



# DEBATES OF THE SENATE

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1st SESSION • 42nd PARLIAMENT • VOLUME 150 • NUMBER 127

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OFFICIAL REPORT  
(HANSARD)

Monday, June 5, 2017

The Honourable GEORGE J. FUREY  
Speaker

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Published by the Senate  
Available on the Internet: <https://sencanada.ca>

## THE SENATE

Monday, June 5, 2017

The Senate met at 6:30 p.m., the Speaker in the chair.

Prayers.

[Translation]

### VICTIMS OF TRAGEDY

LONDON, UNITED KINGDOM—SILENT TRIBUTE

**The Hon. the Speaker:** Honourable senators, before we begin, I would like to take a moment to mark the senseless attack in London on Saturday night.

[English]

Among the seven people who lost their lives was Christine Archibald from British Columbia. By all accounts, she embodied the very spirit of love and acceptance that attacks like this seek to extinguish. We grieve for her family and extend our thoughts and prayers.

[Translation]

Now, more than ever, we offer our unwavering support and friendship to the people of the United Kingdom.

[English]

On behalf of the Senate of Canada, our deepest condolences go to the families and friends of those who died and were injured because of this cowardly, heinous crime.

I now invite everyone to rise for a moment of silence in memory of the victims and in solidarity with our friends in the United Kingdom.

*Honourable senators then stood in silent tribute.*

## SENATORS' STATEMENTS

### WORLD ENVIRONMENT DAY

**Hon. Rosa Galvez:** Honourable senators, I rise in the chamber to mark the United Nations' World Environment Day, which takes place today, June 5.

The theme of this year's event is "Connecting People to Nature," which encourages people to go outside, appreciate nature and protect it. In my opinion, this is a crucial part of one's health and well-being.

[Translation]

Nowadays, the growth of our cities is estranging us from nature. Our cities have destroyed ecosystems, reduced biodiversity, and polluted our air and our rivers. Today being World Environment Day, I encourage you to help bring nature back into our communities.

[English]

We need to bring nature back to our cities. Nature provides us with essential ecological services that ensure our survival — the flow of fresh, clean air, the pollination of plants by bees, the natural replenishment of soil nutrients. These ecological services are provided to us at no cost. It would be an enormous financial burden to society if our environment becomes degraded, so damaged that nature is unable to provide these essential ecological goods and services to humanity.

It is our duty as senators to legislate for the betterment of our society. We should not be afraid to legislate for the protection of nature and for ecological services that we, for the most part, take for granted. Every Canadian wants a healthy environment and a good quality of life. This is a human right.

Think globally and act locally. We can address climate change and conserve nature by enacting policies and bills. This is thinking globally. Reducing waste and our energy consumption, for example, here at work in the Parliament Buildings, is acting locally. We, as legislators, should introduce initiatives to protect ecological services, reduce consumption, eliminate waste and, above all, bring back nature to cities.

[Translation]

We now have the knowledge and the technology we need to incorporate these elements of nature into our daily lives.

[English]

Increasing public parkland attracts birds and animals to urban areas and provides green spaces for people to enjoy. Urban beekeeping is on the rise as citizens are becoming increasingly concerned with the steep decline of honeybee populations. Rooftop and backyard gardens and allotments connect people with the process of producing their own vegetables and fruits. Simple acts, such as planting more trees in urban areas, help filter out air pollution and cool the local area.

Last month, I participated in the Canadian Wildlife Federation BioBlitz where participants search for different species of plants and animals on Parliament Hill. Encouraging citizen science gets people involved in their community and teaches them about the ecology of urban areas.

**The Hon. the Speaker:** I'm sorry, senator, but your time has expired; I apologize.

## TRAGEDY IN LONDON, UNITED KINGDOM

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to speak on the horrific attack that took place on London Bridge last Saturday night.

My thoughts and prayers go out to the families of the seven people killed, and to the people of England. We British Columbians also lost one of our own in the London attack: Christine Archibald from Castlegar. I would like to express my condolences to her family and repeat what they said about her:

We grieve the loss of our beautiful, loving daughter and sister. She had room in her heart for everyone and believed strongly that every person was to be valued and respected. . . . She would have had no understanding of the callous cruelty that caused her death. Please honor her by making your community a better place. . . . Tell them Chrissy sent you.

Ms. Archibald lived her short life for the betterment of humanity. She set an example for us all.

Honourable senators, each time these attacks take place in the name of my faith, we Muslims are truly devastated. I would like to share a message from the Ismaili Muslim National Council of the United Kingdom, which I know speaks for us all:

We offer our sincere condolences and prayers to all those impacted by recent incidents in London and Manchester, and indeed similar incidents that have taken place elsewhere in the world.

People of peace and goodwill will have been horrified by these attacks on innocent people. As a community, we must unite with others to overcome the ideologies that can lead to such acts. We have always felt safe in what has been a tolerant and peaceful society here in the U.K. and mainland Europe.

• (1840)

Honourable senators, we know these horrific acts cut the fabric of our communities. Rather than letting fear cut us, let us sew Canada and the world together.

To quote Mayor Khan of London:

By working together we must deprive extremism of its oxygen and not exaggerate its support or alienate communities in the process.

Honourable senators, I believe that united we shall stop these horrific acts. As a community, we are stronger than the terrorists. We are truly one.

## NEED FOR JUSTICE AND EQUALITY FOR INDIGENOUS WOMEN

**Hon. Kim Pate:** Honourable senators, this past Friday, Senator Saint-Germain and I had the honour of presenting at the conference entitled “The Need for Justice and Equality for Indigenous and All Women.” It was co-hosted by The Société Elizabeth Fry du Québec, l’Association canadienne des Sociétés Elizabeth Fry and l’Université de Montréal.

We were welcomed to the unceded territory of the Mohawk people by Kanehsata:ke Elder John Cree; and Ellen Gabriel, a cultural consultant for the Kanehsata:ke Language and Cultural Centre.

The conference included a message from Senator Murray Sinclair and presentations by Dr. Cindy Blackstock, Executive Director, First Nations Child & Family Caring Society of Canada; and six courageous indigenous women, five of whom have experienced marginalization, victimization, criminalization and imprisonment.

Two attended residential schools. All experienced the intergenerational impact and, against all odds, are now building their lives as they integrate into communities across this country.

The youngest was born in prison and is graduating from high school this month and commencing her studies at the University of Saskatchewan this fall.

To each of them, to Joey, Yvonne, Odelia, Lisa, Kayla and to Haley, I say *meegwetch*. Thank you for your bravery, resilience and strength. Thank you for surviving some of the most unimaginable horrors. Thank you for the privilege of allowing me to walk with you, learn from you and advocate with and on behalf of you.

Dr. Blackstock spoke about the extreme lack of funding allotted to First Nations communities for the education of children, one third less than any other Canadian child living off-reserve. In fact, only one in six of those children have grown up with clean drinking water.

Colleagues, I ask you to imagine for a moment that if only 16 of us in this chamber could drink water from our taps.

It was Supreme Court of Canada Justice Rosalie Abella who once observed:

We have no business figuring out the cost of justice until we can figure out the cost of injustice.

Honourable senators, it was also Gord Downie who said that when it comes to the poverty, racism and discrimination suffered by Aboriginal people of Canada, we have been trained to look away.

I urge each and every one of us to stop looking away.

Dr. Blackstock concluded that we must act now to ensure that future generations of indigenous children don't have to recover from their childhoods, and future generations of non-indigenous children don't have to say they're sorry. Thank you. Merci. *Meegwetch.*

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Armando Perla, a curator at the Canadian Museum for Human Rights in Winnipeg, Manitoba. He is the guest of the Honourable Senator McPhedran.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

**Hon. Senators:** Hear, hear!

### THE SENATE

#### TRIBUTES TO DEPARTING PAGES

**The Hon. the Speaker:** Honourable senators, over the next couple of weeks, I would like to pay tribute to some of our pages who will not be returning next year. Tonight I will do so for two of those.

Shona Moreau is entering her third year of the Conflict Studies and Human Rights program. Next year she is pleased to have the opportunity to partake in a funded exchange in China at the University of Harbin to study International Relations and Mandarin.

