

Statements by Ministers

in the course of our history, have suffered from discrimination. During the last election campaign, and on several occasions since then, our Government has said repeatedly that it supports the concept of providing financial assistance in cases based on the Canadian Charter of Rights and Freedoms and expected to have a national impact. The creation of a Committee on Equality Rights is one example of the many steps taken by our Government to bring the Charter to the people and to respond to the needs of volunteer organizations. The implementation of a new and expanded litigant assistance program is a major adjunct to this series of Charter-related initiatives.

Mr. Speaker, I am happy to say that the new program will not only support cases where language rights are at stake but will also provide for financial assistance in cases based on Section 15 (which says that all Canadians are equal before the law, without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability), Section 27 (which deals with the preservation and enhancement of the multicultural heritage of Canadians) and Section 28 (which stresses equal rights for men and women) of the Canadian Charter of Rights and Freedoms. The new sections of the expanded program will apply only to matters that fall under federal jurisdiction. It was thought that as far as equality rights are concerned, the federal Government should take the initiative and set an example to help Canadians in their search for clarification of these rights which are protected under the Charter. This is a very positive step which, it is hoped, will encourage the provinces to follow suit.

One of the important aspects of this new measure, Mr. Speaker, is that the Government, in addition to offering Canadians financial assistance in this very vital area, has done so in such a way that it can no longer be construed as in any way affecting the content of these court challenges. The new expanded program will be more directly concerned with areas under federal jurisdiction.

Mr. Speaker: Order, please. I am sorry to have to interrupt the Hon. Minister, but perhaps Hon. Members who want to have meetings could have them somewhere else.

Mr. Bouchard: I appreciate your intervention, Mr. Speaker.

Were one to assume that the federal Government will directly administer this program, one might very well suggest there is a conflict of interest if the Government were to decide which challenges against itself should be funded. This initiative is an example of the novel relations this Government wants to have with volunteer organizations. Therefore the Government did not elect to fund only a few organizations because it thought that many groups should have ready access to these funds, especially individuals who might not belong to non-profitable groups. It thought as well that many questions such as systematic discrimination were of great interest to several groups—women, visible minorities, native people and

the handicapped, to name a few—and not only to the official languages communities. To a certain extent, the creation of the new body for which we have opted will reduce the possibility of duplication.

[*English*]

I therefore wish to announce at this time that the expanded program will be entrusted for its operation to a respected organization in the voluntary sector—the Canadian Council on Social Development. This national, non-governmental and non-profit organization provides a forum for citizen participation in the formulation of progressive social policy. The Council has undertaken, over the past four years, a number of initiatives to increase Canadians' awareness of and preparation for the impact of the new Constitution. Of particular note was the establishment of a task force which explored the judiciary's expanded public policy responsibilities, proposed a series of action strategies in such key areas as research and information support and examined the role of Constitution-based advocacy by the voluntary sector.

• (1510)

The council will be required to establish an independent body which will be charged with deciding which court challenges merit the provision of financial assistance under the program. The body so constituted will be composed of Canadians who are prominent in the fields of language and equality rights. This body will also deal with outstanding cases presently being considered for financial assistance.

Some Hon. Members: Hear, hear!

Mr. Bouchard: Under the terms of the arrangement with the Canadian Council on Social Development, it has been agreed that the council will report annually to the Department of the Secretary of State.

The program I am announcing today will provide an amount of \$9 million over the next five years to support this important development in the clarification and expansion of fundamental rights and freedoms for all Canadians. This represents close to a tenfold increase in the level of funding that existed under the original program.

[*Translation*]

As Hon. Members well know, Mr. Speaker, this program was set up in 1978 to support challenges related to the linguistic rights of minorities. Extended in June 1979, it was limited to challenges based on Sections 93 and 133 of the Constitution Act of 1867 and Section 23 of the Manitoba Act of 1970, for those provisions were the only ones that could be used to provide a constitutional base for official languages rights. Section 93 protects denominational rights in respect of education, whereas Section 133 of the Constitution Act of 1867 and Section 23 of the Manitoba Act of 1870 sanction the use of English and French in the legislatures of the federal Government, Quebec and Manitoba, as well as before the courts of those two provinces.