

French-language Services Plan

2020–2021

Justice

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French-language Services Plan
Department of Justice
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Message from the Deputy Minister

Hello / Bonjour!

It is our pleasure to share with you the details of the Nova Scotia Department of Justice's French-language Services 2019-20 Progress Report and Plan for 2020-21. This plan outlines our department's vision, strategic directions, and priorities for the upcoming fiscal year.

As in previous years, the plan sets out our goals for the coming year and identifies the achievements made over the past year. Through extensive input from divisions across the Department, Nova Scotia Legal Aid, and the Public Prosecution Service, we have developed and organized our priorities for 2020-21 according to the strategic directions that they support.

Our plan for the year will see work continue to help Nova Scotians feel safe and secure and to ensure they have confidence in the justice system. We will also continue to work with government and community partners to ensure justice policies, programs and services are effectively delivered and meet the needs of our citizens.

In 2019-2020, the Department of Justice, in partnership with several organizations, launched the Family Law Nova Scotia website in both official languages. The Department of Justice translated and printed self-represented litigants' bookmarks; translated Victim Services forms and restitution fact sheets in French and distributed a bilingual brochure on the *Federal Contravention Act* Agreement in Justice Centres. In addition, the Department of Justice hired more bilingual employees and provided French training and helpful tools to staff.

In the coming year, the department will focus on innovations in service delivery by improving the accessibility and effectiveness of services. Take the work we're doing in family justice as an example. By translating the family law Nova Scotia website, we are helping Nova Scotians experiencing a family breakup, domestic violence or other legal issues to be better informed about the processes and services that make up family law in this province.

The Department of Justice, Nova Scotia legal Aid and Public Prosecution Service are dedicated to supporting the evolution of the Acadian and francophone population in Nova Scotia by improving our programs and services. In partnership with our numerous stakeholders, we are improving and encouraging access to our services and programs in both English and French, concentrating on those designated regions where it is the most favorable.

We also continue to rely on the dedication of our talented employees, the support and collaboration of our partners, and the confidence of Nova Scotians in carrying out this work. We welcome your feedback on our plan for 2020-21 and extend a sincere thanks to all who helped develop it and all who will contribute to its implementation in the upcoming year.

I'm very excited to see this plan in action and to work with staff, all levels of government and our justice partners to integrate these goals and values into our day-to-day operations.

What we're doing to contribute to the growth of the Acadian and francophone community

We recognize the importance of French-language services and we endeavor to fulfil our responsibilities under the *French-language Services Act and Regulations*. We believe Nova Scotians should have access to quality government services in French, and this plan demonstrates our commitment to ensuring our programs, policies and services address the priorities expressed by the Acadian and francophone community. To achieve this aim, we collaborate with other designated public institutions across government – including the Office of Acadian Affairs and Francophonie – through the French-language Services Coordinating Committee. We greatly value this partnership, which ensures a continued understanding of the unique needs of our province's Acadian and francophone community.

We encourage Nova Scotians to request services from government in French. We also encourage Acadians and francophones to have their voices heard by participating on agencies, boards and commissions, which are regularly advertised by the Executive Council Office. As we continue to maintain and improve our French-language services, we welcome feedback on our progress, and we invite you to share with us your comments or questions by contacting our French-language services coordinator. If you wish to make a formal complaint regarding French-language services, please contact the Office of the Ombudsman.

French-language Services Coordinator

The Department of Justice French-language Services Coordinator is Léda Zlotnick, who can be reached by email at leda.zlotnick@novascotia.ca or by phone at 902-424-1274.

