



JUSTICE IN OFFICIAL LANGUAGES – NEWSLETTER

ACCESS · SERVICES · COMMUNITIES · TRAINING

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WORD OF WELCOME

In our June 2013 newsletter, we outlined the strategy developed by the Department of Justice Canada to meet the requirements of the *Roadmap for Canada's Official Languages 2013-2018: Education, Immigration, Communities*.

In this issue, we present one of the two areas of intervention which the Department has chosen to promote the delivery of direct services and concrete results for Canadians in terms of access to justice in official languages: Training. The primary focus of this component is to intensify efforts to improve the ability of those working in the justice system to deliver services in both official languages. A subsequent issue will focus on the second area of intervention: Information.

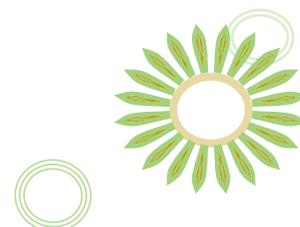
For several years now, the Department of Justice Canada has been working with key partners in government and beyond to help improve context-appropriate access to justice services in both official languages. Ensuring access to justice is an integral part of the Department's role in supporting the Minister in working to ensure that Canada has an accessible system and achieving it requires partnerships with key justice system stakeholders. The administration of justice is a matter of shared jurisdiction with the provinces and territories, and the Department is working with its partners in accordance with this shared responsibility.

The following pages highlight two projects that illustrate the effectiveness of partnerships in working towards the common goal of access to justice in both official languages. These projects still hold untapped potential, which may contribute even further to the attainment of our objective.

We hope you will not hesitate to contact the [members of the Justice in Official Languages Team](#) to discuss innovative ideas on access to justice in official languages.

Happy reading!

The Justice in Official Languages Team



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JUSTICE: AN ESSENTIAL SERVICE SECTOR FOR CANADIANS

For several years now, the Department of Justice Canada has helped improve the delivery of justice services in both official languages by funding training initiatives, projects and activities, among other means. Back in 2008, the *Roadmap for Canada's Linguistic Duality 2008-2013: Acting for the Future* designated the justice sector as one of five essential service areas for the population. Over this period, Justice invested in intensified training efforts aimed at improving the language skills of those already working in the justice system. The new *Roadmap for Canada's Official Languages 2013-2018: Education, Immigration, Communities* builds on efforts from previous period and once again gives pride of place to education and training in official languages.

*The Canada-Wide Analysis of Official Language Training Needs in the Area of Justice*¹ conducted in 2009, identified several strategic areas of intervention to improve the delivery of basic, intensive and regular training activities. Since then, there has been much progress in meeting needs in this area: the quantity and quality of training activities has increased, and justice system stakeholders, both current and future, have access to a greater variety of targeted training activities in legal terminology. However, to achieve results in the mid and longer term, training must be made available on an ongoing basis since skills retention poses a further challenge in addition to the issues of normal turnover and renewal of qualified staff.

Acting for the future!

At the Department of Justice Canada, the training component is aimed at improving knowledge of legal terminology by justice stakeholders, skills retention, and renewal of a work force that is able to deliver justice services in both official languages. It is important to increase opportunities for training in legal terminology and to maximize the use of existing resources and tools in order to improve context-appropriate access to justice services in the language of their choice for Canadians. The integration of information technologies and social media into the training component is intended to help channel information and facilitate access to the activities and resources.

¹ PRA (2009), *Canada-Wide Analysis of Official Language Training Needs in the Area of Justice*, <http://canada.justice.gc.ca/eng/csjs-ajc/franc/justice/analys.html>

² Ibid., page 35.

Currently, legal terminology training and development activities are largely offered in formal learning environments such as classroom settings, with a live trainer and hardcopy training materials. Although effective for language acquisition, this method of training presents some challenges in terms of accessibility, frequency and skills maintenance.

Challenges and opportunities

Several training activities developed in the last few years have required the creation of specialized tools and resources custom-designed for justice system stakeholders, including efforts to train the trainers. Up till now, training activities have been concentrated in the area of criminal law. They have been given all across Canada, thanks to the *Centre canadien de français juridique*, among others. Training activities are adapted to the duties and responsibilities of various categories of justice stakeholders, including Crown prosecutors, clerks, probation officers, police officers, and provincial court judges.

“Besides developing new language skills, training activities help to keep the stakeholder connected to his second official language in the workplace².”

However, activities cannot be delivered in all provinces and territories at once, and the pools of both participants and specialized trainers are limited. Also problematic are the limited number of potential participants in some jurisdictions and the need for regular renewal of training themes. It is important to maintain the interest of participants and to encourage progressive language development, and this means that training content must be renewed. Currently, owing to logistical constraints such as number of trainers and participants, some training activities are offered only once, at specific locations and on specific dates, reducing the number of potential attendees. Some activities could be adapted and presented in several provinces and territories and to several groups of participants, but limited trainer availability and financial resources do not always allow the delivery of training on a wide scale.