[*Translation*]

Shona is proud to represent the province of Ontario and is grateful for the opportunity she has had to observe the work of the Senate over the past year. After graduation, she plans on getting a degree in international law from McGill University and hopes to work abroad serving Canada.

**Hon. Senators:** Hear, hear!

[*English*]

**Hon. Senators:** Hear, hear!

**The Hon. the Speaker:** Jason Bagnall is a proud Prince Edward Islander and is very honoured to have had the opportunity to represent his home province in the Senate over the past two years.

This fall, Jason will be starting his third year of his Honours Bachelor's Degree in Political Science, with a concentration in Canadian politics. Jason plans to finish the last two years of his undergraduate studies in Ottawa and hopes to pursue future exciting opportunities relating to his area of study.

Following the completion of his degree, Jason plans to attend law school.

Jason has immensely enjoyed his time in the Senate and would like to thank everyone for making it such a great experience. Thank you, Jason.

**Hon. Senators:** Hear, hear!

### CANADIAN MUSEUM FOR HUMAN RIGHTS

**Hon. Marilou McPhedran:** Honourable senators, I want to speak very briefly about the Canadian Museum for Human Rights.

Some of you were able to come by 256-S to partake in the virtual exhibit there. I want to thank Senator Doyle for joining us and fully immersing himself in the experience.

This is an exhibit that celebrates the resilience, courage and creativity of Maya indigenous women in Guatemala. I am honoured to have been able to co-host this event with the Honourable Senator Gagné, as well as Parliamentary Secretary Terry Duguid, also of Winnipeg.

Armando Perla, whom you just met, conceived of this exhibit and spent months working with, living with and building trust with the Maya women, who until then had only known exploitation by museums and researchers coming, gathering their knowledge, leaving and not giving anything back.

You can buy products made by the Maya women. The exhibit is entitled "Weaving a Brighter Future," and it is really about the intersection of economic development, the living of human rights as well as the claiming of human rights.

Perhaps above all, it is a testimony to the courage, resilience, creativity and utter tenacity of indigenous women all around the world.

Thank you so much to the Canadian Museum for Human Rights for the exhibit; over the next few weeks, you can find it at the University of Ottawa Human Rights Research and Education Centre.

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• (1850)

## QUESTION PERIOD

### PUBLIC SAFETY

#### SECURITY PRECAUTIONS AT SESQUICENTENNIAL CELEBRATIONS

**Hon. Larry W. Smith (Leader of the Opposition):** Your Honour, I would be remiss if I didn't add our voice to your message of sending condolences to the family of Christine Archibald and, of course, the citizens of the United Kingdom.

My question for the Leader of the Government in the Senate is the following: 2017 is a momentous year for Canada. Canadians will be celebrating the one hundred and fiftieth anniversary of Confederation from coast to coast to coast. Many Canadians will be coming to Ottawa to take part in the celebrations on Parliament Hill and in our nation's capital.

While we look forward to these celebrations, in the context of global events, Canadians are also rightly concerned about their security during such special events.

My question to the Leader of the Government in the Senate is this: Recognizing that one cannot go into specifics regarding security measures, what information can the government nevertheless provide to Canadians regarding steps that are being taken to ensure their security during this year's celebrations?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. Before I answer the question, I want to associate myself with the condolences that he has expressed, as His Honour and the moment of silence has, to the victims of these attacks, who were from beyond just the United Kingdom and Canada.

As in all situations like this, our hearts go out to the families and communities concerned, and it reminds us all that we need to work together to deal with this scourge that is so prominent in our concerns for public safety and security.

In that regard, the Minister of Public Safety has appropriately reassured Canadians, as we all need to reassure Canadians, that we take security of our public gatherings seriously, and that appropriate review of our protocols and the cooperation amongst all of the agencies at all levels of government responsible for public security is in a state of high vigilance.

Obviously, the events at Canada 150 in Ottawa, and across Canada, are ones that civic leaders and government leaders want to assure all Canadians that we ought to celebrate and that those involved in assuring security are doing their utmost to ensure that those celebrations are safe and free of incidents. Again, as I say, it is an evolving situation, of course. However, as the minister responsible said today, it is one that he wants to assure Canadians that we should indeed celebrate our one hundred and fiftieth anniversary.

## FINANCE

### INDEXED TAX ON BEER, WINE AND SPIRITS

**Hon. Larry W. Smith (Leader of the Opposition):** Your Honour, thank you for giving me the chance to ask my supplementary question that I forgot to ask last week. I can remember that off-tackle play in 1974 where I got hit in the head.

My supplementary question is to the Leader of the Government in the Senate. Last year I asked the leader if the Minister of Finance had consulted with the beer, wine and spirits industries before hitting them with an excise tax increase that will extend into perpetuity. At the time, you said, "I will inquire with the Minister of Finance with respect to the consultations involved."

My question for the Leader of the Government in the Senate is this: Excluding consultations, can you tell honourable senators whether any studies or reports were done by the Department of Finance to analyze the impact of the excise duty escalator on the industry as a whole? As you know, there was quite a lot of news about the potential implications of this tax, and it goes for more than one year. More importantly, the issue was this: Was analysis done that would support the justification of that particular tax?

If you could help me, because we're nearing the end of our session and we're coming to Bill C-44 shortly. It would be appreciated if you could provide some feedback to the Senate before summer arrives.

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his supplementary question.

Let me assure him and all senators that, as in all tax measures, the Department of Finance did undertake an impact analysis. I am assured by the analysis that the measure will increase the rate of excise nominally; I believe it is five cents on a case of beer. This is to account for increases in cost of living over the last number of years.

I would also remind senators that, while I wasn't here in 2014, the same mechanism of escalating was used in Budget 2014 with respect to tobacco taxes, and that is what is being emulated here with respect to spirits.

## PUBLIC SERVICES AND PROCUREMENT

### CANADA POST REVIEW

**Hon. Yonah Martin (Deputy Leader of the Opposition):** My question is for the Leader of the Government in the Senate and it concerns the status of the government's Canada Post review.

Last October, during her appearance in Senate Question Period, the Minister of Public Services and Procurement expressed her hope that an announcement would be ready for April. In February, Minister Foote told a meeting of the Canadian Union of Postal Workers that the government would announce a new plan for Canada Post this spring. However, the government's recent response to a committee report in the other place stated that the government would advance "a comprehensive approach on the future of Canada Post in 2017."

Could the government leader please tell us if we can expect the government to announce the outcome of its Canada Post review this spring, as originally promised?

**Hon. Peter Harder (Government Representative in the Senate):** I will make inquiries and be happy to respond to the honourable senator.

**Senator Martin:** As a supplementary question, in September 2015, during the federal election campaign, Liberal leader Justin Trudeau was quoted as saying, "On Canada Post, we promise to restore home delivery."

However, a year ago, when Minister Foote announced the Canada Post review, she stated the following: “I’m not going to pre-judge the outcome. Nothing is being ruled out in terms of home delivery.”

My question is simply this, leader: Will the Liberal government restore home delivery, or will this be yet another broken election promise to be added to the growing list?

**Senator Harder:** I thank the honourable senator for her question. She will recall that Minister Foote, in this chamber during Question Period, answered clearly that she awaits the study.

## INTERNATIONAL TRADE

### CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT

**Hon. Percy E. Downe:** I have a question for Senator Harder.

During the Foreign Affairs and International Trade Committee’s study on the CETA agreement, we were advised there was some urgency to it. The committee did their work very well, but we had a sense of that urgency. We were advised that if a deal was approved by the Senate and received Royal Assent, it would be likely within four weeks before it was approved and came into force. Do you have an update on that situation with the Europeans?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. I will seek an update. I don’t have the latest information, and I will want to ensure I have that when I report to him.

**Senator Downe:** As a supplementary question, could you also inquire whether, when the Prime Minister was in Europe, any of the European leaders mentioned to him their concerns about the secrecy and lack of transparency vis-à-vis the Government of Canada’s regulation that they don’t intend to share them before they are published in the *Canada Gazette*, and that’s a concern of the Europeans? Could you make that inquiry as well?

