press briefings up to the end of April were in English only, with no simultaneous interpretation and no government spokesperson to field questions in French. Documentation for journalists was only available in French several hours after the English version was released.

Some best practices were applied in other provinces. For example, in Prince Edward Island, the chief medical health officer answered questions in French during press briefings in the province. In Alberta, the premier has also spoken in French fairly regularly since the beginning of the pandemic. The important thing to note is that it was because there were bilingual people in key positions, and not because of any particular public policies, that it was possible for them to communicate in French. Also noteworthy were efforts in Nova Scotia, where data about the situation in the province were posted on websites in both languages, and approximately the same amount of English and French was used on its institutional Twitter accounts.

And even though public institutions in Quebec have no requirement to communicate in English under the Charter of the French Language, they did so rather effectively, demonstrating that a government can show good faith towards its linguistic minority, even in the absence of any rules requiring it to do so.

Quebec's Canadian intergovernmental affairs secretariat also published a special French-language edition of its COVID-19 self-care guide for Francophones outside Quebec, in provinces where no information in French had been made available.

Stringent linguistic obligations are not enough to ensure effective communications with official language minority communities. At the moment, we still have to rely on the will and political leadership of individuals. Any measures to correct communication problems will be inadequate unless they are protected from people who do not take government linguistic obligations seriously.

Government laxity towards linguistic obligations showed most clearly in communications with the public. You can work hard to redress this, as shown for example in the recent report of the Commissioner of Official Languages, but this approach is too narrow. Official languages cannot be reduced to communication issues. They need to be built into every field and every phase of public action.

For example, let's look at Health Canada's decisions in the spring with respect to labelling on cleaning products and disinfectants. That was not a communication problem, but a problem inherent to the decision-making process on a public policy issue within that institution. What Health Canada did was authorize the distribution and sale of products labelled only in English. After some heavy criticism, the policy was amended via an interim measure requiring additional information in French to be available in proximity to the products. The fact that they did not automatically think of an interim solution as part of the decision-making process shows that official languages had not been factored in prior to the decision.

But this solution is also inadequate. I have seen products that did not comply with the new policy. After considerable effort, I was able to file a complaint about this with Health Canada's health products compliance branch, because this type of complaint does not fall within the mandate of the Office of the Commissioner of Official Languages, even though it is a language issue. Four months after the complaint, the product in question is still on the shelves. Apart from receiving an acknowledgement two months later, telling me that the complaint would be investigated, I have still not received any news from Health Canada. The evidence has shown that

the solution was poorly adapted, inadequately thought out, and difficult to implement.

● (1555)

That's only one example that illustrates why the protection and promotion of official languages needs to be built into every step in public action. If institutions want to take this imperative seriously, the pandemic could provide some useful opportunities.

The health crisis has forced service delivery to shift increasingly to digital solutions. As government institutions innovate to cope with an emergency, they could incorporate their linguistic obligations into the exercise rather than treat them as a nuisance. Franco-phones would definitely welcome being consulted about having access to new services in their language via innovative technological tools. Institutions could be mobilized to plan a transition in the delivery of government services. If this turns out to be one of the impacts of the pandemic, many people will be delighted.

Thank you.

The Chair: Thank you very much for your statement, Mr. Normand

I will now ask Mrs. Cardinal to switch on her mic for her statement.

Mrs. Linda Cardinal (Emeritus Professor, University of Ottawa, As an Individual): Thank you Mr. Chair.

I hope everyone can hear me.

The Chair: Yes.

Mrs. Linda Cardinal: Thank you, honourable members, for having invited me to speak to you in your deliberations.

I will be speaking to you today in tandem with my colleague Mr. Larocque, about a study...

[*English*]

Mr. Dan Mazier (Dauphin—Swan River—Neepawa, CPC): I have a point of order, Mr. Chair.

[*Translation*]

The Chair: Yes.

Excuse me, Mrs. Cardinal.

[*English*]

Mr. Mazier, go ahead.

Mr. Dan Mazier: The volume of the translation is at the same level as her voice. Whether it's the translation or.... She has to speak French, I guess.

The Chair: Yes, she is speaking in French.

[*Translation*]

Madam Clerk, could you please check with the technicians about solving this problem?

Mrs. Linda Cardinal: Should I continue?

The Clerk: Good afternoon, Mrs. Cardinal.

In the Zoom application under “interpretation,” could you check which language has been chosen?

Mrs. Linda Cardinal: It's French.

Is it better now?

[*English*]

Mr. Dan Mazier: Yes, it's much better.

[*Translation*]

The Clerk: Thanks.

Mrs. Linda Cardinal: Okay.

The Chair: Thank you, Mrs. Cardinal.

I had stopped the timing.

Mrs. Linda Cardinal: I was saying that my presentation will be given in tandem with my colleague, Mr. François Larocque.

You have just heard two presentations that included research results. Today, we are going to describe a research project that complements these, but that addresses the question of official languages during the pandemic from a different angle, one that is more legal and focused on representations of the language used in administering official languages.

The project we are going to discuss today was funded by the Social Sciences and Humanities Research Council of Canada under its Partnership Engage grants program. Our main partner in this research is the Fédération des communautés francophones et acadienne du Canada, the FCFA.

I will provide an overview of the research and its objectives. We thought that you might find it interesting and that it might fuel further discussion.

I'll begin by commenting on the impact of the COVID-19 pandemic on the government's ability to supply information in both official languages, which is the very subject of your study. I agree with my colleague Mr. Normand in saying that our work is not limited to communications. It focuses much more on problems related to bilingual labelling.

I'll begin with the conclusion, to make things easier. Then, if I haven't had enough time to finish my statement, you'll at least have the conclusion.

There are two important messages in what I am presenting to you today.

First is the key role of research on official languages.

The handling of official languages in the management of the current crisis was not based on existing credible research and data in the field of official languages, including health and public safety aspects. Researchers have been saying for years now that language is an issue that affects health and public safety. In my own work, I have pointed this out on numerous occasions.

There is a great deal of Canadian expertise in this field, for example at the Institut du savoir Montfort language institute, where researchers have been emphasizing this dimension of language pol-

icy for many years now. That's the first message, which is also a statement of fact.

The second message is a key assumption underpinning our work.

The Canadian government's official languages action during the pandemic reflects the concept of language as an identity issue. It's very important, and we know that language is indeed a vehicle of identity, as confirmed by the Supreme Court of Canada. However, since 1982—a relatively long time ago—, language has also been a vehicle of citizenship. It has been argued that language is a fundamental value of Canadian society. When we say that, we are doing more than reducing language to these identity issues.

Language is also said to be a vehicle of citizenship, and accordingly, of inclusion. This means that in health, access to education, language of work and safety, these issues are intrinsically tied to citizenship. That's why the FCFA has so often said in the media that francophones were treated as second-class citizens. Why? Because underlying the representation of the language that guided government action, there was perhaps a narrower view of the government's obligations. My colleague Mr. Larocque, can tell you more about this shortly.

That, basically, was our conclusion.

Our research needs to be placed in context, and I will tell you about this briefly. I would also like to explain our objectives and expected outcomes.

I won't go into all the events mentioned by my colleagues previously, but it is definitely important to recap what went on in the month of March and the month of May.

In March, the Canadian government decided to opt out of its obligation with respect to bilingual labelling for disinfectants not once, but twice, claiming that French was an identity issue, that official languages were a vehicle for our identity, that it was truly unfortunate, but that we were in an emergency situation and could not do it. That's what our Prime Minister said.

