REPORT

**FOURTH ANNUAL MEETING OF THE
NETWORK OF COORDINATORS RESPONSIBLE FOR PART VII -
SECTION 41 OF THE *OFFICIAL LANGUAGES ACT***

JUSTICE CANADA

OTTAWA

NOVEMBER 15, 2006

1. INTRODUCTION

Andrée Duchesne, Senior Counsel and Manager, Office of the Francophonie, Justice in Official Languages and Legal Dualism, welcomed participants. She suggested going around the table and letting everyone introduce themselves. The list of participants to the meeting can be found in Appendix 1.

She then gave an overview of the agenda and introduced the facilitator, Ronald Bisson.

The facilitator observed that the group of coordinators has remained relatively stable in the last year; only three participants were attending their first annual meeting of the Network of Coordinators.

Adel Ghié, of the national coordination team ("Team 41"), said that the agenda had been prepared taking into account the evaluation of the 2005 annual meeting and the suggestions made by coordinators during the Network's teleconferences in the course of the year. He stated the objectives of the meeting:

- feed the Network of Coordinators by stimulating discussion;

- develop and introduce tools to facilitate the work of regional and policy and program coordinators;

- take a closer look at the relationships with ethnocultural groups within official language minority communities, a concern common to all members of the Network.

He noted that in the last few years, ties have been strengthened in the regions with the various official language minority community groups, including through the attendance of coordinators at annual general meetings and other meetings of these groups. As a result, the Department and the programs are better known. He also mentioned that the coordinators for the various programs and policies provided support to community organizations, including to prepare proposals.

2. CURRENT SITUATION BY REGION

Regional coordinators presented a profile of official language minority communities in their respective regions, stressing the Comprehensive Development Plans (CDPs) developed by provincial and territorial representative organizations and the role of the justice component, if any, in these plans.

This report contains a summary of these presentations, a hard copy of which was distributed to participants (except the presentations on Manitoba and Atlantic Canada).

British Columbia

The presentation contained the following elements:

- the vision, mission and fundamental values of the 2004-2009 Comprehensive Development Plan of British Columbia's French-speaking community;
- The priority areas of the CDP, including policy and legal development and community recognition;
- The objectives of the CDP to meet the community's challenges: increase the number of Francophones and stave off assimilation; engage more people in the community; make room for Francophiles; and live in French as often as possible;
- other directions desired by the community: create partnerships between Francophone and multicultural groups; establish close ties between school and the Francophone community; and take action to develop cultural identity in youth;
- organizations which could have a link with the Department:
  - Assemblée francophone des retraités et aînés de la C.-B.;
  - Association des Africains francophones de la C.-B.;
  - Association des juristes d'expression française de la C.-B.;
  - Fédération des francophones de la C.-B.;
  - La Boussole;
  - Réseau-Femmes Colombie-Britannique;
  - Société Biculturelle de Maillardville;
- a few comments:
  - there is not much emphasis on justice;
  - there are no bilingual legal aid lawyers and very few defence lawyers;
  - most bilingual lawyers are being recruited by the provincial and federal governments
  - because of the predominance of Asian languages, there is little visible promotion of French, especially due to the small proportion of Francophones who don't speak English;
  - it will be important to unite the efforts made with the native and immigrant Francophone communities.

Alberta

The presentation contained the following elements:

- a backgrounder on the situation of French in Alberta;
- key organizations:
  - Association canadienne-française de l'Alberta (ACFA);
  - Association des juristes d'expression française de l'Alberta (AJEFA);
- the 2004-2009 Five-Year Plan of the Société francophone de l'Alberta and the nine development sectors, including government policy and services; the legal component is not explicitly included;
- two main issues: immigration and early childhood;
- important event: the interdepartmental meeting organized each year by the Canadian Heritage and the ACFA to explore potential avenues of collaboration between the

government and the community; these meetings sometimes lead to synergies between the programs of different federal departments;

- a few comments:
    - the Francophone population numbers 66,000 and continues to grow, especially due to immigration;
    - the ACFA counts on a large number of Francophiles to raise the French profile in the province;
    - Alberta currently leans more toward multiculturalism than bilingualism;
    - Other important issues: population boom; including interprovincial immigration; social services; early childhood (which concerns Health Canada but can also interest Justice).

