



Chaire de recherche sur la francophonie  
et les politiques publiques

# From Theory to Practice:

## Mechanisms for the Offer of French Language Services in Ontario's Justice Sector

Volume 1

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## List of acronyms

ACCD	Adult Community Corrections Division
AFMO	Association française des municipalités de l'Ontario
AISD	Adult Institutional Services Division
AJEFO	Association des juristes d'expression française de l'Ontario
AOcVF	Action ontarienne contre la violence faite aux femmes
CLD	Criminal Law Division
CRFPP	Chaire de recherche sur la francophonie and les politiques publiques
CSD	Court Services Division
EMO	Emergency Management Ontario
FAFO	Fédération des aînés and des retraités francophones de l'Ontario
FLHF	French Lunch Hour Forum
FLIPD	French Language Institute for Professional Development
FLS	French Language Services
LAO	Legal Aid Ontario
MAG	Ministry of the Attorney General
MPSCS	Ministry of Public Safety and Correctional Services
OCC	Office of the Chief Coroner
OCFLS	Office of the Coordinator of French Language Services
OCL	Office of the Children's Lawyer
OFA	Office of Francophone Affairs
OFM	Office of the Fire Marshal
OPGT	Office of the Public Guardian and Trustee
OPP	Ontario Provincial Police
OPS	Ontario Public Service
OVSS	Ontario Victim Services Secretariat
PSD	Public Safety Division
SAC	Sexual Assault Centre
TPA	Transfer Payment Agency
UCFO	Union culturelle des Franco-Ontariennes
VWAP	Victim/Witness Assistance Program

## Summary

This study is part of the strategic planning process which began in Ontario's Justice Sector in 2006. It sets out a preliminary analysis of the literature on mechanisms for the active offer of French language services (FLS), that is, the means by which governments or groups plan for and guarantee the delivery of FLS in the Justice Sector. Its ultimate goal is to contribute to the understanding of conditions that are conducive to development of FLS in Ontario's Justice Sector.

A survey of the literature has allowed for the establishment of models and basic theoretical elements for planning the active offer of FLS, as well as the existing mechanisms. The study identified four main dimensions of the mechanisms for the active offer of FLS: prerequisite, subjective, objective and integration. The prerequisite dimension includes mechanisms for preparing or putting in place conditions for an active offer. The subjective dimension covers verbal and non-verbal elements that make up an active offer, while the objective dimension includes material and visual elements. Finally, the integration dimension identifies the mechanisms used to integrate the concerns of the target groups.

We have prepared a preliminary portrait of the prerequisite dimension in the various divisions of the Justice Sector in order to verify the strength of our approach. We were therefore able to identify the mechanisms in place within divisions and see their specific aspects. However, it would be useful for the Office of the Coordinator of French Language Services (OCFLS), working with the divisions, to carry out this exercise in a more sustained way for each dimension so as to identify and evaluate the mechanisms in place. The sheet used to systematize the data available on mechanisms could be a useful tool for planning and evaluating FLS in the Justice Sector.

Finally, the theoretical model developed in this study was used to develop a questionnaire for a survey that we have administered to public servants who hold positions in the Justice Sector that are designated bilingual. The data collected from the survey will be useful for evaluating mechanisms and, more generally, for studying the links between theory and practice. The supplementary focus groups organized with users will help complete the portrait of the situation.

# 1 Introduction

The Justice Sector in Ontario includes the Ministry of the Attorney General and the Ministry of Community Safety and Correctional Services (Appendix D). Five divisions of the Ministry of the Attorney General provide direct services to the public:

- Court Services Division, including the *Provincial Offences Act* Unit;
- Criminal Law Division;
- Ontario Victim Services Secretariat;
- Office of the Public Guardian and Trustee; and
- Office of the Children’s Lawyer.

For its part, the Ministry of Community Safety and Correctional Services is composed of the following divisions:

- Ontario Provincial Police;
- Emergency Management Ontario;
- Adult Community Corrections;
- Adult Institutional Services;
- Public Safety Division; and
- Fire Marshall.

Legal Aid Ontario is “an independent but publicly funded and publicly accountable non-profit corporation, responsible for administering the province’s legal aid program.” (Legal Aid Ontario, *About Legal Aid Ontario*, consulted October 27, 2008, [<http://www.legalaid.on.ca/en/about/>])

This means that the OCFLS for the Justice Sector has significant responsibilities in the Justice Sector. Firstly, we would mention that the *Strategic Plan for the Development of French Language Services in Ontario’s Justice Sector* (the *Strategic Plan*) is one of its initiatives. We would then point out that the responsibilities are to guide and support the divisions so that the strategic guidelines set out in the operational plans are followed. OCFLS has set up an advisory committee as well as sub-working committees such as the FLS sub-committee in the *Provincial Offences* Unit, the advisory committee of stakeholders from Legal Aid Ontario, the joint committee of OCFLS and the Court Services Division and the OPP’s FLS committee. The FLS Committee for Corrections is being created. OCFLS analysts have been assigned to various divisions to conduct the follow-ups required and to move the files forward.

FLS managers must increasingly give attention to the diversity of the concerns of Ontario francophones.

In short, since adoption of the results-based approach to planning in the Ontario public service, those involved in FLS have had to be innovators.

## 1.1 Background

In 2006, at the annual meeting of francophone stakeholders in the justice system, participants were consulted and six main guiding principles were validated: active offer, an inclusive and responsible (accountable) approach that promotes social justice, equal and universal access, customized models, and financial parity (Cardinal, Lang and Sauvé, 2006). These principles are the foundation for putting in place high-quality FLS.

Also in 2006, the justice-sector ministries published a preliminary *Strategic Plan*, led by OCFLS. The *Strategic Plan* has been a guide for several divisions as they develop operational plans in order to:

- increase bilingual capacities within the ministries;
- inform the francophone population about its FLS rights;
- expand access to existing services by creating a mechanism to make transfer payment agencies (TPA) responsible for FLS matters ;
- undertake systematic evaluation of the quality of FLS ; and
- include FLS in the planning stage of policies and programs.

Since the *Strategic Plan* was published, efforts have been made towards more systematic planning of the offer of FLS in the Justice Sector. Ministries have put in place a structure to increase the capacity to actively offer FLS by means of training and raising awareness, and through development of better tools for service delivery. As well, meetings of francophone stakeholders in the Justice Sector have been important opportunities to take stock of implementation of the *Strategic Plan* and to note the work that has been accomplished within the various services (OCFLS, 2007; 2008).

The fact remains that a continual effort must be made to raise the awareness of the different partners, the managers and the stakeholders of the importance of an active offer of FLS and the need to integrate FLS when planning services. This does not mean that the work has to be continually redone, but those responsible for delivering services must have a good understanding of the

situation and of francophones' needs. Measures must also be put in place to guarantee the active offer of FLS. Moreover, it is important to include FLS in the structure of services and to make them a basic component of curricula. For their part, francophones must constantly be well informed about their right to FLS. These services are put in place because it is important for francophones to be able to be served in their own language.

According to the Ontario Commissioner of French Language Services (2008 : 15),

The great majority of government officials want to offer high-quality French language services; however, as they see it, very few people request these services. In a minority language community, the roles of supply and demand are reversed. Generally, in a majority language community, if there is a demand, it is met. In the case of French language services, these services first have to be offered in order for the demand for them to emerge. Thus, instead of just a sign that reads "English/French", service providers need to be able to effectively offer high-quality French language services. The person behind the counter must be able to actively offer these services.

In 2006, a Statistics Canada study showed that 84% of French-speaking adults living outside Quebec feel it is important (very important, 54%; important, 30%) that they be offered government services in French. In Ontario this percentage is almost 60% (Corbeil, Grenier and Lafrenière, 2006: 17).<sup>1</sup>

## 1.2 What is a French language service ?

The *French Language Services Act* defines an FLS as "any service or procedure that is provided to the public by a government agency or institution of the Legislature and includes all communications for the purpose."<sup>2</sup>

<sup>1</sup> Research is increasingly revealing the importance of service in a person's own language, including in consumer studies. When emotional factors have to be taken into account in decision making, the language in which the product or service is displayed and presented can influence clients' choice. According to the authors of the study entitled "Bilingualism and the Emotional Intensity of Advertising Language", it is always best to communicate in a client's first language. Stefano Puntoni, Bart de Langhe and Stijn M. J. van Osselaer, "Bilingualism and the Emotional Intensity of Advertising Language", *Journal of Consumer Research*, vol. 35, 2009.

<sup>2</sup> *French Language Services Act*, R.S.O. 1990, c. F.32, s. 1. Section 5. (1) of the *French Language Services Act* states that: A person has the right in accordance with this Act to communicate in French with, and to receive available services in French from, any head or central office of a government agency or institution of the Legislature, and has the same right in respect of any other office of such agency or institution that is located in or serves an area designated in the Schedule.

In its first annual report, the Commissioner of French Language Services stated, "In Section 5 of the *Act*, a distinction was made between communication and service. For the Commissioner, service in French is the bare minimum. [...] However, in order for this service to be truly effective, it must be of good quality (Office of the Commissioner of French Language Services, 2008: 9)."

According to Ghislaine Sirois and Marie-Luce Garceau, "passing a bill is not an end in itself" and "once the rights of francophones are recognized in Ontario, there must not only be strict enforcement of the law, but also of its 'spirit', its meaning in terms of recognizing the needs of francophones across the province."<sup>3</sup> This application, in principle and practice, should mean increasingly greater access to services equivalent to English-language services, in all areas of activity (Sirois and Garceau, 2007 : 110)."

In a document intended for employees of the Ontario Public Service (OPS), the Office of Francophone Affairs (OFA) describes a service as being, "*any procedure or material (e.g. information line or counter, brochures, licenses, etc.) that is provided to the public and includes all communications for the purpose (Office of Francophone Affairs, Intranet).*" The OFA refers to different mechanisms to ensure a good delivery of services.