Services we offer in French

The Department of Justice offers various programs and services in French such as:

- hearings in court in accordance with the *Criminal Code*;
- interpreters in Provincial Court for criminal matters and in child protection matters;
- simultaneous interpreters as required at Supreme Court and Appeal Court for criminal matters;
- translated print materials in priority subject areas;
- staff participation in the “Bonjour!” campaign;
- nsfamilylaw.ca available in both official languages;
- processing of uncontested applications for divorces in French;
- the Parent Information Program in both official languages in court and online;
- bilingual staff in court administration offices located in designated areas;
- French presentence reports;
- inmate supervision in French, upon request;
- French educational presentations about cyberbullying upon request; and
- phone and counter services in French in the private security and firearm office and a bilingual Firearms Officer in the Yarmouth area.

Public Prosecution Service provides services in French for instance:

- court proceedings in French in addition to the French-language services required by the *Criminal Code*; and
- oral and written communication in French with various agencies (particularly police agencies) and the public (including accused persons, witnesses and the media).

Nova Scotia Legal Aid supports French-language services with:

- 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 are under retainer to represent the accused.

How we communicate with the public in French

Justice

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

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.

The installation of 50 licenses for French correction software program Antidote, on the computers of court staff, Judges, Crown Prosecutors, Court Reporters and Probation Officers also facilitate correspondence between the department and courts with our stakeholders.

Nova Scotia Legal Aid (NSLA) and Public Prosecution Service (PPS)

While they operate independently from the Department of Justice, both NSLA and the PPS take part in the French-language services plan.

NSLA full-service offices have the most public contact. Employees forward French written or oral requests to staff within their workplace 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 or the Department of Justice French-language services coordinator for translation or to other staff who can answer questions in French.

NSLA continues to track requests for French-language services. NSLA responds to French requests, in writing and orally, as capacity permits and has staff fluent in French who can address inquiries.

NSLA participates 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 staff who can respond in French.

NSLA also maintain a list of French-speaking lawyers who are willing to provide telephone duty counsel services in French. NSLA has a few staff members who can converse in French. 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 members of their staff in each of their four geographic regions who can respond to requests from the public to communicate in French. PPS has eight Crown Attorneys who can conduct trials in French, these communication obligations are governed by sections 530.1 of the *Criminal Code*.

What we did to maintain or improve our French-language services in 2019–20

Objectives, Goals, and Accomplishments 2019-20

The strategic or corporate objectives are taken from the 2018-23 Nova Scotia Strategic Plan for French-language Services (Acadian Affairs and Francophonie).

Objective 1 – Strengthen internal operational structures including policy, legislative, and administrative frameworks.

Goals

To champion and support the internal administrative structures by strengthening the policy, legislative and administrative frameworks for the implementation of the *French-language Services Act and Regulations*, the Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service are committed to:

- implementing the Nova Scotia *French-language Services Act and Regulations*;
- implementing the Official Languages amendments to the *Divorce Act*;
- contributing to the provincial government's Annual Plan and Progress Report on French-language services;
- ongoing development and implementation of policies and procedures to support the delivery of French-language services; and
- raising awareness of French-language services, supporting employees and increasing government's capacity to deliver services in French.

Accomplishments

Justice

- French-language services plan drafted, translated and published on the Department of Justice website.
- French hearing protocol amended to reflect any change to practices in the courts, approved and published in the Nova Scotia Provincial Court Manual.
- Negotiated the *Divorce Act* official languages implementation.

Nova Scotia Legal Aid

- Maintained membership on the Department of Justice French-language Services Advisory Committee.

Public Prosecution Service

- Kept a consistent representative on the Department of Justice French-language Services Committee.
- Maintained a list of Crown Attorneys able to conduct trials in French.

Objective 2 – Develop and deliver quality French-language services and programs to the public.