Saskatchewan

The presentation contained the following elements:

- a demographic profile of the Fransaskois community;
- Fransaskois governance:
    - Assemblée communautaire fransaskoise (ACF) and elective structure;
    - 25 sectoral organizations and local association associated with the ACF;
    - Association des juristes d'expression française de la Saskatchewan, which includes several members who are also active in other community organizations;
- the Fransaskois community's Comprehensive Development Plan for 2004-2009, its objective to counter assimilation and projected impacts:
    - ability to bring the community together and development of the French-Canadian culture;
    - active offer of services in French;
    - ability of key community institutions and organizations to offer permanent services to the community;
    - influence of Francophone leadership on the province as a whole.
- a few comments:
    - the Saskatchewan population is increasingly open to bilingualism;
    - only 2% of the Saskatchewan population speaks French daily and this percentage is dropping;
    - with the rural exodus comes the assimilation of Francophones in the cities;
    - the Fransaskois community is positive, dynamic and efficient despite its perilous situation;
    - the commission on the inclusion of the ACF has opened the door to immigrants and Francophiles;
    - it is difficult to encourage the demand for services since those who do make such requests have to wait a long time or do not receive the requested French service.

Manitoba

The presentation contained the following elements:

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- letting go of insular attitude and adopting a new community development approach that "expands Francophone culture" and integrates its blueprint into a vision for the province as a whole and reaches out to immigrants, bilingual citizens, Francophiles, non-Francophone spouses of exogamous couples, Anglophones in general;
- demographics: Francophones today represent 4.3% of the province's population;
- the fighting attitude of Franco-Manitobans: schools, justice, health, immigration and economic development;
- the creation of 3 bilingual service centres in cooperation with the provincial and federal governments;
- the Association des juristes d'expression française du Manitoba's "mon droit mon choix" campaign;
- the fact that assimilation is continuing despite the efforts made and the progress achieved: the number of people with French as a mother tongue is on the decline; knowledge of French is on the rise.

Ontario

The presentation contained the following elements:

- a demographic profile: the 549,000 Francophones living in Ontario (half of all Francophones outside Quebec) represent 4.9% of the province's population; racial minorities, which are very diversified, account for 10.3% of the Francophone population;
- a summary of the study *Un État des lieux, les services en Français dans le domaine de la Justice en Ontario* and a summary of the workshops that followed its publication;
- the highlights of the last annual general meeting of the Assemblée de la Francophonie de l'Ontario: the Franco-Ontarian community wants to integrate Francophone immigrants; immigrants still have their separate structures; the community is looking at the problem of immigrant integration in Canada and within the linguistic minority;
- a few comments:
    - there is a risk of division within the Franco-Ontarian community;
    - the community is starting to talk about the possible creation of an ombudsman position at the Office of Francophone Affairs;
    - the assimilation of young Franco-Ontarians remains a major concern.

Quebec

The presentation contained the following elements:

- the context as described in the 2005-2010 Community Development Plan: the community feels vulnerable and demographic trends are worrisome; Anglophones in Quebec are waging the same battle as Francophones outside Quebec: the community is fighting to survive;
- the Community Development Plan as a starting point and the vision and values outlined in the Plan;
- the Department's involvement in various structures to improve access to justice in English in the province;

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- a few comments:
    - outside of urban centres, it is often the Anglophone minority that works to provide resources to the minority population;
    - as far as legal resources go, the number of bilingual lawyers and Anglophone lawyers is not a problem; the focus is on the type of services available from the courts (filing of documents, clerk, etc.);
    - in Quebec, there is the specific issues of the language of signs and the translation of decisions (and quality of these translations);
    - Éducaloi, the designated public legal education and information organization, plays an important role (information, English version of website).

