

JUSTICE IN OFFICIAL LANGUAGES- NEWSLETTER

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Word of Welcome

We're delighted to reconnect with you and to tell you that we were able to carry out our access to justice in both official languages mission successfully in 2016. We intend to work even harder to serve the public in 2017. Driven by the Government's commitment, as expressed in the ministerial mandate letters, we will continue to focus on establishing partnerships with a variety of legal and community stakeholders and with our provincial and territorial counterparts. The *Justice in Official Languages Newsletter* will continue to be the preferred means of communication of the Official Languages Directorate with its partners. It will keep you abreast of initiatives relating to the implementation of section 41 of the *Official Languages Act*.

This year stands to be a turning point. In 2017, various federal institutions, including the Department of Justice Canada, will have to act on the advice and recommendations arising from the *2016 Cross-Canada Official Languages Consultations*. The consulta-

tions, led by Canadian Heritage, allowed members of official language minority communities across the country to have their say. It is now the turn of the various federal departments involved to develop their vision to enhance the vitality and support and assist their development, as well as fostering the use of English and French in Canadian society as a whole.

Last year also marked the end of the 10-year mandate of Official Languages Commissioner Graham Fraser: we wish him well in his future endeavours. The Department of Justice Canada hopes to carry on the excellent relationship it had with Mr. Fraser with his successor.

Lastly, in celebration of our country's linguistic duality, we are proud to turn our attention to the 150th anniversary of Confederation and the eventual adoption of a federal action plan for official languages for 2018-2023.

Happy New Year, everyone!

The Justice in Official Languages Team

An Inside Look at the Justice in Official Languages Team of the Department of Justice Canada

Interview with Carolina Mingarelli, Deputy Director and Senior Counsel, Official Languages Directorate

To begin, could you tell us a little about your professional background?

I have civil and common law degrees from McGill University. I also have a BA in Art History from McGill and an MA in Art History from the University of London.

I'm a member of the Quebec Bar and of the New York State Bar. I've been working in the public service since 2009. My career before that was quite diverse, including both private and in-house practices.

You accepted this position a year ago. What were your first impressions of the Justice in Official Languages (JOL) Team?

A group of highly skilled, intelligent, passionate, kind - and busy - people!

And now?

They're also funny. They're a wonderful team, very collaborative, who work hard to further access to justice in both official languages.

Even though the team is divided into two groups, one dealing with the Department's implementation of Part VII of the *Official Languages Act*, and the other focusing on the access to justice in both official languages policy, everyone supports one another in their work. This makes it possible to share knowledge

and to foster creative problem solving. It also makes for stimulating conversations during meetings.

Could you give us a quick overview of the JOL Team's achievements and projects over the past year?

Where to begin?

We had to deal with a number of hot issues last year, but I would like to specifically mention the work leading to the development of the new federal official languages action plan for 2018-2023, which continues to keep us all very busy. Last summer, the JOL Team held consultations with various stakeholders, including organizations that are not currently recipients of the *Access to Justice in Both Official Languages Support Fund*. The team is hard at work on creating a departmental policy that will meet the needs of official language minority communities and implement the government's objectives.

The team is also developing a new five-year departmental official languages action plan that will come into effect in 2017.

In addition, we were delighted to organize the meeting of the Department of Justice Canada's Network of Section 41 Coordinators in September. The coordinators had been unable to meet in person the year before; the day was successful on many levels.

In April, we held our annual meeting of the Advisory Committee on Access to Justice in Both Official Languages. As well, the Federal-Provincial-Territorial Working Group on Access to Justice in Both Official Languages met in November. It was a busy year!

Lastly, I would be remiss if I didn't mention that we also welcomed two new analysts to the Justice in Official Languages Team last year, Katerine Larouche and Patricia Ojeda, who quickly became part of the group and brought a fresh eye to our work.

Could you describe a typical day?

Every day, I start by reading my emails and enjoying a steaming cup of coffee. I will then almost certainly

work on the new federal action plan for official languages (2018–2023). I will also be developing the new departmental official languages action plan (2017–2022) for the Department of Justice Canada.

We will soon start organizing the next meeting of the Advisory Committee and thinking about our plans for the coming fiscal year.