● (1600)

Secondly, following numerous representations, and after the government had shirked its obligation for a second time, we finally heard the Prime Minister himself say that he considered language to be a health and public safety issue.

My colleague and I sent letters and wrote media articles to shore up this idea, and this led to measures being taken. However, as my colleague Martin Normand, pointed out, we had trouble seeing concrete results from these measures.

What we saw, which is what led to our research, was that there is no French lens within the government, with respect to emergencies and other areas, and that the existing officials guiding the government's emergency measures actions and official languages were circumventing the Official Languages Act.

We also noted a lack of sympathy towards French in a time of crisis, a failure to take compelling data about official languages in health into account to guide the government's action, along with faint-hearted recognition from the Prime Minister that language is a health and public safety issue.

We used this factual analysis again in a partnership project for scientific research, whose main objective is to shed light on the management of official languages in times of crisis, through interviews with a wide range of government and political stakeholders, including those responsible for the COVID-19 studies conducted in the 12 departments concerned.

I'll stop there. You've already heard my conclusion.

Thank you. I would be more than happy to respond to any questions or comments you might have.

I will now turn things over to my colleague, Mr. Larocque, so that he can speak to you on the more legal aspects of our work.

• (1605)

The Chair: Thank you very much, Mrs. Cardinal

I'll move on to your colleague now.

Mr. Larocque, you have the floor.

Dr. François Larocque (Professor, Faculty of Law, Common Law Section, University of Ottawa, As an Individual): Thank you very much, Mr. Chair.

I would like to thank the honourable members of the committee for this opportunity to appear.

The advantage of speaking last is that I can be more concise, because several comments I was going to make have already been said. That's great, as it will leave more time for discussion.

During the waiting period prior to the start of the meeting, my MP, Mrs. Marie-France Lalonde, commented that one of the sentences of the year would definitely be, "Your mic is on mute."

Second place might well go to:

[*English*]

One should never waste a good opportunity or good crisis.

[*Translation*]

"Never waste a good crisis." I'm talking along with the interpreter here. Translating yourself is a dangerous business, isn't it?

As my colleagues have said before me, this pandemic has made us realize that official languages can't be dissociated from public health and safety. There can be no doubt about that. The very title of the report of the Commissioner of Official Languages on the Canadian government's reaction to the pandemic is an indication that this is a compliance and safety issue. As a jurist, I would add, out of professional bias, that respect for official languages in times of crisis is also a rule of law issue. The Official Languages Act and the language rights that it codifies and that are set forth in the Canadian Charter of Rights and Freedoms must always guide the government's actions, particularly in times of crisis.

In our research, each of my colleagues, Ms. Chouinard, Mr. Normand and Mrs. Cardinal, and I examine various aspects of the manner in which official languages are taken into account in the government's actions. From a legal standpoint, the additional focus that we can bring is on the way official languages are taken into consideration in developing action plans and legislation. We're using the

current modernization of the Official Languages Act as an opportunity to discuss these issues. And in this modernization effort, we must absolutely acknowledge the lessons we learn from the pandemic and determine what additions we can make to this quasi-constitutional statute.

As my colleague Ms. Chouinard said earlier, the Emergency Measures Act wasn't invoked during the pandemic. However, it's important to note that, if it had been, we would have noted that its preamble is entirely silent on the matter of official languages. The preamble to the act provides that the emergency measures and actions taken under it shall be guided by the Canadian Charter of Rights and Freedoms, which of course includes language rights. However, the act is silent on the subject of the Official Languages Act, although it does refer to the International Covenant on Civil and Political Rights. I agree that's important too, but the Emergency Measures Act should expressly refer to the Official Languages Act as well.

The two statutes respecting emergency measures in connection with COVID-19—the COVID-19 Emergency Response Act of March 25 and the COVID-19 Emergency Response Act, No. 2—which were passed and assented to by Parliament, are also silent on official languages. They even authorize the Minister of Health and the Governor in Council to make regulations that would allow the government to shirk its language obligations, notably with respect to bilingual labelling.

Without anticipating the findings of the study that Mrs. Cardinal and I are conducting, we already sense that the Official Languages Act must obviously be amended to reflect the lessons learned from the pandemic.

• (1610)

Consequently, it should be expressly provided in the Emergency Measures Act that the Official Languages Act shall continue to apply in times of crisis, even where the Emergency Measures Act may be invoked.

The Official Languages Act already provides that it prevails over acts that are inconsistent with it, but it should also include provisions stating that it applies in times of crisis and that the government must absolutely consider its provisions in all actions it takes.

In light of the clear lessons learned respecting bilingual labelling, where I feel a major error was made that has permitted the importing of hazardous products labelled in English only, it is important that consideration be given to the idea of including provisions respecting bilingual labelling and packaging in the Official Languages Act.

At the moment, these provisions appear, not in an act, but in regulations, the consumer packaging and labelling regulations, which were made under the Consumer Packaging and Labelling Act, and the food and drug regulations.

Not that this makes no sense. The fact that bilingual labelling provisions are set forth in regulations does make it easier for the Governor in Council to suspend their application. However, if they were included in the act, they would provide much stronger protection and their enforcement would be harder to circumvent.

That brings my presentation to an end.

I welcome your questions and comments.

The Chair: Thank you, Mr. Larocque.

Thanks to the four witnesses for their excellent opening remarks.

We will now begin the period of exchange with the members of the committee.

The first four speakers, Mr. Généreux, Ms. Lattanzio, Mr. Beaulieu and Ms. Ashton, will each have six minutes to ask questions. I ask them to indicate the witness to whom they direct their questions.

Mr. Généreux, you have the floor for six minutes.

Mr. Bernard Généreux: Thank you, Mr. Chair.

Thank you, ladies and gentlemen.

I'm astonished by the remarks from our witnesses. We've all observed various communication problems since the start of the pandemic.

Ms. Chouinard, I believe your main argument is that this is a fundamental problem. Nearly 52 years after the Official Languages Act was passed, the federal government does not yet automatically comply with the act as a whole. That's precisely what has happened and what has become obvious to us over the past eight months.

You spoke particularly clearly about the “reflex”. When we think of a government reflex, it should be a conviction that's ingrained in the way government thinks.

We understand that we are in the midst of a pandemic. However, I want to cite an incredible and outrageous example that clearly illustrates your remarks. November 11 of every year is an event that brings veterans together so we can remember their sacrifice.

This past November 11, however, Veterans Affairs posted the following error-laden tweet in French: “*Ce tweet, pour recevoir un appel le 11/11 de prendre un moment pour se souvenir de ceux qui ont servi et sacrifié pour notre liberté.*” We agree that this example concerning veterans and November 11 isn't an emergency or a crisis, but it does come up year after year.

We have recognized Canada's official languages for 52 years now, and we still see these kinds of tweets, which I imagine are generated using Google Translate. It's absolutely incredible to read these kinds of messages.

Listening to your remarks, Ms. Chouinard, I'm very surprised to hear that this “reflex” has never been developed to the point where we can ensure systematic and automatic compliance with the act today, whether in times of crisis or otherwise. The crisis has resulted in a lack of respect for the French language that amounts to a slap in the face.

Can you explain why, even today, we find ourselves in this kind of situation, whether in a time of crisis or in normal circumstances.

● (1615)

The Chair: Go ahead, Ms. Chouinard.

Ms. Stéphanie Chouinard: Thank you, Mr. Généreux.

