

# It's my right!

*C'est mon droit!*

Constitutionally Protected Minority Language Rights Outside of Québec



You should **not** rely on this booklet for legal advice. It provides general information on **Alberta law only**.



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## Introduction

*Whether we are born in Canada or move here later in life, we learn that this is a bilingual country. We also learn that minority official language speakers (the French language minority outside of Québec, and the English language minority inside Québec) have “rights” and that these rights are sometimes protected by Canada’s constitutional framework (including the Charter).*

*But what exactly are these rights and when exactly do we have them? Are these rights always constitutionally protected, and, if not, what are the differences between the kinds of rights? Are there times when an official language minority issue is not question or “right”?*

*This booklet is for people who would like to learn more about their constitutionally-protected French language minority rights outside of Québec. The issue of English language minority rights inside Québec will not be addressed in any detail. This booklet gives general information only, not legal advice. This booklet is available in both French and English.*

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# 1. General Information

## 1.1

**So many people say that Canada is a bilingual country, but where I live there are not many people who speak French, and I have heard that in Québec there are many people who don't speak English. Why do we say that Canada is a bilingual country?**

The concept of being a bilingual country can be viewed in various different ways.

For example, one could consider bilingualism to mean that most people in the country fluently speak both languages. Although some countries can meet that threshold, this is not the kind of bilingualism that exists in Canada. Instead, Canadian bilingualism means that there are a large number of people who speak one language, and a large number of people who speak another. In Québec alone, there are almost 8 million French-speakers.

The concept of being a bilingual country can also be based on the language-related rules and programs that are in place. This kind of bilingualism also exists in Canada. It is a bilingualism that results from our constitutional and governmental commitments to the equality of the English and French languages in the public sphere. As a result, Canada has two official languages and legal protections for minority official language rights (the French language minority outside of Québec, and the English language minority inside Québec). This is why all products must be labeled in both French and English and why some of our laws and services are available in both languages.

## 1.2

**Why do we have these minority language protections; why not just let people speak what they speak without government involvement?**

Canadian law recognizes that both the English and the French communities, and therefore, languages, played an important role in the founding of the federation now known as Canada. It recognizes that language is a fundamental aspect of individual identity and an

expression of community and culture. Canada's bilingual character is also a fundamental aspect of Canadian national identity. It is a reference for national pride and patriotism. Like the flag and the national anthem, our bilingual composition portrays the national personality. Minority language protections ensure that all of these aspects of Canadian identity will be preserved.

## 1.3

**If we are worried about preserving language, why doesn't the federal government just make it mandatory for everything to be in, and for everyone to learn, both languages?**

It can't. Canada is a federation. As a result, law-making powers are divided between the federal and provincial/territorial governments.

The basic rules that dictate which level of government can make what laws are set out in sections 91 (federal) and 92 (provincial) of the *Constitution Act, 1867* ("CA 1867", formerly known as the *British North America Act* or "*BNA Act*"). Under the CA 1867, the word "language" itself does not appear in any of the lists in either s.91 or s.92. Instead, the authority to make law about language is tied to each particular non-language subject matter. In other words, there is no single and complete power to make laws about language. Instead of either the federal or the provincial/territorial governments having sole power over this issue, the power is divided between them. The result is a set of federal language laws, and a set of language laws (or no language law) for each province/territory. Because of the variety of law makers, the result is a mix of laws, many of which continue to be examined, debated and challenged in Canadian courts.

## So what are these various kinds of laws and what kinds of protections do they give?

Language rights in Canada appear in various kinds of law, and the kind of rights or protections that they give depends on the nature of the law.

### Overarching Legislation / the Constitutional Framework

The most permanent commitment to bilingualism comes from the language rights that are enshrined in the *Canadian Charter of Rights and Freedoms* and in section 133 of *CA 1867*. In short, these rights guarantee, under certain conditions, minority language: education, governmental communications and services, legislation and publications, and judicial rights. These rights are essentially permanent, as they are difficult to alter (there is high standard for changes to the *Charter* and to other constitutional documents), and the *Charter* language rights are not subject to the *Charter's* not-withstanding clause. However, as will be discussed below, although they affect people across Canada, and except in matters of minority language education rights, these rights are limited to federal government, the government of Québec, and the government of New Brunswick (the only officially bilingual province).

### Federal Laws

Alongside the *Charter* protections, the federal government has passed additional laws about language rights. One example is the federal *Official Languages Act*. Again, however, this kind of legislation applies only to the federal government. Another example is section 530 of the *Criminal Code* of Canada, which outlines the minority official language rights of an accused in criminal proceedings. These laws can be seen as one way the federal parliament puts constitutional minority language rights into action.

### Provincial Laws

Due to its bilingual status, the government of New Brunswick has also passed additional language laws that work alongside the *Charter*. The laws of other provinces /territories contain some language rights, but they are generally less extensive. The exact nature of these “rights” varies. Some provinces/territories have created laws that grant rights and protections. If there is such a law, then a person can complain to a court if those laws are not respected. Examples are Manitoba and Ontario. Other provinces, however, have not created such language laws. Instead they have merely directed some government departments and service providers to communicate and offer services in the minority official language. In such instances, official minority language communication and services are a matter of policy, not of right.

### Municipal Bylaws

Municipalities also vary in terms of their minority-language laws, protections and policies. Most municipalities are created by the province/territory in which the municipality is located. Some municipalities have passed by-laws and established practices that recognize minority official language speakers, some have not. Since the *CA 1982* makes New Brunswick bilingual, the result is that all New Brunswick municipalities are bilingual. Municipalities such as Winnipeg and Ottawa also have extensive minority-language rights, services, and policies. Even smaller municipalities, especially if they were founded by speakers of the minority language, may be quite bilingual.

*Language rights in Canada appear in various kinds of law, and the kind of rights or protections that they give depends on the nature of the law.*

## 2. Education Rights

### 2.1

#### What exactly are our minority language education rights?

Under section 23 of the *Canadian Charter of Rights and Freedoms*, Canadian citizens who are in the French or English-speaking minority in their province/territory have the right for their children to be educated in the minority language.

However, the *Charter* adds some criteria. In all provinces/territories except Québec, the eligibility criteria are:

- that the first language of the parent is French and that he or she still understands French, or
- that the parent had his/her primary education in Canada in French.

Once one child is enrolled in French school, all other children in that family may access French language education.

In addition, there can still be variations from place to place. For example: exactly how the right is fulfilled may vary. Sometimes, a sufficient number of minority language children may result in a Francophone school being built in a particular area. Other times it may only result French-language instruction within a larger English-language school, or in a right for the children to be bused to a Francophone school in another area. On the other hand, if there is enough demand, the parents may have the right to the establishment of a school board to govern the delivery of minority language education in their community.

Also, each province/territory has the right to create education laws that make it easier to assert a right to minority official language education. For example, the province of Manitoba only requires the parent to have received four years of schooling the minority language. In some other jurisdictions, a parent must have received the “major part” of his or her schooling in the minority official language before he or she can claim a minority language education right for his or her children.

For the exact wording of section 23, see the link on our page of Additional Resources.

### 2.2

#### There is no French school in my area, so I am considering French immersion for my children instead. Is French immersion the same thing as French school?