As Deputy Director of the Official Languages Directorate, I am also involved in legal files concerning language rights. A typical day may also include a management meeting, as well as the usual duties that come with my position.

One thing is certain – I never get bored!

OLQUIZ

Question : There is another country that, like Canada, recognizes English and French as its two official languages. Can you name it?



Update

After the publication of our article on the ethical duty of lawyers to inform clients of their language rights ([summer 2016](#)), the British Columbia Law Society adopted an amendment to its Code of Professional Conduct in order to include rules on language rights. Since December 2016, lawyers in British Columbia have been required to advise their clients of their language rights, including the right to a criminal trial in English or French. When considering whether to provide the required services, they must also ensure that they are competent to do so in the official language of the client's choice. British Columbia is now the 11th jurisdiction in Canada where such language duties are part of a lawyer's code of professional conduct. The only two provinces where these duties don't exist are Quebec and Prince Edward Island.

A LOOK

at some of the projects funded by the Department of Justice Canada through the [Access to Justice in Both Official Languages Support Fund](#) as part of the *Roadmap for Canada's Official Languages 2013-2018: Education, Immigration, Communities*



Se regarder autrement

The goal of the “Se regarder autrement” project set up by [Fondation Acacia](#) is to inform young Francophones from ethnocultural communities of their legal rights and responsibilities. Workshops and discussion groups foster dialogue between young people and the police to overcome distrust and prejudice and to enhance the ability of the justice system to better serve Canadians in the official language of their choice.



Legal clinics

As a result of a partnership between the [Association des juristes d'expression française de la Colombie-Britannique](#), [La Boussole](#) and [Access Pro Bono](#), eight legal clinics are held every month to allow Francophones in British Columbia who can't afford a lawyer to obtain legal advice.



150 Years of Legislative and Judicial Bilingualism: History, current reality and outlook for the future

The [Fédération des associations de juristes d'expression française de common law inc.](#) and the [Office of the Commissioner of Official Languages](#) are organizing a one-day conference on legislative and judicial bilingualism in Canada that will bring together legal professionals and students in Ottawa on March 5, 2017. In addition, various video resources will be produced – mainly aimed at future law students.

Official language minority communities reap direct benefits from many of the projects funded by the Department of Justice Canada even if official languages are not their main objective.

Spotlight on...



Vers la voie du Renouveau

funded by the [Youth Justice Fund](#)

The [Conseil économique et social d'Ottawa-Carleton](#) will develop and implement an employment program for young Francophones between the ages of 12 and 18 who have had trouble with the law because of their involvement with gun, gang and drug activities. The main goal of this project is to help young people develop the social and work-related skills required to reintegrate into society and get a job.



Development of community intervention and awareness-raising services

funded by the [Victims Fund](#)

[L'Escale MadaVic Inc.](#), together with nearly 30 public, private and community service providers, will set up an intervention program designed to improve access to community sexual violence intervention services for women and girls in northwestern New Brunswick. The aim is to guide communities towards specialized services and resources that properly meet the specific needs of sexual abuse victims. The program will develop outreach and education strategies to demystify and break stereotypes related to sexual violence.



Family mediation training sessions in New Brunswick and Manitoba

funded by the [Supporting Families Fund](#)

In order to address a lack of continuing education in family mediation in New Brunswick and Manitoba, the [Fédération des associations de juristes d'expression française de common law inc.](#) is spearheading a project to organize in-depth training sessions.

Annual meeting of the Department of Justice Canada Network of Coordinators Responsible for the Implementation of Section 41 of the *Official Languages Act*

The annual meeting of the Department of Justice Canada Network of Coordinators Responsible for the Implementation of Section 41 of the *Official Languages Act* (OLA) took place on September 29, 2016, in Ottawa. Led by the Justice in Official Languages Team, the Network brings together approximately 30 representatives from the Department's regional offices and various sectors. The meeting was an opportunity for these coordinators, whether they are from the regions or responsible for programs or policies, to discuss the various ways of balancing their responsibilities under section 41 with their day-to-day workload.