You're asking an important question.

I probably don't have a complete answer, but one of the reasons has been cited for several decades, and that's the fact that there's a tendency in the federal government to view official languages as an isolated issue, as the business of a single department, not all of them.

Some stakeholders today have cited other reasons and other government organizations that have been mobilized, particularly during this pandemic. That's the case of Health Canada, in particular. Those responsible haven't developed this reflexive response because people are inclined to think that official languages aren't necessarily their business, that they're more the business of Canadian Heritage, and so they think the other departments shouldn't touch them.

We need to develop a horizontal management method so that everyone has this reflexive instinct when public policies and communications with Canadians are developed. This should be done before a crisis hits. As we've seen since March, whatever is considered superfluous is the first thing to disappear during a crisis, and the official language minority communities have observed the result of this since the pandemic started.

This is one aspect among others, but it's one of the central factors. We must genuinely develop a horizontal reflex among all parts of the machinery of government so that everyone understands that the official languages are everyone's business.

The Chair: Go ahead, Mr. Généreux.

Mr. Bernard Généreux: Thank you, Ms. Chouinard.

Mrs. Cardinal and Mr. Larocque, your study does seem conclusive, but I'd like to ask you a question.

Following the study you're conducting, the findings of which have been partly determined, do you think French-speaking Canadians who have felt poorly served or literally endangered in various situations could file a class action lawsuit, if we want to seek legal remedies, against the government for official languages non-compliance in services they have received?

The Chair: You have 30 seconds left, Mr. Généreux.

Mr. Bernard Généreux: Then I'll ask Mr. Larocque to answer the question.

● (1620)

Dr. François Larocque: If I correctly understand your question, you're wondering whether a class action suit could be filed on behalf of francophones. I think the best way would be to support our umbrella organization, the Fédération des communautés francophones et acadienne du Canada, the FCFA. It files submissions with the government on behalf of francophones—of all those francophone communities—to assert their language rights more effectively.

The Chair: Thank you, Mr. Larocque.

Thank you, Mr. Généreux.

Ms. Lattanzio, you have the floor for six minutes.

Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

I want to welcome all our witnesses.

My question is for you, Mr. Larocque. Thank you very much for your explanation.

I was really struck by your statement that it's less effective to amend regulations to protect the obligation to provide information in both official languages. You go further in your diagnosis: you say we should even amend the Official Languages Act.

What legal mechanisms should we add to the act?

The Chair: Go ahead, Mr. Larocque.

Dr. François Larocque: Thank you for that excellent question, Ms. Lattanzio.

I hope our study helps in outlining some potential solutions. What the FCFA intends to do, as my colleague Mrs. Cardinal explained at the outset, is propose to the government the wording of provisions that might be used to amend the Official Languages Act. We will determine the precise form that wording will take in light of the findings of our study and of the interviews we conduct in the following weeks.

The idea that immediately comes to mind would be to include in the Official Languages Act one or two sections, even a short division on the framing or inclusion, by reference, of regulatory provisions respecting bilingual labelling and packaging.

Official languages regulations do exist, respecting the labelling and packaging of consumer products, food and drugs in particular. It's very important that this appear in the regulations. However, regulations are a fragile instrument in that they can be more easily circumvented by the Governor in Council acting alone without the approval of Parliament. Legislating by regulation thus results in a degree of fragility.

On the other hand, if we want to include new provisions in the act, it's up to Parliament to vote on those additions and to amend applicable provisions. That's why we anticipate that statutory amendments would provide better protection for bilingual labelling standards. The FCFA may draft its proposals to that effect.

Ms. Patricia Lattanzio: When do you expect to complete the study?

Dr. François Larocque: We have a year to complete it. We're already sending out invitations. Don't be surprised if you hear about us in the coming weeks.

Ms. Patricia Lattanzio: Thank you.

My next question is for Ms. Chouinard.

[English]

As we've said this afternoon and all understand, the pandemic has had dire consequences for the health and economic situation of Canadians, and also, unfortunately, for their safety and security.

We've had the Commissioner of Official Languages' report filed with us. It was entitled "A Matter of Respect and Safety: The Impact of Emergency Situations on Official Languages". Mr. Théberge stated quite clearly that there was a lack of vital COVID-19 information distributed to the English and French minority language communities across our country. The report also found that Canadians had a hard time making the distinction between federal, provincial, territorial and municipal areas of responsibility as they related to the language of service. It was perceived as being confusing, blurred and immaterial.

In your opinion, do you have any suggestions as to how to better foster communication and co-operation between the various levels of government?

• (1625)

Ms. Stéphanie Chouinard: Thank you, Ms. Lattanzio.

One of the things that Martin and I noticed in our research is that the Quebec government at some point actually took up some of the gap in information in the French language for official language minorities outside of Quebec. When the Quebec government published the COVID guide in French, the Secrétariat du Québec aux relations canadiennes decided to publish an outside-of-Quebec version of the guide for francophones outside of Quebec.

That was a very interesting development from our end. They actually published this outside-of-Quebec guide before they published their own COVID guide in English, which is obviously something that was fulfilled a few weeks later. The blurriness between the jurisdictions is something that happens, notwithstanding times of crisis. This is something that we notice in our own classrooms as political scientists.

Maybe in a sense the federal government could be a leader in trying to standardize some of the messages and information that were conveyed to Canadians, especially at the onset of the crisis, when there were so many press conferences every day and when I think there was a bit of an information overload at the beginning.

I'm going to stop there.

The Chair: Thank you so much.

[Translation]

Mr. Beaulieu, you have the floor for the next six minutes.

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Good afternoon.

I found the presentations very interesting. I've especially taken note of the more specific suggestions to amend the Official Languages Act to include measures respecting the Emergency Measures Act.

Like Mr. Généreux, I notice the Commissioner of Official Languages is sounding the alarm once again, even though official languages have been recognized for 51 years. We can see that they clearly aren't integrated. I wonder whether it's the language planning model underlying the official bilingualism statute that doesn't work. For 51 years, we've seen the rate of anglicization and assimilation of francophones outside Quebec constantly rise, and the demographic weight of francophones outside Quebec is declining as a result.

The same is somewhat true of bilingualism. We're told that the increase in bilingualism in Canada comes mainly from Quebec. Outside Quebec, 85% of francophones are bilingual, compared to only 7% of anglophones. The bilingualism rate among francophones in Quebec has risen slightly to 40%. From 2001 to 2016, those rates have increased from 36.6% to 40% among francophones and from 61.1% to 69% among anglophones. That appears to be leading us to a decline.

We're also told that Statistics Canada's linguistic forecasts and projections suggest no advance in bilingualism among the English mother tongue population of Canada outside Quebec. There's a growing gap between bilingualism in Quebec and that outside Quebec.

The very principle of the Official Languages Act is based on a planning model, on institutional bilingualism and individual rights, although there's a degree of proportionality based on the criterion of where numbers warrant. Models that are deemed to be able to protect minority languages are based more on the principle of territoriality.

Do you think improvements can be achieved if more sweeping changes aren't made to the Official Languages Act?

The Chair: Who is that question for, Mr. Beaulieu?

Mr. Mario Beaulieu: It's for whoever wants to answer it.

We could start with Mrs. Cardinal.

The Chair: Go ahead, Mrs. Cardinal.

Mrs. Linda Cardinal: Thank you asking that important and relevant question, Mr. Beaulieu.

