

French Language Services Plan for 2008-2009

1. Department of Justice

We are committed to the fair and effective administration of justice and to excellence in service to the people of Nova Scotia. Nova Scotia is a place where people and their rights are respected. Justice will provide leadership in partnership with others to build a province where citizens trust the justice system; people are and feel safe and secure; disputes are effectively and sensitively resolved; access to justice processes is timely and affordable; communities actively participate in the justice system; and diversity is valued and respected.

2. Message from Deputy Minister

There is a growing recognition of the need to work towards increasing the French-language capacity in government in response to the *French-language Services Act & Regulations*. We recognize this need and continue to take measures to address it.

This year, the Department of Justice is very pleased to provide Nova Scotians with its 2008-2009 French-language Services Action Plan. The Plan includes a progress report for 2007-2008. The progress report presents a comprehensive look at the actions that have been implemented by the Department over the past year. We have made progress in some key areas, and we are proud to inform you that we are committed to further increase our efforts to enhance the delivery of French-language services.

There is no instant resolution to providing French-language services, but we are prepared to set realistic targets and make ongoing progress to meet them. This plan outlines that progress and the targets to be achieved over the coming year.

We recognize that many of the issues of importance to our Department and our partners, including the francophone community, require long-term solutions. We are confident that, together with our partners, we will identify and implement new methods of service delivery that will improve the lives of Acadian and francophone people in the Province of Nova Scotia.

To achieve this end, we will continue to build new partnerships aimed at encouraging the development of more French-language services. These relationships will bring together the expertise of non-governmental and multilateral organizations and, most importantly, involve the local francophone communities in our areas.

The Department of Justice undertakes to continue to examine our working practices so that we may improve our French service delivery to the Acadian and francophone of the Province of Nova Scotia. Ultimately, of course, it is the dedication and commitment of our staff that will make the difference.

We would like to thank all employees for working so hard to deliver what our clients expect and deserve, and thank our partners for their support as we address this significant challenge.

3. How our institution's staff has been instructed to respond to verbal and written requests from the public to communicate in French.

Department of Justice staff respond to written and oral requests for service in accordance with their individual Division's standard for quality of service. Because the various Divisions, the Department, and the PPS differ widely in their contact with the public, a general response is impractical. The Division with the most public contact is Court Services, and for convenience, its direction is reproduced below:

Court Services staff have been directed to forward written requests in French to the staff within the justice centre who are able to respond in French. If there is no one within that justice centre, the correspondence will be directed up through head office for translation or to staff who are able to function in French and are able to answer the question. Oral requests in French will be directed to the staff within the justice centre who are able to respond in French. If there is no one within that justice centre at the time the request is made, then the request will be either directed to other staff outside of the justice centre who are able to answer that question in French or directly to head office.

Other Divisions will utilize any members of their staff participating in the Bonjour Campaign to respond to specific inquiries in French. If there is no one at the local level who can handle the request, it may be referred to the Departmental Committee and Coordinator.

Correctional and Victim Services respond in much the same manner as Court Services.

The Public Prosecution Service 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 Prosecutors. Therefore, their French-language communication obligations are governed by sections 530 and 530.1 of the Criminal Code (CC).

The PPS has not issued formal French-language communications directives. That issue is to be addressed. However, the PPS staff who provide French-language services have done so whenever requested, above and beyond the requirements of the Criminal Code, to the extent that available resources reasonably have permitted. Where required, the services of out-of-region staff with French-language communication skills have been engaged.

Information Access and Privacy, managed through the Policy and Information Management Division, has a small public facing service as it relates to such things as access to information requests and privacy complaints. When public needs for correspondence or conversation in French are identified, the division commits to accessing translation and other capabilities available through Acadian Affairs and elsewhere in the department. The division is also responsible for the overall integrity of our public website, and in that capacity will undertake to work with our department clients to accommodate on-line French requirements where department business functions deem necessary. The division will also continue to examine other opportunities to provide French service options as capabilities allow.

4. French-language Services Offered Now.

The following specific services are provided:

- Hearings in court in accordance with the Criminal Code;
- Interpreters in the Provincial Court for criminal matters.
- Interpreters for certain Family matters;
- Staff participation in the Bonjour Campaign;
- Simultaneous translators as required at Supreme Court and Appeal Court level for criminal matters;
- Some translated print and website materials.

