

## **Justice Mandate and Responsibilities**

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### **1. Issue**

This note provides a general overview of the Department's roles and responsibilities in the areas of language rights and access to justice in both official languages.

### **2. Background**

#### **Language rights**

The Minister of Justice and Attorney General of Canada has the following roles and responsibilities in the language rights area:

- He is responsible for the *Official Languages Act* [OLA] before Parliament;
- He provides legal advice to the Government of Canada on language rights, pursuant to the Constitution, the Charter and the OLA, among others;
- He represents the interests of the Government of Canada in language-related litigation as defendant or intervener;
- He develops language-related policies, including those pertaining to legislative drafting and the administration of justice.

Under the *Official Languages Accountability and Coordination Framework*, adopted by the Government in March 2003, the Minister of Justice, the President of the Treasury Board and the Minister of Canadian Heritage support the Minister responsible for official languages "to ensure that official languages remain a day-to-day priority in the design and implementation of public policy and government programs". The Associate Deputy Minister of Justice is a member of the Committee of Deputy Ministers on Official Languages [CDMOL], which is a high-level forum on all matters pertaining to official languages, including institutional bilingualism, the development of minority communities and the promotion of linguistic duality in Canada. The Official Languages Law Group assists the Associate Deputy Minister and, along with the Department of Canadian Heritage, the Treasury Board Secretariat and the Privy Council Office, combines its efforts to ensure enhanced information sharing and compliance of government documents, policies, programs and initiatives with this framework.

#### **Access to justice in both official languages**

The Minister of Justice and Attorney General of Canada has the following roles and responsibilities in the area of access to justice in both official languages:

- Ensures that counsel for the Crown use the other party's official language during criminal trials (s. 530 and 530.1 of the *Criminal Code*) and in civil matters before federal courts (Part III of the OLA);
- Drafts federal legislation and regulations in both official languages (s. 18 of the Charter; Part II of the OLA);
- Implements measures contributing to improve access to justice in both official languages (s. 530 and 530.1 of the *Criminal Code*);
- Implements within the Department of Justice, the Government's commitment for the application of section 41 of the *Official Languages Act* (Part VII of the OLA) and for this purpose an action plan is developed.