



Review on Official Languages 2015-16

Prepared by: Human Resources Branch (Management and CFO Sector) -
Official Languages Directorate (Public Law and Legislative Services Sector)

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Common Questions – Treasury Board of Canada Secretariat and Canadian Heritage

<p>Minister responsible</p>	<p>Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada</p>
<p>Deputy Head</p>	<p>William F. Pentney, Deputy Minister of Justice and Deputy Attorney General of Canada</p>
<p>Official Languages Champions and Senior officials responsible for implementing Section 41 of the Official Languages Act</p>	<p>Official Languages Co-Champion and Chief Legislative Counsel Philippe Hallée 275, Sparks Room TSA-4003 Ottawa, ON K1A 0H8 Tel: 613-941-4178 philippe.hallee@justice.gc.ca</p> <p>Official Languages Co-Champion and Assistant Deputy Minister - Public Safety, Defence and Immigration Portfolio Elisabeth Eid 284, Wellington Room 2359 Ottawa, ON K1A 0H8 Tel: 613-952-4774 elisabeth.eid@justice.gc.ca</p> <p>Co-responsible for Official Languages: General Counsel and Director - Official Languages Directorate, Public Law and Legislative Services Sector Michel Francoeur 350, Albert Room 359 Ottawa, ON K1A 0H8 Tel: 613-957-4967 michel.francoeur@justice.gc.ca</p>
<p>Person responsible for official languages (Parts IV, V and VI of the Official Languages Act (OLA))</p>	<p>Co-responsible for Official Languages: Senior Advisor (Official Languages) Human Resources Branch, Management and CFO Sector Isabelle MacDonald 275, Sparks, Room 8026 Ottawa, ON K1A 0H8 Tel: 613-941-1893 isabelle.macdonald@justice.gc.ca</p>

<p>Person responsible for the implementation of section 41 (Part VII) of the OLA</p>	<p>Senior Policy Analyst Official Languages Directorate, Public Law and Legislative Services Sector Patricia Ojeda 350, Albert Room 378 Ottawa, ON K1A 0H8 Tel: 613-952-1592 patricia.ojeda@justice.gc.ca</p>
<p>Regional Coordinators responsible for the implementation of Section 41</p>	<p>British Columbia Vacant position</p> <p>Alberta Valérie Meier Counsel Tax Law Services Prairie Regional Office EPCOR Tower 300, 10423 – 101st Street Edmonton, AB T5H 0E7 Tel: 780-495-5882 valerie.meier@justice.gc.ca</p> <p>Saskatchewan Daryl Schatz Regional Director Business and Regulatory Law Portfolio Prairie Regional Office 123 2nd Avenue South 10th Floor Saskatoon, SK S7K 7E6 Tel: 306-975-5190 daryl.schatz@justice.gc.ca</p> <p>Manitoba Jean-Daniel Boulet Counsel Aboriginal Law Prairie Regional Office Centennial House 310 Broadway Avenue Room 301 Winnipeg, MB R3C 0S6 Tel: 204-230-9576 jean-daniel.boulet@justice.gc.ca</p>

	<p>Ontario Diane Dagenais Deputy Regional Director and Senior Counsel Ontario Regional Office Exchange Tower 130 King Street West Room 3400 Toronto, ON M5X 1K6 Tel: 416- 973-9711 diane.dagenais@justice.gc.ca</p> <p>Quebec Suzanne Trudel Counsel Immigration Law Directorate Quebec Regional Office Guy-Favreau Complex 200 René-Lévesque Blvd. West East Tower, 9th Floor Montreal, QC H2Z 1X4 Tel: 514-496-2594 suzanne.trudel@justice.gc.ca</p> <p>Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador Kim Duggan Legal Counsel Atlantic Regional Office Duke Tower 5251, Duke Room 1400 Halifax, NS B3J 1P3 Tel: 902-426-9104 kim.duggan@justice.gc.ca</p> <p>Yukon Alex Benitah Regional Director Yukon Office 300, Main Room 310 Whitehorse, YT Y1A 2B5 Tel: 867-667-3923 alex.benitah@justice.gc.ca</p>
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	<p>Northwest Territories and Nunavut Alexandre Larouche Deputy Regional Director General Northwest Territories Office 5019-52nd Street, 2nd Floor Nova Plaza PO Box 2052 Yellowknife, NT X1A 2P5 Tel: 867-920-6012 alexandre.larouche@justice.gc.ca</p>
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Governance of Official Languages

Note: Please use the scale included in the “Instructions” section

1. The institution has a distinct official languages action plan or has integrated precise and complete objectives into another planning instrument in order to ensure that its obligations with regard to Part VII (section 41) of the OLA are met.

Yes (attach copy)

2. Taking into consideration the institution’s size and mandate, performance agreements include performance objectives related to Parts IV, V, VI and VII (section 41) of the OLA, as appropriate.

Yes (Include copy of wording or template)

3. Obligations arising from Parts IV, V, VI and VII (section 41) of the OLA, are on the Senior Management Committee’s agenda.

Sometimes

4. The champion (and/or co-champion), and the person or persons responsible for Parts IV, V, VI and VII (section 41) of the OLA meet to discuss the official languages file.

Regularly

5. An official languages committee, network or working group made up of representatives from different sectors or regions of your institution holds meetings to deal horizontally with questions related to Parts IV, V, VI and VII (section 41) of the OLA.

