

**ACTION PLAN
FOR THE IMPLEMENTATION OF
PART VII OF THE *OFFICIAL LANGUAGES ACT***

1999-2002 ACTION PLAN

Responsible Minister: The Honourable Anne McLellan
Minister of Justice and Attorney General of Canada

ACTION PLAN FOR THE IMPLEMENTATION OF PART VII OF THE *OFFICIAL LANGUAGES ACT*

SECTION I - GENERAL INFORMATION

1. Identification of the institution

Department of Justice
284 Wellington Street
Ottawa, Ontario
K1A 0H8

Tel.: (613) 957-4358
Fax (613) 946-3106
<http://www.canada.justice.gc.ca>

2. Brief description of the institution's mandate

The mandate of the Department of Justice is to support the Minister of Justice and Attorney General of Canada in working to ensure that Canada is a just and law-abiding society, with an accessible, efficient and fair judicial system. In addition, the Department must provide high-quality legal services and counsel to the government and to client departments and agencies, and promote respect for rights and freedoms, the law and the Constitution. Because of the division of powers between Parliament and the provincial legislatures, the activities of the Department of Justice relate to fields that are within its jurisdiction. It should be noted that the regional offices of the Department of Justice mainly provide litigation services.

The Department of Justice manages some programs that may be of interest to official language minority groups, including the Public Legal Education and Information Program (PLEI), ACJNet and the Grants and Contributions Program. The National

Program for the Integration of Both Official Languages in the Administration of Justice (POLAJ) is managed jointly with Canadian Heritage.

3. Responsible Officers

Responsible Associate Deputy Minister:

Mario Dion
Associate Deputy Minister, Civil
Law and Corporate Management
Chair of the Committee on
Bilingualism and Bijuralism
284 Wellington Street
Room T5143
Ottawa, Ontario
Tel: (613) 941-4073
Fax: (613) 941-4074
mario.dion@justice.x400.gc.ca

National Coordinator

Josée Touchette
Senior counsel and Coordinator,
Francophonie
Secretary of the Committee on
Bilingualism and Bijuralism
Civil Law Sector
284 Wellington Street
Room T6127
Ottawa, Ontario
Tel.: (613) 957-4391
Fax: (613) 946-3106
josée.touchette@justice.x400.gc.ca

Contact person

Andrée Duchesne
Coordinator, National Program for the
Integration of Both Official Languages in
the Administration of Justice (POLAJ)
Legislative Services Branch
284 Wellington Street
Room T4033
Ottawa, Ontario
Tel.: (613) 954-7233
Fax: (613) 941-1997
andree.duchesne@justice.x400.gc.ca

Regional Coordinators

See Appendix A

4. Period covered by the Action Plan

To focus its efforts on the implementation of the measures set out in its Action Plan, the Department of Justice has adopted a three-year plan covering the period from June 1, 1999, to May 31, 2002. However, the Department will report on its achievements on an annual basis.

SECTION II - IDENTIFICATION OF COMMUNITY NEEDS

5. Means used to identify needs of official language minority communities at the national, provincial and territorial levels

A. Consultations

The Department of Justice consults the official language minority communities on a regular basis. This year, the Department has consulted these communities at the following meetings:

- Workshops organized by the Department of Justice as part of the *National Symposium on Official Languages* in the fall of 1998.
- Orientation session of the *Fédération des associations de juristes d'expression française de common law* on September 19 and 20, 1998.
- Meeting of the Deputy Minister of Justice with the *Fédération des associations de juristes d'expression française de common law* on January 8, 1999.
- *Journées langues et droit*, May 5, 6 and 7, 1999, in Moncton.
- Annual meeting of the POLAJ steering committee on May 8, 1999, in Moncton.
- Meeting with the Jurilinguistics Centres and the *Fédération des associations de juristes d'expression française de common law* (FAECL) on May 8, 1999, in Moncton.
- Individual consultations and liaison with the organizations represented in PAJLO.
- Public visits to the POLAJ Web site.
- In addition to the consultation with associations of French-speaking jurists regarding the implementation of the *Contraventions Act*, and in particular the language clauses to be included in agreements with the provinces, which was held in Winnipeg on April 19, 1998, we have consulted the following associations since that time:
 - Association des juristes d'expression française de la Nouvelle-Écosse;
 - Société St-Thomas d'Aquin de l'Île-du-Prince-Édouard;
 - Fédération des francophones de Terre-Neuve et du Labrador;
 - Association des juristes d'expression française du Nouveau-Brunswick;
 - Société franco-manitobaine;
 - Association culturelle franco-canadienne de la Saskatchewan;
 - Association canadienne française de l'Alberta;
 - Association des francophones de la Colombie-Britannique.

