

Equality Day, as it came to be known, was celebrated so recently, section 15 has not yet acquired the gloss of meaning that comes from a history of judicial interpretation. This afforded the Committee a good deal of latitude in its approach to section 15. We describe that approach later in this introduction; for the moment, suffice it to say that we have assumed the section to have a very wide scope indeed.

The Committee's Approach to its Task

The Issues Addressed

We focused, through the section 15 lens, on federal regulations, policies and programs as well as federal statutes, for the *Charter* limits governmental as well as legislative activities (section 32 of the *Charter*). In our view, the law, which must afford equality, equal protection and equal benefit, should be interpreted broadly to include all formal governmental initiatives.

Given this range of inquiry, we concentrated on the larger issues and did not undertake a detailed audit of all federal laws. In some instances, we suggest specific changes in the law to accommodate section 15 rights. In others, we propose mechanisms to ensure that section 15 rights are and continue to be respected in the future. In general, we offer our recommendations in the firm belief that they are significant both for what their adoption will bring about immediately and for the climate they will create as catalysts for further change. Our objective must always be the full realization of equality, which begins but does not end with the exercise in which this Committee engaged.

We would encourage the kind of clause-by-clause review of the law, in light of the *Charter*, that the Department of Justice can conduct in co-operation with the various government departments and agencies. That process has begun and has borne some initial fruit in the form of the recently enacted *Statute Law (Canadian Charter of Rights and Freedoms) Amendment Act*. However that enactment is short on provisions that respond specifically to section 15 of the *Charter*. It is our strong hope that the principles and recommendations of this report will provide a framework for a continuing examination of federal laws from an equality perspective.

The concerns of individual Canadians are unlikely to respect the boundaries of federal, provincial and municipal jurisdiction. This Committee certainly found that to be the case in the representations it received about equality issues. Section 15 applies equally to federal authorities and to provincial authorities, from which municipalities also derive their powers. It was not unexpected, therefore, that we should receive submissions about inequalities that are not strictly within the sphere of Parliament and the government of Canada.

There are several issues that we would have addressed but for the limitation in our mandate to matters of federal law. We soon came to realize, however, that there are many areas where an adequate response to section 15 will require a co-operative approach on the part of various governments and legislative bodies. In those instances we took off the blinkers that often confine our perceptions in a federal system.

In other areas, it appeared to us that similar federal and provincial approaches were desirable, although not absolutely necessary. It makes sense, for example, that human rights, labour standards and pension legislation, which have both federal and