



November 22, 2018

By email: President@tbs-sct.gc.ca ; mcu@justice.gc.ca ; Hon.Melanie.Joly@canada.ca
hon.pablo.rodriguez@canada.ca

The Honourable Scott Brison, P.C., M.P.
President of the Treasury Board
90 Elgin Street
Ottawa, ON K1A 0R5

The Honourable Jody Wilson-Raybould, P.C., M.P.
Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, ON K1A 0H8

The Honourable Mélanie Joly, P.C., M.P.
Minister of Tourism, Official Languages and
La Francophonie
15 Eddy Street
Gatineau, QC K1A 0M5

The Honourable Pablo Rodriguez, P.C., M.P.
Minister of Canadian Heritage
15 Eddy Street
Gatineau, QC K1A 0M54

Subject: Modernization of the *Official Languages Act*

Dear Ministers:

I am writing on behalf of the French Speaking Common Law Members Section of the Canadian Bar Association (CBA Section). The CBA is the national association of over 36,000 lawyers across Canada that promotes improvements in the law and the administration of justice. The CBA Section promotes the practice of common law in the French language.

This letter is further to the CBA President's letter dated November 23, 2017,¹ where the CBA shared its perspective on the urgent need for your government to modernize the *Official Languages Act* to better reflect the present-day reality of Canada's linguistic duality.

The CBA Section was pleased to learn of Prime Minister Trudeau's formal commitment, on June 6, 2018, that the government would introduce a bill to modernize the legislative framework governing official languages.² However, this promise was not accompanied by a specific timeline.

¹ [Letter from the Canadian Bar Association](#), November 23, 2017.

² House of Commons Debates, [Hansard](#), 42nd Parliament, 1st Session, Vol. 148, No. 309 (June 6, 2018), p. 20385.

On August 22, 2018, Ministers Brison, Joly and Duclos responded to the recommendation of the Standing Committee on Official Languages “[t]hat the Government of Canada amend the *Official Languages Act*,”³ stating that the government is awaiting the final report by the Standing Senate Committee on Official Languages on its study of the modernization of the *Official Languages Act*, which is expected by the end of June 2019.⁴

This position should be revised in light of the Minister of Tourism, Official Languages and La Francophonie mandate letter, dated August 28, 2018, where the Prime Minister tasks the Minister with “begin[ning] an examination towards modernizing the *Official Languages Act*.”⁵

The government must act quickly on the many social issues outlined in our letter of November 23, 2017. We urge the government to share, without further delay, the main directions it intends to pursue in the context of this modernization project.

It seems counterproductive that the government would not follow-up on the modernization project until so close to (or perhaps after) the next federal election. This approach runs counter to the priorities in the mandate letter of the Minister of Tourism, Official Languages and La Francophonie, and also means that no real progress will be made on modernization of the *Official Languages Act* before 2020 or 2021. Yet, official languages minority communities continue to face major challenges—particularly in the area of justice—and they cannot afford to wait any longer. Decisive action is in order.

We hope that these comments give you useful insight on this matter.

Sincerely,

(original letter signed by Marc-André O’Rourke for Mark Power)

Mark Power
Chair,
French Speaking Common Law Members Section

³ Standing Committee on Official Languages, [Growing up in French in Western Canada: A Review of Federal Support for Early Childhood Education](#), May 2018, Recommendation 6.

⁴ Government of Canada, [Government Response to the tenth report of the Standing Committee on Official Languages entitled “Growing up in French in Western Canada: A review of federal support for early childhood education,”](#) August 2018.

⁵ Office of the Prime Minister, *Minister of Tourism, Official Languages and La Francophonie* [Mandate Letter](#), August 28, 2018.