You wondered whether the language planning model used had resulted in failures, from an official languages perspective, in managing the pandemic. In fact, it's more the governance model. Whether under a territorial or personalistic regime, many Canadians, even in the House of Commons, and many researchers were unaware that the Official Languages Act didn't have the necessary normative force to guide the government's action in a pandemic context. Many people have discovered that the bilingual labelling of disinfectant products is governed, not by the Official Languages Act, but by other legislation.

Canadians may have been surprised to see that the Official Languages Act wasn't integrated into the emergency plan. As my colleague Mr. Larocque has clearly shown, regulations and statutes must align with each other. This can also be seen in the case of Mr. Normand, who filed a complaint that wound up at Health Canada, not on the desk of the Commissioner of Official Languages. However, that department doesn't have the necessary mech-

anism to handle official languages complaints, but the complaint didn't fall within the purview of the Commissioner of Official Languages.

This is a governance issue. No governance mechanism has been put in place to ensure that official languages aren't forgotten.

I have a possible explanation. The officials who conducted the analysis from an official languages standpoint wondered whether exempting products from bilingual labelling requirements contravened the Official Languages Act, decided no or perhaps, and thought that the interviews would help them determine the answer and that, if it didn't contravene the act, they could go ahead.

The Prime Minister confirmed at a press conference that the Official Languages Act is important for our identity, but does that mean it isn't important for our public health and safety? The Official Languages Act definitely puts a lot of emphasis on identity, but it also concerns a citizenship issue.

It's very important to integrate official languages governance into the federal government.

• (1630)

Mr. Mario Beaulieu: So you think that...

The Chair: Pardon me, Mr. Beaulieu, but your time is up. You can come back to this later.

Now we will go to Ms. Ashton for six minutes, please.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Thanks very much, Mr. Chair.

I'd like to start by thanking all the witnesses for their highly instructive testimony in the difficult times we're living in.

My first question is for Mrs. Cardinal.

You've written, with regard to French, that the government's actions in periods of crisis have shed light on the prejudiced view that the default language in Canada is English and that French can be sacrificed for the sake of expediency. You've also written that the government's opinion of unilingualism is that it's efficient and that it's almost as though the competent people are necessarily all anglophone.

I think you're right. The Commissioner of Official Languages has made similar remarks. He has even said that, if the Official Languages Act had been modernized and reinforced, many problems that appeared during the crisis could have been avoided.

Do you also think there is an urgent need to modernize the Official Languages Act?

Mrs. Linda Cardinal: Thank you very much for your remarks.

There's a whole body of international research on the impact of failure to consider minority languages in emergency situations. You may think that switching to a single language is more efficient, but the consequences show it's not necessarily the best course of action.

The same is true of the idea that you can switch to English since all francophones are bilingual. Then people will say that some unilingual francophones don't understand English. In fact, as my colleague Mr. Larocque said, we're dealing with a legal issue. Canada is a country with two official languages.

Consequently, when officials, the people in charge and the Prime Minister give their approval to adopt an emergency measure or to put forward policies, they must respect bilingualism in doing so. Bilingualism is a skill and an additional competency. It nullifies neither our right to service in French nor the duty to take official languages into consideration.

Since we are in a partnership with the Fédération des communautés francophones et acadienne du Canada, we think this is an appropriate time to consider these issues in the amendment and reinforcement of the Official Languages Act. Since a white paper is forthcoming, it's time to discuss this issue as part of the current of official languages debate.

As we noted earlier, this is the ideal opportunity to ensure that the Official Languages Act meshes with other legislative and regulatory frameworks. The goal is precisely to guarantee that Canadians' right to a public service in the official language of their choice isn't abandoned in a crisis or amid public health and safety issues.

• (1635)

Ms. Niki Ashton: Thank you very much for your answer.

My next question is for all the witnesses.

The government stated this week that it wants to table a white paper on the modernization of the Official Languages Act. We know that announcement was made despite the fact it has already promised to modernize the act.

Considering the issues we've just experienced during the pandemic crisis, what do you think of this delay?

The Chair: I don't know who wants to answer.

Dr. François Larocque: Do I have to raise my hand?

The Chair: Go ahead, Mr. Larocque.

Dr. François Larocque: Thank you for your questions, Ms. Ashton.

I'll piggyback on what Mrs. Cardinal said. It's absolutely necessary that the Official Languages Act be modernized, and it's all the more important that we consider the lessons from the pandemic.

You have before you four academics who will be delighted to read the white paper. It will be like a Christmas present for us. However, that mustn't delay the essential adoption of an official languages act. The consultation process and modernization studies began a long time ago. All that work has been done.

I'm one of the people who think that it's good to have a white paper but that it shouldn't delay the introduction of the bill.

The Chair: You have 30 seconds left, Ms. Ashton.

Ms. Niki Ashton: I wanted to know whether Ms. Chouinard or anyone else wanted to respond.

Ms. Stéphanie Chouinard: I'll respond briefly.

If I correctly understand Minister Joly's intent, the white paper will focus on official languages but not necessarily solely on the Official Languages Act. I can't wait to see what else is in the white paper because we've been talking about the act for a relatively long time.

The Chair: Thank you very much.

Mr. Dalton, you have the floor for five minutes.

Mr. Marc Dalton: Thanks to all the witnesses for their presentations. They were very interesting.

Ms. Chouinard, your entire speech was very interesting, but I'd like to focus on a few passages. You said the Official Languages Act should be a tool for serving Canadians, not an obstacle. The act must be seen as a protective measure, not a problem. Mr. Larocque also noted that one should never waste a good crisis.

You also mentioned Dr. Tam, whose videos weren't translated, and said there had been interpretation problems. You suggested that the chief public health officer should be bilingual.

Lastly, you said that many unilingual francophones in the vulnerable groups, seniors and recent immigrants, for example, can't obtain services. That can really cause safety issues in an emergency situation such as the one we're experiencing.

I wanted to give you a few minutes to add to those comments.

• (1640)

Ms. Stéphanie Chouinard: Thank you, Mr. Dalton. I can expand on what I said earlier.

You can't claim to protect a population that you don't serve in its official language. Those people not only have a right; they expect the federal government to be able to serve them in the language of their choice. That's essential. It's the government's responsibility to be able to do so.

Sometimes you think you're more efficient when you go faster and avoid translation or the need to make the same information available in both official languages, but that can have the opposite effect. I briefly cited a few examples to illustrate that.

You can have a population that doesn't exactly understand what the government expects of it because the directives in its language weren't clear. There may be a population that hesitates to use health services because, once again, it hasn't understood the directives.

As the studies have shown, this is particularly true among seniors, who are uncertain whether they can be served in their language. As you get older, your cognitive abilities in your second language tend to decline. Hearing problems also develop in persons of a certain age. Since the immigrant population is less familiar with the health system, they will hesitate to use it. These are all reasons why it is essential that directives be clear and in both official languages.

As regards the chief public health officer, what we've seen as citizens is a person we weren't very familiar with before the pandemic and whose position, which has become a central one, doesn't just require her to communicate with Canadians. A whole lot of coordination work is being done behind the curtains with different stakeholders across the country. That's why my intention is to say that this position should be designated bilingual because it plays an essential role. The person who performs that role must be able to communicate with stakeholders in the official language of their choice.

I'll stop there. I hope I've added something to my comments.

Mr. Marc Dalton: I don't have a lot of time left. Perhaps I'll ask for comments from another witness.

Mr. Larocque, is there anything you would like to add?

The Chair: You have 30 seconds left.

