

provincial manifestations, should be adapted to section 15 in a consistent manner. Therefore we chose, on several occasions, to follow the lead of those provinces that have taken the initiative in removing inequalities in the protection afforded by this type of legislation. We hope that some of our recommendations will, in turn, be taken as exemplary by the provinces in reviewing their legislation. We would encourage such reviews as essential to the overall objective of bringing the full panoply of laws that affect individual Canadians into line with section 15.

In determining an agenda, the Committee took as its point of departure a discussion paper issued by the Department of Justice, entitled *Equality Issues in Federal Law*. As a result of hearings and briefs, other issues were added to the initial list. The approach of the Committee was to deal as comprehensively and responsively as possible with the concerns we heard that are founded upon section 15 of the *Charter*.

### ***The Consultation Process***

The Committee undertook a busy schedule of hearings, in 12 centres across Canada, that exposed the members to the views of approximately 250 organizations and individuals. (For a complete list see Appendix C.) In all, the Committee accumulated over 2,500 pages of testimony. In addition to the briefs filed by witnesses to supplement their oral presentations, the Committee received almost 550 written submissions that spoke, often very eloquently, for themselves. (For a complete list of those that made submissions in writing, see Appendix D.)

These contributions to the work of the Committee came largely from individual Canadians or organizations and groups that are independent of government. But the Committee also invited a number of official representatives to express their views on the implications of section 15 for those government departments and agencies that seemed most likely to be affected, in the exercise of their responsibilities, by the new constitutional standard.

The consultation process served several important purposes:

- At a general level, it provided the public involvement that is essential to the development of sound legislative programs and government policies.
- It gave the intended beneficiaries of section 15 the opportunity to indicate their expectations of this new *Charter* provision.
- It brought to the attention of the Committee, in clear human terms, the kinds of inequalities that persist in our society, as evidenced by the experience of individual Canadians.
- It provided an understanding of the rationale behind several federal laws that make distinctions on bases that are covered by section 15.

In no way was the process of securing the views of Canadians intended as a polling device by which the Committee might determine the extent to which the community at large is prepared to tolerate the recognition, in practice, of equality rights. The content of those rights cannot, in our view, be limited by the wishes of the majority. That would be an anathema to the whole concept of guaranteed minority protections.