Goals

In support of French-language services development, planning, and delivery to the public, the Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service are committed to:

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

Accomplishments

Justice

- Four Accessibility Directorate French-language press releases were released in 2019:
 - [Partenariats avec le secteur public pour améliorer l'accessibilité](#)
 - [Le gouvernement souhaite connaître l'opinion des gens au sujet des normes d'accessibilité](#)
 - [Nomination des membres des comités d'élaboration des normes d'accessibilité](#)
 - [Demandes acceptées aux comités d'élaboration des normes en matière d'accessibilité](#)

- Ordered and printed Accessibility Directorate toolkits in the language of preference of the recipients, with a limited number of additional copies kept in storage. Five copies of the accessibility planning toolkit for municipalities and five copies of the accessibility planning toolkit for prescribed public sector bodies were printed in French. Additional copies will be printed as required.
- First job posting for Accessibility Directorate stating that French-language skills are an asset was advertised January 2020.
- Correctional Services had one request from an inmate to receive French-language support and two inmates are using French-language software.
- “Bonjour!” program provided in various community corrections offices throughout the province.
- One correctional services staff person participated in webinars and homework provided through the Centre canadien de français juridique.
- In partnership with several organizations, Family Law Nova Scotia website was launched in both official languages September 2019.
- Translated the petition for divorce form 59.09 in French January 2020.
- Launched an online consultation on February 24, 2020, in English and French, in relation to proposed amendments to the Nova Scotia’s *Parenting and Support Act*.
- Renewed contract to offer French legal terminology training to staff in 2020-2021.
- Advertised the French parent information program (PIP) availability with news bulletins on the Family Law Nova Scotia website and reminded staff to offer the French PIP program to clients.
- Advertised the new bilingual Family Law Nova Scotia website via social media (Twitter, Facebook) starting February 2020, including French stakeholders in the social media loop.
- The Department of Justice continues to identify, inform, and encourage employees about opportunities for French- language training. In fiscal year 2019-2020:
 - A court reporter participated in two 60-minutes webinars on family law and one “Semaine de perfectionnement en français juridique” about domestic/spousal violence in Victoria, British Columbia. This training was offered by the Centre canadien de français juridique.
 - A French court reporter participated in 6-week intensive online French training.
 - Twenty-one employees participated in various level of French training at Université Sainte-Anne.
 - Three staff studied online French training offered by Université Sainte-Anne.
 - Thirty-three employees took French legal terminology training offered by the Centre canadien de français juridique some on several occasions.
 - Ten staff attended a French course “Anglicisms and False Cognates without Judgement” on January 22, 2020 in Halifax. This was offered by the Institut Joseph Dubuc, Saint-Boniface, Manitoba.
 - Seven employees participated in a French course titled “Legal Communication 1” in Yarmouth on February 12 offered by the Institut Joseph Dubuc, Saint-Boniface, Manitoba.
 - Four provincial court judges studied legal language education with Juralingo offered by the Centre canadien de français juridique in May and October 2019 in Caraquet, New Brunswick.
- *Federal Contravention Act* agreement brochures were printed in both official languages and distributed to all Justice Centre in Nova Scotia June 2019.
- Self-representant litigants’ bookmarks were drafted and printed in both official languages for distribution to the public.
- Hired two bilingual staff at the Yarmouth Justice Centre.
- Three French trials, plus seventy-six various court proceedings were held in French.
- Employed French interpreters in court on forty-five occasions totaling one hundred and ninety-three hours of interpretation services. On eight occasions French interpreter services (twenty-four hours) were canceled within 24 hours.
- Maintained French translation of the *Civil Procedure Rules* (amendment to Rule 91.15(2)(b)(iii)(C)) January 2020.
- The Department of Justice funded the translation of one French Will into English processed in Halifax.
- The Legal Services Division continued to provide legal advice and legal supports to Acadian Affairs and Francophonie as required. The Justice solicitor met with Acadian Affairs and Francophonie on 2-3 occasions in 2019. They also identified one legal assistant able to provide French-language services.
- The department continues to advertise vacant positions with French-language considered an asset as needed.
- Private Security and Firearm sections continue to provide French-language services on the phone and with counter services. They received a couple of phone calls requesting French services last year. Bilingual staff are available in Halifax and Yarmouth.
- Firearms Section continues to meet the federal language criteria in its programs on an ongoing basis.
- Victim Services translated and published these forms on the Victim Services website in French:
 - Victim Impact Statement travel fund.