Regularly

Clarifications (Optional):

Parts IV, V, VI & VII:

The Network of Sectoral and Regional Official Languages Champions of the Department of Justice includes representatives from each portfolio, sector and division in the NCR and from the regions. The objective of the Network and its members is to support the Departmental Co-Champions in fulfilling their mandate, to provide leadership and ensure the creation of a bilingual culture founded on the spirit and letter of the OLA.

The Department Steering Committee on Official Languages is mandated to provide leadership in the implementation of the Department’s Official Languages Program and its official languages policy and directives, by coordinating departmental activities and responsibilities as they relate to official

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languages. The Committee meets at least three times a year. It is comprised of the Co-Champion of Official Languages and of those responsible for the *Official Languages Act*.

This Committee also provides a framework for the mobilization of senior managers and allows them to debate official languages issues of interest to the Department. The Committee periodically reports to the Executive Committee using the Co-Champion as intermediaries.

Parts IV, V and VI:

When required, the Senior Official Languages Advisor consults the Regional Directors of HR and HR Professionals whose responsibilities include Parts IV, V and VI of the OLA. Furthermore, the Senior Advisor maintains a direct link with the Co-Champions for Official Languages.

Part VII:

The Departmental Network of Coordinators Responsible for the Implementation of Section 41 of the *Official Languages Act* is one of the pillars of the implementation of Section 41 of within the Department. It is made up of Regional, Programs and Policy Coordinators, who oversee that Section 41 is implemented in their respective regions and sectors.

Monitoring of Official Languages

Note: Please use the scale included in the “Instructions” section

6. Measures are regularly taken to ensure that employees are well aware of the federal government’s obligations related to Parts IV, V, VI and VII (section 41) of the OLA.

Yes

7. Activities are conducted throughout the year to measure the availability and quality of the services offered in both official languages (Part IV).

No

8. Activities are carried out to periodically measure whether employees (in regions designated as bilingual for language-of-work purposes) can use their official language of choice in the workplace (Part V).

No

9. Mechanisms are in place to ensure that the institution remains systematically informed of official-language minority communities’ priorities (Part VII).

Yes

10. Deputy heads are informed of the results of monitoring activities.

Yes

11. Mechanisms are in place to determine and document the impact of the institution’s decisions on the implementation of Parts IV, V, VI and VII (section 41) of the OLA (such as adopting or revising a policy, creating or abolishing a program, or establishing or closing a service location).

Yes

12. Audit or evaluation activities are undertaken, either by the internal audit unit or by other units, to evaluate to what extent official languages requirements are being implemented.

No

13. When the institution’s monitoring activities or mechanisms reveal shortcomings or deficiencies steps are taken and documented to quickly improve or rectify the situation.

Yes

Clarifications (Optional):

Parts IV and V:

Although the department did not conduct any audits or monitoring activities in 2015-2016 to specifically measure its compliance with Parts IV, V and VI of the OLA, it should be noted that the Corporate Official Languages Unit conducted a review of departmental positions to identify those affected by the requirements set out in the new departmental *Directive on Language Requirements of Positions and Staffing of Bilingual Positions*.

This Directive was developed to ensure that the language requirements of all positions are established in a consistent and objective manner, and that positions are staffed in compliance with the OLA and PSEA, thus enabling the organization to fulfill its official language obligations to the public and to its employees. Management has been informed of the results of the review and an implementation plan will be issued to ensure full compliance with the new Directive.

With regard to Part V, the department relied on the results of the Public Service Employee Survey (PSES) 2014, which measured whether employees feel free to use their official language of choice in the workplace (Part V). The PSES results were analysed and shared with management and employees. A departmental action plan was developed to address shortcomings identified by the survey, including those pertaining to the language of work rights of employees.

Communications with and Services to the Public in Both Official Languages

Note: Please use the scale included in the "Instructions" section

In offices designated bilingual for the purposes of communications with and services to the public

14. Oral communications occur in the official language chosen by the public when the office is designated bilingual.

Nearly always

15. Written communications occur in the official language chosen by the public when the office is designated bilingual.

Nearly always

16. All communications material is produced in both official languages and is simultaneously issued in full in both official languages when the material comes from a designated bilingual office.

Nearly always

17. Signs identifying the institution's offices or facilities are in both official languages at all locations.

Nearly always

18. Appropriate measures are taken to greet the public in person in both official languages.

Nearly always

19. Contracts and agreements with third parties contain clauses setting out the office's or facility's linguistic obligations which the third party must meet.

Nearly always

20. Have the linguistic obligations in these clauses been met?

Nearly always

21. Your institution selects and uses advertising media that reach the targeted public in the most efficient way possible in the official language of their choice.

Nearly always

Language of Work

Note: Please use the scale included in the "Instructions" section

In regions designated bilingual for language-of-work purposes

22. Incumbents of bilingual or either / or positions are supervised in their official language of preference, regardless of whether the supervisors are located in bilingual or unilingual regions.

Nearly always

23. Personal and central services are provided to employees in bilingual regions in the official language of the employee's choice.

Nearly always

24. The institution offers employees training in the official language of their choice.

Nearly always

25. Meetings are conducted in both official languages and employees may use the official language of their choice.

Very often

26. Documentation and regularly and widely used work instruments and electronic systems are available in the official language of the employees' choice.