No, it is not.

In French language instruction (also called French “homogenous” instruction) all subjects and school activities are carried out in French (except for any part necessary for the instruction of other languages – and then it is a mix of French and that other language). Immersion programs, on the other hand, teach part of the curriculum in one language, and part in the other: the percentage can vary widely from grade to grade and from school to school.

The programs also serve very different purposes. “Immersion” is about educating a child in a second language that is not his or her mother tongue. “Minority language education” is about educating the child in the mother tongue he or she inherits from the parent. Immersion programs encourage bilingualism, and they are often very successful at doing so. But the social environment of the school is one in which the majority language (English) is spoken and used. The minority cannot help but assimilate.

Education in French, on the other hand provides an important way to preserve and promote the minority group’s language, culture and community. It is meant to reinforce the child’s mother tongue (French) as his or her default language and to provide a resource and focus point for the minority language community to which these children belong. It is designed to protect the minority from assimilation, to give recognition and encouragement to local minority language communities, and to allow for the survival, growth and vitality of the French language minority communities.

## 2.3

**I live in a rural part of a mostly English-speaking province. Both my spouse and I went to Francophone schools and we speak French at home. We would like our children to go to a Francophone school as well, but there is no such school in our area? Can we force the government to build one?**

Section 23 of the *Charter* speaks of a right for entitled persons to have their children “receive instruction” in the minority language. It does not guarantee a school in every community. As a result, you may not have the right to have a school built in your community. Instead, your children may be bused to a neighbouring community. Alternatively, the French education can occur within an English-language school. However, as has been decided by the courts, if that bus ride is too long, and if the number of entitled children warrants, your provincial/territorial government may indeed have to provide a facility. The existence and location of schools must be determined on a case by case basis, having regard to all of these, and other, relevant facts. Parents should also be aware that if they assert the right to a free-standing French language school, most likely only their youngest children will benefit, since the province is usually allowed a reasonable time to respond to such a demand.

For more information, contact your local Francophone school or Francophone school board, or a French-speaking lawyer in your area.

## 2.4

**I speak French, as does my child’s other parent, and we both attended French school. We have not yet taught our child any French. Can she still go to a Francophone school?**

Yes. The language spoken by the *child* is not what gives rise to the right to attend a Francophone school: it is the *parent’s* right to register his or her child(ren). Given that you both received your schooling in French, you have the right to have your child enrolled in French language education where the number of children warrants at least a French language program. The same could be true even you had not attended French school. As long as at least one parent can show that French is his/her first language learned and still understood, that is enough to claim the education right on behalf of the child.

## 2.5

**I went to an English school and my spouse went to a Francophone school. Do our children have a right to attend a Francophone school?**

Yes. It only takes one parent to assert a minority official language education right. In any event, if either parent can claim that French is his/her first language learned and still understood, their language of education doesn’t matter.

To find out more information, you can contact your local Francophone school or Francophone school board.

*The language spoken by the child is not what gives rise to the right to attend a Francophone school: it is the parents who receive the entitlement (to register their children).*



## 2.6

**Both my spouse and I went to English schools and we speak English at home, but our children's grandparents were Francophone and we would like our children to be bilingual. Can we send our children to our local Francophone school?**

If neither parent can show that French is their first language learned and still understood then, there is no “right” to Francophone education.

That said, the governing school board may decide that it is in the best interests of the programme/community to accommodate children with slightly more remote Francophone heritage. The local Francophone community has governance rights with respect to its Francophone schools, and the discretion to make admission decisions in the best interests of the community. Although the admission of non-French-speaking children can present some difficulties, this does not generally forbid access. Instead, the children are often registered in remedial or bilingual classes within the Francophone programme/school, with a view to integrating the children into the regular classes as soon as possible. The school or school board may also have additional requirements (such as a requirement that the parents also learn French).

For more information, you can contact your local Francophone school or Francophone school board.

*Education in French...provides an important way to preserve and promote the minority group's language, culture and community.*

## 2.7

**I want my child to go to a Francophone school, but I would also like it to be a private school. Even though I live in a city with many Francophones, there does not seem to be any such school. Do I have a right to require one?**

Section 23 of the *Charter* pertains to minority language instruction provided out of public funds. There is no constitutionally-protected right to minority language instruction at a private facility.



### 3. Rights Regarding Government Services and Communications

#### 3.1

#### **What exactly are the constitutionally protected rights to bilingual services and communications?**

These constitutionally protected rights come from section 20 of the *Canadian Charter of Rights and Freedoms*. This section states that, under certain conditions, any member of the public in Canada has the right to communicate, in either official language, with an office or institution of the federal government. It also states that any member of the public in Canada has the right to communicate, in either official language, with an office or institution of the government of New Brunswick (there are no conditions for this right).

For the exact wording of section 20, see the link on our page of Additional Resources.

#### 3.2

#### **What about other governments? Don't minority language speakers have a right to *any and all* governmental services and communications in their language?**

No. This is a result of the divided law-making ability regarding language rights (as described above).

In general, as a matter of right, one can *usually* obtain services from, and communicate with, *federal* government employees in either official language, if the conditions are met (see question below).

This, however, is often not the case with provincial or territorial governments. Currently, the only officially bilingual province is New Brunswick (its bilingual status is enshrined in the *Canadian Charter of Rights and Freedoms*).

In that province, one can expect services and communications in either official language. Again, this is a matter of right.

In some other jurisdictions, provincial or territorial government services *may* be available in French, but they may not be, and they do not necessarily *have* to be, unless there is a provincial/territorial law requiring service in

French. Similarly, if services are provided in French, those services may come in varying formats: some governmental offices may have a selection of written materials available in French, some may have French-speakers that can answer - or find answers to - questions, and others may provide a translation service (you submit your question and the answer will be translated into French for you).

Many jurisdictions have specific provincial/territorial legislation that addresses French services (often called the *Language(s) Act*, or something similar). Under these kinds of law, some provinces have quite an extensive availability of French language services: for example, Manitoba and Ontario. Others, less so. It all depends on what the provincial/territorial laws say about this issue, and whether it is a matter of law or of policy.

In some jurisdictions, the provincial/territorial governments are still trying to determine what is, or is not, required. Sometimes, when a province joined Canada (for example, when Manitoba joined in 1870) the agreement guaranteed government bilingualism in the province. In others cases, a province may disagree that there is any legal reason why it has to provide services in French, and those disagreements can end up in court.

#### 3.3

#### **I live in a very multi-cultural area, and although there many French-speakers there seems to more services and information available in other languages than in French. Why is that?**

As described above, constitutionally-protected rights to French minority language services and communications are limited to the federal and New Brunswick governments. Any other rights to French minority language services and communications will depend on the laws and policies of your particular jurisdiction. Some provinces/territories have many legal entitlements for the French language minority, others have fewer.

Some provinces/territories of Canada have also passed

laws giving certain rights to speakers of other languages. For example, the Yukon, the Northwest Territories and Nunavut, in addition to recognizing English and French minority official language communities, have also created some minority language rights for a number of the aboriginal language speakers within their boundaries.