In attendance were Elisabeth Eid (left in the photo), Assistant Deputy Minister and Official Languages Champion, Department of Justice Canada; Hubert Lussier (right), Assistant Deputy Minister, Canadian Heritage; and Michel Francoeur (middle), Director and General Counsel, Official Languages Directorate, Department of Justice Canada.

The Section 41 Coordinators and Justice in Official Languages Team members who attended the annual meeting (from left to right): Carolina Mingarelli, Sacha Baharmand, Kim Duggan, Stéphanie Bouchard, Suzanne Trudel, Marie-Josée Poirier, Katerine Larouche, Yves-Carol Monette, Christine Villeneuve, Sylvie Martel, Suzanne Léger, Daryl Schatz, Rachelle Nadeau, Alex Benitah, Alexandre Larouche, Mathieu Langlois, Kateri Létourneau, Diane Dagenais, Norman Sherman.



For more information about the Departmental Network of Coordinators Responsible for the Implementation of Section 41 of the OLA, visit

<http://www.justice.gc.ca/eng/csj-sjc/franc/41/coord.html>

The Department of Justice Canada's *Review on Official Languages 2015-2016* is now available online

The Department of Justice Canada's [Review on Official Languages 2015-2016](#) highlights the main steps that the Department took to fulfill its obligations under Parts IV, V, VI and VII of the *Official Languages Act*. It also reviews the best practices that the Department followed and the measures it took to implement section 41 to help official language minority communities to develop and flourish, as well as fostering the use of both English and French in Canadian society.

We invite you to read the review in order to learn about the Department's initiatives, keeping in mind that the successes listed would not have been possible without the staunch support of the Department's employees and its community and legal partners. Thank you to everyone who contributed to these initiatives! And happy reading!

If, unlike our 700 subscribers, you are not receiving the Newsletter via email... [register to be on our distribution list!](#)



Les « dents » de la *Loi sur les langues officielles* : le recours judiciaire sous la partie X [The “Teeth” in the *Official Languages Act*: The Court Remedy under Part X]

Article published by Renée Soublière, Senior Counsel and Litigation Coordinator, Official Languages Directorate, Department of Justice Canada, in the *Ottawa Law Review*, 2016, Volume 47, No. 1.

Have you ever wondered whether the *Official Languages Act* (OLA) has “teeth”? Have you ever wondered how someone can claim their language rights if they feel that these rights have been violated by a federal institution? If this is the case, you should read an article that was recently published in the *Ottawa Law Review* (University of Ottawa) entitled “Les « dents » de la *Loi sur les langues officielles* : le recours judiciaire sous la partie X.”

The article was written by Renée Soublière, Senior Counsel and Litigation Coordinator with the Department of Justice Canada’s Official Languages Directorate.

The objective of her paper is to present the state of the law as regards the court remedy created under section 77 of the OLA and, more generally, with respect to the provisions of Part X of the OLA entitled “Court Remedy.”

You can read the full abstract or download the paper (in French only, with an English abstract) at the following link:

<https://commonlaw.uottawa.ca/ottawa-law-review/dents-loi-langues-officielles-recours-judiciaire-partie-x>.

2017: CANADA’S 150th BIRTHDAY



Celebrate the [150th anniversary of Confederation](#)! Take part in national, regional and local activities across the country.

With the help of the [Passport 2017](#) app and website, you’ll be able to keep track of the celebrations from coast to coast year-round.

We encourage you to list your events celebrating the 150th anniversary of Confederation on [Passport 2017](#).

Promote your activities

Free Legal Information Clinic

Thanks to a longstanding partnership between the non-profit community organization Townshippers' Association and the Université de Sherbrooke (UdeS) Law Faculty, the English-speaking community of Quebec's historical Eastern Townships has enjoyed access to free, confidential, legal information, in English, for nearly ten years.



Based out of Townshippers' Sherbrooke office, volunteering third-year law students from the UdeS Law Faculty spend one day a week during the school semester, answering legal questions by telephone, email and in person by appointment from September until April. For more information, visit Townshippers.org/LegalInfo, [@townshipperslegalinfo](https://www.facebook.com/townshipperslegalinfo) on Facebook or call (819) 566-2182.

OLQUIZ

Answer: Cameroon



How to Reach Us



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