

French-language Services Plan

2016-2017

Department of Justice



Cover page will be provided by CNS

Hello everyone,

I am pleased to share the 2016-17 Department of Justice's French-language Services Plan with you. This year, the Department is continuing to focus on the following priority areas:

- Improving access to justice, and
- Working together for community safety and wellbeing.

Justice becomes more accessible to Nova Scotians when they have accurate and timely information and services available to them in both languages as they come in contact with the justice system. We are continually working to improve access to justice: we employ a full time French-language Services Coordinator, we have bilingual judges and court reporters and we provide interpretation services as needed in the courts. Approximately 90% of our website offers information in both languages. We also have French-language services available in five designated French and Acadian regions of the province.

This Plan is the result of extensive input from divisions across our Department, Nova Scotia Legal Aid (NSLA), and the Public Prosecution Service (PPS). We recognize the need to work with community, justice, and government partners in order to create the right conditions for public safety. Together, we have made great strides, and there is more important work to do in the coming year.

The work outlined in this document will continue to require the engagement and hard work of our employees. I look forward to seeing this plan put into action and to working with staff, all levels of government, and our justice partners to integrate these goals and values into our day-to-day operations.

We have tried hard to enhance and expand justice services and programs in French so that everyone in our province can more easily navigate the justice system. We welcome your feedback and look forward to your support as we all work together to improve Nova Scotia's justice system and help keep our communities safe and secure.

Thank you.

Tilly Pillay, QC
Acting Deputy Minister

Responses to French Requests

Justice

Court Services and Correctional Services are the divisions within the Department of Justice that have the most public contact. Employees in Courts and Corrections forward French written or oral requests to staff within their workplace that are able to respond in French. If there is no one within the office who can respond in French, the correspondence is forwarded to head office for translation or to other staff who are able to answer questions in French.

Legal Services responds to French requests, in writing and orally, as capacity permits and they have several staff with French-language capacity who are able to field calls and inquiries.

Other divisions have staff members participating in the “Bonjour!” campaign to respond to specific inquiries in French. If there is no one at the local level who can manage the request, it may be referred to the Department’s French-language Services Coordinator.

Nova Scotia Legal Aid and Public Prosecution Service

While they operate independently from the Department of Justice, both Nova Scotia Legal Aid (NSLA) and the Public Prosecution Service (PPS) take part in the French-language Services Plan. NSLA maintains a list of French-speaking lawyers who provide telephone duty counsel services in French. NSLA has staff members who are able to converse in the French language. If NSLA receives written correspondence in French, the response will be in French. Documents will be translated in-house or by Communications Nova Scotia.

PPS has one staff member who is part of the “Bonjour!” campaign and that staff member has agreed to respond to requests from the public to communicate in French in accordance with the approach recommended by that campaign. The remaining PPS staff members who provide French-language services are Crown Attorneys. Therefore, their French-language communication obligations are governed by sections 530 and 530.1 of the *Criminal Code*. When required, the services of out-of-region staff with French-language communication skills are engaged.

French-language Services Inventory

The Department of Justice offers:

- a “Services en français” web page on their website with all the translated material that is made available to the public.

Court Services provides:

- hearings in court in accordance with the *Criminal Code*;
- interpreters in Provincial Court for criminal matters;
- staff participation in the “Bonjour!” campaign;
- simultaneous interpreters as required at Supreme Court and Appeal Court for criminal matters;
- translated print and website materials in priority subject areas;
- interpreters in Family Court for certain matters;
- a Parent Information Program in both official languages in Family Division and Family Court; and
- bilingual staff in court administration offices located in designated areas.

Correctional Services provides:

- French presentence reports;
- offender supervision in French at certain locations; and
- staff participation in the “Bonjour!” campaign.

Public Safety and Security provides:

- French educational presentations about cyberbullying upon request; and
- phone and counter services in French in the private security and firearms offices.

Public Prosecution Service provides:

- court proceedings in French not covered by s. 530 of the *Criminal Code* of Canada (in addition to the French-language services required by the *Criminal Code*);

- oral and written communication in French with collateral agencies (particularly police agencies) and the general public (including accused persons, witnesses and the media).