- In April 1999, we invited the Canadian Bar Association, the Barreau du Québec and the Barreau de Montréal to provide us with their observations regarding the implementation of the *Contraventions Act*, and more specifically the language framework within which federal contraventions should be prosecuted in the provinces.
- Annual consultation with representatives of the Francophone community in British Columbia and the departments and institutions designated under Part VII of the *Official Languages Act* held in Vancouver on March 18, 1999.
- Interdepartmental meeting with federal institutions and departments and Franco-Manitoban organizations held on December 11, 1998.
- Participation in meetings of national coordinators for the implementation of section 41 of the *Official Languages Act* :
 - September 9, 1998,
 - February 10, 1999,
 - April 14, 1999,
 - June 16, 1999.
- National consultation between national coordinators in federal departments and representatives of national organizations held in Hull on October 19, 1998.

B. Reports

In addition, the Department of Justice has examined the following reports:

- Final report of the Committee for Reflection on the action plans for the implementation of section 41 of the *Official Languages Act*, February 1999.
- Final report, by Donald J. Savoie: *Official Language Minority Communities : Promoting Government Objectives* (the *Savoie Report*), November 1998.
- Report of the Task Force on Government Transformations and Official Languages (the *Fontaine Report*) January 1999.
- Evaluation Report on the Second Generation of Action Plans for the Implementation of Part VII of the *Official Languages Act*, report of the Commissioner of Official Languages, June 1998.
- Report of the Commissioner of Official Languages on the Equitable use of English and French before federal courts and administrative tribunals exercising quasi-judicial powers, released on March 8, 1999.

6. Principal needs identified at the national, provincial and territorial levels

For the next three years, the same concerns as last year must be taken into account:

- raising awareness among parties to legal proceedings who are members of the official language minority communities regarding the availability of legal and judicial services in their official language;
- recognition that the administration of justice in both official languages is a priority for the official language minority communities;
- assessment of the impact of transfers of responsibility from the federal government to the provinces and private sector on the language rights of the communities;
- access to legal aid in the official language of the client;
- the capacity of the judicial system to provide bilingual services.

However, the following concerns have been added to the needs already identified:

- The communities have expressed concerns regarding certain language litigation files in the courts.
- Developing the federal government's leadership role with respect to official languages and language rights, in order to encourage and support provincial participation in this area.
- Defining new partnership models, based on the example of Manitoba's Working Group on the improvement of minority language services and the pilot projects it has developed.

SECTION III - ACTION PLAN CONTENTS AND TIMETABLE

Contents

The measures taken by the Department of Justice to promote the development of the official language minority communities and to promote the use of both official languages fall within its mandate as part of the Government of Canada.

1999-2002 ACTION PLAN OF THE DEPARTMENT OF JUSTICE

ACCOUNTABILITY AND REPORTING FRAMEWORK

COMMITTEE ON BILINGUALISM AND BIJURALISM

MISSION: The departmental Committee on Bilingualism and Bijuralism is the department's principal forum for coordination, discussion, decision making, establishment of priorities and planning with respect to the major issues affecting the promotion of bilingualism and bijuralism, both internally and in dealings with its partners.

OBJECTIVES	PRINCIPAL MEASURES PROPOSED	EXPECTED OUTPUTS
<p>Priority 1: To include bilingualism and bijuralism in the department's statement of values.</p>	<ul style="list-style-type: none"> • Making managers, senior officials and employees accountable for and aware of the importance of bilingualism and bijuralism, by holding meetings, particularly in the National Capital Region and in the Quebec Regional Office, for this purpose. • Presentations on bilingualism by managers. 	<ul style="list-style-type: none"> • Meetings held. • Awareness and accountability improved. • Presentations given.
<p>Priority 2: To maximize distribution and implementation of the <i>Guidelines on Language of Work</i>.</p>	<ul style="list-style-type: none"> • Distributing the <i>Guidelines</i>, for example in the form of an Info-Justice, posting on an Internet or Intranet site, an article in <i>InterPares</i> or some other form of publicity. • Providing information sessions on the <i>Guidelines</i>. 	<ul style="list-style-type: none"> • <i>Guidelines</i> distributed. • Information sessions given.