Nearly always

27. It is possible for employees to write documents in their official language of choice.

Nearly always

In unilingual regions

28. Regularly and widely used work instruments are available in both official languages for employees who are responsible for providing bilingual services to the public or to employees in bilingual regions.

Very often

Human Resources Management

Note: Please use the scale included in the "Instructions" section

29. Overall, the institution has the necessary resources to fulfill its linguistic obligations related to services to the public and language of work.

Nearly always

30. The language requirements of bilingual positions are established objectively. The linguistic profiles reflect the duties of employees or their work units as well as the obligations with respect to service to the public and language of work.

Nearly always

31. Bilingual positions are staffed by candidates who are bilingual upon appointment.

Nearly always

32. Administrative measures are taken to ensure that the public and employees are offered services in the official language of their choice when required by Treasury Board policies.

Nearly always

33. Language training is provided for career advancement.

Very often

34. The institution provides working conditions conducive to the use and development of second-language skills of employees returning from language training and, to that end, gives employees all reasonable assistance to do so, particularly by ensuring that they have access to the tools necessary for learning retention.

Nearly always

Clarifications (Optional):

The answer to Question 36 refers.

Other questions related to Parts IV, V, and VI of the OLA

Note: Please respond to the following questions in both official languages.

Q35. The following question was included in the Monitoring Section: “**Activities are carried out throughout the year to measure the availability and quality of the services offered in both official languages (Part IV).**”

If you answered “no” to this question, you may indicate “not applicable” below.

If you answered “yes” to this question, then please answer the following:

- What types of activities are carried out?
- Does your institution currently have service standards that relate to communications and services in both official languages?
- If your institution has service standards that relate to communications and services in both official languages, please provide us with a copy of the wording.
- If your institution has service standards that relate to communications and services in both official languages, what are the results? How do you currently report these results?

A35.

Not applicable. See the clarifications provided in the Monitoring Section.

Q36. How does your institution ensure that it has the capacity (as defined in the [Directive on Official Languages for Communications and Services](#)) to fulfill its linguistic obligations related to **a) communications with and services to the public (Part IV)** and **b) language of work (Part V)**?

A36.

Managers are responsible for organizing their resources and identifying the language requirements of positions objectively in view of ensuring that their work unit always has the ability to fulfill its linguistic obligations under Part IV and V of the OLA.

In order to facilitate this task, in August 2015, the department issued a new *Directive on Language Requirements of Positions and Staffing of Bilingual Positions*. This Directive was developed to ensure that the language requirements of all positions are established in a consistent and objective manner, and that positions are staffed in compliance with the OLA and PSEA, thus enabling the organization to fulfill its official language obligations to the public and to its employees.

Bilingual positions are filled by incumbents who meet the language requirements upon appointment. The Department has a vigorous approval process in place to ensure that non-imperative staffing can be used in

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exceptional circumstances only. Thus, non-imperative is very seldom used. When it must be used, language training is provided as soon as possible to enable the incumbent to meet the position language profile within the allotted timeframe.

The department provides non-statutory language training through various means to employees who wish to develop or maintain their language skills. Priority for non-statutory training is given to employees who need to meet the language requirements of their position because the language requirements have been raised.

An in-house non-statutory language training program is offered in the NCR to employees who wish to improve or maintain their second language skills. The department also offers a Language Pairing Program which pairs participants together for an informal conversation each week, as a means to practice and maintain their second official language.

In addition, the department has a “Competency Development Tool Kit for Communicating in Your Second Official Language” which is a guide for employees and their managers to assist them in choosing training and learning tools.

Q37. Describe your institution’s most important accomplishment and biggest challenge in the area of official languages this year.

A37.

Challenge (Part V): As confirmed by the 2014 Public Service Employee Survey results, the Department still struggles to fully comply with its language of work obligations. The survey showed that the percentage of Francophone employees in bilingual regions who feel free to use the official language of their choice when preparing written material has decreased by 8% since 2011. Furthermore, the level of satisfaction of Francophone employees in bilingual regions is lower than that of Anglophones with regard to:

- Feeling free to prepare written materials in the official language of their choice;
- Feeling free to use the official language of their choice during meetings; and
- The availability of work tools in the official language of their choice.

Accomplishment (Part V): With a view to improve compliance in the area of language of work, the Co-champions for Official Languages, in collaboration with the Network of Sectoral and Regional Official Languages Champions, have launched an information campaign to remind managers and employees of their rights and obligations under Part V of the OLA. In 2015-2016, the following activities have taken place:

- Developed and promoted a list of best practices for managers, pertaining to the creation of a bilingual work environment, entitled “Leadership in Official Languages - Manager and Supervisor Responsibilities”;
- Promoted the Commissioner of Official Languages’ Leadership Competency Profile for Official Languages;

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- Distributed various material and tools during the 2015 Linguistic Duality Day event, including best practices, posters on bilingual meetings, charts on communications between regions, and language maintenance related tools;
- Developed and issued a “Bilingual Meetings Brochure”, which provides a list of best practices for chairing a bilingual meeting as well as participating in one;
- Issued various articles on JustInfo (the weekly departmental intranet news bulletin) pertaining to official languages, including language of work obligations.

In addition to the above, the Official Languages Website was updated and revamped, and the departmental OL policy suite was completed with the addition of the new *Directive on Language Requirements of Positions and Staffing of Bilingual Positions*.

Development of official-language minority communities and promotion of English and French in Canadian society (*Part VII of the OLA*)

Note: Please respond to the following questions in both official languages.
If your response is “not applicable”, please include explanations.