Dr. François Larocque: I'll give my speaking time to others, if they have any other perspectives. However, I think that Ms. Chouinard did a good job of making the important points.

Mr. Marc Dalton: Very well, thank you.

The Chair: Thank you, Mr. Dalton.

We will continue with Mr. Duguid, who will have the floor for five minutes.

[*English*]

Mr. Terry Duguid (Winnipeg South, Lib.): Thank you, Mr. Chair.

Thank you to our guests for their excellent presentations this afternoon.

A number of our speakers today have mentioned and emphasized the word "proactive", and I couldn't agree more. While we are in the middle of a pandemic of a magnitude we haven't seen in a century, we know there are floods, ice storms and other disasters coming our way. In Manitoba where I live, many southern Manitoba communities are either entirely or majority francophone, and I don't think they're getting the information they need during these very difficult times.

In his report the commissioner recommended that one option for enhancing the federal government's ability to respond to the act would be to establish an expedited translation service for emergency or crisis situations. Again, this entity could be ramped up quickly and then could be ramped down quickly depending on the situation. I wonder if any of our speakers would have a perspective on that.

• (1645)

Ms. Stéphanie Chouinard: From the perspective of someone who works for the federal government, because I work at Royal Military College and I know what translation may look like and how long it can take in the federal public service, I think the official languages commissioner's idea is great and could definitely serve in a time of a pandemic, or different type of crises like floods. Generally speaking, outside of pandemics, translation services could be enhanced across the board in the federal public service.

Mr. Terry Duguid: Okay.

Dr. François Larocque: I would add as well that Canada is blessed with probably some of the best translators in the world, and to mobilize them in an emergency, I think, just makes common sense. Increasing their capacity to function and deliver their work to the federal government is a crucially important idea. Again it requires, I would think, amendments to the Official Languages Act to include sections on emergencies so that this imperative would be made crystal clear in the act.

Mr. Terry Duguid: I'm not sure how much time I have, but maybe I'll get a last comment and response from those of you who want to respond.

I'm from Manitoba, which is majority English, of course. All the daily briefings, as someone has noted, have been in English. Even Radio-Canada asks their questions in English, which is interesting. I'm very concerned that the Franco-Manitoban community is not being served well. It has implications for the health and safety of those who speak French, which is often their only language. We have personal care homes that are entirely French. We have the Saint Boniface Hospital that is French in nature. We have limited jurisdiction as a federal government. I wonder if any of you would have any comments on that, because we can only go sometimes where the provincial government will allow those kinds of partnerships. Some of our provincial governments are focused on austerity and not on expanding services, but contracting them.

May I have a comment from any one of you?

[*Translation*]

Mr. Martin Normand: I'll respond.

Thank you for your question, Mr. Duguid.

You have to understand that official languages must not be subject to austerity considerations. Government develops budgets for the delivery of services, which should include services in both official languages where the legal framework provides. We would obviously like the broadest variety of services and communications possible to be accessible, even where legal frameworks aren't as robust.

The federal government's role is to set an example. If, despite its language obligations, the federal government is unable to provide the minimum of what is required under the act, the provinces might consider that they're also free to do what they want with respect to their own language obligations.

The provinces and territories have limited ability to discharge their responsibilities, but, by setting an example, the federal government could induce those governments to be more generous and proactive.

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

Mr. Terry Duguid: I agree.

The Chair: Thank you, Mr. Duguid.

I now turn the floor over to Mr. Beaulieu for two and a half minutes.

Go ahead, Mr. Beaulieu.

Mr. Mario Beaulieu: I'd like to go back to Mrs. Cardinal's response. From what I understood, the issue of services during the pandemic is, above all, a governance issue. Consequently, if the language planning model isn't changed and French continues to decline in and outside Quebec, we may still be able to provide more services in the minority official languages by improving governance.

I recently read one of Mrs. Cardinal's articles, and I'd like to know if her thinking is still the same. She writes:

In these conditions, the future of French in North America is being determined in Quebec because it is the only francophone state on the continent. Its survival will likely depend on either the creation of a sovereign francophone state or a redefinition of Canadian federalism in which the territorial principle plays a larger role.

Do you still think that, Mrs. Cardinal?

How does that apply to the subject before us?

• (1650)

Mrs. Linda Cardinal: Thank you, Mr. Beaulieu.

To answer your first question, I've never questioned the type of language planning behind the official languages model in Canada. The issue in the present instance, which is a crisis management situation, is governance. In all circumstances, we have the Official Languages Act the other acts, whether we're talking about a territorial or a personalistic regime. The prevailing acts will not necessarily improve the situation. The problem is that these acts don't mesh with each other. That's why I say we're facing a governance issue. You get the impression that there's the Official Languages Act on the one hand and all the others on the other and that there's no connection between the two. That's really important.

Mr. Mario Beaulieu: I agree with you, but it will be hard to apply that to reality if there are fewer bilingual people, fewer anglophones who speak French and simply fewer francophones.

Mrs. Linda Cardinal: It's—

The Chair: Pardon me, Ms. Cardinal.

Mr. Beaulieu's time is up, but he can come back and finish what he wants to say in the next round. Two and a half minutes go by quickly.

Ms. Ashton, you have the floor for two and a half minutes, please.

Ms. Niki Ashton: Thank you, Mr. Chair.

I'm taking this opportunity, first, to give notice of a motion. I'd like to table the following notice of motion with the committee for debate at its next meeting:

That the committee invites the Minister of Official Languages to appear to update the committee on her commitments in her mandate letter, notably the progress made with regards to the modernization of the Official Languages Act,

to make sure that Air Canada provides fully bilingual services to its customers, and to strengthen the powers of the Commissioner of Official Languages.

Now I would like to address something that's very important to me both personally and politically. Yesterday was International Day for the Elimination of Violence against Women. The committee must speak out, and its members must set their political differences aside and clearly state that the cartoon that was published in *La Presse* on November 20 last, in which the member for Saint-Laurent is shown being slapped by a line of people, was unacceptable. Violence against women is a serious scourge that kills thousands of women and girls in Canada and around the world.

Consequently, Mr. Chair, I want to give notice of the following motion:

That, while reiterating its support to freedom of speech and to freedom of press, the committee:

a) Recognizes that despite differences in political vision from parties and Members of Parliament, must debate in a respectful climate;

b) Condemns misogyny and violence against women in all its forms;

c) Condemns the cartoon published in *La Presse* on November 20th, in which the MP for Saint-Laurent is drawn being subject to violence.

Mr. Chair, I request the committee's unanimous consent to debate immediately and quickly adopt this very clear motion.

The Chair: Thank you, Ms. Ashton.

First of all, I note your first motion, which you have introduced for debate at the next meeting.

As you know, however, according to internal administrative rules, the committee may not discuss or debate a motion until 48 hours after the motion is introduced.

• (1655)

Ms. Niki Ashton: Mr. Chair, with all due respect, I also requested unanimous consent, and I am making my request in that context.

Mrs. Marie-France Lalonde (Orléans, Lib.): I have a point of order.

The Chair: I will suspend for a few minutes, ladies and gentlemen, and then come back.

• (1655)

(Pause)

• (1700)

The Chair: We will resume our study.

Ms. Ashton, as time is passing, you have 30 seconds left. I wanted to tell you that the first motion you introduced is a notice, whereas the second is a request for consent to continue.

Consequently, I would ask the committee whether it agrees to debate Ms. Ashton's motion. We require unanimous consent.

Mr. Mario Beaulieu: Could we have a written copy of the motion?