Atlantic Canada

The presentation contained the following elements:

- an overview of the Comprehensive Development Plans of each of the four Acadian and Francophone communities in Atlantic Canada and their priority areas and strategies;
- a description of their respective situations, i.e. demographics, institutions and access to services in French;
- the priorities of the Fédération acadienne de la Nouvelle-Écosse for 2007-2008 and the need for improvement in this province in the following areas: political and legal representation at the provincial government level, French-speaking lawyers and judges, youth involvement;
- New Brunswick's priorities regarding the policy and legal framework: improving this framework, gaining equal linguistic status in public and private sectors and increasing French signage;
- the Federal Departments / New Brunswick Acadian Community Committee, a strategic committee coordinated by the Department of Canadian Heritage;
- the education campaign of PEI Acadians during the 2006 census;
- the role of federal councils in each province:
    - each has an official languages committee;
    - the federal councils maintain close ties with each other;
    - the focus is more on service delivery and training than on section 41;
    - an Atlantic symposium on part VII was held in Charlottetown in May 2006;
    - the alignment of community CDPs with the mandates and priorities of federal departments remains a challenge.

Northwest Territories

The presentation contained the following elements:

- a profile of the Northwest Territories and its Francophone population: 1,035 Francophones representing 2.8% of the population;
- an overview of the NWT Francophone community's Comprehensive Development Plan for 2004-2009 and of the general values and priorities:
    - gain recognition for the status, rights and needs of the community;

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- broaden access to French daycare and education services;
- provide a viable and friendly meeting place;
- set up and manage an access point in French;
- broaden the range of French media and spread the use of the Internet;
- develop a network of Francophone or bilingual companies;
- strengthen the sense of belonging to the Franco-Ténois culture;
- the results sought by the policy and legal sector of SDP;
- the associative network:
  - Fédération Franco-TéNOise (FFT);
  - 4 local associations;
  - Éditions franco-ténoises / L'Aquilon;
  - Regroupement des parents francophones des TNO;
  - Economic Development Council;
- a few comments:
  - NWT have 11 official languages, including 9 aboriginal languages;
  - is it the most prosperous of the three territories due to the mining and oil boom;
  - there are many general priorities; justice is not predominant;
  - main challenges include access to services (especially a school and gymnasium) and opening the community to Francophiles.

3.   COMMUNICATION PROTOCOL

At the Network's third annual meeting in 2005, Team 41 presented fact sheets concerning various departmental programs and policies.

At the annual meeting held December 15 and 16, 2005, several questions were raised regarding the roles, working relationships and communications between the various members of the Network of Coordinators. It was then agreed that Team 41 would develop a tool to define more clearly the working relationships and communication mechanisms within the Network of Coordinators as well as between the Department and the communities.

At this meeting, it had been stressed that this tool would need to embody the following aspects of the work to implement section 41 within the Department:

- A coordinated approach to communications;

- An integrated approach to programs;

- A prudent approach to community relations.

This report presents a summary of the tool developed, a copy of which was included in the participants' packages.

The communication protocol developed by Team 41 is designed to help members of the Network and of Team 41 to interact effectively with each other.

The five basic principles to follow are:

- Team 41 is the control tower, regulating the flow of information. It knows what is going on between the communities and the Network of Coordinators and may intervene in order to help.

- Regional coordinators are the gateway, the first contact between the communities and the Department, due to their physical proximity. Communities are better acquainted with regional coordinators.

- The Network uses an integrated approach regarding the programs. Fact sheets simplify the work of regional coordinators and inform them about departmental initiatives. By using simplified documents, the coordinators' work become easier and promotes the dissemination of consistent information.

