

Brief

**Submitted to Judge Yvette Finn and John McLaughlin,
Commissioners**

by the

City of Dieppe

Review of the New Brunswick *Official Languages Act*

August 2021

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Introduction

The City of Dieppe, in its mission *to shine as an inclusive and modern francophone city that is proud of its Acadian roots and provides first-class services and infrastructures in harmony with the environment*, considers it important to contribute its voice to the review of the New Brunswick *Official Languages Act*.

The City of Dieppe serves as a role model of compliance with the Act and regularly leads various initiatives to enable its Francophone residents to flourish while also offering services in both official languages. Through the services, activities and programs offered, it ensures that all of its citizens have a role in the city's success regardless of their linguistic or ethnic origin.

Under the *Community and cultural development* heading, its most recent strategic plan indicates, "The City of Dieppe wishes to maintain and strengthen the Francophone Acadian roots of which its residents are so proud. The municipality, located in the centre of a larger region where French is the minority language, wants to count on strong community and cultural development to positively protect its achievements and preserve them for future generations while at the same time honouring the different cultures that make up its social fabric."

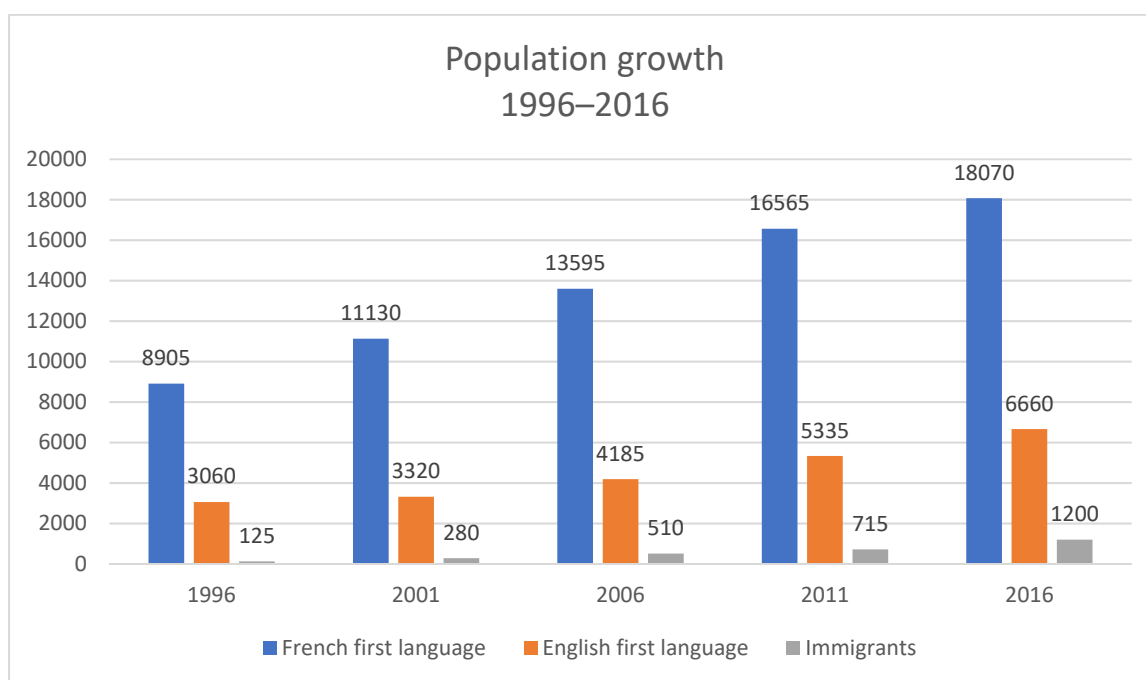
It therefore strives to be ever more inclusive and welcoming to all new residents seeking to live in a community where the two official languages co-exist in a context supporting the development of New Brunswick's Francophone linguistic minority.

Following a summary demographic profile, this brief describes key initiatives for promoting and maintaining the vitality of the French language and then sets out findings and recommendations targeting compliance with and enforcement of the *Official Languages Act*.

Demographic profile

The population of the City of Dieppe doubled during the 20 years between 1996 and 2016, growing from 12,497 (1996) to 25,384 (2016).^a The 2021 Census is sure to reveal a further increase in the City's population.