**Senator Harder:** I will indeed.

## INFRASTRUCTURE AND COMMUNITIES

### CONFEDERATION BRIDGE—BRIDGE TOLLS

**Hon. Percy E. Downe:** My next question is on another topic. It’s regarding the bridge tolls on Confederation Bridge. As you know, the Prime Minister, at a town hall meeting in January — I’m glad you’re checking your notes there, Senator Harder; I hope we have a positive answer in a moment — in response to a student from Trent University who happened to be from Prince Edward Island, acknowledged that Confederation Bridge is an expensive bridge to cross. He also said he would discuss with the Island MPs what they could do for Islanders and all Canadians to travel at a modest cost across Canada. Can you advise us what has been done on that file?

**Hon. Peter Harder (Government Representative in the Senate):** I would be happy to make inquiries and respond. I did notice the very compelling case put forward in the paper recently by the honourable senator.

**Senator Downe:** Since the tourism season is coming up, we look forward to an answer sooner rather than later. I hope that, before we rise, you will have an update for us. Thank you.

[Translation]

## JUSTICE

### LEGALIZATION OF MARIJUANA

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, my question is for the Leader of the Government in the Senate. We recently learned that two out of three Quebecers are against legalizing marijuana. This morning, in Quebec media, the Association des médecins psychiatres du Québec sounded the alarm for a second time. The association is deeply concerned about the legalization of marijuana, which is currently getting fast-tracked through the other place. The association’s president, Karine Igartua, even condemned the bill. She said, and I quote:

The federal bill is unacceptable as currently worded. The government seeks to curb the use of tobacco and energy drinks and to lower the dropout rate, but it is prepared to give young people something that can damage their brain.

Not to mention the fact that 79 per cent of psychiatrists are convinced that legalizing cannabis will impair their patients’ functioning and compromise their recovery.

• (1900)

Could the Leader of the Government in the Senate tell us why the government is so determined to have this legislation to legalize marijuana in effect, for symbolic reasons, by Canada Day 2018, when experts and the provinces are raising more and more questions about the impact this bill will have on the health of our young people?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. As his question suggested, this is a matter that is being debated in the other place, and at the appropriate time, in this chamber. It is not at all surprising that, when debates take place, there are views both for and against a particular piece of legislation and that will take place in the House of Commons as it will, I’m sure, when the bill reaches here.

What is important is that we have that debate, and I look forward to engaging honourable senators on this matter when the issue is formally before us.

With respect to the view of the government on this legislation, let me remind honourable senators that this was a piece of public policy that the government committed itself to. The bill has been debated and continues to be debated in the other chamber and I look forward to it being received here.

[Translation]

**Senator Boisvenu:** Can the Leader of the Government in the Senate confirm whether the Association des médecins psychiatres du Québec was consulted when the government decided to set the legal age at 18 instead of 25, as recommended by the Association des médecins psychiatres du Québec?

[English]

**Senator Harder:** The government has taken the position it has on this bill after appropriate consultations with a wide range of groups and individuals, and it is in the process of that debate in the other place that the bill is being reviewed and commented on. Again, I look forward to hearing experts from a wide range of points of view on this when the legislation is before this chamber.

[Translation]

**Senator Boisvenu:** Can the Leader of the Government in the Senate confirm whether the Association des médecins psychiatres du Québec was consulted when the government decided to set the legal age at 18 instead of 25, as recommended by the Association des médecins psychiatres du Québec?

[English]

**Senator Harder:** I would be happy to make that inquiry.

## BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, pursuant to the order adopted on June 1, 2017, I leave the chair for the Senate to resolve itself into Committee of the Whole to hear from Ms. Madeleine Meilleur respecting her appointment as Commissioner of Official Languages.

[Translation]

## COMMISSIONER OF OFFICIAL LANGUAGES

### MADELEINE MEILLEUR RECEIVED IN COMMITTEE OF THE WHOLE

On the Order:

The Senate in Committee of the Whole in order to receive Ms. Madeleine Meilleur respecting her appointment as Commissioner of Official Languages.

(The Senate was accordingly adjourned during pleasure and put into Committee of the Whole, the Honourable Nicole Eaton in the chair.)

**The Chair:** Honourable senators, rule 12-32(3) sets out the procedure for Committee of the Whole. In particular, under paragraph (b), “Senators need not stand or be in their assigned place to speak.”

Honourable senators, the Committee of the Whole is meeting pursuant to the order adopted by the Senate on June 1, 2017, to hear from Ms. Meilleur respecting her appointment as Commissioner of Official Languages. Pursuant to that order, the appearance will last a maximum of 90 minutes.

Honourable senators, you each have 10 minutes, which must include your question to Ms. Meilleur and her answer. If you ask your questions quickly enough, you may be able to ask more than one.

I now ask the witness to enter.

(Pursuant to Order of the Senate, Madeleine Meilleur was escorted to a seat in the Senate Chamber.)

**The Chair:** Honourable senators, the Senate is now in Committee of the Whole to hear from Madeleine Meilleur regarding her appointment as Official Languages Commissioner.

Ms. Meilleur, thank you for being here with us today. I invite you to make your introductory remarks, after which there will be questions from senators.

**Madeleine Meilleur, Nominee for the Position of Commissioner of Official Languages:** Thank you, Madam Chair, and all honourable senators for giving me the opportunity to meet with you and introduce myself. I first want to express how grateful I am for being selected as the nominee for the position of Commissioner of Official Languages of Canada. I’m very touched by this vote of confidence, because Canada’s linguistic duality has always been a source of inspiration and commitment for me throughout my public life.

I applied for the position of Commissioner of Official Languages of Canada with a great deal of interest and enthusiasm. I believe I have the recognized relevant knowledge, professional qualifications and personal skills to fulfil this role competently and effectively.

[English]

My professional career has enabled me to evolve and succeed in three different fields: First, as a nurse, then as a lawyer, and more recently as a Member of Provincial Parliament and minister. At the beginning of my career, I worked as a nurse at the Montfort Hospital in various specialized services and performed clinical teaching duties.

I practised as a lawyer specializing in labour and employment law. I worked with both union and employer communities, thus acquiring experience in mediation and conciliation. During my legal career, I also served as municipal councillor for the City of Ottawa.

[Translation]

I served as a provincial member of Parliament and Ontario government minister for a period of 12 years. Throughout that period, I served as the Minister responsible for Francophone Affairs for the Government of Ontario. In that capacity, I



spearheaded important initiatives to ensure the development of the Franco-Ontarian community. Those initiatives included the establishment of the Office of the French Language Services Commissioner, the adoption of a more inclusive definition of francophones, the adoption of regulations on the delivery of French language services by third parties on behalf of governmental organizations, the autonomy of the TFO television channel, and more recently, setting a five per cent target for francophone immigration.

[English]

During the same period, I also held a variety of other ministerial mandates. I served successively as the Minister of Culture, Minister of Community and Social Services, Minister of Public Safety and Correctional Services and, finally, as Attorney General of Ontario.

As the Attorney General of Ontario, it was my responsibility to ensure that all bills and legal decisions made by the government complied with the letter and spirit of the Canadian Constitution. In that capacity, I also ensured that the rule of law was upheld in the exercise of authority. In my role as the legal adviser to cabinet, I always had to act in an objective and non-partisan manner.

[Translation]

In terms of official languages in Canada, I believe I offer unique expertise. Over my 12 years as Ontario's Minister responsible for Francophone Affairs, I created and maintained collaborative relationships throughout Canada's francophone community, and I developed close relations with my colleagues from other provinces. Nationally, from 2003 to 2015, I participated in every single federal, provincial, and territorial Francophonie conference.

• (1910)

[English]

Throughout my career, I have made integrity and transparency the core values of my commitment to public life. My actions and decisions have been analyzed and scrutinized by the media, the public and various political stakeholders. At all times, I have been able to publicly demonstrate my integrity.

[Translation]

Lastly, if I am granted the privilege of serving as Commissioner of Official Languages, my priorities will be to ensure that Canadians are aware of the commissioner's role, their rights and privileges under the Official Languages Act, and remedies available to them to ensure their rights are respected, and to protect the objectivity of the Office of the Commissioner of Official Languages.

[English]

With regard to official language minority communities, their growth relies on immigration. The federal government has set some goals related to the recruitment of French-speaking

immigrants in the provinces and territories other than Quebec, their reception, their integration, their training and their retention. The office of the commissioner will monitor how this file evolves to ensure that the government meets the objectives that it has set for itself.