In addition, even if it may not be required by *law*, any jurisdiction can choose to offer second-language services and information based on *policy*. As a result, if for example a community is located in a province/territory that has very few French language entitlements and it also happens to have a large number of speakers of a third language, it may choose to offer services and information in that third language before it offers services and information in French. Again, this is a matter of policy.

### 3.4

#### **I am a Francophone, but recently moved to an area that has very few Francophones. Can I still get federal government services in French?**

It depends.

Section 20 of the *Canadian Charter of Rights and Freedoms*, guarantees the right to receive services from, and the right to communicate with, the federal government in either official language.

However, that section had conditions. In Anglophone provinces/territories, Francophone services must be made available:

- where there is “significant demand”, or
- where the “nature of the office” makes it “reasonable” to offer the service in French.

*The federal government's minority-language protections do not apply to hospitals.*

### 3.5

#### **With respect to federal services, what exactly constitutes “significant” demand and a “reasonable” nature?**

This matter is addressed in the regulations of the federal *Official Languages Act*. The exact definition of “significant demand” is determined by population census data. For example, in larger urban centres, significant demand is reached when the minority population is at least 5,000. In smaller town and rural regions, bilingual services are required if the minority population reaches at least 500 people and represent 5% of the total population. The regulations addressing the concept of the “nature of the office” require bilingualism for standardized announcements and signage regarding the health, safety and security of the public, national parks, and all Canadian diplomatic missions on foreign soil.

### 3.6

#### **What exactly is an “institution” or “office” of Canada?**

This is a very complex question, the answer to which has not yet been fully determined. For example: it is clear that, if the above criteria are met, federal government offices and departments, as well as Crown corporations (such as Canada Post and Via Rail) qualify. For other organizations, such as the RCMP, it is not always so clear (because sometimes a provincial or municipal government contracts with RCMP instead of creating its own police service, and in such instances the RCMP are arguably not acting as part of the federal government). Sometimes, even a privatized corporation can be deemed a “federal institution” for these purposes (for example, Air Canada, which was privatized in 1988). Courts continue to examine the issue to determine the exact extent of the rights involved.



### 3.7

**I was in the hospital last year and had a hard time finding someone who could explain things to me in French. Since the federal government has laws about health care, don't they have to ensure that medical services can be provided in French?**

No. The federal government's minority-language protections do not apply to hospitals. Although the *Canada Health Act* sets the conditions that provincial healthcare systems have to meet in order to qualify for federal healthcare funding, under the *CA 1867*, hospitals are clearly under provincial jurisdiction.

In New Brunswick, which is the only officially bilingual province, French services in a hospital are required. In other provinces/territories, this is *not* the case.

That said, some provinces/territories do have French hospitals. In such facilities, French services are available as a matter of policy. Not all provinces/territories have French hospitals (and there is no *requirement* for such hospitals).

However, if a province/territory has made laws about providing public services, such as health care, in French, then it may be more difficult to later remove those services. This is what the Montfort Hospital case was about. Ontario has a *French Language Services Act* that includes health care, and the Montfort was a French-language hospital. When the province decided to remove most of the services from the Montfort to a near-by bilingual hospital, it had to meet a very high standard of justification for removing the French language services because of Canada's constitutional commitment to minority official language communities. In the end, the province's actions were determined to be invalid because the decision-makers had not given sufficient consideration to the negative impact of the closure on the French-speaking community.

### 3.8

**I am a Francophone who has just moved to a mostly English-speaking province. The other day, I was stopped by the police at a routine a check-stop. I was really worried that I would not be able to understand what was being said. When I am talking to police, do I have a right to speak French?**

Maybe.

In New Brunswick, yes.

In other jurisdictions, if you are dealing with the RCMP, you might (it depends on issues such as significant demand and whether the RCMP is acting as an agent of a province/territory, as discussed above). With provincial/territorial or municipal police forces, it will depend on what kinds of provincial/territorial/municipal language laws are in place and whether those laws grant any such right.

Otherwise, it is not really a matter of "right", but rather, one of policy. Many police forces do ensure that they have French-speaking officers available. Even if those officers are not on duty, they can be called in to help (either in person or through telephone or internet). Although this can result in some delay, it may lead to a better and more comfortable situation for you. Therefore, if you are stopped by police and you would like to communicate in French, you can, at least, request a French-speaking officer.

### 3.9

**How do I find out if services are available in French in my area?**

If you need French language services from an institution or office of the federal government, you can either call your local federal government office, or visit the federal government's BUROLIS website. Please see our page of Additional Resources for the link.

If you need French language services from an institution or office of a provincial /territorial or municipal government, you can call that government's main information line, or visit its website, for further information. You may also wish to ask to see any provincial/territorial law that addresses this issue.

### 3.10

**I am a Francophone and I am considering running for public office for the federal government. I think I would find it difficult to speak publicly in English. Can I speak French in the Canadian Parliament?**

Yes. According to s.16 of the Canadian Charter of Rights and Freedoms, English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in the Parliament of Canada. The ability to speak either official language in this governmental institution is also helped by the fact that everyone has access to translation through simultaneous interpreters.

### 3.11

**What if I want to run for provincial or territorial office (outside of Québec)?**

It depends on the province/territory.

According to s. 16 of the *Canadian Charter of Rights and Freedoms*, English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in the legislature of New Brunswick. The ability to speak either official language in this legislature is also helped by the fact that a simultaneous translation service is provided.

Although s.16 of the *Charter* also states that other legislatures may also advance the equality of status or use of English and French, other provinces/territories do not have to do so. In such provinces/territories, it is generally possible to speak French, but there is no guarantee that the speaker or other elected officials will understand French, and, therefore, a translator may be required. Some provinces, such as Manitoba and Ontario, offer a simultaneous translation service, some do not. In Alberta and British Columbia, for example, a MLA who wants to speak in French in the legislature must provide a written translation in advance.

*If you need French language services from an institution or office of the federal government, you can either call your local federal government office, or visit the federal government's BUROLIS website.*

## 4. Rights Regarding Access to Legislation and Government Publications

### 4.1

#### Can I find federal laws written in French?

Yes. All federal laws (and regulations) exist in both languages. In fact, in the official version, they appear side by side. You can access federal laws and regulations in either official language at: [www.gc.ca](http://www.gc.ca).

### 4.2

#### Can I find my provincial /territorial laws written in French?

Not necessarily.

New Brunswick, Québec and Manitoba publish all provincial laws in both official languages. So, too, does Nunavut and the Northwest Territories. Some provinces/territories publish only some of their laws in both official languages: for example, Newfoundland and Nova Scotia. Others still, publish only in English.

For links of provincial and territorial websites, please see our page of Additional Resources. You can also check with your provincial/territorial legislative library for any non-internet accessible translations of laws.

### 4.3

#### Can I find my municipal laws written in French?

It depends. In New Brunswick, yes. For municipalities outside Québec, there are no constitutional requirements for any municipalities to provide their laws in both official languages. That said, some municipalities, especially those created by Francophone or Acadian settlers, do offer some, or all, of their laws in French.

### 4.4

#### The government has proposed a new law that is currently still in the form of a bill. I would like to see the documentation, and read the debates, about it. Is this information available in French?

It depends.