- Confidentiality Caution.
 - Authorization for release of Information.
- Also, Victim Services had these restitution fact sheets translated:
- Restitution step-by-step.
 - How to ask for restitution.
 - Restitution as part of a conditional sentence or probation order.
 - Restitution as a stand-alone order.
 - How do I seek restitution in civil court?

Nova Scotia Legal Aid

- Three lawyers and one legal administrative assistant took French legal terminology training sessions offered by the Centre canadien de français juridique, in Yarmouth, Halifax and Port Hawkesbury.
- Published, on the Legal Aid website, excerpts and fact sheets about Legal Aid in both official languages can be found, including:
 - Know Your Rights: How Can Telephone Duty Counsel Help You?
 - Know Your Rights: What Are Your Rights If You Are Stopped by The Police?
 - Career as a Legal Aid lawyer.

Public Prosecution Service

- Four Crown Attorneys participated in French training through Université Sainte-Anne.
- Two Crown Attorneys took two 60-minutes webinars on family law and one “Semaine de perfectionnement en français juridique” about domestic/spousal violence in Victoria, British Columbia. This training was offered by the Centre canadien de français juridique.
- Three Crown Attorneys participated in a week-long training session at the French-Language Institute for Professional Development in Sudbury, Ontario.
- Seven Crown Attorneys took French legal terminology training offered by the Centre canadien de français juridique, some more than once.
- One Crown Attorney attended a French course, “Anglicisms and False Cognates without judgement” on January 22, 2020 in Halifax. This was offered by the Institut Joseph Dubuc, Saint-Boniface, Manitoba.
- The French version of the *Plain Language Guide to a Sexual Assault Prosecution* was added to the Public Prosecution Service website in June 2019.
- Antidote licenses were provided to 3 Crown Prosecutors. All bilingual Crown Attorneys now have access to the program.

Objective 3 – Maintain ongoing dialogue and consultation with the Acadian and francophone community.

Goals

To engage the Acadian and francophone community through communications and consultations in support of its development and growth, the Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service are committed to:

- supporting the community in its development, through consultation, collaboration and partnerships;
- consulting and communicating with the community and gain input, feedback and recommendations; and
- ensuring Acadian and Francophone representation on Agencies, Boards and Commissions (ABCs) by advertising for ABC positions in both official languages.

Accomplishments

Justice

- In January 2020, the department published online public consultation materials about reform of family property law in both official languages with the possibility of completing and submitting by mail or by email. Consultation advertised in “Le Courrier”. The Deputy Minister’s letter addressed to French-speaking stakeholders was translated into French in December and communicated in January 2020.
- The Spring and Fall Agencies, Boards and Commissions recruitment campaigns, published by the Executive Council Office, are advertised in both official languages. Applicants and successful candidates who identify as Acadian are recognized as diverse.