[Translation]

This year, Canada is celebrating the 150th anniversary of Confederation. While the celebrations are expected to reflect both official languages and the history of our country's two founding peoples, the Office of the Commissioner must ensure that departments and agencies take their language obligations fully into account in the activities and services that they offer to the public.

[English]

The Official Languages Act will turn 50 soon, in 2019. It will be very important for the office of the commissioner to collaborate fully with the secretary of the Treasury Board and with the Canadian Heritage ministry to modernize the act and use new technology to extend government services to a broader public in both official languages.

[Translation]

Access to justice in both official languages, early childhood development, and bilingualism in the public service are other priorities for the Office of the Commissioner.

I have just discussed the key areas of focus that lie ahead for the Office of the Commissioner and that will require leadership, experience, openness and impartiality on its part. Therefore, I am confident that, fully aware of the challenges and resolutely focused on the future, I am prepared to assume the role of Commissioner of Official Languages. I thank you for your attention, and I am ready to answer your questions.

**Senator Poirier:** Ms. Meilleur, I just want to make it clear that I am not questioning your background or your skills. I am questioning the appointment process.

Since your appointment, the francophone community has been very divided, especially in Acadia. In fact, the Société des Acadiens du Nouveau-Brunswick, or SANB, has called for a new selection process, given that your appointment is politicizing a position that should serve as a watchdog for the Francophonie. Today we learned that the SANB will file an application for judicial review in Federal Court.

Knowing that the confidence of several francophone and anglophone organizations has been undermined, how do you think you can reassure them?

**Ms. Meilleur:** Thank you, senator, for your question. Throughout my career, I have always worked for the Francophonie and the advancement of French language services in Ontario. The position was open, and I applied. A very rigorous process had already been established. I made it through each step of the process, and I could expand on that.

I was very pleased to have been selected, and of course, like you, I read all the comments and concerns that are being expressed about my career in politics. Yes, I worked in politics for 25 years, including 13 years in active, partisan politics. However, whenever I was working for the francophone cause, even when I was a member of the government, I was still the watchdog for Franco-Ontarians. I always fought on their behalf; I challenged and tried to convince members of my own political party. I was the only francophone in cabinet.

I could talk to you about the Montfort Hospital, for example. I am a “graduate” of the Montfort Hospital. I fought tooth and nail for the Montfort Hospital. When I was a minister, I made sure that the government funded the hospital’s expansion, even though the Montfort was not on the list of hospitals earmarked to receive funding for expansion. The Montfort was even declared a teaching hospital. I wanted that too, because the Montfort Hospital did not have that status prior to that. Now, health care professionals are trained there in French.

I also created the position of French Languages Services Commissioner.

You know as well as I do that not everyone in a caucus shares the same opinions and not everyone is a francophile. I submitted arguments and I was able to convince my colleagues of the merits of creating that position.

What is more, TFO used to be part of the Government of Ontario’s educational television station, TVO. I asked and I managed to convince my colleagues to make TFO independent because it seemed to us that it was being overshadowed as a result of its connection to TVO. Now that TFO is independent, you have seen how well known it has become across Canada and internationally. I could give you many examples that show that, even though I was a member of a political party, I have always put francophones and Franco-Ontarians ahead of my political beliefs and affiliations.

**Senator Poirier:** You indicated that your goal was to become a senator, but the Liberal government felt you were too partisan to be appointed to the upper chamber. However, now you are being considered for an extremely important position that requires impartiality, that of an officer of Parliament.

Can you explain the difference between the position of senator and that of an officer of Parliament? How do you expect to reconcile over 13 years of political partisanship with the position of officer of Parliament?

**Ms. Meilleur:** I would like to point out that I am not the one who made the rules governing the position of senator. Yes, at one point, I thought about joining the Senate given its new structures and appointment process, but I was told that no one who had just left a job as a politician could be appointed to the Senate.

Later, when the Official Languages Commissioner, Graham Fraser, told me that his job was soon to be available, I became interested. Official languages have been my passion for 25 years, when I was a municipal councillor working on a bilingualism policy for Ottawa and when I was part of the movement to ensure

that that policy was implemented in the City of Ottawa. I wanted to continue working for the francophonie and official languages. I saw that those were two options.

When I found out the position would be open, I knew it would be a challenge. Having spent some time in politics, I decided to apply, and here I am after going through a very rigorous process.

• (1920)

I can assure you that official languages will always be important to me, just as they were during my 12-year tenure as Ontario’s Minister responsible for Francophone Affairs.

I’m passionate about official languages, and I hope to convince you of that. I will follow in the footsteps of the outgoing commissioner, Graham Fraser, with whom I worked for 12 years and who did an excellent job. I will follow in his footsteps to keep improving the francophone situation outside Quebec and to help official language minority communities in Canada.

**Senator Tardif:** Official language minority communities are a mosaic of diverse groups with shared concerns and, of course, their own unique concerns.

The new official languages commissioner must understand the realities of these communities and the issues they face. Ms. Meilleur, what do you see as the greatest challenges facing the Acadian community, Franco-Ontarians, francophones in Western Canada, and anglophones in Quebec?

**Ms. Meilleur:** One thing all of these communities, be they in Acadia, Ontario, or the West, have in common is the demographic decline of francophones. The number of anglophone communities is growing in all of the provinces but Quebec. Francophones’ demographic weight is declining, and in my view, the greatest challenge is figuring out how to ensure that francophones have access to services and can thrive and collaborate economically, culturally, and socially. That is a huge challenge.

There is also the challenge of legal representation and access to bilingual judges. When I was Attorney General of Ontario, I often saw cases that were postponed or people who decided to have their trial in English just to avoid any problems down the road.

When it comes to early childhood, in order to curb the assimilation process, we must be able to provide services to very young children and that starts in early childhood.

There is also the challenge of immigration. In a context where the demographic weight of francophones and anglophones depends on immigration, we have to figure out how to support the provinces in recruiting francophones so that they can maintain their demographic weight and so that the provinces continue to provide the necessary services.

**Senator Tardif:** In the preface of his last report, the outgoing commissioner, Graham Fraser, talked about the privilege of working towards achieving equality for Canada’s two official languages.

He added that Canada's linguistic duality is a key aspect of our national identity and an asset rather than a burden. What does this mean to you and what do you plan to do to promote Canada's linguistic duality?

**Ms. Meilleur:** Thank you very much for your question, senator. Linguistic duality is illustrated by the two peoples living in harmony. In order to live in harmony they have to know one another. How do we promote this harmony between anglophones and francophones? How do we create opportunities for people to get to know the other language, the other community?

This can be done by promoting bilingualism, by learning another language, through student exchanges. It is important to work together with the provinces and the communities to promote this exchange and allow this harmony between anglophones and francophones to flourish.

**Senator Tardif:** Even within the federal government, this harmony remains elusive. In fact, many employees are unable to work in French. This is a problem right here in the public service. What will you do in this kind of situation to promote and improve bilingualism in Ottawa, within the public service?

**Ms. Meilleur:** CBC/Radio-Canada is reporting that many employees are very concerned about their inability to work in their first language here in Ottawa. It is important to first assess the situation with employees and work with senior management to make sure they acknowledge their obligations and responsibilities towards their employees.

In Ontario, to improve a similar situation, we gave deputy ministers and assistant deputy ministers the responsibility to introduce measures to improve this. What did they do to ensure that people who speak the other language feel comfortable at work, with the help of technology, and above all, thanks to the approach taken?

It is up to the boss to ensure that employees feel comfortable working in their language. I think these examples are producing results, because in their performance evaluation grids, managers must specify any measures they have taken to ensure that their employees can work in their preferred official language, and that they feel free to do so.

• (1930)

**Senator Moncion:** The Office of the Commissioner of Official Languages is asked to intervene on many issues, including the matter of the equality of English and French in the Parliament of Canada, the federal administration and the institutions subject to the Official Languages Act.

As part of your mandate as Official Languages Commissioner, how do you intend to remain independent and impartial in situations where you have to intervene on issues affecting the government?