- The internal service standard is as follows: "a guaranteed sign of life". The Department, through the members of the Network, is quick to respond to community requests (the goal is a maximum of ten working days to acknowledge receipt of a request).

- Regional coordinators are not required to wear two hats, i.e. do the work of programs and policies or that of Team 41. They are not required to step in for program coordinators to explain the details of initiatives or the criteria for proposals.

The protocol specifies the roles of the various players, including that of regional coordinators, following the standard of 10% of time allocated to this task by each regional coordinator.

In addition, the tool developed by Team 41 explains the main steps in the flow of a request:

- acknowledge receipt of the request;

- obtain a minimum of details on the project under consideration in order to be able to determine the best timing for the request within the Department;

- relay this information to Team 41 and keep them informed on the process.

The communication protocol includes five examples of requests from official language minority communities.

Participants did an exercise to practise using the tool. In groups of 4 or 5, they had to determine the answer that should be given and actions to be taken if they were confronted with one of the five scenarios presented.

This exercise raised a few important points:

- Some requests can be referred to a relevant organization within the community, including the association of French-speaking jurists. The regional coordinator would

refer the requester to this organization, but would ask the person to call him back if they don't get an answer to their request. The regional coordinator would make sure to keep Team 41 informed

- The regional coordinator may refer to the fact sheet for the initiative concerned and refer the person to the Department's website. It is sometimes useful to ask the requester to prepare a letter of intention to prevent him from having to develop a detailed project that does not meet the criteria of the initiative in question. Once a request is brought to the attention of a Department initiative, it (through its section 41 coordinator) can accompany the requester in his approach. The letter of intention also helps better understand the requester's intention and to consider other avenues for the request. For example sometimes a project can fall under several initiatives. At each step, the coordinator must keep Team 41 informed of the status of the procedure initiated.

- Sometimes, the request is very general in nature and is made when a funding opportunity has been identified, without the requesting organization providing details on a potential project to be submitted. In such cases, the coordinator may give the organization information on the various initiatives of interest (fact sheets, kit), offer to put them in contact with a specific initiative, refer them to the website to find out about the programs' requirements. Here again, the coordinator must keep Team 41 informed of his process.

- When the requesting organization submits a question concerning the funds available and the deadlines, the regional coordinator must confirm that the program in question exists; he may give out the fact sheet and refer the requester to the Department's website. He informs Team 41 and may make contact with the program, but he should never provide any answers regarding funds. Programs receive requests all the time and only program and policy coordinators are in a position to judge the availability of funds and the relevance and merit of a given request.

- Regional coordinators don't always have enough details or in-depth knowledge of the requests or programs to be able to determine the initiatives under which a request may fall. They must always inform Team 41 and take into account the fact that the different departmental initiatives work in a spirit of collaboration and Team 41 can play a role.

- Requests sent by official language minority communities can sometimes be combined with initiatives from a provincial agency funded by the Department. Some regional coordinators have sufficient knowledge of the field and the organizations to make these connections. Program and policy coordinators are aware of the various initiatives that are in progress or have been completed.

- It is important that all the players in the Network properly document each of the steps of all the requests they receive.

4. DISCUSSION WITH MICHEL BOUCHARD, ASSOCIATE DEPUTY MINISTER OF JUSTICE

Participants had an opportunity to talk to Michel Bouchard, Associate Deputy Minister of Justice and Champion of Official Languages. Mr. Bouchard thanked all the members of the Network for their work and the progress made in the area of relations with official language minority communities in the last few years.

5. PRESENTATION ON THE CHALLENGES OF OFFICIAL LANGUAGE MINORITY COMMUNITIES

Diane Côté, Director, Community and Government Liaison at the Fédération des communautés francophones et acadienne (FCFA) du Canada made a presentation on the challenges faced by Francophone minority communities.

The FCFA is the national political representative of 2.4 million Francophones in minority situations. It has 12 provincial and territorial members and 8 national sectoral members.