It is important to publicize the available training, via social media and networks for example, in order to reach a wider target clientele and to attract new groups of participants. Information on the activities and resources available through various training programs could be disseminated across the Canadian territory via social networks. The use of social networks could be considered as a complement to formal and informal language acquisition methods. Social media and networks could serve as learning tools, giving participants an opportunity to communicate and exchange in their second language. As well, traditional training activities

could be complemented by online activities, which would be accessible to learners at any time, regardless of their geographical location. This would allow participants to learn at their own pace and in their own environment, to improve their knowledge of bilingual legal vocabulary, and to put this learning into practice, helping them to maintain and reinforce their bilingual capabilities.

The Program allows participants to master courtroom terminology and communications.

Jurisource: a one-stop shop for resources and tools

In order to make the tools and resources accessible to as many stakeholders as possible, the Department of Justice Canada funds Jurisource³, a Web portal of legal and jurilinguistic resources for justice professionals working in Canada's official language minority communities. The purpose of Jurisource is to act as a one-stop shop to facilitate the delivery of justice services in both official languages.

The Jurisource portal is supported by various partners, including federal, provincial and territorial administrations, research centres, jurilinguistic centres, associations of jurists, and universities. Although for the time being the portal is aimed mainly at justice stakeholders serving French-speaking minority communities, several English-language resources are already available, and a second phase is being developed to deliver tools and resources to stakeholders serving Quebec's English-speaking community. By funding this initiative, the Department of Justice Canada fulfils one of the recommendations of the *Canada-Wide Analysis* calling for a centralization of the various tools and resources developed over the years. The launch of this portal shows that access to justice in both official languages can be improved when several justice stakeholders work in synergy.

Provincial criminal courts

The Language Training Program for Provincially Appointed Canadian Judges, under the governance of the Provincial Court of New Brunswick and in cooperation with the *Centre canadien de français juridique*, is a training program in legal French designed especially to meet the needs of provincial and territorial criminal court judges. The Department of Justice Canada helped develop this Program, which is sponsored by the Canadian Council of Chief Judges.

The Program, offered annually, is divided into three intensive training sessions in which judges must work in an entirely French-speaking environment. The sessions, which take

place in the Acadian peninsula, combine learning and socio-cultural activities to allow judges to put their knowledge into practice in a setting that is less formal than a courtroom. In the majority of jurisdictions, more and more litigants are self-represented, and judges must be able to communicate easily with them in their courtrooms. Consequently, the pedagogical approach used focuses on developing judges' language skills in a courtroom environment. Learning activities are intended to improve comprehension and verbal and written communications, and the exercises focus on practice and communications with justice stakeholders and litigants

Activities include simulated trials in which members of the community play an active role. Judges from various jurisdictions, police officers, and members of the Acadian community take part as witnesses, victims, or litigants in these trial simulations. The sociocultural component of the program allows judges to practise what they have learned in a friendly setting.



Source: Julie D'Amour-Léger, photograph

judges of each province and territory within a Consultation Forum, to which one judge is appointed from each jurisdiction. The Program is funded by the Department's Access to Justice in Both Official Languages Support Fund and also receives financial support from the government of New Brunswick

This Program shows that partnerships between justice stakeholders can help increase access to justice in official languages.

During a week of training, judges preside over simulated trials with court officials, witnesses, lawyers and other justice stakeholders in order to put their learning into practice.



³www.jurisource.ca

CAPSULE 41

Kim Duggan is Legal Counsel, Civil Litigation and Advisory, at the Department's Atlantic Regional Office. She coordinates the implementation of section 41 of the *Official Languages Act* for the Department of Justice Canada in New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland and Labrador

Bibliographical notes



Kim grew up in Bouctouche, New Brunswick. She graduated with a B.A. in philosophy from St. Thomas University in 1984, and obtained a Bachelor of Laws from the University of New Brunswick in 1987. After a few years in private practice, Kim joined the Commercial and International Law Department at Manulife. Since 2002, she has been working in the area of aboriginal law at the Atlantic Regional

Office. She is a member of the Ontario, Nova Scotia, and New York State bar associations.

The Coordinator's role

As Official Languages Champion in the Atlantic Provinces, Kim works with several other Regional Coordinators and the members of official language minority communities in the

Atlantic Provinces. What she appreciates about her role as Coordinator is that it allows her to raise awareness – with the general public and with her colleagues – about the needs of linguistic minorities. Kim loves to discuss and share ideas on linguistic duality.

Did you know?

Kim is a Third Degree Black Belt in Wado Kai Karate. For ten years, she and her husband have managed a martial arts centre (a “dojo”) for parents and children, offering free services in both official languages! How do you say “Kiai!” in English, sensei Kim?

Contact information

If you have questions about the implementation of section 41 in the Atlantic Provinces, or if you wish to invite Kim Duggan to attend an activity, don't hesitate to contact her at:

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Come visit our website at the following address:
<http://canada.justice.gc.ca/eng/csj-sjc/franc/index.html>

