



Department of Justice  
Canada

Ministère de la Justice  
Canada

## **REVIEW ON OFFICIAL LANGUAGES 2019-2020**

Prepared by:  
Official Languages Directorate –  
Public Law and Legislative Services Sector

Department of Justice Canada  
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# 2019-2020 ACHIEVEMENTS FOR THE IMPLEMENTATION OF SECTION 41

## Part VII of the *Official Languages Act*

### Tombstone Data

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Department of Justice Canada

**Institution's Code:**

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## Part VII of the Act

### Development of official language minority communities and promotion of English and French in Canadian society

#### Tangible Results

All federal institutions must answer these questions. Partners of the Action Plan for Official Languages 2018-2023 must identify one initiative that is included in the Action Plan, and if applicable, another initiative that is not part of the Plan.

1. *If your institution had to highlight key initiatives (at least two) that contributed to the **development of official language minority communities**, what would those be?*
  - a) *Please describe these initiatives.*
  - b) *What are the tangible results of these initiatives on/in the official language minority communities?*
  - c) *What do you think is the determining factor for the success of these initiatives?*

#### Legal Access Project

- a) The Legal Access Project consisted of the provision of legal information clinics and workshops on various topics related to the law and the development of public legal education and information materials. The project aims to improve legal literacy for official language minority and majority communities, notably the English-speaking ethno-cultural or visible minority groups of Québec.
- b) The tangible results of this initiative were:

1. The offer of a legal workshop every two months over the course of the project;
  2. An update of all the legal information resources offered by the beneficiary;
  3. The offer of two legal aid clinics per week over the course of the project (122 volunteer hours by lawyers, serving 303 persons in total);
  4. The administration of a survey of 128 respondents on racial discrimination by enforcement authorities and the holding of three in-depth interviews based on the survey.
- c) The determining factor for success was that this project offered services directly to the population, while serving a minority within a minority.

**From the Action Plan 2018-2023: Access to Justice in Both Official Languages**

**2. People First: Improving Access to Justice in English Online & in Three Key Sectors**

- a) The Quebec Community Groups Network conducted a project aimed at improving awareness and providing support in navigating the justice system, improving justice services in three priority sectors, and better understanding the needs and knowledge of the English-speaking community with regard to access to justice. Activities included the development of web content, an analysis of justice related issues, and partnership initiatives with stakeholders.
- b) The tangible results were the following:
  1. The creation of an embryonic database about relevant:
    - (a) federal/Quebec/provincial/territorial laws and regulations; case law; policies; administrative guidance, and reports related to improving access to justice in English;
    - (b) stakeholders and how to best reach out to them;
    - (c) provincially-led administrative agencies and bodies, administrative tribunals, municipal courts, notary services, stenographer services, and labour arbitration organizations and their respective language policies stemming from the *Charter of the French Language*.
  2. Preliminary surveys to gather information and insights on English- language service provision related to: (a) three administrative tribunals (*Tribunal administratif du Québec*, *Tribunal administratif du Travail* and *Régie du logement*), (b) thirty-six stenographers, and (c) 20+ halfway houses belonging to the *Association des services de réhabilitation sociale du Québec* (ASRSQ).
  3. Meaningful dialogue with the *Chambre des notaires du Québec* (notary services), the *Association professionnelle des sténographes officiels du Québec* (the professional body representing stenographers), labour arbitrators, Director of Youth Protection and the Correctional Investigator of Canada to gather information and insights on English-

language service provision.

4. Summary research on a variety of access to justice in English issues, including: (a) availability of English information and resources on various justice issues, (b) access to services in English for incarcerated and post-incarcerated individuals, (c) the extent of language rights during detention and due process, and (d) the institution of the *Curateur public du Québec* and its role in implementing and overseeing the regimes of tutorship and curatorship.
- c) The project was a success because of the collaborative effort between the community and key players in the justice system.

2. *If your institution had to highlight key initiatives (at least two) that contributed to the **promotion of English and French in Canadian society**, what would they be? (Please do not confuse with obligations related to Parts IV and V)*

- a) *Please describe these initiatives*
- b) *What are the tangible results of these initiatives in Canadian society?*
- c) *What do you think is the determining factor for the success of these initiatives?*

1. National Gender Diversity and Inclusion Training Program :

- a) Égale Canada will deliver the first national gender diversity and inclusion training program for 24 legal clinics in 18 cities across all provinces and territories. The goal of the training is to increase awareness and understanding among legal and paralegal professionals about LGBTQI2S issues as they intersect with the justice system.
- b) The tangible result of the initiative was the production of a bilingual handbook on gender diversity and inclusion geared to legal and paralegal professionals in Canada. This will enhance the understanding of the needs of LGBTQI2S persons in relation to the justice system.
- c) The determining factor of success is that this project aims to provide services on a national scale to a historically under-recognized minority within official language minority communities and Canadian society generally.