## 1.3 Objectives

The study sets out a preliminary analysis of the literature concerning the mechanisms for the active offer of FLS, that is, the means by which governments or groups plan for and guarantee the delivery of FLS in the Justice Sector. Its ultimate goal is to contribute to the understanding of conditions that are favourable for development of FLS in Ontario's Justice Sector.

The aim of the study is thus to add an element to the ongoing discussion of active offer of FLS in the Justice Sector. The reports of the meeting of francophone stakeholders in the sector share that qualitative evaluations of accessibility of FLS have been carried out. This current study will enable us to systematize

<sup>3</sup> While taking into account the fact that the offer of services in French can be summed up as the Ontario government's obligation to inform the francophone minority that they have the right to receive a service in their own language, the *French Language Services Act* also establishes other criteria that must be respected in order for an area or institution to be designated bilingual and, as a result, can provide French language services. Thus, an area will be designated and will then be obliged to offer services in French if it has at least 5,000 francophones or if these make up 10% of the population.



the available information and to present new data on the subject.

These new data are all the more necessary because they will be used to establish the links between the theory and practice of FLS. They will also be used to determine whether the desired result — an active offer of FLS — is achieved.

## 1.4 Methodology

The list of mechanisms for the offer of FLS was conducted using documents available in Ontario and elsewhere in Canada.<sup>4</sup> We first researched two Web sites that include a multitude of sources in French for information about models and mechanisms for the offer of government services in the different provinces in Canada. The first, *French and Official Language Services Best Practices and Resources*, was prepared by the Ministerial Conference on the Canadian Francophonie (Ministerial Conference on the Canadian Francophonie, site consulted September 3, 2008.) The second, *Service to the Public*, was prepared by the Canada Public Service Agency (Canada Public Service agency, consulted July 3, 2008).

Firstly, the *French and Official Language Services Best Practices and Resources* web site aims to “improve the quality of French services or services in both official languages offered to the general public (Ministerial Conference on the Canadian Francophonie, site consulted September 3, 2008.)” Secondly, the Canada Public Service Agency site offers, “examples of how institutions subject to the *Official Languages Act* are making staff aware of linguistic duality and the rights and obligations which stem from the law (Canada Public Service Agency, consultation July 3, 2008). These documents were very useful in our attempts to conceptualize the different dimensions that govern the active offer of FLS.

Then, access to the Ontario government’s Intranet enabled us to consult the *Compendium des bonnes pratiques des services en français* developed by the OFA. This *Compendium* “is a research tool which allows users to sort information according to several criteria: organisation, language, region, category (resource or practice), audience, pillar and keyword. Thanks to this tool, which was developed by the OFA in partnership

with FLS coordinators, OPS employees have access to best practices and helpful resources to improve French language services offered by their Ministries. The *Compendium des pratiques exemplaires des services en français* seeks to promote communal practices, networking and an innovative spirit with respect to the delivery of French language services, which is a core value of the OPS.<sup>5</sup>”

After visiting these sites, we completed our electronic research and compiled the existing documents. Government documents and studies done by the Office of the Commissioner of Official Languages were also an important source of data. In contrast, there is little scientific writing on this subject. We would mention the journal *Reflets: Revue ontarioise d’intervention sociale and communautaire*, which is a good source of information on FLS.

The report is divided into three parts. The first one presents the existing FLS models. The second one organizes the existing data on mechanisms for an active offer of FLS, while the third one will present a picture of the prerequisite dimension within the different divisions of the Justice Sector in order to verify the strength of our analytical model.

<sup>4</sup> Where it is relevant, the study makes several references to innovative practices in other countries. However, more thorough research should be done in order to do justice to European and international expertise with respect to active offer of services to linguistic minorities. Finland is one of the countries we have in mind.

<sup>5</sup> Information sent by Sabine Derbier, Coordinator of FLS for the Justice Sector ministries, July 22, 2008.

## 2 Models for French language services

The data observed during our documentary research permitted us to identify different FLS models in the Justice Sector (Table 1): integrated, parallel, multi-service, mobile, technological, horizontally integrated and vertically integrated. Even before identifying mechanisms for the active offer of FLS, it is useful to recall that these different models exist so as to demonstrate the existing diversity and the needs they seek to meet.

### 2.1 Integrated services

The integrated model is the most common in FLS. It includes bilingual services offered by the Government for which it, or its ministries, is directly responsible. It is also the only one that is transversal in all divisions of the Justice Sector, while the other models exist as part of specific programs.

### 2.2 Parallel services

A parallel service is managed by the members of the group to which it is offered. The designation of an organization to provide services in French provides them with services that are offered parallel to the integrated services.<sup>6</sup>

Francophones often consider this type of service to be better adapted to their needs. During the 2006 consultation, several stakeholders indicated they preferred services offered by independent francophone organizations.

The organizational structure must support the offer of services managed by and for francophones. When the leaders are French speaking, whether they are francophones or francophiles, the climate is much more conducive to the development of FLS tailored to francophone populations.

<sup>6</sup> To be designated bilingual, thus able to offer services in French, an agency must meet the following conditions: (1) offer quality services in French on a permanent basis, (2) guarantee access to its services in French, (3) have francophones on its board of directors and in its executive, (4) develop a written policy for services in French that is adopted by the board of directors and that sets out the agency's responsibilities with respect to services in French. (Deevey, 2004). The mechanism for designation under the *French Language Services Act* establishes the conditions in which a French language service will be offered.

Table 1 Models for French language services in the Justice Sector

Integrated services	General public services (Cardinal, Lang and Sauvé, 2006: 35).
Parallel services	Services that have to do with the personal life whose structure supports the offer of services managed by and for francophones (Cardinal, Lang and Sauvé, 2006 : 35) (leaders are French speaking and include francophones and francophiles; personalized services; homogeneous organizations).
Multi-service centres	Service points where a range of services in French is offered.
Itinerant services	The public servants travel to provide services in different communities (they are sometimes called "mobile teams").
Technological and electronic services	Services offered through computer and electronic equipment (information portals, videoconferences, teleconferences); approaches focused on self-services and use of computers (Working group on models for service delivery, 1996: 10).
Horizontal integration	These are services and programs developed through collaboration between different ministries or departments or divisions of the same government. "The integration of activities of two or more federal government departments to improve services to citizens and reduce costs to taxpayers and users (Office of the Privy Council, site consulted on September 11, 2008)."
Vertical integration	These are services and programs developed between different levels of governments. "Integration of the activities of two or more levels of government to improve service to citizens and reduce costs to taxpayers (Office of the Privy Council, site consulted September 11, 2008)."

As reported by Cardinal, Lang and Sauvé (2006: 37), during consultation with francophone stakeholders in the Justice Sector in 2006,

According to a number of participants, high-quality FLS are FLS managed by and for Francophones. Furthermore, when it is a matter of personal services, the principle of management by and for Francophones coincides with the expectations of most stakeholders. "For services that affect one's personal life, by and for

is better. [...] Take the case of a person with an alcohol problem, his problem has to be treated in French.”

In the Justice Sector, the Ontario Victim Services Secretariat advocates the parallel model for services to women who are victims of violence. The sexual assault centres (SAC) are a good example of parallel service managed by and for francophones. These centres are run by francophone women and a number of them operate entirely in French.

### 2.3 Multi-service centres or single windows

The multi-service or single-window centre approach goes back to the 1990s. They were approved by Judge Chartier in Manitoba to increase the offer and effectiveness of FLS in his province. Since that time, this service model has been put in place in a number of sectors. In Ontario, the health and social services sector adopted the single-window approach at that same period.

Bent, Kernaghan and Marson (1999: 2) state that, “single-windows can serve *one or more* of the following purposes:

- improve accessibility by acting as ‘gateways’;
- improve access convenience by offering ‘multi-service centers’;
- overcome jurisdictional divisions by providing ‘seamless service.’”

“These, ‘multi-service centers’ improve accessibility and also allow for the delivery of government services to citizens. Generally, the need to improve convenience is at the heart of the decision to bring together related and unrelated government services together in one location. This is why it is referred to as a multi-service center (Bent, Kernaghan and Marson, 1999 : 2).”

In 2006, during the consultation with francophone stakeholders in the Justice Sector, some participants thought that “integrating FLS in multi-service centres where Francophone legal clinics would be combined with community health centres could be an innovative model , such as the *Centre francophone de Toronto* (Cardinal, Lang and Sauv , 2006 : 37).”

As well, in its study *Environmental Scan: Access to Justice in Both Official Languages*, a possible solution suggested by GTA Research was to :

Develop the “single window” concept: bring together the services of the provincial and superior court registry offices, and create a single window for paying fines. Designate an office: ensure that its staff is francophone

and the language of work is French. This kind of judicial and legal services centre could also provide a base that could be used by the regions when necessary. (GTA Research, 2002).

In the area of violence against women, Sirois and Garceau explain that one of the common practices in FLS, “is to have integrated in organizations, under the same roof, services for violence in intimate relationships and violence of a sexual nature, where it is appropriate to do so” (Sirois and Garceau, 2007: 106-107). They noted that:

In areas where resources used to set up services were limited, the centres chose to bring together the services related to the two problems under the same roof. This was firstly because it was often the only FLS in the community and, as a result, it was required to deal with both situations, and secondly because it was impossible to create two separate administrative structures (a shelter and a sexual assault centre), given the scarcity of financial resources [Translation] (Sirois and Garceau, 2007 : 106-107).

We would also mention that the Centre de sant  communautaire Hamilton-Niagara offers legal services for immigration, particularly for francophone refugees, “to prepare them for the various immigration procedures” (Centre de sant  communautaire Hamilton-Niagara, site consulted March 26, 2009).