The Chair: All right. First of all—

Mrs. Marie-France Lalonde: I have a point of order.

Ms. Niki Ashton: To clarify matters, I would like to say that the motion was sent as I was speaking.

The Chair: Go ahead, Ms. Lalonde.

Mrs. Marie-France Lalonde: Thank you, Mr. Chair.

Ms. Ashton, with all due respect to you and your opinion, I would like to have a copy of your notice of motion in both official languages.

As for the second motion, we have here witnesses with whom we are examining the situation caused by the pandemic and the fact that there have been French-language slip-ups even in Manitoba. I'm not criticizing what you're saying, Ms. Ashton, but you must understand that I would like to resume our meeting with our witnesses, who have taken the time to be with us today on short notice.

Mr. Chair, I'd like us to return to our witnesses.

The Chair: Thank you, Ms. Lalonde.

Then I will ask the question again: do we have the committee's consent to debate Ms. Ashton's motion?

Mrs. Marie-France Lalonde: No, Mr. Chair.

Ms. Soraya Martinez Ferrada (Hochelaga, Lib.): No.

Mr. René Arseneault (Madawaska—Restigouche, Lib.): No, not as far as I'm concerned.

The Chair: Thank you.

We therefore do not have unanimous consent.

You have 30 seconds left, Ms. Ashton. Go ahead.

Ms. Niki Ashton: With all due respect to Ms. Lalonde, it's my right, as a member of the committee, to move something that is this important, that is a matter of life and death for women.

I would respectfully say to all those who sit on this committee that this issue concerns us all; it concerns us all.

I really am very disappointed in this response.

The Chair: Thank you, Ms. Ashton.

I now turn the floor over to Mr. Blaney for five minutes.

Mr. Mario Beaulieu: I have a point of order.

The Chair: Pardon me. There is a point of order.

Mr. Mario Beaulieu: This is a quick question. Has notice of Ms. Ashton's second motion also been given for the next meeting?

The Chair: Absolutely.

Go ahead, Mr. Blaney.

Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC): Thank you very much.

We can of course debate these very worthy motions in committee, but, first, I would like to congratulate certain individuals.

First, I would like to congratulate you, Mr. Dubourg, because this is really an interesting meeting. And through you, I also congratulate our analysts, who have invited these four excellent witnesses. I also congratulate Ms. Lattanzio for proposing this study on the pan-

demic. The work we have done to date shows how capable the committee is of making headway when it switches into work mode. I almost feel like saying that, when we step up our efforts, I wouldn't go so far as to say that we make up for lost time, but we cover ground quickly. The delays are behind us, and we're looking straight ahead.

A gloomy picture has been painted here this afternoon with regard to the Canadian government's response to the pandemic. I must say it's disturbing.

Much has been made of the fact that the Official Languages Act is 52 years old, but it shouldn't be forgotten that it was improved in 1988. Yesterday, my colleague Joël Godin, who is the member for Portneuf—Jacques-Cartier, quoted you, Ms. Cardinal, because you said we needed to give the act "some teeth". How do you think we can modernize the Official Languages Act in the circumstances?

One of the recommendations, from a broader, whole-of-government perspective, is that the Official Languages Act be made a quasi-constitutional act and thus placed above other acts and, in a way, other departments and the Treasury Board. I'd like to hear your comments on that, Ms. Cardinal.

The testimony we heard was truly captivating. Ms. Chouinard, in particular, told us that the official languages issue has simply been ignored during the pandemic, and she added that it should always apply and that it should always be taken into consideration.

First, I'm going to turn the floor over to Ms. Cardinal, and then I would like to hear your comments, Ms. Chouinard, on how to guarantee a general predisposition toward official languages in efforts concerning the modernization of the act and government structures. We must ensure that another crisis doesn't reveal further breaches of the act. I wouldn't go so far as to say that the Official Languages Act is symbolic or in a precarious position, but its foundation definitely needs to be shored up.

• (1705)

Mrs. Linda Cardinal: Thank you for your question.

It's an important question. When I said we had to give the act "some teeth", I was thinking of one of your former colleagues, someone I very much liked, Senator Jean-Robert Gauthier. That's what he always said. In 2005, when he introduced his reform to encourage the government to take positive measures to foster the development and vitality of the official language minority communities, he said that the Official Languages Act had to be "given some teeth". I always think of Mr. Gauthier when I say that.

Minister Joly has conducted very important consultations of Canadians. Many recommendations have been made precisely to give the act teeth. The FCFA introduced quite a comprehensive bill that would provide for administration of the Official Languages Act to be handed over to a central agency. It would also require Supreme Court justices to be bilingual and reinforce the right of government employees to work in the official language of their choice.

I think what you need to do is take everything that was said during those consultations and review all the proposals that were made. There's an enormous amount of material that could be used to bolster the Official Languages Act. You could also consider all the recommendations that all the commissioners of official languages have made since that position was introduced and determine which ones were implemented. You would see that not that many have been implemented. With all that, you'd already have what you need to strengthen the Official Languages Act.

A lot of proposals are circulating. They all have to be evaluated, of course, but there are some very good proposals that would help strengthen the act. My colleague Martin Normand and I published a paper as part of the University of Ottawa's IMPACT initiative in which we detailed a set of factors to which I refer you. These factors are designed to ensure that the Official Languages Act is reinforced.

If there is one thing I would focus on, it's the lens. All government operations should be viewed through an official languages lens, a francophone lens, to ensure the Canadian government's policies are consistent with its legal and constitutional official languages framework.

Hon. Steven Blaney: Thank you very much.

The Chair: Thank you, Ms. Cardinal.

Thanks to you as well, Mr. Beaulieu, for the comments you made at the start.

Ms. Lalonde, you have the floor for five minutes.

• (1710)

Mrs. Marie-France Lalonde: Thank you very much, Mr. Chair.

Thanks once again to all our witnesses for being here and for taking the time to come and speak to us. I'm sure they have very busy schedules.

Before I start, I'd like to congratulate publicly Ms. Cardinal, who is now the new regional director of the Agence universitaire de la francophonie dans les Amériques, the AUF. I wanted at least to greet and congratulate her on that appointment.

I have a lot of questions. In Orleans, questions were raised about this slip-up and what was perhaps a government decision.

I was very proud to hear Minister Joly say it made no sense. I don't want to quote her, but I think that was the gist of her message. She very much agreed that we had to do better and find solutions. That's the purpose of our current study.

I'd like to speak to Mr. Larocque, but everyone may speak.

Mr. Larocque, I was really interested in what you said about what appears in the preambles to the acts and how we can perhaps create new sections in the Official Languages Act to reinforce the language situation. We all agree that the departments often work in isolation, and that's what has happened during this pandemic.

Do you think it would be preferable to adapt the act, to make express regulations under other acts or to combine measures?

I think I know what you're going to say, but I'd really like to hear your comments on the matter, particularly on the preamble to the Emergency Measures Act and that of the Official Languages Act.

Dr. François Larocque: It will be a pleasure.

You must remember that the Emergency Measures Act replaced the War Measures Act in 1988, one week before the second Official Languages Act was passed. Members of Parliament had those two acts in mind in 1988.

I think that was a missed opportunity because the members made it so that the two acts didn't speak to each other. We always say that hindsight is 20/20, but it would have been possible and desirable—we have an opportunity to correct this—to ensure that respect for and the precedence of the Official Languages Act are expressly stated in the Emergency Measures Act.