Looking more closely at the demographic data, it is noted that the number of Francophones (first language) has grown alongside the number of Anglophones and immigrants. Despite this growth, the proportion of Francophones^b has decreased from 74% in 1996 to 70% in 2016. The strongest growth has been observed among immigrants, who increased in number almost tenfold from 125 to 1,200 during this period.



^a Data taken from Statistics Canada census. Immigration data for 2011 taken from the *National Household Survey*. The definition of "immigrant" includes persons who are, or have been, landed immigrants or permanent residents.

^b Statistics Canada censuses based on first official language spoken.

In view of this strong population growth, the City of Dieppe acknowledges the positive impact of these newcomers and has adopted an immigration strategy for the 2020–2024 period.

Building on the recommendations in the regional immigration strategy, the strategy of the City of Dieppe aims to:

- Ensure linguistic balance in the region;
- Adapt municipal services to cultural diversity;
- Enhance cultural diversity;
- Promote and support community intercultural dialogue;
- Implement policies or strategies for the management of cultural diversity;
- Adopt measures to prevent racism and discrimination.

The City of Dieppe is open not only to its two official language communities but to the entire world. It sees benefits for everyone and significant options for rallying the community around shared values while striving to maintain the vitality of the French language.

Key initiatives for promoting and maintaining linguistic vitality

The City of Dieppe is a leader in the implementation of key initiatives to promote the presence of the official languages in the municipality.

Due to the minority status of Acadians and Francophones in southeastern New Brunswick, sustained and significant efforts are necessary to showcase and encourage the use of French in the municipality.

In recent years, the City of Dieppe has completed numerous projects, organized countless events and launched a range of programs, one of the main purposes of these being to promote and develop the use of the French language to contribute to the Acadian and Francophone culture.

The following is some information concerning three of these initiatives.

Promotion of French and heritage

In the mid-1990s, the City of Dieppe established a Committee for the Promotion of French Services and Heritage. Made up of citizens and City staff members, this committee was mandated to maintain the presence of the French language throughout the community with a focus on retail businesses.

During the approximately 15 years that it was active, this committee helped raise awareness among some 700 businesses each year concerning the importance of posting signage and offering services in both official languages. During its campaigns, the committee noted that business owners were generally very open to the importance of both official languages. The City's commercial landscape was also enhanced in terms of signage in both languages thanks to this committee's efforts, which also led to the adoption of a municipal administration language policy and a by-law governing external commercial signage as detailed below.

This committee has shown that civic commitment can make things happen and effect major change within a community.

Administration language policy

On September 12, 2005, Dieppe City Council adopted its municipal administration language policy (Policy A-9). The basic principles of this policy read as follows:

Whereas the City of Dieppe has declared itself officially francophone while delivering its services in both official languages, the City of Dieppe Council:

- *affirms that the French language will be mainly used in its internal operations and predominantly in its communications;*
- *is committed to serving all its citizens equally in both official languages during municipal activities;*
- *is committed to adhering to all aspects and intentions of the Official Languages Act of New Brunswick;*
- *is committed to offering quality services to both official language groups in the language of their choice.*

The purpose of the Language Policy is to:

- *guide elected officials, municipal staff, and members of committees under the City's jurisdiction regarding the language they are to use in carrying out their responsibilities; and*
- *recognize the francophone character in the City of Dieppe both at City Hall and throughout its territory.*

This policy governs all municipal operations with a view to promoting the use of French while also respecting the rights of the City's Anglophone citizens.

Since its adoption, the policy has led the municipal administration to reaffirm its leading role among municipalities serving official language minority communities across the country. This fall, the City will be undertaking a review of this policy to ensure that it continues to reflect the current reality.

By-law on exterior commercial signage

On May 25, 2010, the City of Dieppe took another major step regarding official languages when it adopted a by-law regulating external commercial signs (By-law Z-22).

In this by-law, the City indicates that:

- the *Canadian Charter of Rights and Freedoms* recognizes French and English as official languages of Canada and New Brunswick and both have equality of status and equal rights and privileges;
- municipalities have an obligation to advance the equality of status and usage of French and English;
- municipalities have an obligation to protect and promote the equality of status and equal rights and privileges of French and English linguistic communities;
- the *Official Languages Act* recognizes that nothing in the said legislation should be interpreted as to limit the authority of municipalities to promote the equality of status and use of English and French and this Act prevails over other statutes;
- the *New Brunswick Municipalities Act* grants to municipalities the power to regulate signage, as well as provide any service deemed by the council to be expedient for the peace, order and good government of the municipality and for promoting the health, safety and welfare of the inhabitants of the municipality;

- the *Community Planning Act* grants a municipal regulatory power through zoning and more precisely, grants to municipalities the power to regulate the location, dimensions, standards and construction and purposes of public advertisement;
- the *City of Dieppe Municipal Development Plan* includes a policy encouraging initiatives to promote matters including culture within the community;
- the province has not legislated the language used in commercial signs;
- there is a collective willingness within the community to regulate the language used in external commercial signs;
- the council wishes to advance the equality of status and use of both official languages and to protect and promote both linguistic communities.