#### 2.3.1 ServiceOntario Kiosks

While not specific to the Justice Sector, the single-window model has existed in Ontario since the 1990s. The government set up ServiceOntario kiosks where Ontario citizens can obtain services from a number of ministries at the same place. These services include paying fines to the Attorney General. (Blythe and Marson, 1999 : 62).

As Blythe and Marson explain,

“The kiosks utilize touch screen technology and are designed for easy use by first-time users. The kiosks are fully bilingual and accessible by people with handicaps.” Blythe and Marson extol ServiceOntario because it “significantly improves convenience to clients by increasing the number of points of access available and expanding the hours of operation.” They also note that: “this has resulted in a customer satisfaction rating of 95 percent for the kiosk services (Blythe and Marson, 1999: 58).”

However they said that, “kiosks should not replace all government services. [...] However, the kiosk has worked well for certain types of transactional services and has improved the level of service received by clients (Blythe and Marson, 1999 : 59).”

For the purpose of information, we surveyed the Government's ServiceOntario information centres and identified those that offer FLS (Table 2).

According to the Government of Ontario's web site, there are 70 ServiceOntario centres across the Province (Government of Ontario, site consulted July 10, 2008 ; Office of Francophone Affairs, consulted July 17, 2008). Of these, 31 (44.3%) offer FLS, including the kiosk in Guelph, although it is not in a designated area. Some centres failed to indicate in which languages services are offered –Kanata, Kemptville, Manitowadge and Rainy River.

Under the *French Language Services Act*, the Kanata and Manitowadge centres should offer FLS as should those in Blind River, Brampton, Moosonee and Kingston (as of 2009) which, according to the Government of Ontario site, currently provide only English-language services. The Barrie and Thunder Bay centres should also

provide FLS because they serve areas that are designated bilingual. Thus, 39 ServiceOntario centres (55.7%) should provide FLS.

### 2.3.2 The single window registry kiosk of the High Court of the Tarbes in France

The example of the single window registry kiosk at the High Court in Tarbes, a city located in the Hautes-Pyrénées department in the south of France, appears to be a practice of interest with respect to intake of users, in particular by simplifying the procedures they must go through.

Created in 1998, the single window at the Tarbes court house "is both a centralized reception service and a procedural point of entry (except for cases that would involve a summons and mandatory representation by a lawyer)". It combines "reception services for the High Court and the magistrates' court and is the point where any citizen and any person subject to trial can:

Table 2 ServiceOntario information centres

	Location	FLS		Location	FLS		Location	FLS
1	Atikokan		25	Hearst	●	49	Peterborough	
2	Aurora		26	Huntsville		50	Rainy River	
3	Aylmer		27	Ignace	●	51	Red Lake	
4	Bancroft		28	Iroquois Falls	●	52	Renfrew	
5	Barrie	●	29	Kanata	●	53	Sarnia	
6	Belleville		30	Kapuskasing	●	54	Sault Ste. Marie	●
7	Blind River	●	31	Kemptville		55	Simcoe	
8	Brampton	●	32	Kenora		56	Sioux Lookout	
9	Brockville		33	Kingston	●	57	Smiths Falls	
10	Chapleau	●	34	Kirkland Lake	●	58	St. Catharines	●
11	Chatam	●	35	Kitchener		59	Stratford	
12	Cochrane	●	36	Lindsay		60	Sturgeon Falls	●
13	Cornwall	●	37	London	●	61	Sudbury	●
14	Dryden		38	Manitowadge	●	62	Terrace Bay	●
15	Elliot Lake	●	39	Marathon	●	63	Thunder Bay	●
16	Espanola	●	40	Minden		64	Timmins	●
17	Fort Frances		41	Moosonee	●	65	Toronto (city centre)	●
18	Geraldton	●	42	New Liskeard	●	66	Toronto (Downsview)	●
19	Goderich		43	Nipigon		67	Tweed	
20	Gore Bay		44	North Bay	●	68	Wawa	●
21	Guelph	●	45	Ottawa	●	69	Whitby	
22	Halton		46	Owen Sound		70	Windsor	●
23	Hamilton	●	47	Parry Sound				
24	Hawkesbury	●	48	Pembroke	●			

● Centres that provide FLS | ● Centres that must offer FLS

- be greeted;
- receive specific information;
- have the possibility of using various means of settling disputes;
- be directed to specialized professionals, procedures for reconciliation and mediation;
- bring any claim or request;
- get information about developments in his or her case;
- apply to the court for a remedy.

The single window also enables legal workers to file — quickly and in complete security — any acts or documents for the various services of the two jurisdictions concerned (Ministère de la Justice de la République française, site consulted September 4, 2008).

### 2.3.3 The holistic approach in the United Kingdom

The multi-service model is becoming increasingly favoured in the United Kingdom. The British government speaks rather of a holistic approach, as compared to the silo approach, which seems to serve citizens better.

*Problems often occur in “clusters”, with one problem triggering a cascade of other problems. The initial problem may or may not be law-related, but without early intervention, it may trigger further problems, legal or otherwise. Individuals with a multitude of problems are often subject to numerous referrals tied to specialist institutions – a “silo” approach that can lead to “referral fatigue” and leaves many problems unresolved (Cohl and Thomson, 2008 : 48).*

Like the Justice Sector, the British government also favours the possibility of partnerships with community organizations so as to further develop this holistic approach to delivering services.

*The existing trust in and reliance on community organizations makes them natural partners with legal service providers for a holistic approach to multiple problems. Just as legal problems emerge when people approach community organizations for help with other problems, non-legal problems become evident to legal professionals in the course of dealing with legal issues.*

*The United Kingdom’s Citizens Advice Bureaus are a well-established example of a holistic approach. These bureaus provide help with a wide range of non-legal issues along with legal information and assistance. Some of the more than 500 bureaus are located in health centres and other community locations. Bureau services are not restricted to vulnerable people in need and there is no means test for obtaining legal advice (Cohl and Thomson, 2008 : 48).*

Some commentators feel that the British approach goes further than the way things are done in Ontario. On the other hand, the holistic approach seems not to be as suitable to the culture of public service developed in Ontario, but what has been achieved at the Centre francophone de santé communautaire de Hamilton-Niagara is an example of the holistic approach.

*The way in which legal and community services have evolved over time in Ontario likely makes this kind of major shift less feasible here. It is more realistic to think of building partnerships between specialized services rather than replacing them with multi-service organizations. However, some Ontario agencies are recognizing the value of combining services that are obviously related. For example, the Francophone Community Health Centre Hamilton/Niagara, a multi-service agency providing health and social services to French-speaking clients, also includes a legal clinic for refugee issues (Cohl and Thomson, 2008 : 48).*

### 2.4 Itinerant services

The model of itinerant services is often mentioned as a way to help deal with the lack of services in remote areas, or because FLS often have both a local and regional mandate. This is particularly true with regard to violence against women. (Sirois and Garceau, 2007: 106-107).

This is the case with the women’s centre in Sudbury, Centre Victoria, which provides services in Algoma through satellite offices in Wawa, Elliot Lake and Sault Ste. Marie. The Carrefour des femmes du Sud-Ouest in London is responsible for serving women in this entire region who have been sexually assaulted. Oasis Centre des femmes in Toronto has a satellite office to serve women in Brampton. The SAC in Casselman, Centre Novas, will shortly be serving all women in Prescott and Russell counties.<sup>7</sup> The outreach services begun by Maison Interlude House also have a regional mandate and serve the counties of Stormont-Dundas-Glenora and Prescott-Russell. They were set up to meet the needs of women in the rural counties of Eastern Ontario, where there is no public transit or, in general, means to access services close to home. Increasingly in these counties, women did not necessarily need to have access to a shelter, but rather to help and support for themselves and their children (support to get social assistance or housing, to get access to certain programs or to legal aid, etc.). This is thus an innovative

<sup>7</sup> The Centre Novas was opened in 2007 (Centre Novas, *Histoire en bref*, site consulted April 8, 2009, [http://www.centrenovas.ca/index.cfm?Vair=sections\_liste&Id=6458&M=2172&Sequence\_No=6458&Niveau=2&Repertoire\_No=2137988540]).

program that provides a range of services to women and that could well be a model for other regions (Sirouis and Garceau, 2007 : 107-108) [Translation].

We also noted that since March 2006, the federal government, from its Service Canada office in Stephenville, has been providing, “itinerant service in French at Mainland (La Grand’Terre) in Newfoundland.” (Public Service Agency of Canada, consulted July 3, 2008). The service is available a few days a week in the francophone communities of L’Anse-à-Canards, La Grand’Terre and Cap St. George. This single-window service is an initiative of the Official Languages Committee of the Newfoundland and Labrador Federal Council in collaboration with Service Canada and several other federal departments. This initiative results from a community consultation held in 2003 (Public Service Agency, site consulted July 3, 2008).”

### 2.4.1 The itinerant court concept

Some provinces have already developed and applied the idea of travelling courts, also known as itinerant courts or circuit courts. The model is notably in use in Quebec to serve the Inuit population in Northern Quebec.<sup>8</sup> Yukon, Newfoundland and Labrador, Saskatchewan and Manitoba also have itinerant court systems.

## 2.5 Technological and electronic services

Web sites have become important places for the offer of FLS (Cardinal, Lang and Sauvé, 2006). As Mairéad Nic Craith also says about minority languages in Europe, “*The advantage of communication on the Internet is that it has become de-territorialized. [...] Although migration has traditionally impacted negatively on lesser-used languages, the Internet has provided a new and easy mode of communication that is not dependent on location* (Mairéad Nic Craith, 2007: 177-178).”

According to Sylvie Mattar and Michel Gratton, “the new technologies can be excellent tools for communicating and creating contacts with minority communities, especially those that are geographically and linguistically isolated (Mattar and Gratton, 2001: [http://www.ocolo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocolo.gc.ca/html/stu_etu_service_042001_e.php)).”