Here's the connection with Mr. Blaney's comment. The Official Languages Act is already a quasi-constitutional act, and its precedence is already provided for in its section 82. Given its privileged status relative to other federal statutes, it would be helpful if its primacy were reflected in legislation such as the Emergency Measures Act and invoked and restated when special measures are passed. I'm thinking, for example, of emergency measures legislation passed in connection with COVID-19 in March and April. I'd also like to make the connection with what my colleague Ms. Chouinard said earlier, that this would encourage the bilingualism "reflex" and help us switch off autopilot and understand that we have to do everything in both languages.

Here's one way I explain the matter to students in my language rights course. In 1982, when, as a result of the charter, Canada became a constitutionally bilingual country, we took the Official Languages Act of 1969 and included it in our supreme law. We essentially made bilingualism so much a part of Canada's DNA that, when Canada catches a cold, it has to sneeze in both languages. That's the automatic reflex I want Canada to have in this new Official Languages Act.

Mrs. Marie-France Lalonde: How do we go about aligning that with what's being done at the provincial level, where authorities give directives that have an impact on people's lives?

The Ford government issued directives in Ontario and other directives were made in Quebec. Many citizens in my riding watched the French-language news on the francophone channels, but that news was about health conditions in Quebec. It was terrible because my fellow citizens were a bit lost, even though there are some highly educated people in my riding. As you said, some of them were watching French-language news from Quebec about vulnerable people, recent immigrants and seniors, for example.

• (1715)

The Chair: Thank you, Ms. Lalonde, but your speaking time is up.

Mrs. Marie-France Lalonde: Pardon me.

I would have liked to ask you that question, Mr. Larocque, but we'll discuss it again later.

Dr. François Larocque: All right.

The Chair: Pardon me, Mr. Larocque, but I can't let you answer that question because Ms. Lalonde's speaking time is up.

We have 15 minutes before we adjourn. I know our discussions and debates are very interesting, but we have to move on so all the parties can speak.

In the next round of questions, each party will have four minutes. So the next speakers are Mr. Généreux, Ms. Martinez Ferrada, Mr. Beaulieu and Ms. Ashton.

Mr. Généreux, you have the floor for four minutes.

Mr. Bernard Généreux: Thank you, Mr. Chair.

I want to add my thanks to those of my colleagues who have spoken to the witnesses today. Their remarks are really very interesting.

I was struck by your testimony, Ms. Chouinard. Your speech was very powerful. On public health, you said there was a risk for the vulnerable populations. Ms. Lalonde just said that many people in her riding are educated, but I believe that's the case of many segments of the population, unless I'm mistaken, and that obviously includes seniors and the most vulnerable individuals.

This public health issue, the fact that people can't understand the language, is serious. You saw what happened in Joliette. The incident involved a language other than one of the official languages. A woman died because people who were caring for her couldn't understand her language. That's one example, but that could very well have happened in French or English. However hospital staff in the region were used to admitting people from the indigenous community and already had to follow protocols. Very significant public health threats abound, whether in Orleans or in any other place where the francophone community is in the minority.

Ms. Chouinard, can you cite any specific examples? Have any similar cases been reported to you?

Ms. Stéphanie Chouinard: Thank you, Mr. Généreux.

I think Ms. Lalonde was headed in the right direction.

We had a lot of examples in Ontario, especially at the start of the pandemic. The information coming from the Ontario government

wasn't available in French on various matters. The Franco-Ontarian population, educated or not, young, old or whatever, tuned in to Radio-Canada and listened to François Legault's press conferences. It was really a problem. People had to search for the right information, local information, elsewhere than on Radio-Canada.

In the article that Mr. Normand and I wrote, we limited ourselves to the official languages. However, we also noted that information in other languages, including indigenous languages, as in Ms. Echaquan's case, was part of the health and public safety equation. I realize, however, that this aspect is outside the committee's jurisdiction.

The fact that health is a provincial jurisdiction was brought up several times. So what can the federal government do to clarify information and communications?

I realize that no member of the Green Party sits on the committee, but I'd like very briefly to review a proposal of the Green Party's new leader, Annamie Paul. She claims that the federal government could have acted as a leader and tried to encourage the provinces to cooperate more effectively and to coordinate their initiatives to clarify communications with and responses to the public. I think it would be worthwhile to focus on that proposal, even though I know the federal government doesn't want to encroach on areas of provincial jurisdiction. It would nevertheless have been appropriate to establish a central point where information from all provinces and territories could have been available in both official languages, for example.

Mr. Bernard Généreux: You mean information from Canada, not necessarily from Quebec, don't you?

I'm going to tease Mr. Beaulieu a little. That means that Quebec was useful to the rest of Canada. He must be happy about that, of course. That's just a joke.

You've just told us something essential, and that the ability to communicate in both official languages at any time and in any place, particularly in the health sector, is essential to Canada.

• (1720)

The Chair: Thank you, Mr. Généreux.

Pardon me, Ms. Chouinard, but time is up.

Ms. Martinez Ferrada, you have the floor for four minutes.

Ms. Soraya Martinez Ferrada: Thank you, Mr. Chair.

I also want to thank all the witnesses here present. As my colleague Mr. Blaney said, it's really fascinating to hear you on these issues.

Ms. Chouinard, I'd like to go back to the topic of health and the question my colleague Ms. Lalonde asked. I'd like to give you an opportunity to say more about the subject without asking you the same question again.

There are federal-provincial working groups in all departments and therefore cooperative meetings with all the provinces. On the one hand, how can we go beyond that cooperation, and, on the other, what more can we do apart from set an example?

I'd also like to return to another point that Ms. Cardinal or Mr. Larocque discussed, the autopilot issue. I think that raises the question of organizational culture change in our vision of official languages.

Looking beyond legislation, how do we do that? How do we begin this culture change so that it becomes something innate in our government?

I have a final question for you. You said that all leaders in prominent positions, such as that of chief health officer, should be bilingual. As you know, our government has demanded that judges be bilingual. In prominent positions such as those, you have to be able to understand what people say and to express yourself adequately so that everyone clearly understands one another.

Do you think that senior officials and managers should also be bilingual?

Ms. Stéphanie Chouinard: Yes, the discussion about judges has been going on for a long time. In the bill introduced by Alexandrine Latendresse, the NDP reemphasized how important it is for parliamentary officials to be able to speak to Canadians in both official languages.

However, I think the fact that the position of chief public health officer of Canada is not designated bilingual is an anomaly, particularly in view of everything we've seen since last March.

Are there any other positions that have flown under the radar and that should be designated bilingual? I can't name them today, but there probably are some. I think it goes without saying that Supreme Court justices must be bilingual. It's important that you examine that issue, particularly in the context of the pandemic.

Mr. Martin Normand: If I could—

Ms. Soraya Martinez Ferrada: Pardon me for interrupting, Mr. Normand.

I would just like us to address the issue of organizational culture change.

Mr. Martin Normand: That's exactly what I was going to discuss.

There's one point that we haven't yet addressed on that specific issue.

The media have published stories according to which, even in the public service, many employees felt they were losing their right to work in their language of choice during the crisis. In the midst of

the emergency, once again, people had to take the easiest path, as my colleague Ms. Cardinal said earlier. They switched to English because it was simpler and easier, and that's why coordination work and multidisciplinary teamwork are thus essentially done in English.