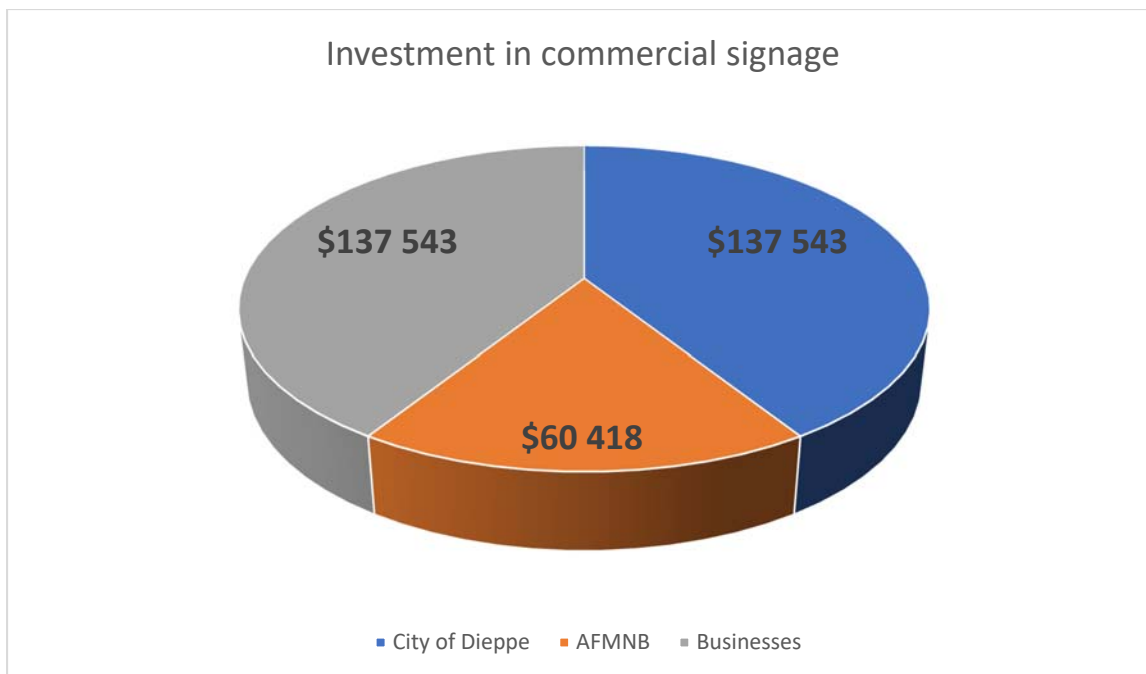
The by-law stipulates that no external commercial sign shall be constructed, erected, displayed, altered or relocated except where its message or content is bilingual. This applies to the lettering (font, size and style), which must be identical in both French and English with the French appearing first.

One exception to this is that the name of a business may be unilingual. Additionally, the message or the content of an external commercial sign may appear only in French or English, if the request includes justification in support of a mission dedicated to the development of a cultural or educational purpose.

It is also important to note that the by-law allows the addition of a language other than French or English.

This by-law was preceded by an exterior signage grant program launched through the efforts of the Committee for the Promotion of French Services and Heritage.

This program was expanded following the adoption of this by-law. Since 2007, more than \$335,000 has been invested in commercial signage in both official languages. The City of Dieppe has granted more than \$137,000 to local businesses, which, in turn, have invested at least the equivalent amount in accordance with a 50-50 cost-sharing formula. The Association francophone des municipalités du Nouveau-Brunswick also contributed more than \$60,000 to this program.



This initiative on the part of the City of Dieppe has profoundly altered commercial signage throughout the municipality. Strolling through the streets of the City, it is easy to see both official languages represented on permanent signage and advertising.