### 2.5.1 Justice Ontario

*Justice Ontario* was formed to provide the following services:

- An online portal to the justice system including easy-to-use information on family law, criminal law, lawsuits and disputes, human rights, estate planning and tickets and fines.
- Easy access to legal resources such as lawyer referral services and family law information centres.
- Toll-free telephone access to the same information in 173 languages. (Government of Ontario, consulted September 5, 2008).

Lawyers, magistrates and community groups have long stressed the importance of making easy-to-understand legal information available to the public so that people can make better use of the Justice Sector’s resources. The 2007 Osborne report on the civil justice system and Trebilcock’s 2008 study on the legal aid system both said that access to basic legal information is one of the pillars of access to justice for all Ontario citizens (Osborne, 2007 ; Trebilcock, 2008).

As well, the divisions that are part of the strategic planning in Ontario’s Justice Sector make information about FLS more accessible to the francophone population. This information has been available on the *Justice Ontario* Web site since 2008 and the new FLS section launched in February 2009 (Ministry of the Attorney General, *Justice Ontario, services provided by the Justice Sector ministries*, site consulted April 30, 2009).

### 2.5.2 Carrières en justice

The Carrières en justice site, [www.carrieresenjustice.ca](http://www.carrieresenjustice.ca), deserves particular mention. Launched by AJEFO in 2007, this project was aimed at sustainability of FLS and making francophone students aware of how the justice system works, encouraging them to make use of their FLS and stimulating their interest in the various careers in the law (AJEFO, site consulted September 30, 2008).

### 2.5.3 Écho des services en français – Ontario

A portal launched by the Association canadienne-française de London-Sarnia, as an initiative of its French language services committee, led to Écho des services en français-Ontario being set up. Funded by Industry Canada, the service is “intended to make available to any francophone community a powerful on-line tool for dialogue, asking for French language services and exchanging experiences regarding implementation of the *French Language Services Act*” (Écho des services en français, site consulted July 17, 2008).’

<sup>8</sup> A Survey of the Administration of Justice Respecting the Inuit of Northern Quebec, [[http://ww2.ps-sp.gc.ca/publications/abor\\_corrections/199205\\_e.pdf](http://ww2.ps-sp.gc.ca/publications/abor_corrections/199205_e.pdf)].

### 2.5.4 Export and Development Canada

We also noted on-line tools in sectors other than justice that are recognized as model practices in the federal government. Export and Development Canada (EDC) provides “a bilingual questionnaire on line entitled *Are you ExportAble/ Êtes-vous prêt-à-l’EXPORT*, which helps businesses better understand the realities of exporting. Combined with the *Online Solutions Advisor/Le Conseiller en ligne* service, it can suggest solutions and services to meet their needs regarding exporting 24 hours a day in the official language of their choice” (Canada Public Service Agency, site consulted July 3, 2008).

### 2.5.5 Francommunautés virtuelles

Francommunautés virtuelles, an Industry Canada program that was well known in minority language circles, ended on March 31, 2008. Its aim was “to expand the content, applications and services in French on the Internet, connect the francophone and Acadian communities and encourage Canadian francophonie to take full advantage of information and communication technologies” (Industry Canada, Francommunautés virtuelles site consulted April 30, 2009).

### 2.5.6 Volnet

Volnet, also an Industry Canada program, ended on March 31, 2002 (Industry Canada, Volnet, site consulted April 30, 2009). This program’s purpose was “to expand the capacities of volunteer organizations by giving them access to computers, the Internet, new information technologies and support and advice on the Internet (Office of the Commissioner of Official Languages, 2000: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_062000\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_062000_e.php))”. Four francophone organizations out of a total of 30 Canadian organisations took part in the Volnet program: the Fédération de la jeunesse canadienne-française, the Fédération des francophones de la Colombie-Britannique, the Assemblée communautaire fransaskoise and the Société de développement de la Baie acadienne.

## 2.6 Horizontal integration and vertical integration

FLS can be developed horizontally when a number of ministries or divisions collaborate on setting them up. They may also be provided by two levels of government, in which case we speak of vertical integration of services and programs.

## 2.7 Summary

It is useful to remember that all these different models of the active offer of FLS exist. Each was developed for a particular context to enable the government to fulfil its obligations to the francophone minority. These models demonstrate that governments and francophone communities can be innovative in actively offering FLS, thus responding to the concerns of these constituencies.

### 3 Mechanisms for an active offer of French language services

The inventory of FLS models, has enabled us to identify four basic theoretical elements — prerequisite, subjective, objective and integration (Table 3) as well as the mechanisms for each one (Tables 4, 5, 6 and 7). These elements govern the active offer of FLS in each service model.

Table 3 Dimensions of mechanisms for offer of French language services

Prerequisite	Subjective	Objective	Integration of diversity
Elements that must be considered when planning to deliver FLS.	The verbal and non-verbal aspects of a FLS.	Material and visual elements to support the offer of a FLS.	Consideration of the needs of target groups.

#### 3.1 The prerequisite dimension

The literature attributes a great deal of importance to the elements to be considered when planning to deliver FLS. Thus, in their study on federal government services, Mattar and Gratton stress the importance of developing an organizational culture that is “conducive to the provision of services in both official languages (Mattar and Gratton, 2001: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_service_042001_e.php)).” They state that this is a fundamental condition for being able to give linguistic duality its rightful place in institutions. This culture “includes attitudes, behaviours, shared values and social and organizational interactions, but it also becomes entrenched through the institutions’ structures systems and methods (Mattar and Gratton, 2001: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_service_042001_e.php)).” According to the authors, “consistent organizational leadership will create an implementation and accountability program that is clear and fair for all those involved in ensuring that service standards are met (Mattar and Gratton, 2001: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_service_042001_e.php)).”

Discussions among the various partners during meetings of francophone stakeholders in the Justice Sector also confirm the importance of the prerequisite dimension.<sup>9</sup> The OFA also took this into account in its

<sup>9</sup> “Workshop participants unanimously and enthusiastically welcomed the idea that the Ontario government should make an active

guide designed to prepare an active offer of FLS when it explained that,

- “Quality French language services are “actively” offered if the following elements are present:
- A “client” or “service-focused” approach;
- Knowledgeable and well-trained staff who have a clear understanding of their corporate and individual responsibilities regarding FL ;
- A willingness, where necessary, to look at alternative of innovative ways to meet FLS obligations and the needs of the Francophone community ; and
- Time to “plan ahead” (Office of Francophone Affairs, 2008: 3-4).

In her article on bilingual health services, Roussel mentions certain preparatory mechanisms to consider in order to guarantee high-quality FLS, such as recruiting, raising awareness, planning governance and promotion. She says that it is important to recruit bilingual employees who are aware of the particular needs of francophones and to involve francophonestakeholders in the hiring process (Roussel, 2008: [http://www.ohpe.ca/index.php?option=com\\_content&task=view&id=9935&Itemid=78%20](http://www.ohpe.ca/index.php?option=com_content&task=view&id=9935&Itemid=78%20)).

Since the *Strategic Plan* was published, a number of initiatives and strategies have been implemented in the Justice Sector divisions in order to:

- increase understanding of the obligation to provide FLS by means of memoranda in divisions, presentations on FLS, an orientation package concerning FLS, the *Manager’s Guide to FLS*, the bulletin *FLS at a Glance*; calendars, client-service workshops, the Toolbox, etc.
- effectively recruit bilingual personnel by means of the *Franco Bulletin Board* ; *Policy Directives* on management of positions that are designated bilingual; identifying employees that can provide FLS; involving new divisions in the AJEFO’s *Carrières en justice* project; FAFO’s project *Force de l’âge*, etc.
- promote training and professional development for employees who have to provide FLS by means of *FL Educational Programs* ; integration of French

offer of FLS. This also means that it must take the special needs of the province’s Francophone community into consideration. Several participants also thought that the needs of Ontario’s Francophones must be identified and incorporated at the crucial policy development stage (Cardinal, Lang and Sauv e, 2006: 13).”



language training in the performance plans of some employees and training in use of Antidote software (OCFLS, 2007 : 84).

The most recent initiative in the Justice Sector was in the fall of 2008 when Deputy Minister Murray Segal sent out an FLS integration check list to all senior managers in the MAG divisions. In the future, these people must indicate in this list all the means that have been used to ensure that FLS are integrated from the outset in:

- policy development;
- strategic and administrative planning;
- program development;
- creation of new departments;
- models for service delivery;
- tailored models;
- information technology;
- submissions to Cabinet;
- public surveys;
- translation of examination reports;
- performance measurements; and
- development of regulations.

We would also mention all the tools that have been developed by the OCFLS to provide FLS for the programs and services of the Justice Sector ministries. Being aware that the managers of services are the cornerstones of an active offer of FLS, the OCFLS developed a number of tools to support these people in their work (OCFLS, 2007: 84).

As an example, *The Toolbox: Providing Services in French*, which is intended for use by anglophone employees, is a good practice in the FLS field.

The Toolbox includes 30 cards, each one having a specific theme. Some cards feature common phonetic pronunciations used to greet clientele or to answer the telephone (see CD ROM), while other cards cover writing tips and terminology. In addition, specific cards will provide you with information on Key Justice Sector Services, tools and resources available from the Office of the Coordinator of French Language Services. The last six cards are intended to assist agencies providing French Language Services on behalf of the Justice Sector ministries (Government of Ontario, 2008).

The OCFLS has also designed an *aide-mémoire* showing employees how they can actively offer FLS. This one-page document includes advice on active offer of FLS over the telephone and in person; on visual and material elements; and on the steps to take when referring a francophone client to a bilingual employee.

The *French Language Institute for Professional Development* (FLIPD), a joint initiative between the Department of Justice Canada and MAG, is another example of good practice in the Justice Sector. It helps to increase the language abilities of professionals in the Justice Sector while at the same time improving access to FLS. FLIPD workshops were not limited to Ontario professionals such as staff members of Court Services and OVSS, Crown attorneys, lawyers from LAO and OPP officers, but also included Crown attorneys from other provinces.