Ongoing Dialogue

38. How does your institution ensure that it is aware of the priorities and needs of **French-speaking communities** outside Quebec and **English-speaking communities** in Quebec and that it takes them into account?

Please specify:

- a) The mechanisms used.
- b) The organizations/communities whom you were in contact with.

How these priorities were taken into account?

Answer:

Justice Canada’s obligations under the *Official Languages Act* are stated in its Program Alignment Architecture. The *2011-2016 Action Plan for the Implementation of Section 41 of the Official Languages Act* (the *2011-2016 Action Plan*) reiterates these obligations and must be read in conjunction with them. In order to understand and recognize the needs and priorities of official language minority communities (OLMC), this action plan sets out consultation mechanisms in the Department's areas of activity. Among other things, the 2011-2016 Action Plan aims to mobilize stakeholders to facilitate access to justice in official languages and establish nation-wide partnerships.

a) Methods Used

To reach its strategic objectives, Justice Canada, through the Official Languages Directorate (OLAD), coordinates the activities of the Advisory Committee on Access to Justice in Both Official Languages (the Advisory Committee), whose mandate is to maintain relationships between the Department and the legal and community sectors. In doing so, the Department provides positive leadership with the various stakeholders working in access to justice in both official languages.

With regard to the Department's official languages commitment, there is another consultation mechanism set out in the *2011-2016 Action Plan*: the Departmental Network of Coordinators for the Implementation of Section 41 (Network 41). The work of Network 41 aims to raise awareness in Department of Justice employees to the OLMC needs and priorities and allow for information exchanges and liaison activities on departmental matters involving the promotion and development of these communities. To this end,

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members of Network 41 make themselves available to OLMCs to answer specific questions on request or participate in liaison and professional development activities.

In addition to the above-noted initiatives, the Programs Branch at Justice Canada maintains close ties with OLMCs through agreements for projects subsidized by the Access to Justice in Both Official Languages Support Fund (the Support Fund) and, to a certain extent, projects funded through the Victims Fund, the Supporting Families Experiencing Separation and Divorce Fund, the Youth Justice Fund and the Family Violence Initiative.

b) Organizations / Communities with which Justice Canada Has Been in Contact:

The Advisory Committee on Access to Justice in Both Official Languages brings together representatives from the federal government, universities and the following community organizations:

Canadian non-profit organizations

- Association des juristes d'expression française de l'Alberta (AJEFA)
- Association des juristes d'expression française de l'Ontario (AJEFO)
- Association des juristes d'expression française de la Colombie-Britannique (AJEFCB)
- Association des juristes d'expression française de la Nouvelle-Écosse (AJEFNE)
- Association des juristes d'expression française de la Saskatchewan (AJEFS)
- Association des juristes d'expression française du Manitoba (AJEFM)
- Association des juristes d'expression française du Nouveau-Brunswick (AJEFNB)
- Fédération des associations de juristes d'expression française de *common law* (FAJEF)
- A representative of the Anglophone legal community of Quebec
- Éducaloi
- Fédération des communautés francophones et acadienne du Canada (FCFA)
- La Passerelle-I.D.É
- Quebec Community Groups Network (QCGN)

Teaching institutions / Jurilinguistic centres

- University of Ottawa – Civil Law Section
- University of Ottawa – Common Law Section
- Laurentian University – Law and Justice Department
- Association des collèges et universités de la francophonie canadienne (ACUFC)
- Centre de ressources en français juridique - Université de Saint Boniface
- Centre de traduction et de terminologie juridiques de Moncton
- Centre for Legal Translation and Documentation – University of Ottawa
- Paul-André Crépeau Centre for Private and Comparative Law - McGill University

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Government organizations and other institutions

- Department of Justice Canada
- Department of Canadian Heritage
- Office of the Commissioner of Official Languages

c) Manner in which Justice Canada Has Taken these Priorities into Consideration

Justice Canada addresses OLMC priorities and needs by following the *Roadmap for Canada's Official Languages 2013-2018* (the *Roadmap*), in particular through funding from the Support Fund, and by holding consultations to improve service delivery.

Since 2012, the Advisory Committee on Access to Justice in Both Official Languages has organized meetings with OLMC representatives. In 2014, the Advisory Committee's meeting addressed various subjects including the perspective of Quebec's Anglophone community on access to justice, creating legal information centres for the Francophone minority, the government response to the parliamentary review of Part XVII of the *Criminal Code* and training for judicial stakeholders. The Advisory Committee learned of the OLMC's priorities at panels and roundtables organized for that purpose. Representatives from the communities had the opportunity to share their opinions on the following themes:

- Needs of the OLMCs and priority areas of intervention;
- Ways to maximize structural forces and consider strategic alliances regarding access to justice in official languages;
- Interim update on Justice Canada's two-pillar strategy (training and information) for the *Roadmap* and the possibility of continuing this strategy after 2018.

The discussions also addressed the following:

- Importance of addressing the needs of immigrants regarding access to justice in official languages;
- Need to pay particular attention to family law issues;
- Need for legal training;
- Strengthening ties between community organizations and the various levels of government;
- Expanding the scope of the two-pillar strategy (training and information) during a potential renewal of the *Roadmap*.

As a follow up to the consultation sessions with the communities, the various comments collected by the Advisory Committee on Access to Justice in Both Official Languages will be taken into consideration when a new departmental plan is developed for the implementation of section 41 and the renewal of the *Roadmap*.