Nova Scotia Legal Aid provides:

- information on their website in both official languages;
- a 24-hour telephone duty counsel service providing free and immediate legal advice in French or English to people who have been arrested or detained;
- and
- French-speaking counsel under retainer to represent the accused even if counsel has to be from out of province.

French-language Services Coordinator

Leda M.D. Zlotnick

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Progress in Reaching Goals and Objectives for 2015-2016

Strategic Objective 1: Leadership and Policy Direction

To champion and support the policy development, planning, and administrative frameworks for the implementation of the *French-language Services Act and Regulations*, the Department of Justice and NSLA are committed to:

- supporting Acadian Affairs by implementing the *French-language Services Act and Regulations*;
- contributing to the provincial government’s Annual Plan and Progress Report on French-language services; and
- ongoing development of policies to support the delivery of French-language services.

Department’s Planned Measures for 2015-2016	The Department Progress in Reaching Goals and Objectives for 2015-2016
<p>The Department of Justice will:</p> <ul style="list-style-type: none"> • hold regular meetings with stakeholders to discuss French-language service delivery and promotion of services and programs that benefit the Acadian and francophone communities in Nova Scotia; • ensure the French-language Services Coordinator continues to sit on numerous committees and stays informed of current projects involving l’Association des juristes expression française de la Nouvelle-Écosse (AJEFNE) and the French-language Services Coordinators Committee at Acadian Affairs; • complete and publish on the Department’s website the 2015-16 French-language Services Accountability Report and the 2016-17 business plan in both official languages; 	<ul style="list-style-type: none"> • (1) sought input about protecting the rights of people who rely on guide and service dogs during summer 2015. Discussion document translated and made available at all Access Nova Scotia Centres and online. Interpreters were also on hand for open houses held in Yarmouth, Cape Breton and Halifax. • (2) the Crime Prevention Unit collaborated with the Counsel Scolaire Acadian Provincial with regards to Restorative Approaches in schools. • (3) met several times with the Executive Director of AJEFNE in 2015/16. • (4) the Minister’s office met with the Executive Director of Acadian Affairs in January 2016 to discuss French-language services throughout the Department of Justice. • had representation at the monthly French-language Services Coordinating Committee, and sat on the Active Offer and HR and Training subcommittees. Ongoing. • will have completed and published on the website in both official languages the 2015-16 French-language Services Accountability Report and the 2016-17 business plan by March 31, 2016.

<ul style="list-style-type: none"> • support Acadian Affairs by implementing the “Bonjour!” campaign at the Department of Justice and by promoting the “Bonjour!” Awards for Excellence in French-language Services; • ensure the French-language Services Coordinator conducts a review of all the divisional French-language services operational needs tables. <p>Added during the fiscal year</p> <ul style="list-style-type: none"> • assemble and relaunch the Divisional French-language Services Advisory Committee. 	<ul style="list-style-type: none"> • provided “Bonjour” material to offices upon request. The “Bonjour!” Awards for Excellence in French-language services were not held in 2015. Ongoing. • completed. • selected committee members and Terms of Reference and work plan drafted in fall 2015; first meeting held Nov 25, 2015. Committee to meet on an ongoing basis, 3 times per year or as often as required.
<p>Nova Scotia Legal Aid will:</p> <ul style="list-style-type: none"> • continue to consult with French-language stakeholders; • publish material on the NSLA website about NSLA services in both official languages from the 2015-16 Department of Justice French-language Services Accountability Report and 2016-17 business plan; and • be represented on the Department of Justice French-language Advisory Committee. 	<ul style="list-style-type: none"> • maintained membership on French-language Services (FLS) Committee and consulted with the Executive Director of the Accès Justice Access Centre. • prepared to launch new public-facing website in March 2016 and currently working with French-language Services Coordinator to have new content translated. Ongoing. • identified representative and alternate to represent NSLA on Committee. Attended 4 meetings in 2015-16. Ongoing.

Strategic Objective 2: Availability and Accessibility of French-language Services

To increase the visibility of French-language services through active offer, communications, print and electronic material, and increase French-language capacity of public servants, the Department of Justice and NSLA are committed to:

- delivering services and informational materials that respond to the priority needs of the Acadian and francophone community;
- supporting French-language training; and
- increasing capacity to provide French-language services in priority areas.