Correctional Services is able to respond to requests for French Pre-Sentence Reports and is also able to provide offender supervision services in French at certain locations.

All Victim Services informational print materials for victims of crime have been translated into French.

In addition to the French-language services required by the Criminal Code, the PPS also:

- conducts court proceedings in French not covered by s. 530 CC;
- engages in oral and written communication in French with collateral agencies (particularly police agencies) and the general public (including accused persons, witnesses and the media);
- makes presentations in French to students of the Conseil scolaire acadien provincial.

5. How the plan will contribute to the preservation or growth of the Acadian and Francophone community.

Through direct consultation with l'Association des juristes d'expression française de la Nouvelle-Écosse (AJEFNÉ) and other representative Acadian and Francophone groups, and through reference to the consultation reports generated by the Office of Acadian Affairs, the Department of Justice will continue to focus its efforts in specific geographical areas and on those areas of service deemed most important by the Acadian and Francophone community. In particular, this means that Court Services will continue its commitment to providing French-language services in the Yarmouth, Digby, Metro and Port Hawkesbury areas. In general, the Department will look at ways to further improve its capacity to deal with front-line inquiries either at the counter, at reception areas or by phone, and also to translate public material, especially that available on the Department's web site. Correctional Services is committed to providing French-language services in the Yarmouth/Digby area and hopes to expand this capability to the Port Hawkesbury and Metro areas. Some of the specific measures that will be taken to meet this commitment are outlined under Part 6 of this plan, and include the translation and distribution of public information brochures in these areas.

Section 530 of the Criminal Code of Canada provides for the right to a trial in the official language of choice. Therefore, the PPS must and does have provincial Prosecutors available to deliver services in either official language.

It is envisioned that the Plan will address the need to facilitate access to justice in French in Nova Scotia by continuing to provide French-language training to PPS Prosecutors and support staff, thus improving their ability to deliver services in French.

6. Progress in Reaching Goals and Objectives for 2007-2008 and Goals, Objectives and Measures for 2008-2009.

Corporate Objective 1. Strengthening the policy, regulatory, and administrative framework in support of the *French-language Services Act*.

Progress in reaching specific goals and objectives set for 2007-2008

- French Hearings Protocol finalized and included in the Provincial Court Manual.
- French-language Training Policy and operational needs tables prepared, approved and implemented.
- Written Correspondence and Verbal Communication in French guidelines, Contact List and Contact Information forms prepared, approved and implemented.
- 10-15 employees participated in two specialized French legal terminology follow-up training sessions (with funding assistance from Federal Government).
- 65 Provincial public servants participated in French-language training opportunities offered by the Office of Acadian Affairs.
- Department of Justice Departmental and Divisional French-language Services Committees meet quarterly to discuss French-language issues.
- FLS Coordinator sits on the French Coordinators Committee and the HR and Training sub-committee at Acadian Affairs.
- Consultations with AJEFNÉ to discuss the needs of the Acadian and Francophone community.

Specific goals and objectives for 2008-2009

- 1.1 The Office of Acadian Affairs and the Minister fulfill their obligations pursuant to the French-Language Services Act.
- 1.2 Increased capacity for government to support departments/offices in the delivery of French-language services.

Highlights of Activities Underway:

- The work of the Department of Justice French Services Committee will continue. Included on our committee is a representative of the Public Prosecution Service (PPS).
- The Department of Justice's French Services Coordinator will continue to sit on the French Coordinators Committee of Acadian Affairs.
- The French Services Coordinator will continue to sit on the HR and Training sub-committee.
- Representatives of the Department of Justice will continue meeting regularly with l'Association des Juristes d'Expression Française de la Nouvelle-Écosse (AJEFNÉ) to keep current on the needs of the Association and seek their comments and input regarding initiatives and on-going justice processes in the French-language.
- The French Services Coordinator will work with Acadian Affairs to implement the Bonjour Campaign in the Justice Department.
- Continue updating the French Services Plan as required.

- Implementation of the *Contraventions Act* - use of the federal funding to enhance services in the processing of summary offence tickets in designated areas.
- Reviewing feasibility of implementing Federal Parking Infraction Ticket Program, including enforcement through Service Nova Scotia.
- The Court Services Division has established an Interpreter Services Committee to develop a policy and training program for interpreters. The French-language Coordinator sits on this committee.