<p>Priority 3: To improve access to language training.</p>	<ul style="list-style-type: none"> • Draw up an inventory of tools available in the Department of Justice and prepare a list of schools and institutions that provide language training. • Distribute a list of rights and terms and conditions of access to language training to employees, in accordance with departmental official languages policy. • Do a study of the history of the financial resources dedicated to official languages, in order to propose a reasonable level of resources for language training. • In partnership with Treasury Board, and possibly with the Public Service Commission, do a study of “best practices” in the field of language training. • Develop and conduct a survey. 	<ul style="list-style-type: none"> • Inventory drawn up. • List distributed. • Historical study done. • Study done. • Survey done.
<p>Priority 4: To promote the value of bilingualism within the Department of Justice by distributing information and raising employee awareness so that they understand the various benefits of these practices and appreciate how they enhance the value of the Department’s work.</p>	<ul style="list-style-type: none"> • Identify and organize measures such as debates and discussion groups to identify employees’ expectations and concerns regarding bilingualism and increase their knowledge about bilingualism. • Prepare and publish an information brochure (or leaflet) about bilingualism. • Organize a departmental day on La Francophonie in the form of a conference to discuss the benefits to Canada in La Francophonie and issues relating to La Francophonie in Canada and internationally. 	<ul style="list-style-type: none"> • Evaluation and study of various measures for learning employees’ concerns regarding bilingualism done. • Consultation, debates or discussions held. • Employees’ expectations and concerns identified. • Brochure prepared and designed. • Publication and distribution of brochure begun or completed. • Departmental day on La Francophone held at which employees from the regions were present.

<p>Priority 5: To give consideration to initiatives that promote both official languages and bijuralism inside the Department of Justice, and beyond the Department in its fields of activity.</p>	<ul style="list-style-type: none"> • Consolidate legislative and administrative measures under the authority of the Department of Justice relating to the administration of justice. • Present recommendations to the Minister of Justice through the Committee on Bilingualism and Bijuralism and through other departmental or governmental bodies identified by the Committee. • Take the necessary measures to ensure that the Department's Grants and Contributions Program gives full consideration to applications that relate to bilingualism and bijuralism. • Create prizes for master's level students: one in bijuralism, and the other possibly in bilingualism. • Prepare a brochure on bijuralism to make the Canadian public aware of this issue and provide information about it. • (Hold a conference in May 2000 on the major systems of law and their role in the context of globalization, in conjunction with the University of Ottawa and the Department of Canadian Heritage.) (This measure falls outside the timeframe established by the Committee at the Retreat for implementing priorities.) • Participate in or contribute to the activities of the European Year of Languages (2001) declared by the Council of Europe. 	<ul style="list-style-type: none"> • Legislative and administrative measures consolidated. • Recommendations submitted to the Minister. • Measures taken. • Applications that relate to bilingualism and bijuralism taken into consideration by the Grants and Contributions Program. • Prize for master's level students created. • Brochure on bijuralism developed. • Colloquium on La Francophonie held in May 1999. • Conference on the major systems of law held. • Participated in or contributed to the activities of the European Year of Languages. <p>Person responsible: Josée Touchette</p>
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<p><u>The “Champion” of official languages</u></p> <p>As a result of Treasury Board’s decision to raise the profile of official languages in order to ensure active compliance with the <i>Official Languages Act</i>, particularly with respect to the development of official language minority communities, the Department has appointed a “Champion” of official languages.</p>	<ul style="list-style-type: none"> • Make official languages more visible, so as to ensure active compliance with the <i>Official languages Act</i>. • Maximize departmental activities that have an impact on the development of official language minority communities. 	<ul style="list-style-type: none"> • Promotion activities held, such as the Colloquium on La Francophonie. • Analysis of the impact on official language minority communities and bilingualism included in submissions to Treasury Board. <p>Person responsible: Mario Dion</p>
<p><u>Bureau de la Francophonie</u></p> <p>Within the Department, ensure that the accountability framework for the implementation of Sections 41 and 42 of the <i>Official Languages Act</i>, which establishment was approved by the Cabinet in 1994, is respected.</p>	<ul style="list-style-type: none"> • Coordinate within the Department to develop and present the Department of Justice Action Plan for the implementation of Section 41 of the <i>Official Languages Act</i> and follow up on the accomplishments by presenting an annual Status Report. 	<ul style="list-style-type: none"> • Action Plan presented and distributed. • Status Report presented and distributed annually. <p>Person responsible: Josée Touchette</p>

CIVIL LAW AND CORPORATE MANAGEMENT SECTOR

MISSION:

- To conduct litigation involving the federal government in Quebec, and to provide legal advice on real property and commercial law matters;
- to manage departmental interaction with the Government of Quebec;
- to harmonize federal legislation with Quebec civil law including the Civil Code of Quebec;
- to coordinate departmental activities in relation to institutional Francophonie;
- to coordinate departmental initiatives relating to the promotion of bijuralism;
- to provide corporate management services, including informatics, financial management and human resources.