Department’s Planned Measures for 2015-2016	The Department Progress in Reaching Goals and Objectives for 2015-2016
<i>The Department of Justice will:</i>	

<ul style="list-style-type: none"> • continue to identify, prioritize and recommend print, electronic material, and website content for translation; • maintain and update the “<i>Bonjour!</i>”/ Services en français web page on the department’s website; • promote availability of the Parent Information Program to court staff and members of the public as well as deliver the service when requested; • explore the possibility of offering an online Parent Information Program module in French; • explore the possibility of having online PAS (Parenting After Separation) Canada materials made available in French and English; • committee to continue review of the Jury Information Package, including the issue of French Jury Trials; 	<ul style="list-style-type: none"> • (1) revised/updated Offender Phone System FAQ on website and for offenders and translated into French. Revised/updated Correctional Services Code of Conduct for staff, translated into French. Posting on the website and print material to be done in 2016-2017. Ongoing. • (2) select website content was translated (Annex 1). • (3) the Private Security website is still waiting for the <i>Security and Investigative Services Act</i> to come into force before considering translation of their website (ongoing). • (4) the Cyber Scan Unit continues to distribute French printed material and French-language presentations are available upon request. • (5) updated the Northeast Nova Scotia Correctional Facility (NNSCF) website information and translated to French. Ongoing. • (6) the Criminal Injuries Counselling Program award letter and award document were translated and will be incorporated into a new case management system in 2016-17. Ongoing. • ongoing. • posted news item to Nova Scotia Family Law (NSFL) website Dec 9, 2015 and tweets sent regularly in French and English. Staff notified of availability of French module during fall 2015 training and via email. Revised Parent Information Program (PIP) letters continue to advertise availability of French PIP, in person or online. French PIP delivered in person to 2 clients in June 2015 (1in Halifax, 1in Kentville). • completed module development November 2015. Module uploaded & available to public as of November 2015 at: http://www.nsfamilylaw.ca/about/news/le-programme-dinformation-pour-les-parents-est-maintenant-offert-en-fran%C3%A7ais-et-en-anglai. • updated French materials and provided to PAS program coordinator June 2015. National project has been delayed, implementation now expected in 2016. • a working Committee is reviewing the Jury Information Package, including the issue of French Jury Trials. Multi-year initiative. Ongoing.
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- engage in discussions with l'Association des juristes d'expression française de la Nouvelle-Écosse to explore the feasibility of providing Probate translation services for clients with French wills;
- hire bilingual staff when appropriate vacancies occur and hire designated bilingual staff based on operational needs;
- continue to increase capacity to respond to requests for French-language services in the Department of Justice by identifying staff capable of providing (or suitable for training to provide) French-language services to government clients and continue to employ bilingual staff in key service areas;
- meet its commitment to excellence in providing quality advice to government clients including French-language services to Acadian Affairs;
- continue to ensure staff are taking advantage of relevant French-language training opportunities on an on-going basis; and
- continue to support the French-language Services Coordinator who will:
 - coordinate French assessments of current and new employees in designated

- continued to engage in discussions with AJEFNE on this issue. Due to circumstances outside of the Department's control, this item will be removed for the time being.
- hired a casual bilingual sheriff in HRM, and 2 designated bilingual JOII positions for Dartmouth and Digby Justice Centres.
- continued to provide French-language services at community corrections offices such as signage, oral, and written communication with clients, courts and the general public (Kentville, Port Hawkesbury, Yarmouth). Answering the phone "Hello Correctional Services – Bonjour". Three requests for French services at one office location. One presentence report (PSR) requested from New Brunswick; one PSR requested from Montreal and one set of orders completed in French. Public Safety advertised vacant positions with French-language considered an asset where appropriate. The Firearms Section continues to meet the Federal language criteria in its programs.
- In the past year Legal Services provided legal advice in respect to the Cooperation and Exchange Agreement the Province has with Quebec on the promotion of French language and provided ongoing legal advice to Acadian Affairs in support of their business operations, throughout 2015-16. Ongoing.
- offered 5 one-day French legal terminology training sessions in three regions of the province, and 3 French Legal Communication workshops to staff plus numerous levels of French training offered at Université Sainte-Anne. Two Probation Officers, 2 Crown Attorneys, 1 solicitor and 4 Court Reporters participated in webinars, and took a week-long trip to RCMP Depot in Regina for the « la Semaine de perfectionnement en français juridique 2015-2016 » offered nationally by the Centre Canadien de Français Juridique (CCFJ). Public Safety encourages staff to participate in French training and three lawyers regularly attended French training.
 - screened 6 candidates for a designated bilingual position with 1 candidate being evaluated for French proficiency at Université Sainte-Anne.