In the House of Commons and the Senate, all journals, order papers, notice and minutes are kept in both official languages. So, too is the Hansard (which is the official record of the debates). The same is true in the New Brunswick and the Québec legislatures.

For all other provinces/territories, it varies depending upon what they choose to do. For further information, you can contact your provincial/territorial government. For further information, see our page of Additional Resources.

### 4.5

#### I am trying to address a legal problem that I am having, and I am trying to research cases similar to my own. I am having trouble finding court and tribunal judgments written in French. Don't courts have to provide their decisions in both official languages?

Not necessarily.

Again due to the division of powers, it depends on the nature of the court/tribunal and the matter that it is hearing. For example: the federal courts and the Supreme Court of Canada publish all decisions in both official languages. On the other hand, not all criminal trials result in decisions being issued in both languages. In fact, most don't. It depends on the language of the proceedings and/or the importance of, or general public interest about, the issue (sometimes, such as when the trial was in French, the decision may be published only in French). Similarly, decisions resulting from non-criminal provincial/territorial proceedings may or may not be available in both official languages, depending on the language laws of the

province/territory. You may also find some decisions have been translated into French by a non-court publisher like CanLII, Westlaw or Canada Law Book.

To learn what applies in your province/territory, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English). See our page of Additional Resources for links.

## 4.6

**Although I have found some of the laws I need in French, the legal language is challenging. I see that, for English, governments have legal information in plain language. Does the same exist for French?**

It depends.

The federal government provides much legal information in both official languages. To start your search, you can go to the federal government website and choose the language of your choice. The government of New Brunswick also offers information in both official languages. The amount of French-language legal information provided by other provincial /territorial governments depends on their individual laws and policies. For information, call your provincial /territorial government main information line, or visit its website.

For plain language legal information you can also contact a public legal education provider in your province/territory as well as your provincial/territorial association of French-speaking lawyers. Lists of both of these kinds of organizations are available on our page of Additional Resources.

*All federal laws (and regulations) exist in both languages.*





## 5. Judicial Rights

### 5.1

#### What are judicial language rights?

Judicial language rights pertain to the ability of an individual to use either French or English in the judicial system, especially court processes.

Section 133 of the *Constitution Act 1867* guarantees these language rights in any court established by Parliament (the federal government) and the courts of Québec. Section 23 of the *Manitoba Act 1870* and section 19 of the *Canadian Charter of Rights and Freedoms* guarantees similar language rights in Manitoba and New Brunswick, respectively.

The courts of the other provinces/territories are not bound by any such constitutional provision, and the provincial/territorial governments have the authority to regulate language rights in respect of courts and tribunals in the province/territory and civil matters, except where the *Criminal Code*, which is federal legislation, says differently (see below for further discussion).

*{D}ue to the powers retained by the federal government and the bilingual requirements on the federal government, there is the possibility of having a criminal trial (including the preliminary inquiry) in French.*

### 5.2

#### My son has been charged with a crime and would like his criminal trial to be conducted in French. Is this possible?

Yes.

Criminal law is in the jurisdiction of the federal government. Therefore, even though a criminal trial does not take place in a federal court, due to the powers retained by the federal government and the bilingual requirements on the federal government, there is the possibility of having a criminal trial (including the preliminary inquiry) in French. French-speaking judges are available. You can choose to have your criminal trial in French, no matter what your mother tongue, and even if you understand English.

In addition:

- every accused must be informed of the possibility of having his/her trial in French,
- if a French trial is chosen, the Crown prosecutor assigned to the case must speak French, and
- the accused has the possibility of obtaining a translation of the indictment or information (the document that lists the charges against the accused person) upon request.

These rights are contained in sections 530, 530.1, and 530.2 of the *Criminal Code* of Canada.

To find a French-speaking lawyer that can represent you, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English). See our page of Additional Resources for links.



### 5.3

#### **If my son's trial involves a jury, will the jury be French-speakers?**

Yes, the jury will be French speakers. This right is guaranteed under s.530 of the *Criminal Code* of Canada.

### 5.4

#### **If I have a criminal trial in French, will all of the paperwork and evidence from other parties also be in French?**

For criminal trials, forms such as the information can be provided in French, as can the pleadings. In addition, both the *Criminal Code* and s.14 of the *Charter* require that interpreters be available to assist the accused and the counsel for the accused during the preliminary inquiry or trial.

However, someone giving evidence has the right to provide it in the official language of their choice. That said, the *Criminal Code* and the *Charter* require that interpreters be available to assist any witness during the preliminary inquiry or trial. In addition, if required on the basis of trial fairness, such evidence may be translated

For more information, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English). See our page of Additional Resources for links.

### 5.5

#### **I want my criminal trial in French, but my co-accused wants it in English: will I lose my right to a French trial?**

No. The existence of co-accused who do not speak the same official language is a circumstance that may justify a bilingual trial. In other words, you can still be tried together and the proceedings can be conducted in both official languages. If there is a jury, the jury members will be bilingual.

### 5.6

#### **If my criminal trial is all in French, will any written decision be given in French?**

Yes. In addition, the decision may be granted in French even if not all of the proceedings were conducted in French (however, a substantial amount must have been in French).

### **I have a civil matter going to Court. Can I have a French trial?**

It depends.

If the civil matter is one that relates to federal law and it takes place in a federal court or tribunal, yes. However, if the civil matter is one that takes place in a court or tribunal of the province/territory, a French trial may not be possible. This is because the language of civil proceedings is a matter falling under provincial/territorial jurisdiction. Each province/territory can, and does, legislate the use of the two official languages in its courts. Depending on where you live, you may or not may not be able to have your matter heard in French (and it may be more a matter of administrative accommodation, rather than a “right”). For example: in New Brunswick, Ontario, the Yukon, the Northwest Territories and Manitoba you can use French in any court or tribunal. In Saskatchewan, Alberta and Nova Scotia the use of French is more limited, and in British Columbia only English can be used.

For more information, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English). See our page of Additional Resources for links.

### **If I have a civil trial in French, will all of the paperwork, evidence from other parties, and decisions also be in French?**

For trials in the federal courts and tribunals, pleadings can be required to be in the minority language. However, someone giving evidence has the right to provide it in the official language of their choice, but translations will be made available. Decisions will eventually be in both languages, but may not necessarily be issued in both languages simultaneously. They may instead be issued in one language (usually the language of the trial) and then sent for translation.

For civil matters heard in courts and tribunals of the province/territory, the laws vary by jurisdiction. For further information, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English). See our page of Additional Resources for links.

## 6. Conclusion

### 6.1

#### **I have more questions about language rights.**

##### **Who can I talk to?**

You can contact the Language Rights Support Program. They can be reached at: 613.582.5702 or [padl-lrsp@uottawa.ca](mailto:padl-lrsp@uottawa.ca).

### 6.2

#### **I was in a situation where I thought I should have been able to use French, but I could not. Who can I complain to about this?**

If the situation pertains to a federal matter, you can lodge a complaint with the Commissioner of Official Languages. For more information on filing a complaint, see our page of Additional Resources.

In New Brunswick, contact the Commissioner of Official Languages for New Brunswick. For contact information, see our page of Additional Resources.

If the situation pertains to any other provincial or territorial matter, you can contact the government and ask for information about any procedures that they may have.

