

2022-2023 ACHIEVEMENTS FOR THE IMPLEMENTATION OF SECTION 41

Part VII of the *Official Languages Act*

Tombstone Data

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Institution's Code: JUS

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Part VII of the Act

Enhancing the vitality and development of official language minority communities (OLMCs) and the advancement of English and French in Canadian society.

All federal institutions should answer all of the questions. Information collected through this process is used by Canadian Heritage to prepare the Annual Report on Official Languages, the Best Practices Digests for Part VII and various other tools to support federal institutions with the implementation of Part VII of the OLA.

Ongoing Dialogue

1. How does your institution ensure that it is aware of the priorities and needs of French-speaking communities outside Quebec and English-speaking communities within Quebec?

Please specify the methods used, list the organizations/communities with whom you were in contact, as well as how you took the priorities and needs of these communities into account when planning your activities.

Departmental Network of Coordinators Responsible for the Implementation of Section 41

In order to keep abreast of the priorities of OLMCs, Justice Canada, through the Official Languages Directorate (OLAD), provides for certain consultative and engagement mechanisms. For example, OLAD coordinates the activities of the Departmental Network of Coordinators for the Implementation of Section 41 of the OLA (Network 41). Network 41 liaises with OLMC organizations across Canada and contributes to the implementation of section 41 of the OLA. Through their work, the members of Network 41 are connected to OLMCs and can speak to their priorities.

Network 41 coordinators made themselves available to OLMC members to answer their specific questions or inform them about the services provided by Justice Canada in the course of different activities.

Some examples of OLMC organizations with whom Network 41 Coordinators were in contact are:

- Québec Community Groups Network (QCGN)
- Association des juristes d'expression française de l'Ontario (AJEFO)
- Association des juristes d'expression française du Manitoba (AJEFM)
- Association des juristes d'expression française de l'Alberta (AJEFA)
- Association des juristes d'expression française de la Saskatchewan (AJEFS)

[Advisory Committee on Access to Justice in Both Official Languages](#)

The Advisory Committee on Access to Justice in Both Official Languages (Advisory Committee), is another mechanism through which Justice Canada keeps informed of OLMC priorities. The role of the Advisory Committee is to:

- Act as a liaison between the legal representatives of OLMCs spokespersons for these communities, and the Department of Justice Canada;
- Help the Department identify and take into account issues that particularly affect OLMCs;
- Help the Department to make known the considerations that guide its actions in this area;
- Encourage the dialogue between the legal community, the OLMCs as well as the governmental organizations represented on the Committee;
- Develop strategies to educate OLMCs on their rights;
- Devise new tools to improve access to justice in both official languages; and,
- Identify partners who can best help implement the proposed strategies and tools.

The Advisory Committee has made it possible to assemble and be in communication with representatives of the federal government and the following organizations and institutions:

- 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 (AJEFNÉ)
- 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)
- Éducaloi
- Fédération des communautés francophones et acadienne du Canada (FCFA)
- Quebec Community Groups Network (QCGN)
- University of Ottawa (Faculty of Law)
- Université de Saint-Boniface
- Centre de traduction et de terminologie juridiques (Université de Moncton)
- Centre for Legal Translation and Documentation (University of Ottawa)
- Paul-André Crépeau Centre for Private and Comparative Law (McGill University)
- Department of Canadian Heritage
- Fédération des francophones de Terre-Neuve et du Labrador (FFTNL)
- Université de Moncton (Faculty of Law)
- Association franco-yukonnaise

Justice Canada has taken into account the priorities of OLMCs by consulting their various representatives at the Advisory Committee's annual meeting (because of the pandemic, the May 2022 meeting was held virtually).

Apart from the abovementioned initiatives, Justice Canada's Programs Branch maintains close relations with OLMCs by means of project agreements funded by the Access to Justice in Both Official Languages Support Fund (Support Fund).

Tangible Results

2. Please highlight the positive measures taken by your institution to enhance the vitality and development of OLMCs. Please ensure to include activities taking place in the regions, where applicable.

Please describe the initiatives, impacts, results and success factors.

Justice Canada has provided funding to several projects of OLMC organizations through various programs.

In its funding application forms, the Department of Justice asks applicants to describe how their project takes into consideration the needs of French-speaking communities outside of Quebec or the English-speaking community of Quebec, if applicable.

Under the Youth Justice Services Funding Program, there is an expectation set out in the funding agreements that federal contributions provided to the provinces and territories should be spent on the development and operation of youth justice services and programs in an inclusive and non-

discriminatory manner that responds, in particular, to the needs of Indigenous young persons as well as young persons from French and English linguistic minority communities.