**Ms. Meilleur:** Thank you, senator, for your question. I have always been very interested in this subject. As I was saying in response to the first question I was asked, I have always put

French in Ontario and my responsibilities as the Minister responsible for Francophone Affairs ahead of partisanship. Since I was the only francophone, it was my responsibility to carry out the wishes of Franco-Ontarians. I have a close relationship with them because I visited them in their communities. When it came time in cabinet or in committee to make their needs known — the need to improve French services, build schools, make TFO independent, improve health care service offerings or, as the Attorney General, ensure that there were bilingual judges in Ontario — it was up to me to convince my counterparts of the merits and added value of these services. That is what I intend to do as Commissioner of Official Languages.

It is probably a bit different because, since I was a minister, I no doubt had more authority in cabinet, but I am a team player. I have always worked very closely with the opposition. When we had to create a commissioner position, for example, I had to consult the opposition to ensure that its members agreed with us and that, if there were a vote in the legislature, the vote it would be unanimous.

When the French Language Services Commissioner of Ontario position was created, it was not independent. The first step was to ensure that the commissioner reported to me as Minister responsible for Francophone Affairs. You have often heard Commissioner Boileau say that even though he reported to me he had all the independence he wanted. If he had any concern about the government creating another officer of Parliament position, I knew he would have the necessary independence. The second step was for me to ensure that he became an officer of Parliament and that he had all the independence he wanted. I was able to convince my colleagues and the opposition that this was the right thing to do and they voted unanimously in favour.

**Senator Maltais:** Ms. Meilleur, welcome to the Senate. I know that you are required to be here. The agony will end in a few minutes.

We will not talk about your skills, which are recognized across the country. You have an exceptional record. Despite such a stellar record, how is it that you were required to meet with the Prime Minister's principal secretary, Mr. Butts, and others, to defend your candidacy? Normally, such a candidacy would speak for itself and no one would have anything to say about it. Was the process contaminated by the other potential candidates, if any? I'm not sure if there were, but I am told there were.

How did those people receive you and why did you go to see them? That is what people within the francophonie want to know. Why did it take the Prime Minister's principal secretary, his assistants, and people from Canadian Heritage to bolster your application to become Commissioner of Official Languages? I am not talking about your skills, of which everyone is well aware.

My question is very simple: Why was it necessary for you to meet with all those people so they would put in a good word to the selection committee on your behalf?

**Ms. Meilleur:** Thank you, Senator Maltais. That is an excellent question. I knew Ms. Telford and Mr. Butts well because they used to work for the premier. When I left provincial politics, I sent them an email saying that it would be nice to get together.

Even though I had left politics, I made it very clear that I was not leaving public life. I was looking at ways I could keep serving Canadians.

In the meantime, Mr. Fraser told me he was leaving the position and suggested I apply to succeed him, so I met with him, not really to talk about that specifically, but to get some ideas for what I might do. It was a very brief meeting. He told me that if I was interested, I would have to go through the process. The conversation ended there. We did not go into detail about it because I had not decided whether to apply.

The same thing happened when I met with Ms. Telford. We talked about how to encourage more female representation in the public service. Similarly, I told her that if the position came open, I might consider applying. She, too, told me very clearly that there was a process to go through. There were no other discussions.

The position was not yet open and did not open until October. In the meantime, I called the commissioner to find out if it would be okay for us to meet so we could talk about the job. He told me that it would be okay because he had already met with other interested individuals, so I met with him. We discussed the position of commissioner, and later, once the position became vacant, he sent an email to everyone with whom he had met, suggesting that they consult the website for more information.

I therefore did not need to promote my candidacy because, first of all, while I was considering applying, I wasn't yet certain if I would, and in any case, if I did decide to go ahead and apply, I wanted to earn the position based on merit.

• (1940)

As you say, I have some experience in the area of official languages. It is my passion and has been for the past 25 years. I want to continue to work in that area. If anyone got the impression that I was eager to sell myself as a candidate, that is absolutely not true. There is a process that anyone who wants to apply for this position or any other must follow and I can tell you that it was extremely rigorous.

**Senator Maltais:** Ms. Meilleur, I am sure you will agree with me that the position of Official Languages Commissioner has actually been available for a year, since Mr. Fraser agreed to extend his term but did not want to renew his mandate. This is only a rumour, I am not confirming anything, but there is a rumour that you applied to be a senator. I think you would have made an excellent senator and it would have been nice to have you working with us on the official languages file given all of your experience. When you were turned down, you were given the consolation prize of Commissioner of Official Languages. That is what the public thinks. How can you persuade us otherwise today?

**Ms. Meilleur:** I knew from the start that I would not be appointed to the Senate, so this is not a consolation prize, quite the contrary. I saw the job of Official Languages Commissioner as one that would be difficult to get because I had been actively involved in politics. I applied. I looked at the criteria and none of them said that you couldn't apply if you had worked in politics,

so I submitted a very honest application and hoped to be invited to an interview. The process was very long. I did not know whether other candidates had been interviewed or whether they had been selected and I hadn't. I had no idea. I first got a call to do a language test. I thought I would at least get an interview. After that, one thing led to another. I had an interview and did a psychometric test, where I met with an industrial psychologist. The process was quite elaborate. I then had to give the names of six references. Then, later, I learned that I was going to have a telephone interview with the Heritage Minister. I did that interview and then after that I got a call telling me that my name was going to be submitted to the Prime Minister, and that it was the Minister of Justice and the Minister of Canadian Heritage who had submitted my name.

You can see why I would not want you to think that this was a consolation prize. On the contrary, this is a wonderful position for me that allows me to continue to work in official languages, as I have done for the past 25 years.

**Senator Fraser:** Welcome to the Senate, Ms. Meilleur. If I may, I'd like to revisit something you said earlier. Please be assured that no one here doubts your passion or your experience; we are simply trying to get to know you better, and understand your positions.

[English]

Ms. Meilleur, I am an English Quebecer, so I read with particular interest your references to English Quebec before the committee of the other place, when you appeared there on May 18.

You said that in addition to your familiarity with francophone communities, you are also familiar with Quebec's English-speaking community, its challenges and its aspirations. A little later, in comparison to your extensive knowledge of francophone minority communities, you also said:

I know less of the core of the anglophone community, which is in Montreal, in Quebec.

You also indicated that you were interested in learning more, which was good to know.

Have you taken any steps since you appeared before that committee to reach out to English-speaking Quebecers or their representatives to find out more about their concerns and needs?

[Translation]

**Ms. Meilleur:** Thank you, senator.

[English]

Since I am not in the position yet, I did not contact any of the anglophone communities. However, I was invited by the Quebec association not very long ago to go to an event. They invited me because they knew I was interested in the position of Commissioner of Official Languages. They have seen what I

[ Ms. Meilleur ]

have done in Ontario for the francophones, so they said, “If you become the commissioner, we would like you to help us do what you have own for the francophones in Quebec.”

We have a house in the Gaspé Peninsula, and there are quite a few anglophones there. My husband’s father was an anglophone, so we are very familiar with their concerns and their preoccupations and their aspirations there. I know there’s more than the Gaspé Peninsula. There is the Montreal group and the Eastern Townships.

I’ll say it here and I’ve said it before: If I am confirmed in this position, the first group that I will meet with are the Quebec anglophones because I want to make sure that they see my passion for official languages. I will work with them, and I hope that they will feel comfortable. I had a good feeling talking to them at my event in Montreal.

**Senator Fraser:** When you say meeting with “them,” was that the Quebec Community Groups Network, the QCGN?

**Ms. Meilleur:** The event was with the Quebec group. Yes, it was an event with them. I knew the executive director because she used to work for the Ontario government, and she introduced me to many of the leaders in that group.

**Senator Fraser:** On a slightly different tack, I’m sure you know that there are as many anglophones in Quebec as there are francophones outside Quebec in this country. You may not know that Quebec anglophone groups — Quebec anglophones in general — receive from the federal government only a small fraction of the per capita funding that goes to francophones outside Quebec. Perhaps historically there was a view, mistaken even then, that all anglophones in Quebec were rich. That’s certainly not the case now.

Would you be prepared to champion the cause of better funding for English Quebec?

**Ms. Meilleur:** Thank you, senator.

Yes, I would. When I say my passion is for official languages, in Ontario of course it was francophone because that was the minority group. But there are a lot of issues that are similar in the minority situation of the anglophones in Quebec. Usually they are in a small community, and it’s more difficult for them to get the services in their language.

• (1950)

I would be delighted to, and I can tell you that I would, go out and visit these smaller communities, listen to them and work with the authorities to help them improve their situation and get the support, financial or other, they require.