OBJECTIVES	PRINCIPAL MEASURES PROPOSED	EXPECTED OUTPUTS
<p><u>The Civil Code Section</u></p> <p><u>First objective</u> Together with the departmental legal services units concerned, to implement the initiative to harmonize federal statutes and regulations that are considered to be priorities, both existing and in the process of enactment, with the civil law of Quebec, keeping in mind the two legal audiences, French-speaking and English-speaking, by proposing amendments to statutes and regulations.</p>	<ul style="list-style-type: none"> • Further to the tabling of Bill C-50, <i>A First Act to harmonize federal law with the civil law</i>, plan a second Bill; and subsequently, • as a priority, harmonize federal legislation and regulations in the process of being enacted and integrate most recommendations in individual Bills or proposed regulations. • Secondly, harmonize existing federal legislation and regulations through separate harmonization Bills tabled periodically. • When these proposals are made, and in addition to keeping in mind the four 	<ul style="list-style-type: none"> • A second harmonization Bill prepared and tabled. • Harmonization proposals included in Bills and proposed regulations. • A third harmonization Bill prepared, subject to established priorities. • Common law provisions in French improved.

<p><u>Second objective</u> To promote the value of the harmonization initiative and promote Canadian bijuralism.</p>	<p>audiences - English-speaking and French-speaking common law lawyers and English-speaking and French-speaking civil law lawyers, improve common law provisions of legislation and regulations in French.</p> <ul style="list-style-type: none"> • For all proposed statutory and regulatory amendments, conduct the appropriate consultation. • As and when required, and in accordance with the priorities established by the Civil Code Section, provide specialized services to departmental legal services units and the Legislative Services Branch relating to the harmonization of legislation and regulations. • Publish documents on civil law, comparative law and harmonization; • participate in, support and promote the value of Canadian bijuralism. 	<ul style="list-style-type: none"> • Public consultations held as and when required, in accordance with the demands of the parliamentary process, with members of the Canadian legal community. • Evaluation questionnaire given to clients. • Information about bijuralism and harmonization distributed. • Active participation in various events. <p>Person responsible: Marie-Claude Gervais</p>
<p><u>Contraventions Project</u> To consult the official language minority communities in order to inform them about implementation of the <i>Contraventions Act (CA)</i>, and more particularly about the language framework within which federal contraventions will be prosecuted in their provinces.</p>	<ul style="list-style-type: none"> • Prepare and distribute an information document regarding the implementation of the <i>CA</i>. • Inform the communities regarding the proposed agreement with their provinces. • Provide relevant information to the communities regarding the language clauses included in the agreements with their provinces and obtain their comments, where applicable. 	<ul style="list-style-type: none"> • Information document prepared and distributed. • Consultations with the following organizations completed: <ol style="list-style-type: none"> 1. Associations of French-speaking lawyers (two). 2. French-language or English-language associations or societies (nine). • Progress made on use of the second language in our discussions with provincial representatives. <p>Person responsible : Michel Gagnon</p>
<p><u>Legal training</u></p>		

<p>To bring the communities together and make them more aware of language rights, both within the Department of Justice and in dealing with its partners, by providing training activities.</p>	<ul style="list-style-type: none">• Continue to organize and deliver a course for common law and civil law students who want to learn about the most recent developments in the practice of law in the public sector, jointly with the faculties of civil law and common law of the University of Ottawa. This course is given by experts in the Department, in a bijural format and in both official languages.• Agreement with University of Ottawa for courses on common law in French and civil law in English.	<ul style="list-style-type: none">• Course delivered. <p>Person responsible: Louis-Charles Sirois</p>
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POLICY SECTOR

MISSION: To ensure a responsive, fair, efficient and accessible national system of justice by managing the development, testing, promotion and implementation of justice policy and programs in respect of criminal law, and family and youth law, and by managing the government's legal framework in a manner that complies with administrative law, constitutional law, international law, Aboriginal law, human rights and information law.

OBJECTIVES	PRINCIPAL MEASURES PROPOSED	EXPECTED OUTPUTS
<p><u>National Crime Prevention Centre</u></p> <p>The National Crime Prevention Centre (NCPC) contributes to the <i>National Strategy on Community Safety and Crime Prevention</i> by playing a leading role at the federal level, by encouraging innovative practices and by working with others to support communities that mobilize to adopt crime prevention measures in order to reduce crime and victimization and to promote safer communities.</p> <p>First objective To raise awareness among the NCPC and regional liaison consultants regarding the needs of official language minority communities regarding programs that support crime prevention and promote community development.</p>	<ul style="list-style-type: none"> • Obtain information regarding the needs of official language minority communities in Canada (e.g., population, geographic distribution) in relation to crime prevention, in order to improve their quality of life and make communities safer. • Increase the number of official language 	<ul style="list-style-type: none"> • Research and analyses for identifying the needs of official language minority communities in relation to crime prevention begun or completed. • Names of official language minority groups and organizations that are active