### 6.3

#### **Where can I find a lawyer who speaks French?**

To find a French-speaking lawyer, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English). See our page of Additional Resources for links.

### 6.4

#### **I think I have a good case about something that should be in French but currently isn't. I cannot afford a lawyer to fight this issue. Is there anything I can do?**

You can contact the Language Rights Support Program (LRSP). They can provide support to individuals or groups who are facing a dispute over constitutional language rights by offering funding to help settle the dispute.

*To find a French-speaking lawyer, contact your provincial/territorial association of French-speaking lawyers or your provincial/territorial Law Society (which keeps a registry of lawyers able and willing to work in languages other than English).. See our page of Additional Resources for links.*



## 7. Additional Resources

### Constitutional Documents

*Constitution Act 1867 to 1982*

[http://laws-lois.justice.gc.ca/eng/Const/Const\\_index.html](http://laws-lois.justice.gc.ca/eng/Const/Const_index.html)

*Lois constitutionnelles de 1867 à 1982*

[http://laws-lois.justice.gc.ca/fra/const/Const\\_index.html](http://laws-lois.justice.gc.ca/fra/const/Const_index.html)

*Canadian Charter of Rights and Freedoms*

[http://laws-lois.justice.gc.ca/eng/charter/Charter\\_index.html](http://laws-lois.justice.gc.ca/eng/charter/Charter_index.html)

*Charte canadienne des droits et libertés*

[http://laws-lois.justice.gc.ca/fra/charte/Charte\\_index.html](http://laws-lois.justice.gc.ca/fra/charte/Charte_index.html)

### Courts and Access to Judgements

#### General

Federal Court of Canada

[http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/fc\\_cf\\_en/Index](http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/fc_cf_en/Index)

Cour fédérale du Canada

<http://cas-ncr-nter03.cas-satj.gc.ca/fct-cf/index.html>

Tax Court of Canada

[http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/tcc-cci\\_Eng/Index](http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/tcc-cci_Eng/Index)

Cour canadienne d'impôt

[http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/fc\\_cf\\_fr/Index](http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/fc_cf_fr/Index)

Supreme Court of Canada

<http://www.scc-csc.gc.ca/home-accueil/index-eng.asp>

Cour suprême du Canada

<http://www.scc-csc.gc.ca/home-accueil/index-fra.asp>

French versions of court and tribunal decisions available in CanLii

<http://www.canlii.org/fr/nb/index.html>

Décisions judiciaires

<http://www.canlii.com/fr/index.php>

#### Alberta

Alberta Courts website

<http://www.albertacourts.ab.ca>

There is no French version.

## British Columbia

The courts of British Columbia website

<http://www.courts.gov.bc.ca>

There is no French equivalent.

French language services are available for trials resulting from any criminal offense.

English link

<http://www.ag.gov.bc.ca/courts/criminal/info/trialinfrench.htm>

French link

<http://www.ag.gov.bc.ca/courts/criminal/info/trialenfrancais.htm>

The court will provide interpreters in certain situations as described here:

<http://www.ag.gov.bc.ca/courts/faq/info/interpreter.htm#interpreter>

## Manitoba

Manitoba Courts website, English

<http://www.manitobacourts.mb.ca>

Manitoba Courts website, French

<http://www.manitobacourts.mb.ca/index.fr.html>

Manitoba Courts, Judgments and Court Transcripts, French

<http://www.manitobacourts.mb.ca/judgements-transcripts.fr.html>

## New Brunswick

Courts of New Brunswick

<http://www.gnb.ca/cour/index-e.asp>

Cours du Nouveau-Brunswick

<http://www.gnb.ca/cour/index-f.asp>

## Newfoundland & Labrador

The law courts of Newfoundland and Labrador

[www.court.nl.ca](http://www.court.nl.ca)

The Provincial Court website has a French version; the Supreme Court does not.

[http://www.court.nl.ca/provincial\\_fr/default\\_fr.htm](http://www.court.nl.ca/provincial_fr/default_fr.htm)

## Northwest Territories

The Northwest Territories Courts

<http://www.nwtcourts.ca>

There is no French version of this website.

## Nova Scotia

The Courts of Nova Scotia

<http://www.courts.ns.ca>

This website does not have a French version.

This page has information about French translations in Small Claims Court (bottom of page)

[http://www.courts.ns.ca/smallclaims/cl\\_info.htm](http://www.courts.ns.ca/smallclaims/cl_info.htm)

This page indicates that at least some Provincial Court forms must be available in French

[http://www.courts.ns.ca/provincial/pc\\_forms.htm](http://www.courts.ns.ca/provincial/pc_forms.htm)

Information Kit for Representing Yourself. Most of the documents have French versions

[http://www.courts.ns.ca/self\\_rep/self\\_rep\\_kits.htm](http://www.courts.ns.ca/self_rep/self_rep_kits.htm)

## Nunavut

Nunavut Court of Justice

<http://www.nucj.ca>

This website does not have a French version.

## Ontario

Ontario Courts website, titled Guide to Ontario Courts, main page for access to English or French

<http://www.ontariocourts.on.ca>

Court Interpretation Services in Ontario

<http://www.attorneygeneral.jus.gov.on.ca/english/courts/interpreters>

“In Ontario, the Ministry of the Attorney General provides court interpretation services in ... any language required in criminal and child protection matters ... and French in all civil, family and Small Claims Court matters”.

## Prince Edward Island

Courts of Prince Edward Island

<http://www.gov.pe.ca/courts>

No information is provided in French

## Saskatchewan

Courts of Saskatchewan

<http://www.sasklawcourts.ca>

This website is not available in French

However, there is a page that says French-language court services are available and gives a contact phone number

[http://www.sasklawcourts.ca/default.asp?pg=french\\_services](http://www.sasklawcourts.ca/default.asp?pg=french_services)

General Information pages in French about Provincial Court, Court of Queen's Bench and the Court of Appeal are available from the Justice page of the French Services website:

<http://www.bonjour.gov.sk.ca/Justice>

Rules of Court are available in French

<http://www.publications.gov.sk.ca/deplist.cfm?d=1&c=97>

## Yukon

Yukon Courts website, English

<http://www.yukoncourts.ca>

Yukon Courts website, French

<http://www.yukoncourts.ca/fr/index.html>

Sections for each of the courts include the rules, practice directions and forms in French.

Supreme Court of Yukon Territory – Practice Direction #43 French Language

[http://www.yukoncourts.ca/pdf/pd\\_43\\_french\\_language.pdf](http://www.yukoncourts.ca/pdf/pd_43_french_language.pdf)

## Francophone Lawyers

Fédération des associations de juristes d'expression française de common law inc. (FAJEF) est le regroupement des associations régionales, provinciales ou territoriales de juristes d'expression française engagé à promouvoir et à défendre l'accès à la justice en français dans les provinces et territoires de common law partout au Canada.