But there is a part that is government and another part that is the responsibility of the Commissioner of Official Languages, but what’s important is to work together. That’s what I have done in Ontario. You can talk to the opposition in Ontario. I see former Minister Frances Lankin here.

That’s my approach and that’s what I’m going to bring to my job if I have the opportunity to be the next commissioner.

[Translation]

**Senator Forest:** Welcome, Ms. Meilleur. I am pleased to see that you have a residence in the Gaspé. I am a native of the Gaspé.

Like others, I want to acknowledge your very diverse and very interesting path. However, as you can see this evening and as you saw before you came to meet with us in the Senate, we are living in a time where perceptions often are more important than reality. The role you are preparing to fill, which is so important for our country, is sensitive and, as an Acadian by nature, I want to express some of the concern that people have over your independence in assuming this role.

What do you plan to do to reassure Canadians of your impartiality when you take on this important responsibility related to your role as Commissioner of Official Languages?

**Ms. Meilleur:** Indeed, there are those that have had that concern; I am well aware of that. I would like to be judged by my future actions if I am appointed to this position. I can try to convince you and others that what I did as a member of a party, I did in defence of francophones, Franco-Ontarians, and ahead of politics. That is what I am committed to do.

I met with a number of senators when I was fighting for small communities that were often short changed by Radio-Canada. I am sure that you get your news from Montreal. News from Montreal is not going to get francophones from Saskatoon to listen to Radio-Canada. I have always advocated for and defended Franco-Ontarians within my own party, with the opposition as well, but mostly within my own party. When I left my position, many people said that Madeleine Meilleur was a francophone first, and a Liberal second.

I don’t know if I can convince you, but I hope I can, that I will follow the same approach if I am given the privilege of serving as Official Languages Commissioner. This is my passion, and I can assure you that I want the job. I have plenty of ideas. I wake up at night thinking about what I can do for a minority community in Northern Alberta or on the Acadian peninsula or in Grand’Terre in Newfoundland and Labrador.

I was the Minister responsible for Francophone Affairs for 12 and a half years. We had meetings, two of which I myself chaired, with francophone affairs ministers from the other Canadian provinces and territories. Everyone knows how passionate I am about this. I was getting emails from colleagues in other provinces and from other political parties telling me what a good fit I was for this job because they have seen me in action.

I am here to build bridges. I will reach out to people who are worried. I will convince them. I have the ability to build long-term, trusting relationships with people. When we are elected, we work for those who voted for us, those who voted against us, and those who did not vote. I always say that even if a person has an NDP sign on his or her lawn, I was elected to serve everyone. I

have never put partisanship above my responsibilities as MPP, as Minister responsible for Francophone Affairs, or as Attorney General.

I was the Minister of Community and Social Services, where I was constantly helping people. I worked for people living in poverty, people with disabilities. Then I was the first woman to serve as Minister of Community Safety and Correctional Services. I reached out to people. We were doing well with community safety, but not so much with correctional services. Some of our prisons had been around since before Confederation. Would you like to see your kids in prisons like that? There was money to build hospitals and schools, but there was never money for prisons. I would bring the premier to the prison to show what state it was in. As Attorney General, I dealt with the same underprivileged people because 70 per cent of those who end up in family court are not represented. I tried to get more money for legal aid. I hope you can see that there is not a partisan bone in my body when it comes to helping my wards.

**Senator Forest:** I do not know whether you have ever laid awake at night thinking about this issue, which I think is important to our linguistic situation given how important immigration is becoming in Canada. There is a strong trend in which our immigrants are focusing more on learning English. How do you believe you will be up to the task of increasing the number of immigrants who might want to learn French as a second language?

**Ms. Meilleur:** That is an excellent question. I'm glad you asked me that because this is another passion of mine. Ontario has a francophone immigration target of 5 per cent so that we can maintain the demographic weight of francophones. We were the first to set such a target. Other provinces have since adopted our approach. We need to welcome immigrants and let them know about the services that are available.

In my own community, a family of five did not speak a word of English when they arrived. They met with an advisor and were sent to the English school system, even though the children did not speak any English. They spoke French and another language. French was not their mother tongue.

Also, immigrants were being asked to fill out a survey where they had to indicate whether their mother tongue was English or French. If the answer was neither, they were automatically classified as anglophone. Immigrants who speak French at home told me that they were frustrated with this situation. They wanted to be counted, and they felt as though they were being ignored. The survey has now been changed and so, now, if the person speaks French, they can request services in French. Now those immigrants are counted. The number of francophones in Ontario went from 590,000 to 611,000. People were quite pleased. Yes, the demographic weight of official language minority communities is a function of immigration. We have to ensure that immigrants are well received, that we make them aware of the services provided, and that we follow up with them through short surveys to find out how they are being received.

• (2000)

**Senator Smith:** Congratulations, Ms. Meilleur, for everything you have accomplished throughout your career. A lot has been written lately about your candidacy.

[ Ms. Meilleur ]

[English]

I will ask you the question in English. I, like Senator Fraser, am one of the people who stayed and made my career in Quebec.

[Translation]

I am very grateful for everything that francophones from Quebec have done for me.

[English]

If you were applying for a position as an officer of Parliament and you learned that other applicants had had meetings with political contacts in various ministries, and that the final selection of the successful candidate was made before the search firm that the government had even engaged with had made their final recommendations, would you feel that the process had been done fairly?

**Ms. Meilleur:** Senator, thank you for the question. Like I said, there may be a concern about this, but again I want to clarify that I knew these people. I met with them to say that I'm interested in continuing to serve. I'm leaving politics, but I'm not leaving public life.

We spoke about anything else but this after, because I have not seen them for a while. The position of Official Languages Commissioner was not the goal of the conversation. It was in passing. I just met the commissioner coming out of a restaurant, and he said, "I have heard you have resigned, and I'm leaving my job in December." He was very much aware of what I've done in Ontario, because we've worked very closely. He helped me out.

He said, "Why don't you apply?" But in no way was I trying to upset the process. I was just told there is a rigorous process, and if you're interested in the job, or any other, you have to follow the process. How did I know that this position was open? I'm not too technical.

I understand there may be concerns, but look at my qualifications and look at what I have done. It's not that I will do this or I will do that. Look at what I have done.

I think the past is a guarantee of the future. You will see that I will work hard and in collaboration with the community, and I will work with all of you. If I'm the candidate, I will come and present before you. If you're not happy with what I do, you will let me know. That's what I'm expecting. That's my answer.

**Senator Smith:** No one questions what you've done. You have had a fantastic career. As you said, you've done three different things. Multiple careers are very impressive to see because it shows your versatility.

The question I'm thinking about is in terms of the credibility of the process. I understand I've been lucky in my life. I know a lot of people, and I've been able to figure out how to get into situations. You're obviously a very assertive and successful person, and you know how to manage the territory.

Do you think the process itself, in its present form, is fair to all candidates, or is it geared to give extra incentive or opportunity to people who have past experience in the field? If you look at history and at the commissioners, and there are seven other commissioners, the history shows that most of these commissioners came from the public sector and had a commonality. I believe the only political individual was Mr. Goldbloom, who was appointed as a Liberal by Prime Minister Mulroney.

I think this is an important point, because we have seven other positions that we're going to have to look at. If there is a process issue that is not right, and it has nothing to do with you, maybe there is an opportunity for someone with leadership to say, "The process as I analyze it is not necessarily the best, and I think it should be reworked so that there isn't the optics issue that exists today." Because there is an optics issue, madam, that exists today and challenges the credibility of the executive. The position is a position that reports to Parliament. It doesn't report to the executive.

The problem that exists, in my simple mind, is that we have a situation whereby you haven't done anything wrong. You have tried to get the job, but the process itself, which is managed by our government, is in question, at least in my simple mind. What do you think about it in terms of not only yourself but other people that would apply?

**Ms. Meilleur:** Thank you very much for your question, honourable senator.

I didn't know the process. I heard Commissioner Fraser talking about "the process" that he went through. I don't think there was a process. So now there is a process. I shouldn't say there was no process, but the process was very light. Anyway, he explained the process.

Now they have changed the process. It is a very rigorous process. Is it the right process? That is not up to me. I was brought into the process. I didn't know the process before. As the process unfolded, I have learned. What is the next step? The next step is this. What is the next step? So I have not seen the process before.