Organization of large-scale events

The City of Dieppe has demonstrated the importance of the Francophonie and the official languages through the organization of numerous events. These include the World Acadian Congress, in which Dieppe has played a major role, notably in the first congress held in 1994 as well as the 2019 edition: it hosted the closing ceremonies in 1994 and the August 15 festivities in 2019, with more than 8,000 people participating in the Tintamarre and 20,000 attending the main event at its new MusiquART site.

At the Conference of Heads of State and Government of countries with the French language in common (1999 Francophonie Summit in New Brunswick, Canada), the city of Dieppe had the distinction of creating and bringing to life the first Village de la Francophonie. It is estimated that nearly 100,000 people visited this Village during the week and a half of associated cultural festivities, and this concept was embraced by the host countries and cities of subsequent Summits.

In addition to hosting the finals of the Jeux de l'Acadie on two occasions, in 1993 and 2002, it co-hosted the Canadian Francophone Games alongside Moncton in 2017.

The City of Dieppe has served as a hub for numerous Acadian and Francophone organizations, among them the Société Nationale de l'Acadie, the regional office of *L'Acadie Nouvelle*, a private art gallery, the community radio station BO FM and, more recently, the Centre d'accueil et d'accompagnement francophone des immigrants du sud-est du Nouveau-Brunswick (CAFi).

Being known as a municipality with a capacity for bilingual offerings where the French language has a strong presence, Dieppe takes part regularly in the organization of conferences and events seeking to project an image showcasing the use of both official languages.

City of Dieppe – Recognized for its compliance with the *Official Languages Act*

In 2016–2017, the Office of the Commissioner of Official Languages conducted its first and only audit^c of the compliance of cities, municipalities and regional service commissions with their language obligations.

This assessment of front-line obligations covered the delivery of services in person, by telephone and by email, website and social media content, and official documents.

The City of Dieppe finished in the top three both for the delivery of services in person, by telephone and by email and for website and social media content. It also ranked highly in relation to official documents.

Based on the scoring system used, the City of Dieppe achieved scores ranging between 85% and 100%.

^c 2016–2017 Annual Report of the Office of the Commissioner of Official Languages for New Brunswick.

Findings and recommendations

In addition to its strong performance in terms of compliance with its legal obligations, the City of Dieppe is highly rated by its citizens in this regard: for example, 76% of respondents to a recent survey were in favour of the by-law on language use on commercial signs.^d In another survey, 87% of respondents stated they *felt they could communicate in the language of their choice in Dieppe*.^e

In this brief, the City of Dieppe expresses the importance it places on the official languages from the perspective of protecting and promoting the French language while also striving to provide a high level of services in the English language.

The selected initiatives and programs described herein are proof that a dynamic approach yields tangible results with regard to improving the situation of official languages. Elected officials and the municipal administration have ensured, and continue to ensure, that appropriate actions are implemented and sufficient human and financial resources are allocated in this regard.

The City of Dieppe serves as a portrait, on a smaller scale, of the province of New Brunswick with respect to official languages. It has a more than 75% “majority” of Francophones and a “minority” of Anglophones, not to mention the growing presence of newcomers. In this context, the various actions taken by the City of Dieppe show that it is possible for our two official language communities to co-exist in harmony and mutual respect.

One consideration of note is that members of the English-speaking community frequently choose the City of Dieppe due to its focus on preserving the vitality of the French language while also maintaining respect for the English language in the programs and services offered. These residents see advantages in this for themselves and their families.

There is still progress to be made to ensure that both official language communities can thrive to their fullest potential in our municipality. The achievements to date, and the work that continues in this regard, target developing all aspects of our community.

The City of Dieppe occupies a relatively advantageous position despite the fact that the proportion of Francophones has decreased over the last 20 years. It is consequently important to recognize that French remains highly vulnerable both within our boundaries and across New Brunswick as a whole.

^d Dieppe Resident Attitudinal Survey (June 2011).

^e City of Dieppe Citizen Survey (2020).

The existing legislation needs to be reviewed and improved, and compliance with it needs to be improved. The City of Dieppe notes that the recommendations announced publicly by entities including the Société de l'Acadie du Nouveau-Brunswick,^f the Association francophone des municipalités du Nouveau-Brunswick,^g the Office of the Commissioner of Official Languages for New Brunswick^h and the jurist Michel Doucetⁱ are highly interesting and merit the commissioners' fullest attention.