<http://www.fajef.ca>

Seven provincial member associations listed here (Alberta, Colombie Britannique, Manitoba, Nouveau Brunswick, Nouvelle-Écosse, Saskatchewan)

<http://www.fajef.ca/associations.php>

## Francophone Schools and Francophone School Boards

### Alberta

Alberta Education has a section of their website in French  
<http://www.education.alberta.ca/francais.aspx>

Alberta Education - Autorités régionales francophones  
<http://www.education.alberta.ca/francais/parents/choice/schboardsfr.aspx>

List of Francophone school boards (5 of them) with contact information and links to their websites.

### British Columbia

Conseil scolaire francophone de la Colombie-Britannique (CSF)  
<http://www.csfb.bc.ca>

### Manitoba

Division Scolaire Franco-Manitobaine  
<http://www.dsfb.mb.ca/ScriptorWeb/scripto.asp?resultat=669949>

Éducation Manitoba - Programme français  
<http://www.edu.gov.mb.ca/m12/progetu/prog-fr.html>  
Also includes a downloadable list of Francophone schools with the addresses in French

Manitoba Francophone schools  
<http://www.edu.gov.mb.ca/k12/schools/index.html>

### New Brunswick

Department of Education and Early Childhood Services, Francophone Sector (K-12)  
<http://www.gnb.ca/0000/francophone-f.asp>

Government link to the School District websites (5 Francophone and 9 English) as well as a list with links for individual schools  
<http://www.gnb.ca/0000/web/web-f.asp>

### Newfoundland & Labrador

Department of Education, Français langue première  
<http://www.ed.gov.nl.ca/edu/k12/french/languepremiere/index.html>

Various policy documents about French language education

Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador  
<http://www.csfp.nf.ca/index.html>

The section “Ecoles” has a map showing locations of schools and links to the school websites.

### Northwest Territories

Commission scolaire francophone, Territoires du Nord-Ouest  
<http://www.csftno.com>

There are two francophone schools: one in Yellowknife and one in Hay River.

Contact information on this webpage  
<http://www.csftno.com/contactez-nous/index.html>

### Nova Scotia

Conseil scolaire acadien provincial  
<http://csap.ednet.ns.ca>  
Covers the whole province; 20 schools – contact information and web links available from “Nos écoles” page.

### Nunavut

Commission scolaire francophone du Nunavut  
<http://www.csfn.ca>

### Ontario

Office of Francophone Affairs, French School Boards in Ontario  
<http://www.ofa.gov.on.ca/en/franco-schoolboards.html>

There are twelve French-language school boards in Ontario, with over 425 French-language schools.



See also: Ontario Ministry of Education, French-Language Education in Ontario, Admission to French-language schools

<http://www.edu.gov.on.ca/eng/amenagement/admission.html>

### Prince Edward Island

Government of PEI; French Language School Board webpage

<http://www.gov.pe.ca/infopei/index.php3?number=80799&lang=E>

Commission scolaire de langue française de l'Île-du-Prince-Édouard (6 schools)

<http://www.edu.pe.ca/cs1f/home.html>

### Saskatchewan

Conseil des écoles francsaskoises (provincewide, 13 schools)

<http://www.cefsk.ca>

### Yukon

Commission scolaire francophone du Yukon (1 school)

<http://commissionscolaire.csfy.ca/fr>

## Governmental Resources

### Federal

Federal Laws English

<http://laws-lois.justice.gc.ca/eng/StatutesByTitle>

Lois fédérales

<http://lois-laws.justice.gc.ca/fra/LoisParTitre>

Federal website / site fédéral

[www.gc.ca](http://www.gc.ca)

BUROLIS

<http://www.tbs-sct.gc.ca/ollo/appollo/burolis/recherche/aburolis-eng.aspx>

### Alberta

Alberta Laws

[http://www.qp.alberta.ca/Laws\\_Online.cfm](http://www.qp.alberta.ca/Laws_Online.cfm)

Lois de l'Alberta. Seulement une loi en français:

*Loi Linguistique*

[http://www.qp.alberta.ca/570.cfm?frm\\_isbn=0779735927&search\\_by=link](http://www.qp.alberta.ca/570.cfm?frm_isbn=0779735927&search_by=link)

The main government website does not have a French version, but there is a website that gathers all the French language government information: Bonjour Alberta

<http://www.bonjour.alberta.ca/index.html>

For further governmental inquiries: Francophone Secretariat

<http://municipalaffairs.alberta.ca/1371.cfm>

Legislative Assembly of Alberta

<http://www.assembly.ab.ca>

This website does not have a French version. Legislature tours can be arranged in French and some of the teaching resources about the Legislature are available in French

## British Columbia

Laws of British Columbia (English only)

<http://www.bclaws.ca>

Information about court translation services

<http://www.ag.gov.bc.ca/courts/faq/info/interpreter.htm#interpreter>

Government of British Columbia

<http://www.gov.bc.ca>

No equivalent site in French.

Affaires francophones de la Colombie Britannique

<http://www.gov.bc.ca/igrs/francophones/francais>

This page includes a link to a list of Publications in French many of which are produced by other organizations (e.g. legal info pamphlets from Legal Services Society and People's Law School).

## Manitoba

Laws of Manitoba

<http://web2.gov.mb.ca/laws/index.php>

Lois du Manitoba

<http://web2.gov.mb.ca/laws/index.fr.php>

Manitoba Queen's Printer

<http://www.gov.mb.ca/queensprinter/index.fr.html>

Government of Manitoba

[www.gov.mb.ca](http://www.gov.mb.ca)

Gouvernement du Manitoba

<http://www.gov.mb.ca/index.fr.html>

Legislative Assembly of Manitoba

<http://www.gov.mb.ca/legislature/homepage.html>

Assemblée législative du Manitoba

<http://www.gov.mb.ca/legislature/homepage.fr.html>

Bilingual Service Centers: "Bilingual Service Centres facilitate the active offer of French language services in the regions of Manitoba where the French-speaking population is concentrated. The Centres provide a wide range of federal, provincial, municipal, and community-based services under one roof."

<http://www.csbsc.mb.ca/history.fr.html>

Manitoba Translation Services. "The Translation Services Branch was established in 1974 to provide quality, cost-effective written and oral translation services in the official languages to Manitoba Government departments, agencies, Crown corporations, the Legislative Assembly and the Courts as required by The Manitoba Act and the French Language Services Policy of Manitoba."

<http://www.gov.mb.ca/chc/translation/index.html>

Information about the use of French in the Legislative assembly

<http://www.gov.mb.ca/legislature/info/factsheets/fact6.pdf>

<http://www.gov.mb.ca/legislature/committees/guide.html>

Ville de Winnipeg

<http://winnipeg.ca/francais>

## New Brunswick

Laws of New Brunswick: Queen's Printer website

<http://www.gnb.ca/0062/acts/index-e.asp>

Lois du Nouveau-Brunswick : Imprimeur de la Reine

<http://www.gnb.ca/0062/acts/index-f.asp>

Government of New Brunswick

<http://www2.gnb.ca/content/gnb/en.html>

Gouvernement du Nouveau-Brunswick

<http://www2.gnb.ca/content/gnb/fr.html>

Service Nouveau-Brunswick (accès sécurisé et facile aux transactions, produits et renseignements)

<http://www.snb.ca/f/0001f.asp>

New Brunswick Translation Bureau (a division of NB Supply and Services)

<http://www.gnb.ca/0099/Translation/index-e.asp>

Legislative Assembly of New Brunswick

<http://www.gnb.ca/legis/index-e.asp>

Assemblée législative du Nouveau-Brunswick

<http://www.gnb.ca/legis/index-f.asp>

Commissioner of Official Languages for New Brunswick:  
“The Act gives the Commissioner the mandate to investigate complaints from members of the public with respect to official languages and services provided by government institutions.”