I believe that different governments looked at the process. I'm sure they tried to improve the process to make sure that it does answer the questions that the public may have, but it was the first time I went through a process like this.

In the end, I was happy because I knew that this position was not given without due process. I went through a very rigorous process, and I'm sure that all the other candidates that were called for the interview — I don't know how many, I know that there were quite a few — went through the same process I did. I don't know that for a fact.

• (2010)

**Senator Smith:** If you're fortunate enough to be confirmed, I think that there's an opportunity for you to play a role, as you assess the experience that you've been through, to make sure the government takes a serious look at tightening the rules. That's just a perception, but we've come close. What lines do you cross and what lines do you not cross?

That has nothing to do with you, because you're the candidate and you're trying your best to get the job, but it may be an opportunity that you have moving forward.

**Ms. Meilleur:** Thank you for your advice, senator.

[Translation]

**Senator Jaffer:** Ms. Meilleur, welcome to your first appearance before the Senate. My name is Mobina Jaffer and I am a senator from British Columbia.

[English]

We have heard about the work you have done in the east and the different things you will do in the east. However, I come from the west.

[Translation]

My question to you, then, is what is your vision for improving bilingualism in Western Canada?

**Ms. Meilleur:** Thank you very much, senator. I have been to British Columbia a few times and I have met with the Francophonie ministers. It is a challenge, but I think the provincial government had introduced some measures. In addition, it was compelled by the court to open schools with a structure and curriculum of the same quality as English schools. That is why it is good to have judicial bodies, such as the Supreme Court, that call governments to order. I have always appreciated the fact that the Supreme Court often defends the interests of minorities. In British Columbia, as I said earlier, in order to increase the number of people who speak French, it is important to also work with the province.

This was done very successfully in Ontario with our immersion schools, which are incredible. Parents are asking for them more and more. They are asking for more than 50 per cent French. There is a real appetite for it. I am convinced that British Columbia is no different from that perspective.

I can assure you that I will work with British Columbia's francophone communities and I will listen to them. They are the ones who have the answers, but they need someone to make the connection and get the message through. I have often heard people say that that is someone else's responsibility. In Ontario, I was not responsible for education, health or immigration, but I was involved in those files and I worked with the ministers responsible to convince them that we should adopt a given practice or pass a particular piece of legislation.

I can tell you, senator, that I will visit British Columbia and I will work with the communities on the ground. I will also make recommendations to those who are in authority as to what they can do to increase the number of French speakers and stop assimilation. The danger that is facing anglophone communities in Quebec and francophone communities outside Quebec is assimilation because of exogamous marriages and other issues. These communities must be given the tools they need to deal with those issues, and I think that the Office of the Commissioner of Official Languages has a role to play, as it has in the past, in developing these tools.

**Senator Jaffer:** I commend you on your knowledge of my province. It has three concerns. The first has to do with Canada's francophone community. I agree with you. There are many problems related to infrastructure. The second problem has to do with the immigrant francophone communities. When I spoke with people in my province, they said there was a big problem in that regard.

[English]

The problem is that people who come from countries of origin of France do not feel part of the Francophonie community, whether it's the federal government or provincial government. For example, when the Syrian refugees who spoke French came to my province, they were introduced to English schools.

If you're nominated, I look forward to work with you to make sure that those communities that were originally from the francophone communities are given the same resources as francophone communities that come from Canada are given so that we do grow the bilingual community.

The real problem I wanted to speak to you about is, I am a grandmother. I have two children. My 11-year-old is in French immersion, and he is absolutely amazing. I'm a proud grandmother. You can see that. However, my second grandchild cannot go to an immersion school because they have cut immersion schools in the city of Vancouver into half.

My frustration is that if we are going to grow bilingualism across the country, the federal government and you, if you are nominated, will have to play a very aggressive role in preserving places for Canadians who want to learn both languages. I want to know what your vision is regarding that.

**Ms. Meilleur:** First, congratulations to your two grandchildren. You are very proud of them, and rightly so.

I believe that the heritage department has a program to help official languages in minority situations to progress, to develop new programs to help the Ministry of Education of that province to promote and to help them to develop programs for francophones in B.C.

If I am the commissioner, I intend to work with these different ministries to help bring the message to the ministry about how we can work together and finance these programs and help linguistic duality, if we do that. We have to get to know each other and live happily together. We also need to know how to help the other community through immersion and have more immersion programs, because kids learn very easily. Sometimes it's a summer program to get them ready to start an immersion program or immersion school. There are different tools and different ways that other provinces have done it. I will help them out.

**Senator Jaffer:** If you are nominated, Ms. Meilleur, the first homework I'm going to ask you to do is to look at the report of the Official Languages Committee that was done under the

stewardship of Senator Tardif of the terrible situation that exists in British Columbia.

**Ms. Meilleur:** Yes, I will.

[Translation]

**Senator Mégie:** Hello, Ms. Meilleur, and welcome to the Senate. I can sense your passion for everything that you have done for the Franco-Ontarian community. Last week, I met with the Ottawa Bilingual City group, and I was really surprised to learn that the project was at a standstill. Today, I was reading a piece by Catherine Lanthier, part of which read as follows:

According to information obtained by the CBC, half of the members of the city council are opposed to this measure.

That means that they are opposed to the bilingual Ottawa project. Will one of your goals be to help the Ottawa Bilingual City group meet its objectives? If so, how would you go about doing that since elected municipal officials are against this project?

• (2020)

**Ms. Meilleur:** That is a very good question, senator. Our country has two official languages, and that's why the national capital should be bilingual, but how are we to convince elected officials of that?

The Ontario government said that a municipal council resolution is all it would take to amend the City of Ottawa Act to make the city officially bilingual. If I have the honour of serving as Commissioner of Official Languages, I will work very closely with municipal councils to make such a proposal viable.

According to a nationwide survey, Canadians want the City of Ottawa to be bilingual. There are a few ways to make that happen, and it has more to do with federal, provincial, and municipal government than with the Commissioner of Official Languages, but rest assured that my message will always be clear.

In fact, I was the architect of the City of Ottawa's bilingualism policy. I admit it wasn't easy. We heard things we did not like hearing, but four of us city councillors managed to convince the majority of councillors, so one must never lose hope. We did not have a majority when it was time to vote, but during the debates leading up to the vote, some of the comments were so insulting that councillors who did not want to vote in favour of the policy did so anyway because they did not want to be associated with such comments.

We must never lose hope. What a wonderful gift it would be for the 150th anniversary of Confederation if the City of Ottawa were to become officially bilingual.

**Senator Mégie:** If you are appointed, we will be counting on you.



**Ms. Meilleur:** You are giving me a tremendous responsibility and I will live up to it.

**Senator Boisvenu:** Ms. Meilleur, you said in the other place and here in this chamber that you had to go through a very rigorous process. Those are the words you used this evening.

You probably know that, since 2013, senior Canadian government officials are required to have an almost perfect knowledge of both official languages. My first question follows. You said that you took tests as part of the selection process. What were the results with regard to your knowledge of French and English?

**Ms. Meilleur:** I did not write a French test. I wrote the English test and I got the highest mark required for getting the position.

**Senator Boisvenu:** Throughout the selection process, did any staff from a minister's office or the Prime Minister's office help prepare you to pass these tests or understand them?

**Ms. Meilleur:** Not at all. I did not meet with anyone.

**Senator Boisvenu:** As part of this appointment, you assure us that no one throughout the process had a hand in your candidacy.

**Ms. Meilleur:** Could you repeat the question?

**Senator Boisvenu:** You said earlier that you met with politicians and that at no time did they promote your candidacy. At any time during the selection process did anyone from the political sphere acted to promote your candidacy?

**Ms. Meilleur:** I cannot answer that question because I do not know. What I said was that when I met with those people, I expressed my interest in the Commissioner of Official Languages position. I was told there was a process to follow and that was that. I cannot answer your last question.

**Senator Boisvenu:** In preparation for this evening's committee of the whole, have you had any contact over the past few weeks with anyone linked to the department or the Prime Minister's Office?