In 2008, AJEFO launched the campaign "*Mettre l'accent sur la justice en français: mon droit, mon choix !*" [put the accent on justice in French: my right my choice] in order to raise awareness among francophones of their rights to legal services in French. The AJEFO also produced a leaflet that was distributed in the 25 Ontario areas that are designated bilingual. According to the AJEFO, the campaign helped to increase its visibility in the francophone community "by inviting the public to visit the association's website to get additional information under the heading "*Mon droit, mon choix*" (AJEFO, 2008)."

Other initiatives aim at informing francophone communities of their rights to receive FLS in the programs and services provided by the justice ministries and to demystify the legal system:

- Telephone numbers in the telephone directory;
- *Carrières en justice* [careers in justice];
- Use of the Franco-Ontarian flag to identify offices that offer FLS;
- Law Society of Upper Canada/Barreau du Haut-Canada and AJEFO – brochure and poster designed to inform lawyers of their obligation to advise their clients of their right to receive FLS, in accordance with their *Code Of Ethics*;
- Justice camps; and
- *Justice Ontario*, a website that includes information on the rights of francophones, presentations on FLS and the locations where FLS are offered, as well as links to various Francophone Stakeholders.

Considered as a whole, the literature enables us to identify nine preparation mechanisms to consider when planning an active offer of FLS (Table 4). These mechanisms are intended to:

- recruit competent bilingual personnel;
- identify or create bilingual positions;
- increase employees' FLS awareness;
- develop training for employees;

- integrate FLS from the first stages of planning for government services;
- consult and include francophone partners;
- make people accountable;
- develop tools and resources;
- identify ways of promoting services among the francophone population.

Table 4 Prerequisite work dimension

Mechanisms	The prerequisite work dimension includes the elements required to provide FLS.
Recruitment	Recruit competent bilingual employees.
Designating bilingual positions	Define, identify or create designated bilingual positions.
Awareness	Increase public service employees' awareness of the rights and particular needs of the francophone population by means of activities, presentations and resources, and dedramatize FLS within the organizational culture, the work environment and senior management leadership.
Training	Develop training for employees to improve and increase their capacity to offer high-quality FLS.
Planning	Integrate FLS from the outset of planning for government services.
Governance	Consult the different francophone partners and include them in preparedness for the active offer of FLS, including the roles and responsibilities of each.
Accountability	Adopt measures to make sure that obligations regarding FLS are fulfilled (e.g., clauses about FLS in contracts with TPAs).
Tools and resources	Develop tools and resources and make them available to employees to improve their capacity to offer high-quality FLS.
Promotion	Identify ways of promoting activities and resources intended to bring attention to and promote the availability of FLS among the francophone population.

Formally set out in this way, these elements pave the way for a real contextual analysis for preparing an active offer of FLS. However, the subjective and objective dimensions are just as vital because they are markers of an active offer on site.

### 3.2 The subjective dimension

The literature on the offer of FLS emphasizes the elements of verbal communication (in person or on the telephone) and non-verbal (reception service) during

the time that a service is being provided. This more subjective dimension is thus looked at as a separate category (Table 5).

Table 5 Subjective dimension

Mechanisms	The subjective dimension includes the verbal and non-verbal aspects of FLS
Verbal communication in person and on the telephone	The verbal aspect of an active offer of FLS offered in person in government offices; transfer to an employee able to offer FLS; automatic services; messages recorded on answering machines; call transfers.
Non-verbal communication - welcome	The non-verbal aspect of an offer of FLS that can put the public at ease and make it possible for them to ask for the service.

We note that the Ontario government's services are increasingly being provided by telephone. These services are provided by call centres where employees sometimes answer calls from all across the Province. They have to offer FLS – whether or not they are in a designated area – since they often serve the entire Province.

We would mention that the violence against women sector has developed an expertise in this domain.

According to the Office of the Commissioner of Official Languages, "the human elements of service, particularly oral communication, are important because they "can put the public at ease and encourage them to interact in the official language of their choice with the person serving them" (Office of the Commissioner of Official Languages, 2004.)". As explained by a participant at the meeting of francophone stakeholders in the Justice Sector in 2006, "the client must be immediately made aware that he is entitled to receive FLS of a high-quality." In essence, for a user to be, "convinced that he is receiving high-quality service, the client should not have to shake the clerk for ten minutes (Cardinal, Lang and Sauvé, 2006 : 35)."

Verbal and non-verbal communication are therefore an important part of the subjective dimension. According to Mattar and Gratton (2001: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_service_042001_e.php)), "the active offer of service must include an audible greeting in the two official languages, both on the telephone and in person, to inform the public that service is available in English and French."

In a report on FLS in Manitoba, Judge Richard Chartier indicated that an active offer of services signalled that,

“service providers will publicize to the public that they can obtain service in both languages. Members of the general public should be convinced from the outset that using the official language of their choice will not result in a diminished quality of service (Chartier, 1998: [www.gov.mb.ca/fls-slf/report/contxtpol.html](http://www.gov.mb.ca/fls-slf/report/contxtpol.html).”

How can we make sure that people understand “from the outset” that they can speak French to service providers? Often, non-verbal communication can influence the decision whether or not to ask for FLS.

The Ontario Commissioner of French Language Services gives an example of a service where there is no need to ask if it can be in French, that being the Centre de santé communautaire de Sudbury. “When a patient comes to the Centre de santé communautaire de Sudbury, he knows for a fact that he will receive health services in French. By definition, this centre embodies active offer (French Language Services Commissioner, 2008: 15).”

According to Mattar and Gratton (2001: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_service_042001_e.php)), the triggering factor is the active offer, that is: “the initial greeting that is received, whether on the telephone or in person, will have a decisive impact on the exchange that follows.” They write that, “needless to say, an office that greets its clients bilingually will increase demand for service in the language of the minority, whose members will feel at ease in continuing in their language. [...] A bilingual greeting and use of the client’s language are a concrete recognition of the client’s personal identity [...]”. They add, “the increased awareness of official languages among those in charge is the triggering factor that has drawn attention to the linguistic aspect of service.”

In contrast, a passive offer can create a less conducive and less favourable climate for exercising one’s rights to FLS. In fact, even if the service is available in an organization, francophones are at risk of not noticing it unless it is actively and verbally promoted or if they do not feel comfortable asking for it.

### 3.3 The objective dimension

The literature on French language services all mention the material and visual elements that support an active offer of FLS. We have identified nine objective mechanisms for an active offer of FLS (Table 6):

- exterior signage;
- interior signage;
- temporary signage;
- signs;

- pins and stickers;
- correspondence;
- documentation;
- announcements and news releases; and
- Web site.

Table 6 Objective dimension

Mechanisms	The objective dimension includes material and visual elements that support the offer of FLS.
Exterior signage	Permanent signs placed on the exterior of government buildings..
Interior signage	Permanent signs.
Temporary signage	Signs posted temporarily.
Signs	“Hello/Bonjour” signs.
Pins and stickers	Pins or stickers to identify employees who can provide a FLS.
Correspondence	Written correspondence and e-mails.
Documentation	Brochures, publications, forms, etc.
Announcements and news releases	Announcements and news releases in the media.
Web sites	Web site.
Other	Any other mechanism, such as booths, electronic displays or electronic kiosks.

These elements must be displayed in order to guarantee an active offer of FLS. As Mattar and Gratton (2001: [http://www.ocol-clo.gc.ca/html/stu\\_etu\\_service\\_042001\\_e.php](http://www.ocol-clo.gc.ca/html/stu_etu_service_042001_e.php)) explain, “the material environment must unequivocally reflect the bilingual nature of the office so that clients have no doubt as to the availability of service in both official languages. [...] Exterior signage is the first visual point of contact with the public.” They add, “interior signage in a bilingual office has the greatest impact, since it invites visitors to continue in the language of their choice or deters them from doing so.”

The *Welsh Language Board* designed a pin to encourage people to speak Welsh in different work environments, including in government services. It is quite simple, but it is an innovative approach to make the active offer of service in Welsh more visible and friendly. (Welsh Language Board, *How do I know to whom I can speak Welsh?*, consulted September 16, 2008, [<http://www.byig-wlb.org.uk/ENGLISH/SERVICES/Pages/HowdolknowtowhomicanspeakWelsh.aspx>]).



*Wearing the Working Welsh badge shows that someone can speak Welsh. The scheme is part of the Board's involvement with businesses and organizations across Wales – it encourages people to use Welsh at work, and when they're shopping or receiving services.*

### 3.4 The integration of the diversity dimension

Little of the literature emphasized this dimension. Stakeholders in the justice system have made it a priority for several of years. The *Environmental Scan* also gave a summary of the situation.

As Sirois and Garceau (2007: 108-109) wrote, we have to learn to do things differently.

When ministries' program managers have to make decisions regarding FLS, they have to be conscious of this quite different dynamic. Setting up services does not operate the same way in minority groups. [...] When one is not afraid to be innovative and to give French-speaking women the tools they need to create particular services in their community, the service models are

different, the performance indicators are different, and management is different. But each of these elements is equally effective. It is therefore possible to do things differently [Translation].

We identified seven target groups whose concerns call for particular attention (Table 7) :

- youth;
- women;
- immigrants;
- members of visible minorities;
- elderly or retired people;
- people living in rural or urban areas; and
- people with special needs.