English site

<http://www.officiallanguages.nb.ca/main.cfm>

French site

<http://www.languesofficielles.nb.ca/accueil.cfm>

## Newfoundland & Labrador

Laws of Newfoundland & Labrador

<http://www.assembly.nl.ca/legislation/default.htm>

The Newfoundland & Labrador Office of French Language Services. Some regulations and acts have been translated in to French. This office may be a source of information about availability of these documents.

<http://www.exec.gov.nl.ca/exec/pss/departement/hrcontacts.html#ofs>

Government of Newfoundland

<http://www.gov.nl.ca>

No equivalent site in French.

Public Services Secretariat has an Office of French Services. OFS is responsible for building the capacity of the Government of Newfoundland and Labrador to deliver services in French and is the Francophone community's point of contact on government programs and services. The OFS is also available to assist departments interested in developing more website content in French.

Bureau des services en français

<http://www.gov.nl.ca/frenchservices>

Newfoundland Legislative Assembly

<http://www.assembly.nl.ca>

Legislative Assembly website does not have any French pages.

## Northwest Territories

Northwest Territories Legislation

<http://www.justice.gov.nt.ca/Legislation/SearchLeg&Reg.shtml>

Législation

<http://www.justice.gov.nt.ca/Legislation/SearchLeg&RegFr.shtml>

Department of Justice Library website has a French section

<http://www.justice.gov.nt.ca/CourtLibrary/libraryFR.shtml>

Resources en français. The Department of Justice has a section which identifies webpages on their site as well as various publications that are available in French

<http://www.justice.gov.nt.ca/Policy/francais.shtml>

Government of the Northwest Territories

<http://www.gov.nt.ca>

Languages Commissioner of the Northwest Territories

<http://www.nwtlanguagescommissioner.ca>

Services TNO. A new French language service centre for the Northwest Territories. This new single-window centre brings together a variety of information and services of the Government of the Northwest Territories (GNWT)

<http://www.servicestno.ca/fr/index.html>

Legislative Assembly of the Northwest Territories

<http://www.assembly.gov.nt.ca/live/pages/wpPages/home.aspx>

Assemblée législative des Territoires du Nord-Ouest

<http://www.assembly.gov.nt.ca/live/pages/wpPages/home.aspx>

The link opens English. For the French version, choose French from the drop-down menu in the upper right.

About Government Services in French from the Official Languages Manual, August 1997 (part of the Official Languages Policy). Lists designated office for French.

<http://www.nwtlanguagescommissioner.ca/pdf/Official-languages-policy.pdf>

## Nova Scotia

Nova Scotia Acts, Statutes and Regulations

[http://www.gov.ns.ca/snsmr/publications/prodtype.asp?PT\\_ID=2846&strPageHistory=cat](http://www.gov.ns.ca/snsmr/publications/prodtype.asp?PT_ID=2846&strPageHistory=cat)

A few laws are available in French

[http://nslegislature.ca/legc/sol\\_f.htm](http://nslegislature.ca/legc/sol_f.htm)

Government of Nova Scotia

<http://www.gov.ns.ca>

No equivalent site in French.

Legislative Assembly of Nova Scotia / Assemblée

Législative de la Nouvelle-Écosse

<http://nslegislature.ca>

Some pages are in French, some only in English.

There is a separate section that provides links to government ministries, offices and government organizations that offer services in French.

<http://www.gov.ns.ca/bonjour>

Accès Nouvelle-Écosse : s'est engagé à permettre aux Néo-Écossais de langue française d'avoir accès, dans leur langue, aux informations, aux programmes et aux services gouvernementaux.

<http://www.gov.ns.ca/snsmr/access/services-en-francais.asp>

Acadian Affairs

<http://www.gov.ns.ca/acadien/en/services-in-french.htm>

L'Office des affaires acadiennes

<http://www.gov.ns.ca/acadien/fr/services-in-french.htm>

## Nunavut

Nunavut Statutes and Regulations

<http://www.justice.gov.nu.ca/apps/authoring/dspPage.aspx?page=CURRENT+CONSOLIDATIONS+OF+ACTS+AND+REGULATIONS&letter=A>

Les lois et leur règlements

<http://www.justice.gov.nu.ca/apps/authoring/dspPage.aspx?page=CURRENT+CONSOLIDATIONS+OF+ACTS+AND+REGULATIONS&letter=A>

Government of Nunavut

<http://www.gov.nu.ca/en/Home.aspx>

Gouvernement du Nunavut

<http://www.gov.nu.ca/fr/Home.aspx>

Legislative Assembly of Nunavut

<http://www.assembly.nu.ca>

Assemblée Législative du Nunavut

<http://www.assembly.nu.ca/fr>

## Ontario

Ontario e-laws

<http://www.e-laws.gov.on.ca/navigation?file=home&lang=en>

Ontario Lois-en-ligne

<http://www.e-laws.gov.on.ca/navigation?file=home&lang=fr>

Government of Ontario main website

<http://www.ontario.ca/en/residents/index.htm>

Gouvernement de l'Ontario

<http://www.ontario.ca/fr/residents/index.htm>

The website (both the English and French versions) has a section "For Francophones". It includes links to the Office of Francophone Affairs and the Office of the French Language Services Commissioner

<http://www.ontario.ca/fr/communities/francophones/index.htm?openNav=residents>

ServiceOntario : Vous offre un accès rapide, courtois et simple – en ligne, aux guichets, en personne et par téléphone

[http://www.ontario.ca/fr/services\\_for\\_residents/index.htm](http://www.ontario.ca/fr/services_for_residents/index.htm)

Legislative Assembly of Ontario

<http://www.ontla.on.ca/web/home.do>

Assemblée législative de l'Ontario

<http://www.ontla.on.ca/web/home.do?locale=fr>

Ville d'Ottawa

[http://www.ottawa.ca/index\\_fr.html](http://www.ottawa.ca/index_fr.html)



## Prince Edward Island

Statutes of Prince Edward Island

<http://www.gov.pe.ca/law/statutes/index.php3>

No French legislation online. Print copies not available to order online: contact Publications Center to find out if translations are available

<http://www.gov.pe.ca/publications/index.php3>

PEI main government website

<http://www.gov.pe.ca>

Main government website does not have a French version. However, there is the start of a French language interface (but not all links result in French information).

<http://www.gov.pe.ca/infopei/index.php3?number=1&lang=F>

Department of Acadian and Francophone Affairs  
(English page, no French version)

<http://www.gov.pe.ca/eco/aafa-info/dg.inc.php3>

Main role seems to be advising government departments about delivering services in French and providing translation services to government

Legislative Assembly of PEI

<http://www.assembly.pe.ca>

This website does not have a French version or any information in French.