Specific measures which will be taken to achieve these goals and objectives in 2008-2009

- Continue to develop policies for the delivery of French-language services within the Department of Justice.
- Support the work of the Office of Acadian Affairs and the implementation of the *French-language Services Act and Regulations* by ensuring representation of Justice on the French-language Services Coordinating Committee.
- Consider future French-language training opportunities offered to Provincial public servants, such as those organized by the Office of Acadian Affairs in the past three years or the seats in the Federal Forum classes offered by the Federal Government.
- Identify and prioritize forms, or written informational materials requiring translation into French and proceed with translation.
- Coordinator will explore further training in specialized French legal terminology for Justice employees (with funding assistance from Federal Government).
- The Department has established a committee to review the *Contraventions Act* Agreement. The French-language Coordinator sits on this committee. The committee will consider whether the agreement should be renegotiated, and with the Department's approval, the committee will enter into negotiations with the Federal Government as required. Any renegotiated or amended agreement will be submitted to the Department for approval.
- The Department of Justice will explore with the Federal Government and Service Nova Scotia and Municipal Relations, the possibility of implementing a Federal Parking Infraction Tickets (PITs) program.

Corporate Objective 2. Consulting with the Acadian and Francophone community.

Progress in reaching specific goals and objectives set for 2007-2008

- Coordinating Law Day 2008 in partnership with AJEFNÉ and the CSAP for French students from three central regions in Nova Scotia.
- Consulted with AJEFNÉ to prioritize translation of Court Services website content.
- Consultations with AJEFNÉ and the Departmental French-language Services Committee to discuss the French Hearings Protocol.

Specific goals and objectives for 2008-2009

- 2.1 Establishment and prioritization of French-language services to be offered, and of strategies or approaches for service delivery.

Highlights of Activities Underway:

- The Public Prosecution Service is relying upon the consultation conducted by Affaires acadiennes.
- Continue to meet legal obligations and enhance services pursuant to section 530 of the *Criminal Code of Canada* and the *Contraventions Act*.
- Continue consultation with Justice partners including AJEFNE, PPS and NS Legal Aid regarding protocols and practices for those hearings conducted in French pursuant to section 530 of the Criminal Code.
- Continue consultation on prioritizing requirement for bilingual forms.

Specific measures which will be taken to achieve these goals and objectives in 2008-2009

- Continue to work to increase our capacity to respond to criminal law needs in French throughout the province in an attempt to decrease the need for court staff to travel throughout the province to insure French coverage of court proceedings.
- Continue to consult and meet with AJEFNÉ and a representative from FANE to explore areas where increased services could be offered to the Acadian and Francophone community.
- Consider opportunities to explore with AJEFNÉ other methods for consulting the French legal community and the French community in the designated areas on French-language services.
- Consider opportunities to explore with AJEFNÉ the possibility of offering French Parent Information Program to the Acadian and Francophone community in Nova Scotia.

Corporate Objective 3. Communicating, sharing information, and promoting services available in French.

Progress in reaching specific goals and objectives set for 2007-2008

- Coordinator developed translation plan for Court Services.
- Consulted with AJEFNÉ to prioritize translation of Court Services website content.
- Review of issue of signage for French-language services in the Court Services Division, including the obtaining of legal advice respecting obligations under the *Contraventions Act* Agreement and the *French-language Services Act* and Regulations.
- French Services Coordinator collecting information from the facility manager regarding processes to develop and acquire bilingual signs for Court Services Division facilities as and when approved.
- Justice employees provided with the Web link “Bonpatron.com”, a text editor to assist with French correspondence.
- Self-Represented Litigant brochures available in French on Justice and Nova Scotia Court Websites.
- Self-Represented Litigant bilingual bookmarks printed and provided to the Acadian and Francophone community as inserts in two French newspapers. Bookmarks also provided to Justice Centres, French Community Centres, AJEFNÉ, and Military Resource Centres for distribution to the public.