In particular, the City of Dieppe wishes to point out a number of factors that could improve the situation of Francophones in New Brunswick in the form of the following five recommendations:

Recommendation 1

It is important that the Government of New Brunswick follow its own laws. Having an official languages act in place is one thing, but complying with it is what matters.

The City of Dieppe proposes making improvements to the Act and then implementing them to ensure that every citizen is able to receive services in both official languages regardless of where they may live in the province.

Recommendation 2

For many community, social and economic stakeholders, the long-term viability of New Brunswick's Francophone community depends largely on attracting and retaining French-speaking immigrants. Efforts must be stepped up in this regard.

The City of Dieppe calls on the provincial government to take measures to maintain the linguistic balance in the province and even target increasing the proportion of Francophones by ensuring that 50% of new immigrants are Francophone.

^f Brief submitted in relation to the 2021 review of the *Official Languages Act*, Société de l'Acadie du Nouveau-Brunswick, August 10, 2021.

^g *Pour l'égalité des deux communautés linguistiques officielles*, brief submitted to the commissioners responsible for the review of the *Official Languages Act* by the Association francophone des municipalités du Nouveau-Brunswick, July 2021.

^h *Greater respect for language rights through improvements to the Official Languages Act*, Brief submitted by the Office of the Commissioner of Official Languages for New Brunswick concerning the review of the New Brunswick *Official Languages Act*, July 2021.

ⁱ <https://www.doudroit.net/>

Recommendation 3

It is widely recognized that the financial and human resources of the Office of the Commissioner of Official Languages for New Brunswick are inadequate. The Commissioner and her staff are consequently not in a position to carry out their full responsibilities.

The City of Dieppe recommends that the Legislative Assembly of New Brunswick ensure that the necessary resources are provided to the Office of the Commissioner of Official Languages for New Brunswick so that it is able to carry out its full responsibilities under the Official Languages Act.

Recommendation 4

Many recommendations to the Office of the Commissioner of Official Languages remain unimplemented. For example, it is inconceivable that our municipal employees are unable to interact in French with numerous senior officials within the provincial government. Why are our citizens unable to gain access to services in French when they travel to certain parts of our province? Road signage around the province should reflect the linguistic composition of individual regions by placing French first in the Acadian and Francophone regions. Background music in provincial buildings should take into account the linguistic composition of the region where they are located. These are just a handful of many examples in this regard.

The City of Dieppe recommends that the provincial government develop action plans, as provided for under the act, in order to implement the various aspects of said act.

Recommendation 5

Regulation 2002-63 under the *Official Languages Act* sets out linguistic obligations at the municipal level. It addressed highly specific front-line services associated with communications with residents. This regulation needs to be revised in order to go further.

The City of Dieppe calls on the provincial government to form a provincial/municipal committee mandated to:

- a. review Regulation 2002-63 under the Official Languages Act to expand the linguistic obligations of the municipalities and commissions subject to the Act; and***

b. propose a way forward and a timeline for implementing the current Act and any new linguistic obligations.

It is to be noted that the City of Dieppe is willing to participate in this initiative in terms of providing leadership and serving on this committee.

The elected members of Dieppe City Council and its senior managers are ready to discuss this critical review process with the designated persons at the Government of New Brunswick.

Documents consulted

Greater respect for language rights through improvements to the Official Languages Act, Brief submitted by the Office of the Commissioner of Official Languages for New Brunswick concerning the review of the New Brunswick *Official Languages Act*, July 2021

By-Law no. Z-22, A By-law of Dieppe Regulating External Commercial Signs

Statistics Canada National Household Survey (2011)

<https://www.doudroit.net/>

Brief submitted in relation to the 2021 review of the *Official Languages Act*, Société de l'Acadie du Nouveau-Brunswick, August 10, 2021.

2020–2024 Strategic Plan of the City of Dieppe

Policy A-9, Municipal Administration Language Policy of the City of Dieppe

Pour l'égalité des deux communautés linguistiques officielles, brief submitted to the commissioners responsible for the review of the *Official Languages Act* by the Association francophone des municipalités du Nouveau-Brunswick, July 2021

2016–2017 Annual Report of the Office of the Commissioner of Official Languages for New Brunswick

1996, 2001, 2006 and 2016 Censuses of Statistics Canada

City of Dieppe Citizen Survey (2020)

Dieppe Resident Attitudinal Survey (June 2011)

Dieppe 2020–2024 Immigration Strategy