Taking the needs of the target groups into account requires an analysis of the concerns of each of them. However, it is also important to understand that we cannot treat each one in a silo, but rather transversally. The idea of "intersectional analysis" can better describe this situation. For instance, a francophone person may be young, but can also be a woman from a minority group living in a rural area. That is to say that there is no easy solution for actively

Table 7 Integration of diversity dimension

Target groups	Taking the particular needs of target groups into consideration
Youth	"People aged 24 or under. (Cardinal, Plante and Sauvé, 2006a)".
Women	"Persons who declared being female (Statistics Canada, <i>Definitions, data sources and methods, Classification of sex</i> , site consulted October 7, 2008)".
Immigrants	"Refers to people who are, or have been, landed immigrants in Canada. A landed immigrant is a person who has been granted the right to live in Canada permanently by immigration authorities. Some immigrants have resided in Canada for a number of years, while others have arrived recently. Most immigrants are born outside Canada, but a small number were born in Canada (Statistics Canada, <i>2006 Census Dictionary, Immigrant population</i> , site consulted October 6, 2008)".
Visible minority members	"Refers to the visible minority group to which the respondent belongs. The Employment Equity Act defines visible minorities as 'persons other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour' (Statistics Canada, <i>2006 Census Dictionary, Visible minority population</i> , site consulted October 6, 2008.)".
Elderly or retired people	"People aged 65 and over. (Turcotte and Grant, 2006: p. 7-8 ; Cardinal, Plante and Sauvé: 2006b)".
People living in rural areas	"Rural areas include all territory lying outside urban areas. Rural population includes all population living in the rural fringes of census metropolitan areas (CMAs) and census agglomerations (CAs), as well as population living in rural areas outside CMAs and CAs (Statistics Canada, <i>2006 Census Dictionary, Rural area</i> , site consulted October 7, 2008)".
People living in urban areas	"An urban area has a minimum population concentration of 1,000 persons and a population density of at least 400 persons per square kilometre, based on the current census population count. Urban population includes all population living in the urban cores, secondary urban cores and urban fringes of census metropolitan areas (CMAs) and census agglomerations (CAs), as well as the population living in urban areas outside CMAs and CAs. (Statistics Canada, <i>2006 Census Dictionary, Urban area</i> , site consulted October 7, 2008)".
People with special needs	"Disability: Refers to difficulties with daily activities and the reduction in the amount or kind of activities due to physical or mental conditions or health problems (Statistics Canada, <i>2006 Census Dictionary, Disability</i> , site consulted October 7, 2008)".

offering FLS which takes into account the diversity of the population.

### 3.5 Check sheets

After identifying and defining the different dimensions and mechanisms for an active offer of FLS, we have prepared an evaluation sheet (Table 8).

The sheet includes all the elements or dimensions and mechanisms for an active offer of FLS, and on it we see all the mechanisms that have to be put in place for an active offer of FLS.

The Justice Sector is planning to use the populated check sheets for the divisions in the new reporting mechanism after the *Strategic Plan*.

### 3.6 Summary

A survey of the literature enabled us to establish FLS models and the basic theoretical elements to prepare for an active offer of FLS. Thus, the study identified four dimensions that govern active offer of FLS: prerequisite, subjective, objective and integration. The prerequisite dimension includes mechanisms for putting conditions in place that are conducive to development of an active offer of FLS. The subjective dimension covers verbal and non-verbal elements that constitute an active offer while the objective dimension includes the material and visual elements. Finally, the integration dimension enables identification of mechanisms used to integrate the concerns of target groups.

Taken as a whole, the different dimensions give an overall view of the process that leads to active offer. The sheet systematizes the mechanisms to be developed within each dimension. It could be a tool for planning and evaluating FLS according to different types of services.

Table 8 Check sheet, dimensions and mechanisms for an active offer of FLS

Prerequisite	Subjective	Objective	Integration of diversity
Recruitment	Verbal communication over the telephone or in person	Exterior signage	Youth
Designating bilingual positions		Interior signage	Women
Awareness	Non-verbal communication – reception services	Temporary signage	Immigrants
Training		Welcome/Bonjour signs	Visible minority members
Planning		Pins and stickers	Elderly or retired people
Governance		Correspondence	People living in rural and urban areas
Accountability		Documentation	People with special needs
Tools and resources		Announcements and new releases	
Promotion		Web site	
		Other	

## 4 Portrait of the mechanisms for an active offer of French language services

To test our analytical model, we have prepared a preliminary portrait of the mechanisms for an active offer of FLS, with the emphasis on the prerequisite dimension. We have studied the existing mechanisms in the field of integrated French language services, that is, the bilingual services to the general public provided by the Government of Ontario. In particular, these services were studied in the *Strategic Plan*. We should thus be equipped to prepare a more concise portrait of these mechanisms. However, such an exercise should be done more systematically for all the dimensions and for all FLS, regardless of the type of service.

### 4.1 Mechanisms for the offer of FLS and the prerequisite dimension in integrated FLS in the Justice Sector

Appendices A, B and C present a preliminary picture of the mechanisms for the offer of FLS within the prerequisite dimension of integrated services in the Justice Sector. These tables are not definitive. They have been prepared using the information available in the reports on the meetings of stakeholders in the justice field since the *Strategic Plan* was first implemented. In particular, this exercise provides an overview of the situation and allows us to give a better picture of the preparation work for an active offer of FLS that has been undertaken in the divisions (OCFLS, 2007; 2008).

Appendix A covers some mechanisms in the prerequisite dimension in the Ministry of the Attorney General. Appendix B shows the mechanisms developed in the Ministry of Community Safety and Correctional Services. Appendix C covers Legal Aid Ontario. In each case, we have indicated the mechanisms developed by the divisions.

#### 4.1.1 The prerequisite dimension in the Ministry of the Attorney General

Appendix A shows that both formal and informal mechanisms and tools are being used in almost all the MAG divisions, even if they differ from one division to another — possibly because of the specific needs of each in the area of FLS.

##### Recruitment

We have identified information on the recruitment mechanisms for three of the Ministry's five divisions.

Available data show that the Office of the Children's Lawyer has developed a working relationship with francophone stakeholders to recruit francophone officers, with an emphasis on the link with stakeholders on site and the use of word of mouth.

For its part, the Court Services Division advertises its designated bilingual positions on the *Franco Bulletin Board*, a recruitment tool for everyone, as well as relying on the *Carrières en justice* program — probably so that they can have staff on a long-term basis. The Criminal Law Division also mentioned the *Carrières en justice* program as well as participation in the *Journées de droit* organized by AJEFO.

##### Designating bilingual positions

All divisions appear to have mechanisms for designating bilingual positions and follow procedures established by the Ministry. In cases where we cannot identify these mechanisms, the information indicates the efforts that have been made. The management of these designated positions lies with the OCFLS, which keeps track of them. Any changes and updates have to be approved at the Deputy Minister or the Deputy Attorney General level.

##### Awareness

We have identified information about the mechanisms or activities for making public service employees aware of the rights and particular needs of the francophone population in all five divisions. The Court Services Division uses memoranda prepared by the Deputy Attorney General reminding people of obligations with respect to FLS, which are sent along with documents. The Division then organizes a booth with FLS information at special events.

The Ontario Victim Services Secretariat also uses memoranda to increase employees' FLS awareness. The Criminal Law Division gives a presentation on FLS during the *Provincial Support Staff* seminar. More systemic FL training on an ongoing basis is done for the Office of the Children's Lawyer and the Office of the Public Guardian and Trustee.

##### Training

Available information shows that all of the Ministry's divisions offer French language courses to its employees, including at the FLIPD.

## Planning

The data show that two of the five divisions – Court Services and Criminal Law – consider FLS when developing their policies, in planning or as part of pilot projects.

## Governance

The data available in this regard show that four of the five divisions formally or informally include francophone stakeholders in the Justice Sector in the preparation for active offers of FLS. This inclusion in governance seems to be on an ad hoc basis in the Court Services and Criminal Law divisions, as it does in the Ontario Victim Services Secretariat and the Office of the Children's Lawyer. Let us not forget that the network of francophone stakeholders is effectively included in governance of the *Strategic Plan*, where they play a consulting role.

Francophone stakeholders appear to take an informal role in the recruitment of bilingual staff. As for the other divisions, the data show that they have developed ad hoc collaborations with francophones.

## Accountability

The data show that two of the five divisions have taken steps to ensure that obligations respecting FLS are fulfilled. The Court Services Divisions has signed transfer agreements with the municipalities which include clauses regarding obligations to offer FLS and the MAG's supervisory role.

The Ontario Victim Services Secretariat indicates that all contracts with transfer payment agencies (TPAs) include a clause that refers to the obligation to provide access to FLS in designated areas. Other divisions may not need to, depending on the nature of their business.

## Tools and resources

Available information shows that all divisions use tools and resources developed by OCFLS to enable their employees to make an active offer of FLS in their division. The five divisions use the orientation package. Appendix A shows that some divisions appear to have more tools and resources than others.

## Promotion

The data show that all divisions have the means to bring attention to the fact that FLS exist and are avail-

able to the francophone population, in particular, bilingual web sites.

### 4.1.2 The prerequisite dimension in the Ministry of Community Safety and Correctional Services

Appendix B also shows that both formal and informal mechanisms and tools are used in almost all MCSCS divisions, even if they differ from one division to another — possibly also because of the specific needs of each with respect to FLS.

#### Recruitment

We have information on recruitment mechanisms from two of the Ministry's five divisions. Data show that Emergency Management Ontario uses the Franco Bulletin Board for hiring employees and refers to *Carrières en justice*.

For its part, the Ontario Provincial Police (OPP) refers to *Carrières en justice* in addition to having developed the *Eastern Experience* initiative and the Symposium francophone de la OPP. *Eastern Experience* is a recruitment strategy put in place by the OPP that targets francophones and diverse communities. The OPP purchases advertising in the media to publicize the program on CTV television, the radio and in newspapers. There is also a special line that people can call and a web site where they can send their job application forms. The OPP receives an average of 400 applications a year. After an initial selection process, approximately 30 candidates spend two days with officers, who become their mentors and encourage them to officially apply for a job. The week after this, candidates go through physical exams.