<p>positions to evaluate their French–language capacity and assist Human Resources with the hiring process;</p> <ul style="list-style-type: none"> ○ increase French-language services capacity by identifying employees capable of providing French-language services and by providing learning tools, resources and training in support of French-language skills development; ○ develop and implement an approved print and electronic translation plan; and ○ provide departmental services in French where appropriate while supporting all the divisions by facilitating engagement with the Acadian and francophone community, making presentations to the Acadian and francophone community and coordinating translation and publication of materials relating to specific province-wide initiatives or if they pertain to Acadian-related matters. <p>Added during the fiscal year</p> <ul style="list-style-type: none"> • develop and implement an evaluation of French legal terminology training. • draft and implement an Impact Statement, a Community Victim Impact Statement, a Victim Impact Statement Not Criminally Responsible and a Victim Impact Statement <i>Occupational Health & Safety Act</i> required under the legislated <i>Victims Bill of Rights</i>. 	<ul style="list-style-type: none"> ○ provided learning tools and resources to employees as needed. During the fiscal year, offered French legal terminology training and French legal correspondence training to staff in addition to offering French training offered by Université Sainte-Anne. Ongoing. ○ completed. ○ translated and presented Cyberbullying information at the 2015 Réseau Santé Nouvelle-Écosse Health Forum. Translated and published a working brochure and held a French consultation in Yarmouth about rights and protection for service animal users. Translated revisions in French and forwarded it for review before providing to PAS program coordinator. • developed surveys and sought feedback and approval from Policy, Planning & Research Division; surveys developed for online implementation; survey implemented and data collected in November 2015. Data analysis and reporting to be completed in spring 2016. • drafted and translated the Victim Impact Statements. Distributed the forms to the Nova Scotia Victim Services Regional Offices.
<p>Nova Scotia Legal Aid will:</p> <ul style="list-style-type: none"> • continue to consider proficiency in French a desirable asset in hiring new personnel; • continue to update and expand the list of employees to whom French-language training is offered; • print 2000 Social Justice/Poverty Law Cards and provide cards to every NSLA Office and Justice Centre for distribution; • translate and print poster advertising Social Justice; 	<ul style="list-style-type: none"> • listed bilingual as an asset in all job postings. Ongoing. • offered courses available to all staff. Ongoing. • translated. Printing the brochure cards and publishing on the website will be done as budget allows. Carried over to 2016-2017. • will print Social Justice Brochures for distribution from office and community locations as budget permits. Carried over to 2016-2017.

<ul style="list-style-type: none"> • provide bilingual business cards to bilingual members of NSLA as needed; • continue to maintain the French-language content on the NSLA's website; and • hire interpreters for interviews when a bilingual lawyer is not available. 	<ul style="list-style-type: none"> • provided as needed. Ongoing. • translated website material for new site. Ongoing. • secured interpreters to assist lawyers/accused when needed. Ongoing.
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Strategic Objective 3: Community Engagement and Outreach

To engage the Acadian and francophone community and provide services which support its development and growth, the Department of Justice and NSLA are committed to:

- building relationships between government and the French-speaking community through formal and informal engagements and providing French-language services during consultations; and
- encouraging francophones to apply for positions on Agencies, Boards and Commissions.