Agreements under the Legal Aid Program include a clause that requires the provincial governments to endeavour to ensure the provision of legal aid services in both official languages is aligned with the needs of OLMCs in the province. This helps support the provision of legal aid services to English and French OLMCs across Canada.

Justice Canada also supports the operation of Public Legal Education and Information (PLEI) organizations in each province. As part of this funding, PLEI organizations are required to respect the spirit and intent of the OLA when providing services to the public.

The Department of Justice has also funded various projects that have enhanced the vitality and development of OLMCs. Below you will find some examples.

- [Access to Justice in Both Official Languages Support Fund](#)

The Support Fund supports projects designed to improve access to justice in both official languages, notably by creating legal and linguistic tools, by offering workshops and training to jurists and other bilingual justice system stakeholders, by developing teaching material, and by providing legal information to the public.

LE RÉSEAU DES CHERCHEURES AFRICAINES (RECAF): Access to Justice Through Legal Autonomy

Description: This project consists of offering legal information workshops to under-represented members of an OLMC in order to develop their knowledge in legal matters and to improve their access to justice. These workshops are animated by subject matter experts who transmit complex information in an accessible manner, to the benefit of project participants.

Impacts: This project equipped racialized members of an OLMC in a way that supported their respective efforts in access to justice matters.

Success Factors: The support of judicial experts consulted to develop the learning exercises offered during this project, the pertinence of subjects covered and the capacity of the organization to reach the learners from the target community were all factors that contributed to the success of this project.

Results: Thanks to 10 learning circles focused on knowledge transfer on the *Canadian Charter of Rights and Freedoms*, family law, labour law, and criminal law, this project enabled the participation of 400 learners.

ÉDUCALOI: Access to Justice for English-Speaking Quebecers

Description: This project brought a support to Éducaloi to undertake activities with an eye to improving their services to citizens of the English-speaking community of Québec (including vulnerable and hard-to-reach clients). The activities included the capacity development of other organizations to offer

services in English, the alignment of the work of Éducaloi to that of their partners in order to improve their impact, and an evaluation of existing products and services.

Impacts: The activities undertaken by Éducaloi enabled the response to important needs in access to justice for English-speaking Quebecers, particularly isolated seniors, people newly arrived in Canada and racialized youth.

Success Factors: The quality and the pertinence of legal information provided, as well as the capacity to reach the communities targeted by these activities, were the two elements that contributed the most to the success of this programming.

Results: Other than the information services regularly offered by Éducaloi, including a website consulted more than 8.5 million times in 2022-2023 and where is located more than 1,500 information items that can be freely consulted, the key results of this programming included: the animation of 7 workshops for an elderly clientele (135 participants); 4 legal information workshops with adult education centres (40 participants); 4 workshops for community organizations to access reliable legal information (47 participants); 2 workshops for legal professionals on clear legal communication (220 participants); 3 general public workshops in collaboration with a community organization (90 participants); 2 workshops intended for Black, Indigenous, People of Colour (BIPOC) youth on the theme of entrepreneurship (17 participants); the adaptation and improvement in English of 55 news articles, 25 articles, education kits and several guides and infoletters; the production of 3 new videos and an aide-mémoire on clear communication; the organization and animation of 6 Facebook Live sessions; and the organization of a large-scale survey on the legal information needs in the English-speaking communities of Quebec.

AUBERGE FRANCOPHONE D'ACCUEIL ET DES SERVICES AUX IMMIGRANTS : Access to Justice for Linguistic Minorities in Toronto

Description: The project consisted of offering legal information workshops to underserved Francophone clienteles from ethno-cultural communities to facilitate their access to justice. The project increased participants' awareness concerning their rights and issues related to justice in both official languages.

Impact: This project increased the knowledge of racialized members of an OLMC about their legal rights and obligations.

Success factors: The quality and relevance of the information offered during these workshops and the ability to ensure the attendance and participation of the learners were the two factors that most contributed to this project's success.

Results: This project included the facilitation of 14 virtual workshops during which legal information on five topics was popularized to 328 participants: last will and testament, succession, the role of the trust, trust and racism, and discrimination in social life.

- [Victims Fund](#)

The Victims Fund provides grants and contributions to support projects and activities that encourage the development of new approaches, promote access to justice, improve the capacity of service providers, foster the establishment of referral networks, and increase awareness of services available to victims of crime and their families.

