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THE LORD READING LAW SOCIETY L'ASSOCIATION DE DROIT LORD READING



PRESS RELEASE

THE LORD READING LAW SOCIETY PRESENTS ITS BRIEF ON BILL 96 TO THE QUEBEC COMMUNITY GROUPS NETWORK (QCGN)

The Lord Reading Law Society (the “Society”) today presented a brief before the Quebec Community Groups Network (QCGN)’s Public Hearings on Bill 96, *An Act respecting the French language, the official and common language of Quebec*.

The Society was not invited to participate in the Public Hearings of the Parliamentary Commission scheduled to take place between September 21 and October 7, 2021. The Society was previously invited to present briefs to the National Assembly in 2013 and 2016.

The enclosed brief enumerates the Society’s grave concerns for the future state of human rights and fundamental freedoms of all Quebecers, as well as their access to justice. It also contains a critical analysis of Bill 96’s impact on the legal profession and the Quebec business community.

In particular, the brief addresses the following critical issues:

- Bill 96 would create a hierarchy with respect to fundamental rights, making language rights paramount, while severely restricting human rights protections set out in both the Québec Charter of Human Rights and Freedoms and the Canadian Charter of Rights and Freedoms.
- Bill 96 would severely restrict the appointment of bilingual judges to hear cases involving English-speaking litigants; putting the ability to be understood by English language litigants in doubt both in civil and criminal cases.
- Any pleading that emanates from a “legal person” (e.g., a corporation) in English must have “a certified French translation” in order to be filed at Court. One can imagine the delays this would cause in a trial between English-speaking commercial litigants whose relationship is governed by English documents.

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- All legal contracts must be drawn up in French, with limited exceptions. This would unduly restrict the free will of contracting parties to contract in the language of their choice, in accordance with basic legal principles that apply in all democratic states. It would severely impact the conduct of business in Quebec, including when foreign entities attempt to do business here.
- Bill 96 would allow for warrantless search and seizures of computers, tablets, cell phones and emails, without judicial review or notice, even in a lawyer's office. This would fly in the face of the basic human right to be protected from unlawful search and seizure that applies in all liberal democracies.
- Furthermore, the Bill would set up a system whereby neighbours are permitted and even induced to anonymously report on their neighbours, resulting in such searches, seizures, fines and penalties.

"This proposed law threatens the basic human rights of all Quebecers—be they francophones, anglophones or allophones," stated Me Doree Levine, president of The Lord Reading Law Society. "As a respected Quebec-based human rights association founded in 1948, we considered it essential to add our voice to this important debate."

"Quebecers of all stripes must be made aware that their rights are under threat. This includes members of Quebec's linguistic majority who may be inclined to support Bill 96 simply because it purports to protect the French language," added Me Frank M. Schlesinger, Chair of the Society's Human Rights Committee. "There are better ways to protect our common language than to run roughshod over the basic democratic rights of all Quebecers. We Quebecers are better than that."

The Lord Reading Law Society

Founded some 73 years ago, the Lord Reading Law Society is a volunteer association dedicated to the furtherance of human rights and fundamental freedoms of all Quebecers of all origins. The Lord Reading Law Society was created at a time when minorities did not enjoy the full equality that would have allowed them to flourish in accordance with their potential. With its history as the collective voice of Jewish jurists in Quebec, the Society proudly counts jurists of diverse backgrounds among its members.

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