	<p>minority communities that are active in crime prevention on the NCPC's mailing list so that more of these groups are informed both about crime prevention issues and activities in Canada and about the various assistance programs offered under the National Strategy on Community Safety and Crime Prevention.</p> <ul style="list-style-type: none"> • Encourage the submission of more projects and initiatives by official language minority communities through the National Strategy on Community Safety and Crime Prevention. 	<p>in crime prevention added to the NCPC's distribution list.</p> <ul style="list-style-type: none"> • Greater awareness among official language minority groups regarding crime prevention issues and activities in Canada and the various assistance programs offered under the <i>National Strategy on Community Safety and Crime Prevention</i>. <p>Person responsible: Pierre Sénécal</p>
<p><u>Priorities and Planning</u></p> <p>To encourage support for and compliance with section 41 of the <i>Official Languages Act</i> in developing and implementing Department of Justice policy through Policy Project Plans.</p>	<ul style="list-style-type: none"> • Consider the impact of policy proposals on the requirements of section 41 of the <i>Official Languages Act</i> in policy proposals presented for consideration by the Policy Committee of the Department of Justice. 	<ul style="list-style-type: none"> • Impact analysis included in all Policy project Plans (PPP) presented. • Greater assurance of compliance with section 41 of the <i>Official Languages Act</i> in activities of the Department of Justice. <p>Person responsible: Ken Dewhirst</p>
<p><u>Intergovernmental and external relations</u></p> <p>To consider official language minority communities in planning consultation or public participation initiatives.</p>	<ul style="list-style-type: none"> • Keep the list of official language minority groups up to date in the data base on consultations, and search the data base. • Ensure that consultation documents are translated on time. • Ensure that the interests of official language minority groups are considered in developing consultation plans and when consulting the people involved. 	<ul style="list-style-type: none"> • Official language minority groups are recorded in the data base. • Consultation documents available in both official languages. • Interests of official language minority groups taken into account as a step in planning the consultation.

<p>To create bilingual training and professional development programs on consultation.</p>	<ul style="list-style-type: none"> • Offer bilingual or unilingual courses (English and French). • Identify bilingual trainers. 	<ul style="list-style-type: none"> • Larger number of bilingual documents available. • Greater number of bilingual courses or greater number of courses in the language of the participants. • List of bilingual trainers. <p>Person responsible: Elaine Jackson</p>
<p><u>Innovation, analysis and integration</u> To promote the improvement of the Canadian justice system among official language minority communities.</p>	<ul style="list-style-type: none"> • Negotiate project funding agreements with non-governmental organizations and/or provinces and territories for projects that would benefit official language minority communities. • Prepare and negotiate agreements with recognized public legal education and information organizations to ensure that the needs of official language minority communities are considered in developing various information publications. 	<ul style="list-style-type: none"> • Two agreements to be negotiated. • Funds to be negotiated. • Ten agreements to be negotiated, provided that each province designates a public legal education and information organization. <p>Person responsible: Marc Rozon</p>
<p><u>Public law policy</u> To promote access to the judiciary by representatives of official language minority communities.</p>	<ul style="list-style-type: none"> • Ensure that French-speaking lawyers are represented on advisory committees responsible for making recommendations to the Minister of Justice in relation to appointments to the bench. 	<ul style="list-style-type: none"> • Representation arranged. <p>Person responsible: Mélodie Guilbault</p>

LEGISLATIVE SERVICES BRANCH AND THE NATIONAL PROGRAM FOR THE INTEGRATION OF BOTH OFFICIAL LANGUAGES IN THE ADMINISTRATION OF JUSTICE (POLAJ)

MISSION: To provide Canadians with legislation and regulations that reflect Canada's linguistic and legal duality. The Legislative Services Branch is therefore responsible for implementing departmental policy on legislative bijuralism.

To help promote and improve the integration of both official languages in the administration of justice, so as to enable Canadians to exercise their rights in both official languages.

OBJECTIVES	PRINCIPAL MEASURES PROPOSED	EXPECTED OUTPUTS
<p><u>Legislative Services Branch</u></p> <p>As the unit in charge of the Policy on Legislative Bijuralism of the Department of Justice, and being responsible for the application of that policy, to ensure, in cooperation with the Civil Code Section, that this policy is implemented by producing bilingual and bijural legislation and regulations.</p>	<ul style="list-style-type: none"> • Provide greater support for legislative and regulatory drafters by providing them with the necessary resources and by expanding and rationalizing the jurilinguistic services (unilingual jurilinguistic revision and comparative revision) made available to them. • Create a comparative law specialist position. • Work in close cooperation with the Civil Code Section in relation to the harmonization of federal legislation with the <i>Civil Code of Quebec</i>. 	<ul style="list-style-type: none"> • Expanded jurilinguistic services provided. • Greater support for legislative drafters. • Necessary resources made available. • Position created and filled. • Legislation and regulations produced that take into consideration the concepts and institutions of the civil law of Quebec and of the common law in force in the other Canadian provinces. <p>Person responsible : Lionel Levert</p>
<p>As part of the review of the legislative and regulatory processes, to develop support for</p>	<ul style="list-style-type: none"> • Develop a strategic approach that includes meetings with departments, discussions 	