L'ESCALE MADAVIC: Intervention Program

Description: In collaboration with more than 34 public, private, and community service providers, l'Escale MadaVic implemented an intervention program aimed at improving access to community intervention services for women and girls victims of sexual violence in Northwestern New Brunswick. The program also aims at establishing a relationship of trust and reinforcing the collaboration with indigenous communities.

Impact: This program helped guide service providers to the necessary support and resources offering specialized interventions in order to meet the specific needs of sexual assault victims. The program also sought to implement awareness and education strategies in order to demystify and reduce stereotypes related to sexual violence.

Success factors: L'Escale MadaVic is still growing because of the involvement of their funders, the regional resources and/or services, and the support shown by the community.

Results: L'Escale MadaVic completed over 879 individual interventions, 8 group sessions interventions, helped 1846 individuals through service activities (accompaniment, phone calls and service calls for victims) and helped 1945 individuals through schools and communities, and provided training to 64 individuals. Through this project, the new service was able to work closely with the shelter in order to meet the growing needs of sexual assault victims. This partnership enabled improvements to the shelter's website, where the project's results will be published.

3. Please highlight the positive measures taken by your institution that contributed to fostering the full recognition and use of both English and French in Canadian society. Please include activities taking place in the regions, if applicable.

Please describe the initiatives, impacts, results and success factors.

Four projects funded by Justice Canada contributed to developing language skills in both English and French for justice system professionals, thereby fostering the full recognition and use of both official languages across Canada:

CENTRE CANADIEN DE FRANÇAIS JURIDIQUE: Canada-wide training project for various provincial and territorial stakeholders working in the justice system

Description: The project consisted of offering high intensity and targeted training in judicial French, notably in criminal law, to clerks, probation officers, provincial Crown prosecutors, legal aid lawyers and

interpreters, outside of Quebec and Ontario. Independent learning resources were also offered to participants and the organization also participated in coordination work for training for the Regroupement national de formation en justice.

Impact: This project contributed to increasing the capacity of the justice system and its stakeholders to provide services in both official languages.

Success factors: The quality and relevance of the information offered during these workshops and the ability to ensure the presence and participation of the learners were the two factors that contributed the most to the success of this project.

Result: In fiscal year 2022-2023, 18 webinars on criminal law and French-language legal terminology were delivered to 190 learners.

CENTRE DE TRADUCTION ET DE TERMINOLOGIE JURIDIQUES DE MONCTON (CTTJ): Translation of important unilingual judgments into the other official language

Description: The project involved the translation and publication of judgments into the other official language. The CTTJ also engaged with provincial and territorial partners to update the list of court decisions recommended for translation into the other official language. The project sought to increase the number of judgments available in both official languages in Canadian provinces and territories primarily, but not exclusively, in the areas of criminal law and family law.

Impact: The main impact of the project was to increase the number of court decisions available in both official languages in the provinces and territories primarily in criminal law and family law, two areas of the law that directly affect the lives of litigants and which partly fall under federal jurisdiction (criminal law and divorce). By increasing the number of court decisions available in both official languages, the capacity of the justice system to provide services to OLMCs was enhanced.

Success factors: The organization's expertise in translation and terminology, not to mention its many years of experience translating the decisions of the New Brunswick Court of Appeal and important decisions of the Court of Queen's Bench (now known as the Court of King's Bench), contributed to the success of the project.

Result: In fiscal year 2022-2023, 30 decisions, representing nearly 226,398 words, were selected, prepared, translated, and revised.

MINISTRY OF THE ATTORNEY GENERAL ONTARIO - OFFICE OF THE COORDINATOR OF FRENCH LANGUAGE SERVICES: French Language Institute for Professional Development (FLIPD) - Training intended for professionals working in the criminal justice system (section 530 of the *Criminal Code* related to language rights).

Description: The project supported the renewal of the FLIPD. The FLIPD provides an annual one-week intensive training course on French-language legal terminology to justice professionals. Participants include Crown attorneys, court support staff, Legal Aid duty counsels, and police officers, as well as some social services agency staff dealing with victims issues.

Impact: By providing language training to stakeholders in the justice system, this project helped to increase the availability of justice-related services in both official languages.

Success factors: The quality and relevance of the training provided and the ability to ensure the presence and participation of learners were the two factors that contributed most to the success of this project.

Results: This project supported French-language professional development for 130 provincial justice system stakeholders.