- French-language Coordinator participated in Law Day 2007, promoting Self-Represented Litigant brochures online by providing bilingual bookmarks.
- Restorative Justice brochures available in French on Justice Website.
- Purchased simultaneous translation booth and equipment as needed.
- Bonjour posters and toolkits provided as needed.
- Correctional Services printed French Adult Offenders Handbook.
- PPS Management has given three of its members the task of looking into the issue of the translation of some of its publications into French and making them available to the public.
- PPS Management has given three of its members the task of developing a French-language Communication Directive.
- The PPS has communicated its French-language Prosecutors' training initiatives to the Acadian and Francophone communities by way of e-mail distribution and website postings through l'AJEFNE and via public interest announcements on French community radio stations in Nova Scotia.
- Victim Services distributed their bilingual brochures to their regional offices.
- Provincial Firearms Office provides bilingual information brochures to the public. All the forms in relation to the Provincial Firearms Office (pursuant to the *Firearms Act*) are bilingual and are available on the website.

Specific goals and objectives for 2008-2009

- 3.1 Public information is available in both French and English.
- 3.2 Employees and the public are more aware of the approach being taken by government to provide French-language services.

Highlights of Activities Underway:

- The French Services Coordinator will continue to work with Acadian Affairs to implement and monitor the Bonjour Campaign in the Department of Justice.
- A review is to be undertaken to determine whether Court Services Staff should be surveyed to determine the level of French-language service provided. New employees to self-identify linguistic capability by filling out form included in hiring package.
- The French Services Coordinator will continue to identify and explore possibilities of French-language training for the employees in furtherance of the operational needs tables.
- The Department will continue to inform AJEFNÉ and Coordinators Committee of current projects.
- PPS will address the issue of making public information available in both French and English.
- PPS will address the issue of establishing directives to staff for communication in French.
- Three Public Information sheets (Pre-sentence Reports, Adult Diversion Program and Volunteers-in-Correction) translated into French and distributed in Community Corrections offices where there is a demand for French services.
- Victim Services will look into posting their translated pamphlets on the website.

Specific measures which will be taken to achieve these goals and objectives in 2008-2009

- French Services Coordinator will identify and recommend areas of Justice websites to be translated into French and to consult with the community on whether these are the required topic areas for translation.
- French Services Coordinator will identify and recommend existing tools that may be accessible in French or may require translation into French to allow staff to carry out work functions more effectively in the French-language.
- French Services Coordinator will explore with the Court Services Division the implementation of bilingual signage in accordance with the terms of the Contraventions Act agreement. Court Services will establish a Bilingual Signage Committee to review this issue.
- French Services Coordinator to identify and recommend existing and new print material that may be translated into French and consult with AJEFNÉ to ensure these documents would be useful to the Acadian and Francophone community.
- Self-Represented Litigants French brochures will be printed, distributed to justice centres, and available on Justice website.
- French Services Coordinator will explore with Communications Officer and recommend appropriate “news releases” to be made to the community regarding efforts and projects underway to enhance French-language services within the Department of Justice.
- French Services Coordinator will explore with Communications Officer and recommend inclusion of French-language initiatives in the Department’s Communication Plan.
- Members of the PPS will look into the issue of the translation of some of its publications into French and making them available to the public and then report back to management for further discussion.
- Members of the PPS will develop a French-language Communication Directive which will be presented to Management.
- French Services Coordinator, in partnership with AJEFNÉ and the CSAP, will assist in the coordinating of 20 - 25 French students from different regions of the Province attending the Law Courts to participate in Law Day 2008.
- Coordinator to continue to develop and commence implementation of the translation plan.
- Court Services Division has established a recruitment strategy committee for French speaking court staff. This Committee will continue to develop and implement a recruitment strategy for Court staff.
- Three Correctional Services Public Information Sheets will be translated.
- Public Safety Division will explore the possibility of having the *Safer Communities and Neighbourhoods Act* brochure and warning notices translated into French and distributed in communities where there is a demand for French services.
- Public Safety Division will explore the possibility of having the *Safer Communities and Neighbourhoods Act* brochure available in French on the Justice website.

Corporate Objective 4. Supporting French-language services development, planning and delivery in priority areas.

Progress in reaching specific goals and objectives set for 2007-2008

- Two French speaking employees hired in Court services.