Close to 50 % of candidates are hired through the program, which has quite a high success rate. In January 2009, *Eastern Experience* will be offered in French only in Eastern Ontario. Announcements will be posted at Cité collégiale.<sup>10</sup>

The Symposium francophone de la OPP is a three-part initiative organized in partnership with La Cité Collégiale. Its aim is, through Information sessions, to encourage young men and women who are perfectly bilingual in English and French to think about a career with the OPP (Ontario Provincial Police, *Le symposium de la Police provinciale de l'Ontario*, consulted September 25, 2008 [<http://www.opp.ca/>]).

<sup>10</sup> Information provided by Gary Couture, Ontario Provincial Police, October 1, 2008.

We would also mention that the OPP encourages francophone employees to apply for senior positions, in addition to recruiting in the francophone colleges in the Ottawa area.

### Designating bilingual positions

Available data show that four of the five divisions have mechanisms for designating bilingual positions and follow the procedures established by the Ministry: Emergency Management Ontario, the OPP, the Adult Institutional Services Division and the Adult Community Corrections Division.

### Awareness

The information available on activities to make public service employees aware of the rights and particular needs of the francophone population indicates that the five divisions have mechanisms to do so. In the Public Safety Division, senior management is informed of the obligation to provide FLS and it was indicated that there are presentations at meetings to raise employees' awareness.

For its part, Emergency Management Ontario makes its Chief and Deputy Chiefs aware of FLS obligations. The OPP provides awareness sessions for close to 48% of its employees. The Adult Community Corrections Division publishes information on FLS in its newsletter, as does the Adult Institutional Services Division.

### Training

As with the MAG, available information shows that all the Ministry's divisions provide French courses to its employees, including at the FLIPD.

### Planning

Data demonstrate that three of five divisions consider FLS when planning their policies. Emergency Management Ontario annually reviews its emergency management plans and programs for francophone communities. The Adult Community Corrections Division and the Adult Institutional Services Division translate and adapt rehabilitation programs.

### Governance

Available information shows that only the OPP, either formally or informally, includes francophone stakeholders in justice when preparing for an active offer of FLS. The OPP also has an internal FLS governance committee.

The Public Safety Division also plans for the advertising campaign bilingually and integrates FLS stakeholders in its various grant programs.

The other divisions use the Francophone Stakeholders Meeting to consult and provide reporting mechanism to the Francophone stakeholders.

### Accountability

Data show that only the OPP has a mechanism to ensure that obligations respecting FLS will be fulfilled in the context of any given project, the communication centres. These Provincial Communications Centres (PCC) are run by the Provincial Communications Operations section of the OPP.

Distributed throughout the province, each of the P.C.C.s provides 24/7 services to members of the public who contact the O.P.P. with emergencies or other calls for service. Section personnel represent the O.P.P.'s interests in the Government Mobile Communications Project, and work closely with numerous vendors to ensure that the O.P.P.'s telephone and radio infrastructure is responsible and contributes to the ongoing safety of the public (Ontario Provincial Police, Communications and Technology Services Bureau, consulted September 25, 2008, [[http://www.opp.ca/Organization/CorporateServices/opp\\_000402.html](http://www.opp.ca/Organization/CorporateServices/opp_000402.html)]).

### Tools and resources

The information indicates that all divisions have developed or use tools and resources so that their employees can make an active offer of FLS in their divisions. These include data on francophone organizations, Antidote software and orientation packages. Emergency Management Ontario uses software to facilitate francophone communities' access to funds for improving their response capacity, as well as provide the technology in French to train Francophone municipalities in emergency preparedness.

### Promotion

Data show that all divisions have methods of publicizing the existence and availability of FLS to the francophone population, especially on bilingual Web sites.

### 4.1.3 The prerequisite dimension in Legal Aid Ontario

Appendix C presents the available information on Legal Aid Ontario's preferred mechanisms for the prerequisite dimension.



## Recruitment

Data show that Legal Aid Ontario refers to *Carrières en justice* as a recruitment mechanism, as well as the use of advertisements in the francophone press and on their web site. LAO attends university job fairs and career seminars promoting bilingualism as an asset.

### Designating bilingual positions

Available data do not indicate any particular mechanisms except for the naming of two vice-presidents to be spokespersons for FLS. Reviewing the need to designate positions is built into the approval process for creation of new jobs and recruiting for existing ones. FLS capacity and identification of designated positions are integrated in the creation and enhancements of service models.

### Awareness

With the information available, we cannot identify specific mechanisms used to make Legal Aid Ontario employees aware of the rights and particular needs of the francophone population. Information sessions are held with new staff, management and new work teams on a regular basis. The FLS section of the Intranet provides a great deal of FLS information, presentations, update bulletins and tools, including the LAO FLS guide.

### Training

Data shows that Legal Aid Ontario has a number of training tools available. LAO duty counsels and staff lawyers participate to the training offered by the FLIPD. LAO staff and clinic staff are encouraged to participate in FL training such as in-house courses and private coaching.

### Planning

Including FLS in planning for services is clearly set out in Legal Aid Ontario's FLS guide. The FLS Coordinator and a number of LAO management staff ensure that FLS is integrated into planning. A steering committee made up of senior managers also carries responsibility for integrating FLS in LAO plans and programs.

### Governance

Available information shows that Legal Aid Ontario's board of directors has its own FLS advisory committee. LAO actively participates in the Justice Sector strategic planning process.

## Accountability

FLS are mentioned in specific clauses in some contracts with the Province's community legal aid clinics. LAO uses the Francophone Stakeholders' Meeting as a reporting mechanism and consultation with the community. All FLS funded projects carry detailed funding agreements and reporting mechanisms.

### Tools and resources

Information shows that Legal Aid Ontario uses orientation packages and Antidote software. A new FLS guide is also available. The Intranet site, which is updated regularly, offers lexicons, pertinent links, training tools, practical tips, signage templates, etc. Translated memorandums, court decisions and forms are also available.

### Promotion

Legal Aid Ontario has developed brochures that include information on FLS, and a bilingual web site where the clinics and offices that provide FLS are identified on the web site with the Franco-Ontarian flag. LAO clinics that provide FLS offer on-going activities such as outreach and public legal education. New FLS projects also include a communication plan.

## 4.2 Summary

The portrait of mechanisms in the prerequisite dimension that we have prepared enabled us to survey what the Government is doing regarding preparatory work for the active offer of FLS in the Justice Sector. This exercise is important because it gives us a picture of who is doing what in the Justice Sector's divisions and we can identify certain links between theory and practice. Some divisions have their own specific practices; in others, the mechanisms are relatively uniform over the divisions. Should we look at planning for greater uniformity over the divisions or respect the autonomy of each ministry and their divisions because of their specific needs and distinct areas of expertise?

In effect, each ministry has its own culture and each division its own expertise. We therefore have to coordinate these elements with the methods developed for an active offer of FLS. In some cases the mechanisms will be sufficient; in others, new mechanisms need to be developed.

## 5 Conclusion

The aim of the study was to prepare a preliminary inventory of the existing mechanisms for an active offer of FLS in the twelve divisions and one agency of the Justice Sector in Ontario. These mechanisms include the methods or tools the Government or the groups use to deliver and set FLS into action.

While the studies emphasize the importance of an active offer of FLS, we have suggested a more systematic approach to be taken to the different key dimensions to be considered so as to guarantee such an offer. These dimensions refer to mechanisms that we have attempted to systematize throughout our survey of the situation in the different divisions.

Firstly, the study identified existing FLS models and then stated that each model should include four basic theoretical elements that should govern an active offer. These are the prerequisite, subjective, objective and integration dimensions. Secondly, the study showed that each dimension comprises mechanisms that make it possible to actively offer FLS. Thus, the prerequisite dimension is made up of mechanisms to prepare or put in place the conditions for an active offer. The subjective dimension covers the verbal and non-verbal elements of active offer, while the objective dimension includes the material and visual elements. Finally, the integration dimension is used to identify the mechanisms employed to include the concerns of the target groups.

Taken as a whole, the prerequisite, objective, subjective and integration dimensions enabled us to develop an evaluation sheet. Thirdly, the study prepared a portrait of the prerequisite dimension in the Justice Sector. It identified the mechanisms put in place in the FLS offered in twelve divisions and one agency in the Justice Sector to see to preparation for the active offer of FLS.

To summarize, the portrait of the mechanisms for offer of FLS that exist in the Justice Sector shows the efforts that have been made regarding the prerequisite dimension. However, it would certainly be useful to conduct such an exercise in a more sustained fashion for each dimension in order to see if the mechanisms identified using the theoretical model are in place and if they make an active offer of FLS possible. In particular, the sheet used to systematize the data available on the mechanisms could be a useful tool for planning and evaluating FLS.

Finally, the theoretical model developed in this study was used to prepare a survey on the effectiveness of the mechanisms used by public servants to make an active offer of FLS. The data collected from the survey will be helpful in evaluating mechanisms and to study the links between theory and practice. User focus groups, which were organized as a supplementary measure, will help us complete the portrait of the situation. Volume 2 presents the data from the survey and the focus groups.