As my colleague Ms. Chouinard said, that really stems from a lack of leadership within the public service, which was slow to catch the bilingualism wave that started in the mid-1960s. That wave requires more than just bilingual people who understand both the act and the imperatives associated with its implementation in order to ensure that French assumes its rightful place in coordination efforts, the organizational culture and cooperation with other levels of government.

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

Mr. Beaulieu, you have the floor for four minutes.

Mr. Mario Beaulieu: Thank you, Mr. Chair.

I'm going to let Ms. Cardinal finish the answer she had started to give.

As I said earlier, if the momentum of the Canadian language planning model continues, there will be fewer and fewer French speakers and bilingual people apart from francophones.

Will we eventually have trouble finding people to provide services in French?

• (1725)

Mrs. Linda Cardinal: Thanks for your question, Mr. Beaulieu.

You're right. This opportunity that all Canadians, anglophones in particular, have to become bilingual must absolutely be maintained in Canadian society, thanks in part to the federal government. The linguistic security that francophones enjoy, particularly in Quebec, must also be enhanced.

Quebec has a key role to play in promoting French in North America. The fact that the province has prepared a guide for francophones outside Quebec is an indication of its desire to move closer to the Canadian francophonie. And that has been very well received. In addition to Quebec's leadership, the federal government also has a leadership role to play in ensuring genuine equality between English and French in Canada.

I'd like to go back to a point concerning your study. You are all working on a study report that we are eager to read. However, you mustn't forget how important it is for you to rely on research and compelling data, particularly when language is viewed as a public health and safety issue.

Much research has shown that patient safety is essential. Provincial governments have stressed the importance of patient safety. With regard to official languages, we can show that francophone patients in minority communities may be misdiagnosed if they are not served in their language.

In a minority setting, it can make all the difference if patients can speak to their physicians in French rather than English. For example, if a francophone says he has "mal au cœur", other francophones will know that means nausea. But if he says it to an anglophone doctor, the latter may hear the word "cœur" and think he's having a heart attack. The result may be a misdiagnosis.

Major mental health issues may soon appear, and we must ensure that people get care. Communication is fundamentally important in the health field. It must be clear; people must be able to understand.

Research has also shown that language is very important during post-treatment convalescence. It is one of the conditions for healing. When we say that language is a public health and safety issue, we have research-based examples that show the language issue cannot be taken lightly.

Getting back to Ms. Martinez Ferrada's question, the action plan must include a francophone lens and a culture change across all of government. In previous action plans, officials opted for the interdepartmental approach, but we're going beyond interdepartmental here. Action must be taken to expand employees' ability to work in the official language of their choice, and that also means the ability of officials to work in French, as the report by researchers Borbey and Mendelsohn shows.

I invite you to review that very good report, which proposes promising ways to improve the situation and clearly shows that there's a sociopsychological dimension to the situation of French. For example, some francophone federal employees are afraid to speak French because they think they won't be able to earn promotions.

What public service employees can do, for example, is write reports in French first and then translate them into English. Thanks to artificial intelligence, it takes three minutes to translate a report from French into English. If the report is drafted in French, it will also take three minutes to translate it into English.

The Chair: Thank you very much, Ms. Cardinal.

Ms. Ashton, you now have the floor for four minutes.

Ms. Niki Ashton: Thank you, Mr. Chair.

Mr. Larocque, Ms. Cardinal and Ms. Chouinard, you came and presented a brief to the Standing Committee on Official Languages during our last study on the modernization of the Official Languages Act in 2018 and 2019.

The committee has prepared a report on the subject, and we think the time for consultation is over; the government must act. My impression is that the white paper is a stalling tactic designed to delay tabling of the bill. In fact, government members essentially confirmed in the House yesterday that there will be a new round of consultations.

How would you characterize the work the committee has done on modernizing the act? Do you think the consultation was enough for the government to table a bill? What updates might be necessary in view of the health crisis?

Mr. Larocque, do you have any comments on the subject?

• (1730)

Dr. François Larocque: I think the consultations already conducted are more than enough to prepare a bill. The government has in hand all the data it needs to prepare a bill that could be properly debated in Parliament.

It's obviously important to take into account what we're discussing this evening. Studies such as the one Ms. Cardinal and I are preparing and the one that Ms. Chouinard and Mr. Normand are writing are also very important and will help fuel the discussion.

However, I don't think the publication of a white paper should delay the tabling of a bill, if that's what you're asking, Ms. Ashton.

Ms. Niki Ashton: Thank you, Mr. Larocque.

Ms. Chouinard and Ms. Cardinal, can you give me your views on the subject?

Ms. Stéphanie Chouinard: I agree with what Mr. Larocque said. If the white paper is an opportunity to base the modernization of the Official Languages Act on a broader conversation about the place of official languages in Canada's machinery of government, then there's a significant amount of discussion to be done.

It may involve other statutes and regulations. I'm eager to see what kind of white paper Minister Joly is preparing. However, that won't prevent the modernization of the Official Languages Act. This committee and the Standing Senate Committee on Official Languages have already done background work on the modernization of the act.

Mrs. Linda Cardinal: I'm going to piggyback on what Ms. Chouinard just said.

The consultations that have been held to date and the reports that have been published are very important. What we have right now is a new political situation. When the consultations began a few years ago, the place of French in Quebec was not part of the equation.

I've said several times, and I even published it in an article in *Le Devoir*, that if Quebec doesn't take part in this exercise, that will confirm the fact that the Official Languages Act is an act that solely concerns the official language minority communities. However, it's a major Canadian act that concerns all Canadians, including Quebecers.

Although we should wait a little because we want to ensure that all the parties in Canada support the new official languages bill that we introduce, we can very well welcome the white paper. It will help establish a dialogue on reforming the act. However, the one doesn't exclude the other.

The white paper will definitely be followed by an Official Languages Act. Let's hope we don't have to wait for the next election to have a new and reinforced statute.

Mr. Martin Normand: If I may, I'd like to add a final point to our response.

In view of the emergency situation, many federal and provincial institutions have innovated in order to act quickly. They have used new technologies to improve service delivery.

We must seize this opportunity to improve service delivery to francophones in rural areas, remote areas and largely minority areas that don't otherwise have a chance to receive their services in French. We have to seize the opportunity while continuing this discussion.

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

Thank you, Ms. Ashton.

That's all the time we have. I want to thank all the witnesses for being available on such short notice. Thank you for being here with us today. It was extremely interesting.

So thanks to our witnesses: Linda Cardinal, professor emeritus at the University of Ottawa; Stéphanie Chouinard, assistant professor in the department of political science at the Royal Military College of Canada and in the department of political studies at Queen's University; François Larocque, professor in the law faculty, common law section, University of Ottawa; and Martin Normand, postdoctoral fellow at the University of Ottawa.

I also want to thank all the staff here with us. I join Mr. Blaney in saying that they are doing an excellent job.

Mr. Blaney has something he wishes to add.

Go ahead, Mr. Blaney

• (1735)

Hon. Steven Blaney: I'll be very brief, Mr. Chair.

[*English*]

I would just like to mention that my colleague, Mr. Mazier, had some questions prepared for the witnesses that he could not ask.

Through you, Mr. Chair, I would ask if it would be possible for Mr. Mazier to send his questions to you, so he could get answers from the excellent panel of witnesses we had today?

The Chair: Exactly, Mr. Blaney. For sure.

Mr. Mazier, just send them to me or to the clerk, and we will ask the witnesses if they can reply to them.

[*Translation*]

Thanks, everyone, and I will immediately bring the meeting to an end. Good evening.

The meeting is adjourned.

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