- Self-identified Staff, Administrative and Presiding Justices of the Peace for linguistic purposes.
- A Probation Officer, two Justices of the Peace and one Justice Officer II tested at Saint Anne's University to evaluate their abilities in the French-language.
- New employees provided with Lexicon, toolkit and dictionaries.
- A committee was established by Court services to develop a French speaking employee recruitment strategy for court staff, including posting for bilingual staff and development opportunities for staff identified as French services providers.
- One PPS support staff member participated in specialized French legal terminology training.
- Three PPS members participated in general French-language training offered by the Office of Acadian Affairs.
- One PPS Prosecutor attended the week-long training specialized French legal terminology training session provided through the Ontario French-language Institute for Professional Development.
- Three PPS Prosecutors attended the Quebec Prosecutors' School.
- One PPS support staff member was provided with French-language reference materials.
- Two civil litigation lawyers participated in French legal terminology training.

Specific goals and objectives for 2008-2009

- 4.1 Development and adaptation of plans and strategies for French-language service delivery as part of the annual planning process.
- 4.2 The government has a coordinated approach to deal with human resources issues related to the delivery of French-language services.

Highlights of Activities Underway:

- Review the necessity to survey the current French-language capacity of our staff, develop a survey tool for new staff and seek approval from the Department.
- Provide Justice Centre Lexicon, toolkits and dictionaries to Department of Justice employees who are able to provide services in French.
- Fill designated bilingual positions in Court services as operational needs demand.
- Continue to send PPS Prosecutors and support staff who provide French-language services to specialized French-language training as availability, funding and operational requirements permit.
- Continue to ensure that PPS Prosecutors and support staff have access to the materials and resources required to appropriately deliver French-language services.
- Provide specialized French-language training in civil law as required.

Specific measures which will be taken to achieve these goals and objectives in 2008-2009

- French Services Coordinator will develop evaluation tool to measure success of training, increased use of the French-language skills and follow-ups with staff who have taken the training to evaluate the use and retention of the new skills acquired through the training. The French services Coordinator will liaise with Acadian Affairs and the other departments' coordinators to encourage the development of common evaluation tools government-wide.
- In implementing the operational needs tables developed under the French Services Training policy, we will consider future French-language training opportunities offered to

Provincial public servants, such as those organized by the Office of Acadian Affairs in the past three years, or the seats in the Federal Forum classes offered by the Federal Government.

- French Services Coordinator will work with the Court Services' French speaking recruitment committee and as requested, assist HR in the hiring process for any designated bilingual or French as an asset positions.
- French Services Coordinator will, as requested, arrange language testing for employees or new candidates for designated positions to evaluate their abilities in the French-language.
- French Services Coordinator will coordinate on-going French-language training opportunities for current and new staff in the implementation of the operational needs tables under the French services training policy.
- French Services Coordinator will research and recommend working tools for French speaking employees to facilitate their offer of French-language services to the Acadian and Francophone community.
- French Services Coordinator will explore providing Civil Law training to Justice employees as per the training policy.
- French Services Coordinator will explore providing specialized French legal terminology training to Justice employees as per the training policy.
- Video conferencing options for delivery of French Services will be explored.
- PPS will send as many qualified Prosecutors to Quebec Prosecutors' School and/or such other Prosecutor French-language training program as availability, funding and operational requirements permit.
- PPS will send as many qualified support staff to specialized French legal terminology training as availability, funding and operational requirements permit.
- PPS will send as many of its qualifying members to general French-language training as availability, funding and operational requirements permit.
- One Victim Services staff member will be tested to determine proficiency level in French.
- An internal document will be developed outlining a step-by-step guide to securing French-language translators to assist staff of Victim Services with the provision of court preparation, Child Victim Witness Program and Victim Impact Statement assistance.

Please Note:

Although the Public Prosecution Service (PPS) is an independent branch, for the public's convenience, the Public Prosecution Service French-language Services Plan has been included with the Department of Justice's plan. The Nova Scotia Public Prosecution Service is not included in Schedule A to the French-language Services Regulations as a "designated public institution". Therefore, it is not required to publish a French-language services plan pursuant to Section 4 of the Regulations. The designated public institution which most appropriately encompasses the PPS is the Department of Justice. It was agreed that the PPS would provide input in relation to PPS activities and objectives for inclusion in the Department of Justice's **2008-2009 French-language Services Plan.**