In 2015-2016, Network 41 members made themselves available to OLMC members to answer specific questions and keep them informed about services provided by Justice Canada at the following community and professional activities:

Journée fransaskoise du droit, organized by the Association des juristes d'expression française de la Saskatchewan (March 2016).

Journée de réflexion sur l'immigration francophone, organized by the Fédération des communautés francophones et acadienne (FCFA) (March 2016).

1st Anniversary of the Ottawa Legal Information Centre, organized by the Association des juristes d'expression française de l'Ontario (January 2016).

Annual General Meeting and Terminology Workshop, organized by the Association des juristes d'expression française de la Saskatchewan (December 2015).

Annual General Meeting of the Association des juristes d'expression française du Manitoba (November 2015).

Lancement du Centre d'information juridique de Régina, organized by the Association des juristes d'expression française de la Saskatchewan (November 2015).

Annual General Meeting of the Société franco-manitobaine (October 2015).

Grand Rassemblement de l'Assemblée de la francophonie de l'Ontario (October 2015).

Annual General Meeting of the Assemblée de la francophonie de l'Ontario (October 2015).

Annual General Meeting and celebration of the 25th anniversary of the Association des juristes francophones de l'Alberta (June 2015).

36th Annual Convention and Annual General Meeting of the Association des juristes d'expression française de l'Ontario (held as part of the conference entitled "Du Canada à la Louisiane : une justice multiple, un français vivant", organized by the AJEFO) (June 2015).

Annual General Meeting of the Quebec Community Groups Network (QCGN) (June 2015)

Inauguration of the Centre albertain d'information juridique, organized by the Association des juristes d'expression française de l'Alberta (April 2015).

Finally, sections 41, 42 and 43 of this Review give a detailed illustration of the initiatives that Justice Canada is conducting as part of the *Roadmap for Canada's Official Languages 2013-2018*.

Tangible Support

39. Did your institution provide support (**financial or other types of support**) for projects or initiatives that contributed to the development of official-language minority communities or to the promotion of English and French in Canadian society?

If yes, please:

- a) Describe these projects or initiatives.
- b) Identify which type(s) of support was provided (financial or other).
- c) Explain their impacts on the development of official-language minority communities and on the promotion of English and French in Canadian society.

Please indicate if your institution has other specific programs or initiatives that could be of interest to official-language minority communities.

Answer:

Justice Canada administers grants and provides direct funding to several segments of the population, including official language minority communities (OLMC) through the following programs:

1) Access to Justice in Both Official Languages Support Fund

The initiatives that are funded by the Access to Justice in Both Official Languages Support Fund directly address OLMC. This fund supports projects that contribute to improve access to justice in both official languages for all Canadians. For a detailed description of the mobilizing projects funded as part of this program, please consult sections 41, 42 and 43 of this Review.

OTHER PROGRAMS

2) Supporting Families Fund

This fund supports a range of services, programs and sources of information that facilitate access to the family justice system for families experiencing separation and divorce. An example of an initiative of the Supporting Families Fund that had positive results for OLMCs is included at section 43.

3) Victims Fund

This fund is the strategy of the federal government to assist victims of crime and aims to promote access to justice and the participation of victims in the justice system, among other things.

4) Justice Partnership and Innovation Program

This program supports activities that effectively respond to the diverse conditions influencing Canadian justice policy. The Program allows the Department to collaborate with outside agencies and other levels of government.

5) Family Violence Initiative

The main objective of the Family Violence Initiative is to deepen knowledge, promote the development and inform Canadians on issues related to family violence.

6) Youth Justice Fund

The aim of this fund is to establish special measures for violent young offenders and improve the system's ability to rehabilitate and reintegrate them into society.

7) *Contraventions Act* Fund

The *Contraventions Act* Fund is a transfer payment program designed to provide funding to provinces, territories and municipalities where the *Contraventions Act* is implemented in order to undertake, on the government of Canada's behalf, measures that ensure that language rights are respected in relation to the issuing and processing of contraventions tickets.

Key Collaborations

40. Did your institution collaborate with **other federal institutions** or **stakeholders** (municipalities, provinces, territories, private sector) as part of a program, project or other initiative aimed at the development of official-language minority communities or the promotion of English and French in Canadian society?

If yes, please:

- a) Describe each of these collaborations and each of these partnerships.
- b) Indicate who your partners were.
- c) Identify the **tangible results** for the development of official-language minority communities or for the promotion of English and French in Canadian society.

Answer:

Federal-Provincial-Territorial Working Group on Access to Justice in Both Official Languages

a) Description:

The Federal-Provincial-Territorial Working Group, or FPT Working Group, is one of the consultation mechanisms outlined in the 2011-2016 Action Plan. It is co-chaired by the Department of Justice and one representative from a province or territory who is a member of the working group. Its mandate is dedicated to issues related to the implementation of the language provisions of the *Criminal Code*, in particular Part XVII concerning the language of the accused. The working group's role is to identify issues on access to justice in both official languages and exchange information on best practices in each of the jurisdictions. The FPT Working Group also plays an important role in promoting synergy in the establishment of interprovincial collaborative agreements.

b) Partners:

The FPT Working Group has close relationships with the following provinces and territories:

Government of Alberta

- Justice and Solicitor General
Criminal Justice Division
Specialized Prosecutions Branch