<p>the French version of legislation and regulations.</p>	<p>with the Privy Council and presentations to the committee of deputy ministers responsible for official languages, chaired by the Deputy Minister of Justice.</p> <ul style="list-style-type: none"> • Enhance the bilingual capacity of drafters. • As an active member of the <i>Canadian Uniform Law Conference</i>, draft uniform laws in both official languages for use by the provinces and the federal government. 	<p>Person responsible: Lionel Levert</p>
<p>In cooperation with the University of Ottawa, to develop an internal training and professional development program in legislative and regulatory drafting to provide the Branch with bilingual and bijural capacity.</p>	<ul style="list-style-type: none"> • Assign a legislative drafter and regulatory drafter to develop the training and professional development program. • Involve University of Ottawa professors in developing the program and in training and professional development activities. • Offer courses in legislative and regulatory law to LL.L. students at the University of Ottawa. 	<ul style="list-style-type: none"> • Internal program developed to respond to the needs of the Legislative Services Branch. • Greater bilingual and bijural capacity in the Branch. • Continued cooperation with the University of Ottawa. <p>Person responsible: Lionel Levert</p>
<p><u>POLAJ</u> Create and improve tools: (a) to encourage the creation of original French common law and English civil law works and tools (model instruments, videos, etc.);</p>	<ul style="list-style-type: none"> • Develop partnerships to produce tools for the use of French-speaking lawyers, including a partnership in Ontario (federal-provincial and with universities and associations) for the simultaneous production of the <i>Ontario Practitioner's Guide</i>, the rules of procedure in French and the update to the French version of Watson & McGowan, <i>Civil Procedure in Ontario</i>. 	<ul style="list-style-type: none"> • Partnerships developed to produce tools. • French terminology of the law of trusts and the law of torts standardized

<p>(b) to standardize French common law terminology;</p> <p>(c) to provide training for French-speaking lawyers;</p> <p>(d) to develop outreach tools;</p> <p>(e) to develop effective communication tools.</p>	<ul style="list-style-type: none"> • Continue activities to standardize French common law terminology, and more specifically the law of trusts and the law of torts. • Include the standardized terminology in the tools developed and, more specifically, include the standardized terminology of the law of trusts in the update to <i>Linden on Torts</i> • Develop and deliver courses focusing on language rights for lawyers in the provinces where there is an association of French-speaking lawyers. • Implement the recommendations of the feasibility study on the training needs of French-speaking lawyers in the West. • Develop new training formulas to respond to the needs of the intended audience. 	<p>and the law of torts standardized.</p> <ul style="list-style-type: none"> • Standardized vocabulary included in the tools developed. • Courses developed. • Courses delivered. • Recommendations implemented. • New training formulas developed. <p>Person responsible : Andrée Duchesne</p>
<p>To promote coordination and rationalization both within and outside POLAJ, and in particular:</p> <ul style="list-style-type: none"> • to promote coordination among the various players to optimize use of POLAJ's resources, know-how and expertise; • to promote the rationalization and optimal distribution of areas of activity both within and outside POLAJ. 	<ul style="list-style-type: none"> • Develop an integrated strategic approach among the various participants in the POLAJ network. • Initiate consideration by the Steering Committee in Moncton in May. • Form consultation groups whose recommendations will be examined by the members of the POLAJ Steering Committee. 	<p>Person responsible : Andrée Duchesne</p>

<p>To raise awareness among members of communities and among provincial and territorial governments and various clienteles regarding the integration of both official languages in the administration of justice in general, and more specifically regarding the role of the associations of French-speaking lawyers.</p>	<ul style="list-style-type: none">• Renew the funding given to the associations of lawyers and their umbrella Fédération for the next two years.• Develop and implement a new funding and management formula that includes the participation of the associations of lawyers and the Fédération in decisions regarding the funding of projects submitted by those organizations.	<ul style="list-style-type: none">• Funding to lawyers renewed for two years.• New funding formula developed.• New funding formula implemented. <p>Person responsible: Andrée Duchesne</p>
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LEGAL OPERATIONS SECTOR

MISSION: To assist the Attorney General of Canada in providing high-quality legal services to the federal government as a whole, by giving legal counsel and advice to government institutions and representing them in the civil and criminal proceedings to which they are parties