Department's Planned Measures for 2015-2016	The Department Progress in Reaching Goals and Objectives for 2015-2016
<p>The Department of Justice will:</p> <ul style="list-style-type: none"> • provide funding and in-kind contributions to support l'Association des juristes d'expression française de la Nouvelle-Écosse and offer career lectures by professionals working with the Department of Justice to facilitate Law Week; • collaborate with the Accès Justice Access Centre to support the delivery of legal services to French Nova Scotians; and • advertise positions for Agencies, Boards and Commissions in French media. 	<ul style="list-style-type: none"> • provided funding to support l'Association des juristes d'expression française de la Nouvelle-Écosse and offered career lectures by Justice Professionals to French students in l'École du Sommet High School June 2, 2015 and January 12, 2016. Will be presenting March 2016 to an introductory Social Work class at Sainte-Anne's University about a career as a Probation Officer. • attended numerous meetings with the Executive Director of the Accès Justice Access Center in support of their goals to provide legal services to clients. • encouraged Acadians and francophones to apply for positions on Agencies, Boards and Commissions by placing French ads in "Le Courrier" on April 17, 2015 and October 23, 2015.
<p>Nova Scotia Legal Aid will:</p> <ul style="list-style-type: none"> • offer bilingual material with their outreach program; and • meet yearly with La fédération acadienne de la Nouvelle-Écosse to discuss the needs of the Acadian and Francophone communities. 	<ul style="list-style-type: none"> • will translate and print new Brochure as budget allows. Carried over to 2016-2017. • held meeting May 2015. Ongoing, (plan to meet April, 2016).

Goals, Objectives, and Measures for 2016-2017

Strategic Objective 1: Leadership and Policy Direction

To champion and support the policy development, planning, and administrative frameworks for the implementation of *the French-language Services Act and Regulations*, the Department of Justice, NSLA and PPS are committed to:

- supporting Acadian Affairs by implementing the *French-language Services Act and Regulations*;
- contributing to the provincial government's Annual Plan and Progress Report on French-language services; and
- ongoing development of policies to support the delivery of French-language services.

Department's Planned Measures for 2016-2017

Supporting Acadian Affairs, the Department, NSLA and PPS are committed to completing and publishing the 2016-17 French-language Services Accountability Report and the 2017-18 business plan in French and in English on their website by March 31, 2017. Furthermore, the French Hearing Protocol will be reviewed/revised to reflect any change to practices in the courts.

Strategic Objective 2: Availability and Accessibility of French-language Services

To increase the visibility of French-language services through active offer, communications, print and electronic material, and increase French-language capacity of public servants, the Department, NSLA and PPS are committed to:

- delivering services and informational materials that respond to the priority needs of the Acadian and francophone community;
- supporting French-language training for staff; and
- increasing capacity to provide French-language services in priority areas.

Department's Planned Measures for 2016-2017

In support of increasing French services through active offer, the Department, NSLA and PPS are committed to the ongoing provision of French services and information to the public. Aiming at improving French-language services, various kinds and levels of French training will be offered to staff. Improving access to justice also means considering the access needs of hard to reach populations. Meaningful access to services and information means that responsive information and services are offered at the optimal time. To that end, they will offer - mainly on their websites - a variety of translated materials from various divisions. The Department, NSLA and PPS will advertise French-language capacity as an asset or as a requirement where appropriate when hiring new staff, and will promote Programs available in French. The Department will continue to provide, upon request, those services that are available in French, as well as employ bilingual staff in key service areas.

Strategic Objective 3: Community engagement and outreach

To engage the Acadian and francophone community and provide services which support its development and growth, the Department of Justice, NSLA and PPS are committed to:

- building relationships between government and the French-speaking community through formal and informal engagements and providing French-language services during consultations; and
- encouraging francophones to apply for positions on Agencies, Boards and Commissions.

Department's Planned Measures for 2016-2017

The Department of Justice, NSLA and PPS are responsible for the administration of justice and for promoting the safety and security of Nova Scotians through justice-related programs, services and initiatives. As such, they are committed to working collaboratively with other government departments, justice partners and community organizations to establish and maintain strategic partnerships, which is a key component of many of their initiatives.

On an ongoing basis, the Department, NSLA and PPS will encourage consultation with the Acadian and francophone community and support endeavors that provide assistance toward the development and growth of French Nova Scotians.