Ms. Côté presented the FCFA's vision for Francophone and Acadian communities: *All over Canada, vibrant, dynamic and inclusive Francophone and Acadian communities will be recognized and valued for their key contribution to the full development of Canadian society and the Francophonie worldwide.*

She also indicated that the FCFA is preparing a summit of Francophone and Acadian communities, to be held in June 2007, to take stock and renew the common vision on community development. A steering committee has been created and is currently consulting with communities on the main challenges for the future that affect their daily lives, in all regions of the country.

The issues raised by Ms. Côté are as follows:

- demographics: inclusion, openness and reinforcing vitality
- identity and diversity: common issues for Francophones in Canada and the basis for this nationally-recognized community
- governance: availability of human resources and means to ensure that the institutional capacity is maintained
- renewal of federalism: common interests with Quebec
- international Francophonie: contribution of Francophone and Acadian communities and benefits gained
- the vitality of communities: identification of weak links and evaluation of their relevance for communities

The challenges of the Francophone and Acadian communities are as follows:

- meet growing demand for activities and services in French in a wide variety of sectors;

- work in partnership with all levels of government to implement French-language services;
- promote the active offer of services and boost demand;
- deal with the changes caused by urbanization and rural exodus;
- recruit, welcome and integrate French-speaking immigrants.

Ms. Côté also raised the following points:

- The Justice component is present in just about all the Comprehensive Development Plans of Francophone communities at the provincial and territorial levels, but it is often in tandem with the policy component and refers more to language rights than to access to justice.

- The Department and communities must work in a spirit of collaboration and partnership. The Department should be aware of the strengths and challenges of communities and take into account the priorities they identified in their Comprehensive Development Plans. The work with representative groups and target groups will help identify relevant issues and identify potential stakeholders and beneficiaries of the programs.

- It remains essential to adopt a proactive approach (education, information and support) since the groups often don't have the time, means and resources needed to gain in-depth knowledge of the programs and their requirements.

6. INFORMAL DISCUSSION ON PROJECTS RECEIVED FROM ETHNOCULTURAL GROUPS

Adel Ghié facilitated this portion of the meeting, aimed at helping the Network and its members better understand the requests and particularities of ethnocultural groups. Four questions were submitted to the group to stimulate discussion:

- Question 1: Have you worked with ethnocultural groups? Specify if it was a project, a telephone call or an encounter at an annual general meeting.

- Question 2: Did you have trouble communicating with these groups?

- Question 3: Did you have to adapt your approach with these communities? If so, provide a brief description of the work method you adopted (comparison between ethnocultural and mainstream groups).

- Question 4: Do you have suggestions on things that could be done to improve relations with these groups?

The discussion highlighted the existence of initiatives in which ethnocultural groups are supported by other stakeholders. As an example, one project joins Francophone immigrants from Manitoba and the Association des juristes d'expression française du Manitoba. Majority

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organizations want to contribute to the project and the Société franco-manitobaine is also interested in collaboration.

Discussions also highlighted a few points concerning relationships with ethnocultural groups, including:

- Certain well-established groups have a lot of experience in preparing proposals and are familiar with the administrative processes. A great majority of these groups are "mainstream" minorities or groups that represent the official language community as a whole. New groups, especially ethnocultural groups, do not have this kind of experience with the government machine.

- It is sometimes difficult to establish the representativity and legitimacy of the person or association who files a request with the Department. Some ethnocultural groups have a governance structure which seems to vary. One must take care not to discard a group out of hand based on representativity criteria as we traditionally understand them in Canada (elaborate democratic processes, membership structure, quantified support). In relations with ethnocultural groups, we must take into account the fact that in certain cultures, "power" and legitimacy proceed more from the ability to form a relationship with others; there it not always a formal mandate behind the steps undertaken by these people. We must also take reality into account: when contacting people, a trust relationship is established and little by little, collaboration develops: this process is gradual and often remains informal. Finally, we must work with the fact that a great number of immigrants from countries where the political situation is tense perceive the State and its agents with a certain element of mistrust.