## Saskatchewan

Saskatchewan

<http://www.publications.gov.sk.ca/legislation.cfm>

Some French language versions are available

<http://www.publications.gov.sk.ca/deplist.cfm?d=1&c=92>

Government of Saskatchewan

<http://www.gov.sk.ca>

The main government website does not have a full French version, however, a list French services is available at:

<http://www.bonjour.gov.sk.ca/Default.aspx?DN=b1642a3c-c6c6-49a0-b762-05a45f4a669d&l=French>

Government of Saskatchewan, Francophone Affairs  
Branch

<http://www.ops.gov.sk.ca/Default.aspx?DN=fc8ba0b2-6da1-4689-8047-a0bd9203f6b7&l=French>

Legislative Assembly of Saskatchewan

<http://www.legassembly.sk.ca>

Legislative Assembly website does not have any French pages.

## Yukon

Yukon Legislative Website

<http://www.gov.yk.ca/legislation/index.html>

Lois et des règlements du Yukon

<http://www.gov.yk.ca/legislation/fr/index.html>

Government of the Yukon

<http://www.gov.yk.ca>

Gouvernement du Yukon

<http://www.gov.yk.ca/fr>

Some of the menu links go to French information, some to English.

French Services

[http://www.gov.yk.ca/services/cat\\_frenchservices.html](http://www.gov.yk.ca/services/cat_frenchservices.html)

Describes which services are bilingual. All text is in English.

French Language Services Directorate

<http://www.flsd.gov.yk.ca/fr/services.html>

Provides translation for Yukon government departments and information on French language services.

Yukon Legislative Assembly

<http://www.legassembly.gov.yk.ca>

Assemblée législative du Yukon

<http://www.legassembly.gov.yk.ca/fr/index.html>

## Public Legal Information Providers

### Alberta

Centre for Public Legal Education Alberta

[www.cplea.ca](http://www.cplea.ca)

Some websites/information offered in French, for example:

[www.law-faqs.org/wiki/index.php/Français](http://www.law-faqs.org/wiki/index.php/Français) and

[www.lawcentralfrancais.ca](http://www.lawcentralfrancais.ca)

### British Columbia

People's Law School

<http://www.publiclegaled.bc.ca>

Some publications offered in French

### Manitoba

Community Legal Education Association

<http://www.communitylegal.mb.ca>

### New Brunswick

Public Legal Education and Information Service of New Brunswick

<http://www.legal-info-legale.nb.ca/en/index.php>

Service publique d'éducation et information juridiques du Nouveau Brunswick

<http://www.legal-info-legale.nb.ca/fr/index.php>

### Newfoundland & Labrador

Public Legal Information Association of Newfoundland

<http://www.publiclegalinfo.com>

Some publications in French

<http://www.publiclegalinfo.com/publications.html>

### Nova Scotia

Legal information Society of Nova Scotia

<http://www.legalinfo.org>

There are no links to French language information: call them directly for further information.

### Ontario

Community Legal Education Ontario

<http://www.cleo.on.ca/english/index.htm>

Éducation juridique communautaire Ontario

<http://www.cleo.on.ca/francais/indexf.htm>

### Prince Edward Island

Community Legal Information Association of Prince Edward Island

<http://www.cliapei.ca>

There are no links to French language information: call them directly for further information.

### Saskatchewan

Public Legal Education Association of Saskatchewan

<http://www.plea.org>

There are no links to French language information: call them directly for further information.

### Yukon

Yukon Public Legal Education Association

<http://www.yplea.com>

There are no links to French language information: call them directly for further information.

## Language Rights Cases

*Ref re Manitoba Language Rights* – [1992] 1 S.C.R. 212  
<http://www.canlii.org/en/ca/scc/doc/1992/1992canlii115/1992canlii115.html>

*R. v. Mercure* [1988] 1 S.C.R. 234  
<http://www.canlii.org/en/ca/scc/doc/1988/1988canlii107/1988canlii107.html>

*R. v. Paquette* [1990] 2 S.C.R. 1103  
<http://www.canlii.org/en/ca/scc/doc/1990/1990canlii37/1990canlii37.html>

*A.G. Que. v. Blaikie* [1979] 2 S.C.R. 1016  
<http://www.canlii.org/en/ca/scc/doc/1979/1979canlii21/1979canlii21.html>

*Re Manitoba Language Rights* [1985] 1 S.C.R. 721  
<http://www.canlii.org/en/ca/scc/doc/1985/1985canlii33/1985canlii33.html>

*Re Manitoba Language Rights Order No. 3* [1992] 1 S.C.R. 212  
<http://www.canlii.org/en/ca/scc/doc/1992/1992canlii115/1992canlii115.html>

*Societe des Acadiens v. Association of Parents* [1986] 1 S.C.R. 549  
<http://www.canlii.org/en/ca/scc/doc/1986/1986canlii66/1986canlii66.html>

*DesRochers v. Canada* [2009] 1 S.C.R. 194  
<http://www.canlii.org/en/ca/scc/doc/2009/2009scc8/2009scc8.html>

*Societe des Acadiens v. Canada* [2008] 1 S.C.R. 383  
<http://www.canlii.org/en/ca/scc/doc/2008/2008scc15/2008scc15.html>

*Attorney General of Quebec v. Quebec Protestant School Boards* [1984] 2 S.C.R. 66  
<http://www.canlii.org/en/ca/scc/doc/1984/1984canlii32/1984canlii32.html>

*Solski v. Quebec* [2005] 1 S.C.R. 201  
<http://www.canlii.org/en/ca/scc/doc/2005/2005scc14/2005scc14.html>

*Mahe v. Alberta* [1990] 1 S.C.R. 342  
<http://www.canlii.org/en/ca/scc/doc/1990/1990canlii133/1990canlii133.html>

*Re Public Schools Act (Man.)* [1993] 1 S.C.R. 839  
<http://www.canlii.org/en/ca/scc/doc/1993/1993canlii119/1993canlii119.html>

*Arsenault-Cameron v. Prince Edward Island* [2000] 1 S.C.R. 3  
<http://www.canlii.org/en/ca/scc/doc/2000/2000scc1/2000scc1.html>

## Texts, Articles and Further Information about Language Rights

Bastarache, Michel. *Language Rights in Canada*, 2nd Ed. Cowansville: Les Éditions Yvon Blais, Inc, 2004.

Dubé, Natasha. *Minority Language Rights in Canada*. Centre for Constitutional Studies.  
<http://www.law.ualberta.ca/centres/ccs/issues/minoritylanguage.php>

Office of the Commissioner of Official Languages/  
Commissariat aux langues officielles  
<http://www.ocol-clo.gc.ca>

Language Rights Support Program  
<http://www.padl-lrsp.uottawa.ca/index.php?lang=en>

Programme d'appui aux droits linguistiques  
<http://www.padl-lrsp.uottawa.ca/index.php?lang=fr>

## Notes

## The Centre for Public Legal Education Alberta

The Centre for Public Legal Education Alberta is a non-profit society whose purpose is to provide Albertans with reliable information about their rights and responsibilities under the law.



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Centre for Constitutional Studies, University of Alberta

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Barrister & Solicitor, Calgary for reviewing this booklet

You should **not** rely on this booklet for legal advice. It provides general information on **French language minority rights outside of Québec** only.

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