2. National training project in legal French in Family Law 2019-2021

- a) This initiative saw the first steps toward the creation of a French-language family law terminology training program, which is a relatively new activity for the Support Fund.
- b) The tangible results of this initiative were the following:

1. The Centre canadien de français juridique (CCFJ) delivered family law terminology webinars to 68 learners over the course of fall 2019.
  2. The CCFJ offered family law French terminology training, in person, on 27 and 28 January 27-28, 2020. This training was provided as part of the national week for French-language criminal law terminology training, in Victoria. There were 40 participants (lawyers from Legal Aid, legal interpreters, clerks, etc.). The family law training focused on terminology linked to the *Divorce Act*, parental obligations, and support.
  3. The CCFJ was able to increase its organizational capacity to deliver family law training, as well as increase its knowledge of potential clientele, trainers, and family law stakeholders.
- c) The determining factors for the success of this initiative were the pedagogical team's ability to render the information useful and convivial; and, the week-long in-person format. As well, the CCFJ had no difficulty in recruiting participants from provinces territories, except for the government of Ontario that allows its employees to travel outside of Ontario less often.

**From the Action Plan 2018-2023: Access to Justice in Both Official Languages**

3. Legal Information for English-speaking Communities of the Côte-Nord :

- a) The Côte-Nord Justice Hub Centre provided legal information sessions, organized one-on-one meetings, and helped build partnerships with English-speaking communities of the Côte-Nord to better facilitate access to plain language legal information.
- b) The tangible result of this initiative was the provision of legal information in the official language of one's choice in an isolated area.
- c) The determining factor for the success of this initiative was the Hub's ability to reach a very distant OLMC, which includes indigenous communities, that is a minority within a minority.

3. *What is the "key achievement" with a **regional impact** (progress or results in official language minority communities or for the promotion of French and English in Canadian society) that your institution would like to highlight?*

For the promotion of French and English in Canadian Society: Juralingo Inc.

Juralingo Inc. developed and delivered a complete French and English legal terminology language training program for provincially appointed judges to help increase their capacity to preside over proceedings in their second official language. The program consisted of two one-week intensive training sessions supplemented by online activities between the sessions.

## 50<sup>th</sup> anniversary of the *Official Languages Act* in 2019

The 50<sup>th</sup> anniversary of the *Official Languages Act* in 2019 was a unique opportunity for federal institutions to contribute to the development of official language minority communities and to promote official languages.

4. *Did your institution take part in the 50<sup>th</sup> anniversary of the Official Languages Act?*

a) *If yes, please describe the activities.*

b) *Please identify the results.*

*Although you may have previously provided information to PCH during the year, it is important that we have text approved by senior management for possible use in the 2019-20 Annual Report on Official Languages.*

- a) Yes, the Department of Justice meaningfully participated in the 50<sup>th</sup> anniversary of the *Official Languages Act*. The National Symposium on the 50th anniversary of the *OLA* was held on May 27 and 28, 2019, in Ottawa. This event brought together many key figures and stakeholders, as well as Canadians from across the country. Various themes related to official languages were addressed, including demography, immigration and OLMCs. Two jurists from the Official Languages Directorate of the Department of Justice Canada were on the organizing committee, along with PCH and TBS. Most of the Directorate also attended the Symposium.

For the occasion, Justice Canada also held a moot court trial in both official languages. The trial in question covered parts III and IV of the *OLA*. The participants included real trial lawyers and, notably, Madam Justice Michelle O'Bonsawin of the Ontario Superior Court of Justice, who is both francophone and indigenous. A reprise of the moot court trial was held at Justice Canada on September 12, 2019, to mark Linguistic Duality Day.

At the Symposium, Justice Canada also organized and helped present a workshop that looked at the legislative and judicial evolution of the *OLA*. The Official Languages Directorate of the Department of Justice Canada also created an organizing committee mandated to coordinate activities and communications within the Department for the celebration and commemoration of the 50<sup>th</sup> anniversary of the *OLA*. For example, various time capsules were published in Justinfo, an internal publication of Justice Canada.

Another activity to mark both the 50<sup>th</sup> anniversary of the *OLA* and les Rendez-vous de la Francophonie was an armchair discussion in the Justice Library with Senator René Cormier on March 10, 2020, on his experience promoting the French language and his vision of the modernization of the *OLA*.



- b) The Symposium provided an opportunity to reflect on official language rights, issues, and concerns; a keynote address was also delivered by the Minister of Justice.

The moot court trial gave attendees a better understanding of how linguistic rights apply before Courts.

Senator Cormier's experience and devotion to promoting official languages demonstrated to armchair discussion participants that language is inextricably linked to personal expression and perspective. The participants also learned more on the Senator's perspective on the Senate Standing Committee on Official Languages' priorities with respect to the modernization of the *OLA*.