OBJECTIVES	PRINCIPAL MEASURES PROPOSED	EXPECTED OUTPUTS
<p><u>First objective</u></p> <p>To inform the public, and more specifically the legal community and official language minority communities, regarding language rights, particularly rights relating to the administration of justice, and to raise awareness of those rights.</p> <p><u>Second objective</u></p>	<ul style="list-style-type: none"> • Ensure optimal distribution of the <i>Annotated Language Laws of Canada</i> prepared by the Official Languages Law Group, and update the text. • Take part in conferences, seminars and other educational and training activities relating to language rights. • Implement mechanisms for informing parties to cases in which the federal government is involved regarding their language rights in the courts. • Complete the guidelines on the language rights of accused persons in criminal proceedings (sections 530, 530.1 and 841(3) of the Criminal Code) and have them distributed through POLAJ and the official language minority associations of lawyers. • Organize and take part in conferences, 	<ul style="list-style-type: none"> • Action taken to make the text more widely available. • Information needed for doing the update collected. • Taken part in educational and training activities • Possible measures for achieving this objective in civil, and then penal, litigation identified. • Identified measures implemented. • Guidelines distributed. • Taken part in conferences, workshops and other presentations.

<p>To inform public servants, both inside the Department and in the client departments, regarding language rights, and to raise their awareness of the importance of those rights.</p> <p><u>Third objective.</u></p> <p>To support and coordinate various policy initiatives designed to advance language rights in the administration of justice and within the government.</p>	<p>workshops and other presentations designed to increase awareness of the language obligations of federal institutions.</p> <ul style="list-style-type: none"> • Assist the Continuing Legal Education Division in implementing a training module for client departments on the <i>Official Languages Act</i>, and see that the module is delivered. • Complete the guidelines on the language rights of accused persons in criminal proceedings (sections 530, 530.1 and 841(3) of the <i>Criminal Code</i>) and ensure that they are distributed to federal Crown prosecutors and agents. • Develop recommendations for action on the consultations conducted based on the working document entitled “Towards a Consolidation of Language Rights in the Administration of Justice in Canada”, submit them to the Minister and coordinate the implementation of the recommendations approved by the Minister. • Coordinate the government’s response to the study entitled “The equitable use of English and French before federal courts and administrative tribunals exercising quasi-judicial powers,” published by the Commissioner of Official Languages in May 1999. 	<ul style="list-style-type: none"> • Training module produced. • Module presented to client departments by departmental legal services lawyers. • Guidelines distributed. • Recommendations submitted to the Minister. • Implementation plan for acting on the Minister’s decision developed. • Implementation plan put into operation. • Proposals developed in response to the recommendations made in the study by the Commissioner of Official Languages. • Consultations held on those proposals. • Recommendations to the Minister prepared. • Initiatives within the Department’s
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	<ul style="list-style-type: none">• Coordinate and arrange the Department's participation in the government's action plan responding to the recommendations of the Fontaine and Savoie reports on government transformations and their effects on official languages programs.	<p>jurisdiction under the governments action plan identified.</p> <ul style="list-style-type: none">• Identified initiatives implemented. <p>Person responsible: Marc Tremblay</p>
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Proposed means by which the institution will inform the official language minority communities of the proposed measures, programs and services

- The regional offices will help to inform interested communities in each of the regions about programs and services. To that end, the National Coordinator in the Department will contact the heads of the regional offices to make them aware of their role in this regard.
- The Department will use its Internet site to consult the communities regarding the effectiveness of the department's Action Plan and what points need to be improved.

Measures proposed to evaluate success of expected results

- This Action Plan has been included in the Five-Year Plan of the Committee on Bilingualism and Bijuralism. This will allow for regular periodic evaluation of the initiatives proposed in it and the expected results. On this point, refer to the measures proposed by the Committee on Bilingualism and Bijuralism in the 1999-2002 Action Plan.
- To evaluate the achievement of the expected results, the Department of Justice has included performance indicators (operational outputs) in its 1999-2002 Action Plan relating to the measures proposed therein. These indicators will be the main evaluation tool, and will be used for the purpose of preparing the department's annual Status Report.

Financial and other resources dedicated to the implementation of the Action Plan

- National Coordinator: 0.75 FTE
- POLAJ: 1.60 FTE
- Contribution of \$175,000 for the 1998-1999 fiscal year to the *Fédération des associations de juristes d'expression française de common law*.

The budgets for other activities will come from existing resources.

SECTION IV - COMMUNICATION PLAN

Measures proposed by the institution to publicize the Action Plan inside and outside the Department

Inside the Department

Target groups:

- . Minister's office
- . Deputy Minister's office
- . Sector Heads
- . Managers
- . Employees

Means:

Distribute the 1999-2002 Action Plan and 1998-1999 Status Report to the first four groups, along with a cover letter signed by the Associate Deputy Minister, Civil Law and Corporate Management. The letter will thank the groups for their comments on last year's Plan and underline the key points in the Plan and Status Report, and will invite comments from those groups on the 1999-2002 Action Plan.