Government of British Columbia

- Ministry of Attorney General
Criminal Justice Branch

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Prince Edward Island Government

- Department of Environment, Labour and Justice
Justice Policy and Privacy Services

Government of Manitoba

- Department of Justice
Prosecutions Services

Government of New Brunswick

- Department of Justice and Office of the Attorney General
Policy & Planning Branch
- Executive Council Office
Canadian Francophonie and Official Languages Branch

Government of Nova Scotia

- Department of Justice
Court Services
- Department of Justice
French-language Services

Government of Nunavut

- Department of Culture, Language, Elders and Youth
French Services

Government of Ontario

- Ministry of the Attorney General
French Language Services
- Office of Francophones Affairs

Government of Quebec

- Department of Justice

Government of Saskatchewan

- Justice and Attorney General
Public Law Division
- Executive Council
Francophone Affairs Branch

Government of Yukon

- Department of Justice
Court Services

Government of North West Territories

- Department of Justice

Government of Newfoundland and Labrador

- Department of Justice
Public Safety

c) Tangible results:

At the last meeting of the FPT Working Group in November 2015, Justice Canada informed members of the actions taken with respect to the commitment of the Department, in particular with respect to the government response to the review of Part XVII of the *Criminal Code* by the House of Commons Committee on Justice and Human Rights. The FPT Working Group also looked at the issue of the language training for provincially appointed judges program, the availability of bilingual judicial resources and training for interpreters, translators and other judicial stakeholders.

At the meeting, members of the FPT Working Group were also asked to respond to two questionnaires. One questionnaire was conducted on behalf of the Réseau National de formation en justice as part of its study on training for interpreters and translators. The purpose of the second series of questions for provinces and territories was to identify issues related to the administration of criminal justice throughout the country, in particular on Bail Hearings.

Justice and Security Network

a) Description:

This group is made up of employees from federal institutions with mandates relating to justice and security. This network is another of the consultation mechanisms set out in the *2011-2016 Action Plan*.

b) Partners:

The following federal institutions make up the membership of the Justice and Security Network:

- Canada Border Services Agency
- Immigration and Citizenship Canada
- The Department of National Defence and the Canadian Armed Forces

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- Royal Canadian Mounted Police
- Canadian Heritage
- Public Safety Canada
- Correctional Service Canada
- Public Prosecution Service of Canada
- Department of Justice

c) Tangible results:

The contributions of the Department of Justice's Official Languages Directorate to the work of the Justice and Security Network enable it to participate in sharing knowledge and best practices for the implementation of section 41 of the *Official Languages Act*.

Advisory Committee on Access to Justice in Both Official Languages

The advisory work led by the Advisory Committee on Access to Justice in Both Official Languages with OMLCs is described at section 38.

Tangible Results

*** The partners of the Roadmap 2013-2018 must identify one initiative of the Roadmap 2013-2018, and if applicable, one initiative "outside" of the Roadmap 2013-2018 ***

41. If your institution had to highlight three key initiatives or more in relation to the **development of official-language minority communities**, which ones would those be?
- Describe these initiatives.
 - What are the tangible impacts of these initiatives on/in the official-language minority communities?
 - What do you think is the determining factor for the success of these initiatives?

Answer:

To foster the development of official language minority communities (OLMCs), the *Roadmap for Canada's Official Languages 2013-2018: Education, Immigration, Communities*, through the Access to Justice in Both Official Languages Support Fund, provides that the Department of Justice Canada will work with a network of partners to develop the concept of justice information hubs, it will facilitate the development of innovative online training tools and it will help provincial and territorial governments bridge gaps in bilingual service delivery, particularly when they apply, on behalf of the federal government, the *Contraventions Act*. To meet these objectives, Justice Canada is promoting the following key initiatives:

1) Justice information hubs

a) Description:

The primary purpose of the justice information hubs is to provide better information to Canadians about their rights and obligations and better equip them to deal with legal issues, all in the official language of their choice.

b) Tangible results:

The justice information hubs are a tangible result of a new approach that focuses on providing services, support and referrals to help people better understand the legal challenges they face or could face and be better equipped to deal with them. They help to increase the capacity and efficiency of the legal system by giving citizens' access to a personalized service that complements the legal information available online. Furthermore, they provide a human, direct contact, with or without an appointment, at no cost and, above all, available in both official languages.

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c) Determining success factor:

Justice information hubs represent a major and strategic federal investment for the purpose of informing, guiding and assisting citizens from official language minority communities (OLMCs). Furthermore, their purpose is perfectly in line with the mandate letter of the Minister of Justice, given the Government's commitment to increasing and modernizing access to justice. Under the *Roadmap for Official Languages 2013-2018*, Justice Canada committed \$1,204,682 in direct funding to the implementation of justice information hubs within the Associations de juristes d'expression française of Nova Scotia, Ontario, Saskatchewan and Alberta. A fifth justice information hub is scheduled to be launched in Manitoba in 2016.

2) Legal information portals

In order to provide the public with up-to-date legal information in both French and English, the Department is supporting various community organizations in their efforts to disseminate legal information at no cost on the Internet. These are reliable legal resources that use modern information technology to spread knowledge without regard for geographic boundaries.