- Participants agreed that it is important to continue to meet ethnocultural groups to cultivate the relationship and that we should also encourage meetings between these groups and established groups within the communities in order to encourage collaboration and partnerships.

- It was noted that accommodation must be mutual. The Department and its agents must increase their level of understanding, but, conversely, we must help interlocutors from ethnocultural communities understand and work within the more formal parameters of the Canadian government's action. There is great need for education on the one hand, and for this relationship to grow on the other.

- The challenge remains, for several regional coordinators, to form trusting ties with these groups given that they only spend 10% of their time working on section 41 issues.

- Some commented that it might be advantageous, as a network, to have access to a resource person for ethnocultural community relations.

7. CONCLUSION

In addition to the communication protocol and a copy of each of the presentations, the participants received a copy of the following tools:

- the Department's 2005-2006 Status Report on the Implementation of Section 41 of the *Official Languages Act.*

- for the year 2006-2007, the list of projects funded by the various initiatives as of September 30, 2006.

- excerpts from the Statistics Canada website providing a summary of official language minority and ethnocultural communities;

- the data bank of official language minority community organizations by the Department's Team 41, as of October 2006.

To conclude the meeting, the group had an open discussion in order to allow participants to share their observations and questions. The following points emerged from this discussion:

- Participants talked about official language committees and sub-committees in federal councils. Opinions on the usefulness of these forums vary from region to region.

- The communication protocol is appreciated. It promotes better knowledge of the procedures to follow and the role played by each of the Department's stakeholders in the relationship with official language minority communities. Some continue to feel that keeping to 10% of the regional coordinators' time is not realistic and reiterated the need for support from Team 41.

8. EVALUATION OF THE ANNUAL MEETING

Participants were asked to fill out an evaluation of the annual report. Details of this evaluation by participants are found in Appendix 2 (available upon request).

APPENDIX 1

LIST OF PARTICIPANTS

ANNUAL MEETING OF THE NETWORK OF COORDINATORS RESPONSIBLE FOR PART VII - SECTION 41 OF THE *OFFICIAL LANGUAGES ACT* HELD IN OTTAWA, NOVEMBER 15, 2006

**National Coordination Office
Francophonie, Justice in Official Languages and Legal dualism:**

Associate Deputy Minister of Justice	Michel Bouchard
Senior Counsel and Manager	Andrée Duschesne
National Coordinator	Lise Sarault
Policy Analyst and Regional Coordinator for Ontario	Adel Ghié
Assistant	Myshell Smith

Regional Coordinators:

British Columbia	Pierre Rousseau
Alberta	Richard Keswick
Saskatchewan	Joseph McHattie
Manitoba	Julien Bédard
Ontario	Adel Ghié
Quebec	Micheline Van-Erum
Atlantic Canada	Susan Murtagh
Northwest Territories	Diane Sylvain

Program and Policy Coordinators:

Access to Justice in Both Official Languages Support Fund	Sylvie Bourgault Marc Dubois
Family Violence Initiative	Francine Dumas
Child-Centred Family Justice Strategy	Danielle Bruyère Lise Lafrenière-Henrie

Victims of Crime Initiative	Penney Baxter
Innovations, Analysis and Integration Directorate	Mireille Provost
Communications Representative	Pierre Millette
Research Representative	Tina Hattem
Official Languages Law Group	Marc Tremblay Jean-Louis Okomono

Non-government representatives:

Director, Community and Government Liaison, Fédération des communautés francophones et acadienne (FCFA) du Canada	Diane Côté

Resource persons:

Facilitator, Ronald Bisson & Associates Inc.	Ronald Bisson
Recorder, Ronald Bisson & Associates Inc.	Charles Draper