**Ms. Meilleur:** None whatsoever.

**Senator Boisvenu:** Okay, thank you.

**Senator Joyal:** Ms. Meilleur, I want to say before this chamber that you and I have already crossed paths during the fight to keep the Monfort Hospital open and when you were fighting to ensure that CBC/Radio-Canada be a better reflection of francophone minorities across the country.

I can only sing your praises. However, as you know, our responsibility as senators is of a different nature. We have a duty to ensure the integrity of the Commissioner of Official Languages as an institution. When I talk about the integrity of the institution, this has nothing to do with you in particular, but rather the status of the Commissioner of Official Languages.

This afternoon I reviewed the powers granted to the Commissioner of Official Languages by the legislation, and I imagine you have read them also. You fill a role, or you are being called to fill a role, as Commissioner of Official Languages, that is quasi-judicial.

Under section 62 of the act, you have the power of a superior court of record. You have the power to summon and swear in witnesses. You have the power to receive affidavits. You even have the power to enter the premises of any federal institution and conduct an investigation. You therefore have judicial powers.

In addition, under section 78, as part of your investigative duties, you have the powers of a prosecutor. To assume this responsibility, your status is equivalent to the privileges of a judge and the privileges of a crown prosecutor, all for the purposes of enforcing the Official Languages Act. You also exercise these powers on behalf of Parliament, and therefore, you must be independent of the executive and the government, free from the yoke.

The powers of the Auditor General of Canada simply don't compare — I checked. Compared to the other six officers of Parliament, you have tremendous judicial power.

Here is my question. You told us that you are a politician who recently left your seat in the Ontario government. How can you go before Canadians and claim that you have the impartiality to exercise your tremendous power under the law independently?

I would add that you were the Attorney General of Ontario for two years. In that capacity, did you ever appoint or recommend that Cabinet appoint one of your former colleagues in government for a position such as a judgeship? Do you see the impossible situation your appointment has put us in? I know that you have studied law, so you understand that the presumption of impartiality is as important as the desire to be impartial. Parliamentarians must be fully confident that you would be able to take action against the government, the Minister of Justice or the Minister of Canadian Heritage if necessary in the exercise of your duties. How can we be assured that you have the impartiality required to carry out this extremely demanding duty, as you have seen in previous reports from the Office of the Commissioner of Official Languages?

• (2030)

**Ms. Meilleur:** As I said at the outset, I served as Attorney General of Ontario. I had a duty to be impartial in my opinions, and apolitical in my actions. I would add that, in some countries, the position of Attorney General is not even a cabinet position, because the Attorney General needs to demonstrate such a degree of impartiality.

In addition, I felt completely comfortable giving opinions that were not always popular, I can assure you. I would give those opinions to my fellow ministers and even my premier. That was my responsibility, and I always fulfilled it.

Judges who have been politicians in the past are appointed. I believe it was Justice L'Heureux-Dubé who said that when these judges are appointed, they demonstrate this impartiality and

deliver excellent decisions. I understand why these questions are being raised, but as I said earlier, I would rather be judged by my actions than hear that I might not be impartial. As part of my duties in the past, I have proven myself capable of being impartial. In all of the various ministries in which I served, I always fulfilled my obligation to be impartial in order to represent the individual who needed help or who needed support from a Government of Ontario program.

What I can tell you is that I was the Attorney General for two years and several months and that I carried out my duties independent from cabinet. I gave legal opinions in keeping with the law and the Constitution.

**Senator Joyal:** As I mentioned, we are not questioning your status as Attorney General of Ontario or the fact that you carried out those duties impartially. The problem that we have is that you are leaving a ministerial position within an elected government and you are asking us to give you responsibilities that would require you to take legal action against a government or ministers and carry out in-depth investigations under the act of a government that you have many direct connections with. You have not had the time you need to develop the neutrality or the distance that would allow you to convince us today that you are able to carry out your duties as Commissioner of Official Languages independently. Those are the issues that we have on our minds as we speak with you this evening.

**Ms. Meilleur:** I want to reiterate what I said. Yes, I was in politics for 25 years, including 13 years in active politics. I am very proud of my accomplishments. I have advocated and stood up for Franco-Ontarians with my peers, who did not always agree, but I was able to convince them of the merits of my proposals. Independence has always been important to me. For example, when the French Language Services Commissioner reported to me for a period of three or four years, he said time and time again that he always had the independence he needed to take action because I never interfered in an attempt to influence his decisions. That was important to me. It became much easier when I proposed that he be given legislative independence so that he could become an officer of Parliament, a proposal that received unanimous support.

**The Chair:** Honourable senators, the committee has been sitting for 90 minutes now. Pursuant to the order adopted by the Senate, I am obliged to interrupt the proceedings so that the committee can report to the Senate.

[English]

I know that you will join me in thanking Ms. Meilleur.

Thank you, madam.

**Hon. Senators:** Hear, hear!

**Ms. Meilleur:** If I may, Madam Chair, I would like to thank all of you for your honesty. I think they were all very good questions. I hope I have convinced you that I have not only the qualifications but the reputation and the integrity to carry out my responsibility as the commissioner of French language.

[ Ms. Meilleur ]

**The Chair:** Honourable senators, is it agreed that I report to the Senate that the witness has been heard?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Honourable senators, the sitting of the Senate is resumed.

#### REPORT OF COMMITTEE OF THE WHOLE

**Hon. Nicole Eaton:** Honourable senators, the Committee of the Whole, authorized by the Senate to hear from Madeleine Meilleur respecting her appointment as Commissioner of Official Languages, reports that it has heard from the said witness.

## ORDERS OF THE DAY

### CANADIAN HUMAN RIGHTS ACT CRIMINAL CODE

#### BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Gagné, for the third reading of Bill C-16, An Act to amend the Canadian Human Rights Act and the Criminal Code.

**Hon. Marilou McPhedran:** Honourable senators, these will be brief remarks. I want to express my support for Bill C-16 before us and to speak briefly about the idea of a statutory review that has been in discussion as a possible amendment; and to indicate that this is not something that I will proceed with, but to encourage honourable senators to think in terms of the value of bringing a gender-based analysis-plus to the entire topic of our human rights framework in this country; and to not at this point in time single out only gender identity and gender expression to be the focus of a gender-based analysis-plus review.

I want to briefly speak about the whole notion of the expansion of rights as distinct from the containment or the reduction of rights. There have been many points of view expressed in this chamber, all I believe with great sincerity. I wish to express my point of view that this is a country with a constitutional democracy on a bedrock of equality values and clear articulations in our Constitution and in our Charter, but also beyond the Charter and in other parts of our Constitution, which speak to this bedrock of equality values. In order for us to progress as this constitutional democracy and to focus on freedoms — the freedoms that are necessary in order for people to know their rights, to claim their rights and to live their rights —

Bill C-16 is an essential building block for that, and it is time. I hope we will be able to proceed and do our part to bring this into law and expand rights in this country.

(On motion of Senator Martin, for Senator Frum, debate adjourned.)

• (2040)

#### NATIONAL FINANCE

##### COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF THE FINANCIAL IMPLICATIONS AND REGIONAL CONSIDERATIONS OF THE AGING POPULATION WITH CLERK DURING ADJOURNMENT OF THE SENATE

Leave having been given to proceed to Motions, Order No. 218:

**Hon. Anne C. Cools**, pursuant to notice of June 1, 2017, moved:

That the Standing Senate Committee on National Finance be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between June 12, 2017 and July 7, 2017, if the Senate is not then sitting, a first interim report relating to its study on the financial implications of Canada's aging population, and that the report be deemed to have been tabled in the Chamber.

**The Hon. the Speaker:** Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

(Motion agreed to.)

##### COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF THE DESIGN AND DELIVERY OF THE FEDERAL GOVERNMENT'S MULTI-BILLION DOLLAR INFRASTRUCTURE FUNDING PROGRAM WITH CLERK DURING ADJOURNMENT OF THE SENATE

Leave having been given to proceed to Motions, Order No. 219:

**Hon. Anne C. Cools**, pursuant to notice of June 1, 2017, moved:

That the Standing Senate Committee on National Finance be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between June 12, 2017 and July 7, 2017, if the Senate is not then sitting, a second interim report relating to its study on the federal government infrastructure program, and that the report be deemed to have been tabled in the Chamber.

**The Hon. the Speaker:** Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, June 6, 2017, at 2 p.m.)

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