JURISOURCE.CA

a) Description:

A virtual library created by the Association des juristes d'expression française de l'Ontario (AJEFO). It provides a search engine capable of identifying thousands of resources, such as statutes, court decisions, studies, research, procedural templates and glossaries. The portal also offers a platform for collaboration and exchanges for distance learning.

b) Tangible results:

The JURISOURCE.CA portal offers a direct service to legal professionals who work in official language minority communities.

c) Determining success factor:

The aim of this project is to consolidate resources that would otherwise be scattered and fragmented. French-speaking jurists who practise or teach law will therefore have better access to the information and reference resources they need to practise their profession in French across Canada.

ÉDUCALOI.QC.CA

a) Description:

ÉDUCALOI is an organization whose mission is to inform citizens of their rights and obligations by providing them with quality legal information, made available in simple and accessible language. The organization

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develops on an ongoing basis a website that brings together legal information for Quebec's Anglophone community.

b) Tangible results:

While ÉDUCALOI's website is aimed at the whole of Quebec's population, it is also widely consulted by members of the Anglophone and allophone community whose first official language spoken is English.

c) Determining success factor:

The resources, information and tools contained in the site are not simply translated, but adapted so that their content corresponds to the cultural references of the Anglophone community.

CLIQUEZJUSTICE.CA

a) Description:

A web resource developed by the Association des juristes d'expression française de l'Ontario (AJEFO), CLIQUEZJUSTICE.CA is a portal that provides legal information in French for the general public.

b) Tangible results:

It addresses the needs of the French-speaking population of Ontario, but also the needs of Francophones elsewhere in the country by being available at no cost on the Internet and as a result of the sharing of information with various stakeholders from other provinces. Thus, legal matters disseminated through this website are relevant for all Canadians.

c) Determining success factor:

The CLIQUEZJUSTICE.CA, although designed to raise awareness among audiences, this portal disseminates educational resources specifically designed for elementary and secondary students. It also contains various legal resources and a search engine for teachers and guidance counsellors.

3) Contraventions Act Fund

a) Description :

Agreements associated with the enforcement of the *Contraventions Act* that have been signed between the federal government and provincial and municipal governments and include measures that support of OLMCs' linguistic rights in relation to the issuing and processing of contraventions tickets.

b) Tangible results :

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Approximately eighty percent (80%) of Canadians who are issued a contraventions ticket have access to services in both official languages in provinces and municipalities having an agreement in place with the federal government.

c) Determining success factor :

Since 2013, the federal government has renewed six agreements with the following jurisdictions to support the implementation of the *Contraventions Act*:

- Prince Edward Island (May 2013)
- City of Mississauga (June 2013)
- British-Columbia (October 2013)
- Nova Scotia (October 2013)
- Ontario (May 2014)
- Manitoba (July 2015)

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*** The partners of the Roadmap 2013-2018 must identify one initiative of the Roadmap 2013-2018, and if applicable, one initiative "outside" of the Roadmap 2013-2018 ***

42. If your institution had to highlight three key initiatives or more in relation to the **promotion of English and French in Canadian society** (Please do not confuse with obligations related to Parts IV and V), which ones would those be?

- a) Describe these initiatives.
- b) What are the tangible impacts of these initiatives on the Canadian society?
- c) What do you think is the determining factor for the success of these initiatives?

Answer:

The *Roadmap for Canada's Official Languages 2013-2018* (the Roadmap) supports the design and delivery of training programs to assist justice professionals in offering their services to Canadians in the official language of their choice. Consequently, training initiatives funded through the Access to Justice in Both Official Languages Support Fund simultaneously reinforce two of the three pillars of action described in the *Roadmap*, namely education and communities, and enable Justice Canada to promote official languages in Canadian society in the following way:

1) **Réseau national de formation en justice (RNFJ)**

a) Description:

This network, which brings together the pre-university and university community that provides French-language instruction, makes high-quality post-secondary legal training in the official language of the minority possible and accessible and it offers also legal training opportunities in French for professionals already involved in the justice system. Ultimately, the RNFJ will have a positive and direct impact on the capacity of the justice system and its stakeholders to provide their services in both official languages.

b) Tangible effects:

Because of the RNFJ, professionals from 18 government, community and specialized post-secondary organizations benefit from legal training sessions. The network is responsible for developing a detailed training activity plan and coordinating its actions so as to maximize efficiency in offering training to justice stakeholders.

c) Determining success factor:

Through the Access to Justice in Both Official Languages Support Fund, Justice Canada provided funding in 2015-2016 to the Association des collèges et universités de la francophonie canadienne (ACUFC) to support the operation of the RNFJ. The RNFJ plays a key role in development and post-secondary education in the law and justice fields and ultimately increases OLMCs' access to professional high quality services in their first official language.

2) Jurilinguistic centres

a) Description:

The jurilinguistic centres contribute to the vitality of Canada's two official languages by creating lexicons, standardizing terminology or specialized legal vocabulary and adapting language tools to the Canadian bijural context. The centres are also active members of the RNJ mentioned above.

b) Tangible effects:

In 2015-2016, through the Access to Justice in Both Official Languages Support Fund, Justice Canada provided the following organizations with \$747,645 in funding:

- the Centre de traduction et de terminologie juridique at the University of Moncton;
- the Centre for legal translation and documentation at the University of Ottawa;
- the Division de l'éducation permanente et service de perfectionnement linguistique at Saint Boniface University; and
- the Paul-André Crépeau Centre for Private and Comparative Law at McGill University.

c) Determining success factor:

The tools developed by the jurilinguistic centres are used by law professors, lawyers and legislative drafters at various levels of government. They can count on reliable reference material and have access to specialized terminology that has been standardized and updated by specialists working in both official languages and both Canadian legal traditions. These tools are essential references for conducting university research, writing pleadings or drafting laws and regulations. Finally, the work accomplished by the jurilinguistic centres contributes directly to the promotion of official languages through the production of lexicons in partnership with the Government of Canada:

[Law of Trusts Glossary \(Common Law\)](#) (2005)

[Law of Contracts and Law of Torts Glossary \(Common Law\)](#) (2008)

[Law of Security Glossary \(Common Law\)](#) (2009)

[Family Law \(Common Law\)](#) (2013)

[Alternative Dispute Resolution Glossary \(Common Law\)](#) (2016)

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*** The partners of the Roadmap 2013-2018 must identify one initiative of the Roadmap 2013-2018, and if applicable, one initiative "outside" of the Roadmap 2013-2018 ***

What "key achievement" having a **regional impact** (success stories or results in official-language minority communities or on the promotion of English and French in Canadian society) would your institution like to highlight?

Answer:

1) La Passerelle – Intégration et développement économique de Toronto

As part of the *Roadmap for Canada's Official Languages 2013-2018: Education, Immigration, Communities* (the *Roadmap*), Justice Canada is supporting awareness and information activities aimed at young Francophone immigrants and their parents. These activities are initiatives put in place by La Passerelle – Intégration et développement économique de Toronto (La Passerelle) in collaboration with the Association des juristes d'expression française de l'Ontario (AJEFO) and the Fédération des associations de juristes d'expression française de *common law* (FAJEF). They consist of a series of workshops on various themes, such as the Canadian justice system, vandalism at school, family violence and student dropout. Although based in Toronto, La Passerelle offered its workshops in nine large cities in five separate provinces (Nova Scotia, Ontario, Manitoba, Alberta and British Columbia). This project strengthened ties between a number of organizations that assist newcomers who have settled in the various OLMCs. In addition, students enrolled in College Boréal's legal assistant program in Sudbury and Toronto, themselves newcomers, co-facilitated the workshops, thus enhancing their knowledge, legal expertise and official language skills.

2) Families in Transition: Information for Youth

In addition to the *Roadmap* initiatives with a regional impact, we note the Families in Transition: Information for Youth program, an initiative funded by the Supporting Families Fund administered by Justice Canada. The purpose of this multi-year project is to provide young people in Newfoundland and Labrador with age-adapted, easy to understand information about various family law issues so that they are better equipped to cope with the separation or divorce of their parents. Through Justice Canada's Supporting Families Fund, the Public Legal Information Association of Newfoundland (PLIAN) receives annual funding of approximately \$59,454. This provides youth in the province with access to first-hand information about custody, access, and child support and child protection procedures.

As a first step, the project planned to deliver nine workshops in English in locations near rural and Aboriginal communities. Multimedia training materials were specially designed to adapt the content to make it interactive, entertaining and accessible to a target audience between 11 and 16 years of age. In consultation with the Federation de francophones de Terre-Neuve-et-Labrador, the PLIAN adapted the content of the workshop and the supporting material to better respond to the needs and expectations of Francophone youth in the province. Last, the PLIAN made the orientation pamphlet "*My Parents Live Apart*" - "*Mes parents ne vivent plus ensemble*" available to the general public on the Internet.

150th anniversary of the Canadian Confederation in 2017

The 150th anniversary of the Canadian Confederation is a unique opportunity for federal institutions to contribute to the development of official-language minority communities and to promote official languages.

44) Is your institution planning to contribute to the 150th anniversary of Confederation?

- a) If so, please describe the activities planned.
- b) Please identify any processes that are either underway or that your institution is planning to undertake in order to comply with the obligations set out in Part VII of the OLA (for example, consultations, impact analysis, use of specific official languages clauses, forming partnerships).
- c) Please identify the expected results.

Answer:

In 1998, the federal government organized the National Symposium on Canada's Official Languages to mark the 10th anniversary of the 1988 *Official Languages Act* and the 20th anniversary of the *Criminal Code* provisions, including Part XVII (language of the accused). In connection with that event, Justice Canada developed and published the *Annotated Language Laws of Canada*. This book identified 398 constitutional, federal, provincial and territorial laws relating to the use of language in government institutions and in the private sector. Over the years, the book has become an essential reference not only for the legal profession but also for numerous other professionals because, in addition, it refers to at least 400 judgments, thus providing a better understanding of the legal principles that apply to language rights in Canada.

Because legislation and case law evolve, Justice Canada has been preparing since 2014 an update of this rich source of information as part of the celebrations surrounding Canada's 150th anniversary. To that end, the Official Languages Directorate has begun an exhaustive update of the *Annotated Language Laws of Canada*. This new edition will be available on-line at no charge and will have a search engine for more effective searching of information. In partnership with the Justipedia team and the Treasury Board Secretariat, Justice Canada's Official Languages Directorate plans to launch in 2017 the new edition of *Annotated Language Laws of Canada* on Justice's Justipedia, the Government of Canada Open Data Initiative and CanLII platforms.

Through its participation in various forums, Justice Canada also plans on joining some initiatives organized by the legal and university community for Canada's 150th anniversary of Confederation. Among these activities, we note participation in the celebrations for the 35th anniversary of the *Canadian Charter of Rights and Freedoms*.