Priorities of the Acadian and Francophone Community

In the last decade, great strides have been made by legal organizations to ensure that French-speaking Nova Scotians can access justice in the language of their choice. The Department of Justice, NSLA and PPS have outlined in this plan how they have addressed, and will continue to address, the priorities of the Acadian and francophone community.

For example: In the summer of 2015, the Province of Nova Scotia sought input about protecting the rights of people who rely on guide and service dogs. The discussion document was translated, printed and made available at Access Nova Scotia Centres throughout Nova Scotia. Interpreters were also on hand for open houses held in Yarmouth, Cape Breton and Halifax. The document was made available online in both official languages and no French responses were received.

The Department, NSLA and PPS are sensitive to the needs of the francophone community and are committed to advancing and resolving outstanding issues which go to the heart of “access to justice” for French-speaking Nova Scotians. They are prepared to address challenges in order to continue the provision of French-language services.

The *Criminal Code* guarantees the right of an accused to choose the official language in which their court proceeding will be heard. This choice is made by the defendant. Depending upon the infraction(s), the trial may proceed in either the Provincial or Supreme Court. Judges and staff at both court levels are available to assist in both official languages. The Civil Procedure Rules and the Provincial Court Rules are published and maintained in both official languages. The Department, NSLA and PPS provide interpretation and translation services, as needed. For instance, in 2015-16, Court Services provided interpreter services on 60 occasions for various court hearings including 8 French trials.

Contribution to the Preservation and Growth of the Acadian and Francophone Community

The Department of Justice, NSLA and PPS remain committed to working with partners and concentrating their undertakings in designated areas of the province where there is a high concentration of Acadians and francophones. These areas include Halifax, Dartmouth, Port Hawkesbury, Yarmouth and Digby. These regions are considered most important by the Acadian and francophone community.

The Department, NSLA and PPS continue to improve their capacity to deal with front-line inquiries at front counters and reception areas, by phone and in court, and in translating public material, particularly material found on their departmental websites. They facilitate access to justice in French by continuing to offer a variety of services, tools, and French-language training to staff. The Department, NSLA and PPS’s work continue to be guided by direct consultation with

Acadian and francophone groups such as l'Association des juristes d'expression française de la Nouvelle-Écosse (AJEFNE) and through reference to consultation reports generated by Acadian Affairs, the Fédération acadienne de la Nouvelle-Écosse (FANE), and a study on the Utilization of French-language Government Services (Deveau, Landry and Allard, 2008).

Annex 1

Justice, PPS and NSLA Translated Website Publication

Nova Scotia Courts

Civil Procedure Rules were updated
New Provincial Court Rules Material

http://www.courts.ns.ca/Civil_Procedure_Rules/cpr_home.htm
http://www.courts.ns.ca/Provincial_Court/NSPC_criminal_rules_forms.htm

Family Law Nova Scotia

Online Parent Information program (PIP)

<http://nsfamilylaw.ca/services/parent-information-program-pip>

Court Services

Criminal Review Board Site
Careers in Sheriff Services
Canadian Victims Bill of Rights
Some MEP Fact Sheets

http://novascotia.ca/just/ccrb/ccrb_overview.asp
http://novascotia.ca/just/Court_Services/recruitment/careers.asp
http://novascotia.ca/just/victim_Services/victims_rights.asp
<http://novascotia.ca/just/mep/resources.asp>

Correction

Offender telephone system frequently asked questions

http://novascotia.ca/just/Corrections/_docs/OffenderPhoneSystem-10-2015.pdf

Crime Prevention

Most of Crime Prevention website

<http://novascotia.ca/just/prevention/Default.asp>

Medical Examiner

Nova Scotia Medical Examiner Service

<http://novascotia.ca/just/cme/Default.asp>

Public Prosecution Service

New Streamlined Website

<http://novascotia.ca/pps/>

Public Prosecution Service Privacy Policy

http://novascotia.ca/pps/publications/Privacy_Policy_ENGLISH.pdf

Nova Scotia Legal Aid

Whole Youth Section

<http://www.nslegalaid.ca/Youth.php> (Will be posted on new site soon)

Other Legal Matters Section

<http://www.nslegalaid.ca/OLMs.php> (Will be posted on new site soon)