Prepare a Deputy Minister's Bulletin for all employees which outlines the objectives and main points of the Plan and explains the Status Report, and thanks the employees for their comments on last year's Plan. Seek comments, especially from employees in regions where they may come in contact with official language minority groups.

Publish an article in *Inter Pares* concerning the key points in the 1999-2002 Action Plan and the 1998-1999 Status Report.

Outside the Department

Target groups:

- . Federal departments
- . Provincial Justice ministries
- . The judiciary
- . Interested community groups
- . Official language minority groups
- . Associations of lawyers
- . The general public

Means:

Distribute the 1999-2000 Action Plan and the 1998-1999 Status Report to representatives of each designated community group, along with a cover letter from the Associate Deputy Minister, Civil Law and Corporate Management, underlining the key points in the new Plan and the 1998-1999 Status Report. Where applicable, thank the groups which made comments on the 1997-1998 Status Report.

The Action Plan and the Status Report can be consulted on the Internet at the Department's web site. The Department will send the 1998-1999 Status Report and 1999-2000 Action Plan to anyone who requests a copy by writing to the Department's mailing address.

N.B. It should be noted that the mandate of the Department of Justice is to support the Minister of Justice and Attorney General of Canada in working to ensure that Canada is a just and law-abiding society, with an accessible, efficient and fair judicial system. In addition, the Department must provide high-quality legal services and counsel to the government and to client departments and agencies, and promote respect for rights and freedoms, the law and the Constitution. Because of the division of powers between Parliament and the provincial legislatures, the activities of the Department of Justice relate to fields that are within its jurisdiction. It should be noted that the regional offices of the Department of Justice mainly provide litigation services.

SECTION V - SIGNATURE

Mario Dion
Associate Deputy Minister
Civil Law and Corporate
Management Sector

Date :

WHAT DO YOU THINK OF THE ACTION PLAN?

General comments

Strong points

Areas needing improvement

Suggestions

Please return this form to:
National Coordinator:
Address:

Josée Touchette
284 Wellington Street
Saint Andrew Tower, 6th floor
Ottawa, Ontario
K1A 0T6 Fax: (613) 946-3106

Appendix A

REGIONAL COORDINATORS

Prairie and Arctic Region

Edmonton

Holly Turner
Deputy Senior Regional Director
Prairie and Arctic Region
Room 211, Bank of Montreal Building
10199-101st Street
Edmonton, Alberta
T5J 3Y4

Tel.: (780) 495-4315
Fax: (780) 495-2964

Montreal

Jacques Letellier, General Counsel
and Senior General Director
Complexe Guy Favreau
200 René Lévesque Blvd. West
East Tower, 9th floor
Montreal, Québec
H2Z 1X4

Tel.: (514) 283-4972
Fax: (514) 283-9690

Halifax

Ted Tax, General Counsel and
Senior General Director
Royal Bank Building
Room 1400, Duke Tower
5251 Duke Street
Halifax, Nova Scotia
B3J 1P3

Tel.: (902) 426-7592
Fax: (902) 426-2329

Saskatoon

Dale Kohlenberg
General Counsel
A/Director
Churchill Building, 7th floor
229 4th Avenue South
Saskatoon, Saskatchewan
S7K 4K3

Tel.: (306) 975-4761
Fax: (306) 975-5013

Vancouver

Barbara Burns
Senior General Counsel
and Senior General Director
900-840 Howe Street
Vancouver, British Columbia
V6Z 2S9

Tel.: (604) 666-0131
Fax: (604) 666-1585

Winnipeg

Donna J. Miller, Q.C.
General Counsel
and Regional Director
Centennial House
310 Broadway Ave., Room 301
Winnipeg, Manitoba
R3C 0S6

Tel.: (204) 983-6029
Fax: (204) 983-3636

Toronto

Paul Evraire, Q.C.
Senior General Counsel and Director
2 First Canadian Place
Room 3400
P.O. Box 36, Exchange Tower
Toronto, Ontario
M4X 1K6

Tel.: (416) 973-3309
Fax: (416) 973-3004

Nunavut

Pamela Clarke
Regional Director
Nunavut Regional Office
P.O. Box 1030
Iqaluit, Nunavut Territory
X0A 0H0

Tel.: (867) 979-5324
Fax: (867) 979-4889

Whitehorse

Pierre Rousseau
General Counsel and Director
Elijah Smith Building
200-300 Main Street
Whitehorse, Yukon
Y1A 2B5

Tel.: (867) 667-8103
Fax: (867) 667-3979

Yellowknife

Diane Sylvain
Acting Regional Director
3rd floor, Joe Tobie Building
5020 48th Street, P.O. Box 8
Yellowknife, N.W.T.
X1A 2N1

Tel.: (867) 669-6910
Fax: (867) 920-4022