CONSEIL DE LA MAGISTRATURE DU QUÉBEC: Programme de perfectionnement en langue anglaise pour les juges de nomination provinciale

Description: The project consisted of English-language legal terminology training for judges, justices of the peace, and municipal judges who deal with criminal matters and who have an intermediate knowledge of English. The project contributed towards improving the quality of justice services provided to the English-speaking community of Québec specifically, and towards access to justice more broadly.

Impact: By providing language training to judges, this project has helped increase the availability of justice related services in both official languages.

Success factors: The quality and relevance of the training offered and the ability to ensure the presence and participation of the learners were the two principal factors that contributed to the success of this project.

Results: This project consisted of English-language legal terminology training for provincially-appointed Quebec judges.

Key Collaborations

4. Did your institution collaborate with other federal institutions or with partners (sectoral working groups, municipalities, provinces/territories, post-secondary institutions, the private sector) on a program, project or other initiative to enhance the vitality and development of OLMCs and/or the advancement of English and French in Canadian society?

Please describe the initiatives, impacts, results and success factors.

Justice Canada has collaborated with federal institutions or partners through the following initiatives:

- [Federal-Provincial-Territorial Working Group on Access to Justice in Both Official Languages](#)

The Federal-Provincial-Territorial Working Group on Access to Justice in Both Official Languages (FPT Working Group) is one of the advisory mechanisms provided for the implementation of section 41 of the OLA. It is co-chaired by the Department of Justice Canada and by a provincial/territorial representative. The role of the FPT Working Group is to consider issues surrounding access to justice in both official languages and to discuss best practices. The FPT Working Group also plays an important role in implementing solutions designed to improve access to justice in various areas.

In 2022-2023, the following entities participated in the spring and/or fall meetings of the FPT Working Group:

Government of Canada

- Department of Justice
- Public Prosecution Service of Canada

Government of Alberta

- Department of Justice
- Francophone Secretariat

Government of British Columbia

- British Columbia Prosecution Service
- Intergovernmental Relations Secretariat

Government of Prince Edward Island

- Department of Justice and Public Safety
- Acadian and Francophone Affairs Secretariat

Government of Manitoba

- Francophone Affairs Secretariat

Government of New Brunswick

- Intergovernmental Affairs

Government of Nova Scotia

- Department of Justice

Government of Nunavut

- Department of Culture and Heritage

Government of Ontario

- Ministry of the Attorney General

Government of Quebec

- Secretariat for relations with English-speaking Quebecers

Government of Saskatchewan

- Francophone affairs, Executive Council and Office of the Premier

Government of Newfoundland and Labrador

- Department of Justice and Public Safety
- Office of French Services

Government of Northwest Territories

- Department of Justice

Government of Yukon

- French Language Services Directorate

Results: The winter and fall 2022-2023 meetings of the FPT Working Group were, among other things, an opportunity to share best practices regarding access to justice in both official languages. This allowed working group members to learn about and discuss links between access to justice and mental health issues affecting members of OLMCs. The Working Group also considered the issue of the shortage of professionals in the language of the law, such as jurilinguists, and the future of the legal language professions. The winter meeting was the first in-person meeting held by OLAD since the declaration of the COVID-19 pandemic in March 2020.

Success factors: Interesting presentations on topics highly relevant to OLMCs, notably the availability of interpretation before the court, and thorough event planning contributed to the success of these meetings.

- [Advisory Committee on Access to Justice in Both Official Languages](#)

Consultative activities through the Advisory Committee are described in Question 1.

Results: Through the annual meeting of the Advisory Committee, participants from across Canada learned about initiatives by and for OLMCs.

Success factors: Interesting presentations on topics highly relevant to OLMCs and thorough event planning contributed to the success of this event.

COVID-19

5. Does your institution have measures in place to respond to the COVID-19 pandemic (including measures related to economic recovery)? If so, how did you consider the needs of OLMCs and the advancement of English and French in the implementation of these measures?

Please describe your activities as well as the results.

Activity: The permanent mechanism for consultations for the Access to Justice in Both Official Languages Initiative conducted its ongoing activities by adapting meeting formats to virtual mode and in person. As such, discussions with stakeholders to mitigate the repercussions of COVID-19 on the activities of their projects continued throughout the year.

Results: Some stakeholders indicated that some in person training activities continue to be impacted by COVID-19. Alternative options were explored and where no alternatives could be identified, budgets were adjusted and surplus funding, to the extent possible, was reallocated to other stakeholders/projects, including by way of amendment of existing agreements.