- Translated accessibility survey and issued French press release inviting the public to complete the survey to inform accessibility standards for education and the built environment. Twelve surveys out of 1,096 were completed in French.
- The Department of Justice French-language Coordinator co-chaired the Federal, Provincial and Territorial (FPT) working group on access to Justice in Ottawa November 2019 and represented the working group on the FPT advisory committee in Saskatoon, Saskatchewan April 2019.
- Met with l'Association des juristes d'expression française de la Nouvelle-Écosse on three separate occasions to discuss French-language service delivery and promotion of services and programs that benefit the Acadian and francophone communities in Nova Scotia.
- Collaborated with l'Association des juristes d'expression française de la Nouvelle-Écosse about the drafting of the family law lexicon available on the Nova Scotia Family Law website.
- Provided l'Association des juristes d'expression française de la Nouvelle-Écosse funding in support of Law Day for French students.
- Hosted l'Association des juristes d'expression française de la Nouvelle-Écosse "Triple Anniversary" on October 17, 2019 and presented at the event about the Family Law Nova Scotia website offered in both official languages.
- The Department of Justice French-language Coordinator attended l'Association des juristes d'expression française de la Nouvelle-Écosse annual general assembly on October 18, 2019.
- Distributed 1,355 CyberScan French brochures to 31 different schools, police, and various organizations and agencies. SCAN continues to have brochures available in French. There were no requests in the past year for a Cyber Scan presentation in French.
- In partnership with the Conseil scolaire acadien provincial, the Restorative Initiatives Unit completed the following items:
 - reached out to Conseil scolaire acadien provincial schools;
 - coordinated lead team in Conseil scolaire acadien provincial about restorative approach;
 - arranged dates to facilitate professional development sessions in French on restorative approaches in schools; and
 - provided professional development session with PowerPoint slides and other information materials in French on taking a restorative approach in school communities.

How we plan to maintain or improve our French-language services in 2020–2021

Objectives, Goals, and Measures for 2020-21

Strategic or corporate objectives are taken from the 2018-23 Nova Scotia Strategic Plan for French-language Services (Acadian Affairs and Francophonie).

Objective 1 – Strengthen internal operational structures including policy, legislative, and administrative frameworks

Goals

To champion and support the internal administrative structures by strengthening the policy, legislative and administrative frameworks for the implementation of the *French-language Services Act and Regulations*, the Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service are committed to:

- implementing the Nova Scotia *French-language Services Act and Regulations*;
- implementing the Official Languages amendments to the *Divorce Act*;
- contributing to the provincial government’s Annual Plan and Progress Report on French-language service;
- ongoing development and implementation of policies and procedures to support the delivery of French-language services; and
- raising awareness of French-language services, supporting employees and increasing government’s capacity to deliver services in French.

Planned Measures

Justice

- ✓ Review/determine if printed material related to the *Service Dog Act* will be made available in French.
- ✓ Draft, translate and publish French-language services plan on the Department of Justice website.
- ✓ Implement the official languages amendments to the *Divorce Act* determined in consultation with the judiciary and with confirmation of budgetary contribution from Canada.

Nova Scotia Legal Aid

- ✓ Maintain membership on the Department of Justice French-languages Services Advisory Committee.
- ✓ Publish more NSLA information and legal information on its website in both official languages.

Public Prosecution Service

- ✓ Continue to have a representative on the Department of Justice French-language services committee.
- ✓ Maintain and update a list of Crown Attorneys able to conduct trials in the French-language pursuant to s.530.1 of the *Criminal Code*.
- ✓ Continue to provide “Antidote” computer program licences to bilingual Crown Attorneys.

Objective 2 – Develop and deliver quality French-language services and programs to the public

Goals

In support of French-language services development, planning, and delivery to the public, the Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service are committed to:

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

Planned Measures

Justice

- ✓ Increase capacity for staff to communicate in French.
- ✓ Identify legal and support staff capable of providing French-language services to clients.
- ✓ Ensure staff and lawyers continue to take advantage of relevant training opportunities.
- ✓ Advertise for two more positions in the Firearms section this fiscal year using the wording “French would be considered an asset” on the posting, in search of French resources.
- ✓ Continue to offer private security and firearms services in French on the phone and at the counter.
- ✓ Translate the most current materials regarding restorative justice into French such as the website, brochures and PowerPoints.
- ✓ Enhance educational programming provided in French for adult and youth inmates on request.
- ✓ Continue to build capacity to support French-language services requests by recognizing staff capable of providing French-language services to government clients or by identifying employees suitable for French training.
- ✓ Continue to employ bilingual staff in key service areas.
- ✓ Maintain French material on the Department of Justice correctional services.
- ✓ Explore having Victim Services letters on the case management system available in French.
- ✓ Support French translation of the *Civil Procedure Rules*.
- ✓ Update French *Criminal Code* forms and publish on the Courts of Nova Scotia website.
- ✓ Provide funding for translation of French Wills.
- ✓ Ensure French services are provided in criminal court in accordance with section 530 of the *Criminal Code*.
- ✓ Hire a federal contravention bilingual clerk for the Dartmouth Justice Centre.
- ✓ Offer Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service employees a variety of French training opportunities.
- ✓ Continue to support provincial judges French training opportunities.
- ✓ Enter into a contract with the Centre canadien de français juridique to provide staff with French legal terminology training.
- ✓ Explore offering a bilingual court reporter intensive French training.
- ✓ Translate Jurors' Summons and supporting materials package into French.
- ✓ Establish a video-court in Chéticamp to improve access to family law services. The video-court will provide services to French-language communities in the catchment area of Northern Inverness County, including clients from Margaree, Saint-Joseph-du-Moine, Grand-Étang, Chéticamp, Petit-Étang, Pleasant Bay and Meat Cove. The video- court is a pilot project which will be evaluated after one year.

Nova Scotia Legal Aid

- ✓ Provide bilingual business cards to lawyers providing services in French.
- ✓ Continue to make proficiency in French a desirable asset in hiring new personnel.
- ✓ Continue to offer French-language training made available by government to all employees.
- ✓ Provide French speaking counsel to represent accused.

Public Prosecution Service

- ✓ Promote the availability of French training available through the provincial government and elsewhere.
- ✓ Maintain a French component on the Public Prosecution Service website.
- ✓ Provide bilingual business cards for newly hired Crown Attorneys.

Objective 3 – Maintain ongoing dialogue and consultation with the Acadian and francophone community

Goals

To engage the Acadian and francophone community through communications and consultations in support to its development and growth, the Department of Justice, Nova Scotia Legal Aid and Public Prosecution Service are committed to:

- supporting the community in its development, through consultation, collaboration and partnerships;
- consulting and communicating with the community and gain input, feedback and recommendations; and
- ensuring Acadian and Francophone representation on Agencies, Boards and Commissions (ABCs) by advertising for positions on ABCs in both official languages.

Planned Measures

Justice

- ✓ Provide quality legal advice to its clients, including Acadian Affairs and Francophonie.
- ✓ Remain involved with the Conseil scolaire acadien provincial with regards to restorative approaches in schools.
- ✓ Continue with Agencies, Boards and Commissions recruitment in French.
- ✓ Meet with l'Association des juristes d'expression française de la Nouvelle-Écosse to discuss the needs of the francophone community.
- ✓ Provide a grant to l'Association des juristes d'expression française de la Nouvelle-Écosse in support of Law Day at the French schools.
- ✓ Continue to offer French CyberScan presentations to French schools upon request.

Nova Scotia Legal Aid

- ✓ Continue to consult with French-language stakeholders.
- ✓ Participate in mock court activity through l'Association des juristes d'expression française de la Nouvelle-Écosse.

Public Prosecution Service

- ✓ Retain a list of staff members able to communicate with stakeholders in French.

Priorities of the Acadian and Francophone Community

The Department of Justice respects the identified priorities of the Acadian and francophone community and tries to meet the unique needs of this population. Through our partnership with l'Association des juristes d'expression française de la Nouvelle-Écosse and other francophone organizations such as the Fédération acadienne de la Nouvelle-Écosse, we have acquired a better understanding of the community's needs. We continue to value these relationships and aim to further advance our affiliation with these and other community partners and organizations.

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

The actions and initiatives presented in this plan build upon the groundwork of current Department of Justice French-language services and reflects the Department's steadfast commitment to supporting French-speaking Nova Scotians. This plan will continue to guide the efforts of the Department of Justice French-language Services Advisory Committee as it endeavors to actively promote the preservation and growth of the Acadian and francophone community.