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## Appendix A Ministry of the Attorney general. Prerequisite dimension

Mechanisms	Court Services Division	Criminal Law Division	Ontario Victims Services Secretariat	Office of the Public Guardian and Trustee	Office of the Children's Lawyer
Recruitment	<ul style="list-style-type: none"> <li>• Ads in the <i>Franco Bulletin Board</i></li> <li>• <i>Carrières en justice</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Carrières en justice</i></li> <li>• Participation and involvement in the <i>Journées du droit</i> organized by the AJEFO</li> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>	<ul style="list-style-type: none"> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>	<ul style="list-style-type: none"> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>	<ul style="list-style-type: none"> <li>• Collaboration with francophone stakeholders for the recruitment of francophone agents with the assistance of judges, AJEFO, from word of mouth, etc.</li> <li>• Managers recruiting francophone employees at job fairs, on university campuses and high schools</li> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>
Designation of bilingual positions	<ul style="list-style-type: none"> <li>• Strategy to enhance recruitment in order to fill designated bilingual positions</li> <li>• Resource person in charge of FLS was appointed</li> </ul>	<ul style="list-style-type: none"> <li>• Tactical teams: coordinators of cases to be heard in French are in place in each region</li> </ul>	<ul style="list-style-type: none"> <li>• The two regions with the largest Francophone population (East and North East) have regional manager and support staff designated bilingual positions</li> <li>• The six regions all have designated regional program consultant positions</li> <li>• In Toronto's central office, two support positions and one program coordinator position are designated bilingual</li> </ul>	<ul style="list-style-type: none"> <li>• Identification et dépistage des postes désignés bilingues</li> <li>• Désignation de postes identifiés dès qu'ils deviennent vacants</li> </ul>	<ul style="list-style-type: none"> <li>• Des postes vacants ont été désignés bilingues</li> </ul>

Mechanisms	Court Services Division	Criminal Law Division	Ontario Victims Services Secretariat	Office of the Public Guardian and Trustee	Office of the Children's Lawyer
Designation of bilingual positions			<ul style="list-style-type: none"> <li>• Alternative procedures are in place to ensure the delivery of FLS whenever an employee in a bilingual position is away from work</li> <li>• V/WAP: Protocols are in place in certain courts to use other court bilingual employees help when a bilingual employee is away from work</li> <li>• Partners encourage staff members to apply for designated bilingual positions</li> </ul>		
Awareness	<ul style="list-style-type: none"> <li>• Memo from the Deputy Attorney General to the regions reminding them of the obligations in relations with FLS with documents (orientation kit, presentations on FLS, etc.)</li> <li>• Information booths on FLS at special events (Divisional Learning Event in September 2007)</li> </ul>	<ul style="list-style-type: none"> <li>• Presentation on FLS at the <i>Provincial Support Staff</i> seminar</li> </ul>	<ul style="list-style-type: none"> <li>• Memoranda to increase employees' FLS awareness</li> </ul>	<ul style="list-style-type: none"> <li>• Systemic FL training on a ongoing basis</li> </ul>	<ul style="list-style-type: none"> <li>• Systemic FL training on a ongoing basis</li> </ul>

Mechanisms	Court Services Division	Criminal Law Division	Ontario Victims Services Secretariat	Office of the Public Guardian and Trustee	Office of the Children's Lawyer
Training	<ul style="list-style-type: none"> <li>• FLIPD</li> <li>• FLHF</li> </ul>	<ul style="list-style-type: none"> <li>• Participation and leadership in FLIPD</li> <li>• FLHF</li> <li>• Summer courses for Crown attorneys (including a pleading course in French)</li> <li>• Course on the current legal challenges in French at the Crown School</li> <li>• French courses</li> <li>• Customer service workshop</li> <li>• Possibility for the development of on-line training</li> </ul>	<ul style="list-style-type: none"> <li>• Training for administrators and facilitators (session dedicated to FLS)</li> <li>• FLHF</li> </ul>	<ul style="list-style-type: none"> <li>• French courses</li> </ul>	<ul style="list-style-type: none"> <li>• French courses</li> </ul>
Planning	<ul style="list-style-type: none"> <li>• FLS are taken into consideration in the development of policies and planning, including pilot projects</li> <li>• Providers of Family law mediation services and information services are required to deliver FLS on a contractual basis</li> <li>• Mediator lists for compulsory civil mediation include bilingual mediators (in Toronto, Ottawa and Windsor)</li> </ul>	<ul style="list-style-type: none"> <li>• Some pilot projects include FLS: bail programs in designated bilingual regions include bilingual staff (Hamilton, Sudbury, London, Thunder Bay and Timmins)</li> </ul>			



Mechanisms	Court Services Division	Criminal Law Division	Ontario Victims Services Secretariat	Office of the Public Guardian and Trustee	Office of the Children's Lawyer
Governance	<ul style="list-style-type: none"> <li>• Collaboration with French schools in Kingston (for the designation of Kingston)</li> </ul>	<ul style="list-style-type: none"> <li>• Participation and involvement in <i>Journées de droit</i> organized by AJEFO</li> <li>• Participation in FPT work group on the access to justice in the two official languages</li> </ul>	<ul style="list-style-type: none"> <li>• Establishment of Centre Colibri in Barrie, a hybrid centre combining services to victims of sexual assault and services to victims of domestic violence. The Centre was created and financed, in a joint effort by MAG and the Ministry of Community and Social Services</li> <li>• Collaboration with AOcVF on the aspect of court evaluation for the proceeding of domestic violence matters</li> <li>• Support to the Franco-Ontarian play on elder abuse in collaboration with FAFO (with information cards and prevention kit)</li> <li>• A project in collaboration with UCFO with the objective to educate people about elder abuse is in progress</li> <li>• Research project on the violence-related needs in the region of Kingston</li> </ul>		<ul style="list-style-type: none"> <li>• Collaboration with francophone stakeholders for the recruitment of francophone agents</li> <li>• Recruitment of francophone agents with the help of judges, AJEFO, by word of mouth, etc.</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>• Transfer agreements with municipalities include clauses on the obligations to deliver FLS and the supervisory role of MAG</li> </ul>		<ul style="list-style-type: none"> <li>• All contracts with TPA include a clause referring to the obligation of ensuring access to FLS in the designated regions</li> <li>• Since 2006, quarterly statistical reports include two questions on the demand for FLS for all TPA</li> </ul>		

Mechanisms	Court Services Division	Criminal Law Division	Ontario Victims Services Secretariat	Office of the Public Guardian and Trustee	Office of the Children's Lawyer
Tools and resources	<ul style="list-style-type: none"> <li>• OCFLS Orientation kit</li> <li>• Court forms available in both languages</li> <li>• Survey on client satisfaction includes questions on FLS</li> <li>• <i>Antidote</i> software</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation kit</li> <li>• Tools for Provincial Support Staff seminar available on line (orientation kit, newsletter, presentation on FLS)</li> <li>• FLS section on the Intranet displays the list of FLS coordinators, the list of bilingual attorneys, a link to a French lexicon and a link to the AJEFO's website</li> <li>• French version of Criminal Code is distributed during FLIPD sessions. It can also be ordered in regional offices</li> <li>• <i>Antidote</i> software</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation kit for FLS offer for employees (also in it Intranet site and diffusion of link to all staff members)</li> <li>• Lexicon</li> <li>• Contribution to development of the OCFLS Tool Kit and its distribution to 180 TPAs</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation kit</li> <li>• Distribution of French keyboards</li> <li>• Distribution of dictionaries, <i>Bescherelle</i> and lexicon</li> <li>• <i>Antidote</i> software</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation kit</li> <li>• FLS Toolbox</li> </ul>

Mechanisms	Court Services Division	Criminal Law Division	Ontario Victims Services Secretariat	Office of the Public Guardian and Trustee	Office of the Children's Lawyer
Promotion	<ul style="list-style-type: none"> <li>• All information documents intended for the public are available online in French and English</li> <li>• Public outreach activities</li> <li>• Bilingual Internet site</li> </ul>	<ul style="list-style-type: none"> <li>• Bilingual Internet site</li> </ul>	<ul style="list-style-type: none"> <li>• All documents are published simultaneously in French and English, including the Internet site</li> <li>• Booklet « Je vais témoigner »</li> <li>• Support to the Franco-Ontarian play on elder abuse in collaboration with FAFO (with information cards and prevention kit)</li> <li>• Bilingual Internet site</li> </ul>	<ul style="list-style-type: none"> <li>• Information sessions are offered in French to stakeholders, health professionals, to community associations and the public at large</li> <li>• Promotion of OPGT's mandate and services with stakeholders and francophone communities</li> <li>• Brochures and documentation are available in French</li> <li>• Permanent and temporary signs are bilingual</li> <li>• Bilingual Internet site</li> </ul>	<ul style="list-style-type: none"> <li>• Publications and forms are available in French</li> <li>• Bilingual Internet site</li> </ul>

## Appendix B Ministry of Community Safety and Correctional Services. Prerequisite dimension

Mechanisms	Ontario Provincial Police	Emergency Management Ontario	Adult Community Corrections Division	Adult Institutional Services Division	Public Safety Division
Recruitment	<ul style="list-style-type: none"> <li>• Eastern Experience Initiative</li> <li>• Symposium francophone de la Police provinciale de l'Ontario</li> <li>• <i>Carrières en justice</i></li> <li>• Francophone employees are encouraged to apply for senior positions</li> <li>• The division tries to recruit bilingual employees in francophone colleges in the Ottawa area through the ComCentre</li> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relative success in recruiting several employees through the Franco Bulletin Board</li> <li>• <i>Carrières en justice</i></li> </ul>	<ul style="list-style-type: none"> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>	<ul style="list-style-type: none"> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>	<ul style="list-style-type: none"> <li>• Ads in the <i>Franco Bulletin Board</i></li> </ul>
Designated bilingual positions	<ul style="list-style-type: none"> <li>• Designation of several positions including Detachment Commander and Senior Sergeant positions</li> </ul>	<ul style="list-style-type: none"> <li>• Designation of several positions, including a regional agent and a senior manager</li> </ul>	<ul style="list-style-type: none"> <li>• The Northern recruitment centre created a data bank comprising designated bilingual position</li> <li>• Designated bilingual positions in senior management of all designated institutions (Superintendent or Deputy Superintendent positions)</li> </ul>	<ul style="list-style-type: none"> <li>• Follow-up mechanism in place - for designated positions in bilingual designated institutions</li> <li>• Designated bilingual positions in senior management (Superintendent or Bilingual Superintendent positions)</li> </ul>	
Awareness	<ul style="list-style-type: none"> <li>• Nearly half (48%) the employees in designated bilingual positions have been trained on the FLS obligations in 2007-2008</li> </ul>	<ul style="list-style-type: none"> <li>• Each section head and deputy head received the flyer on the French Language Services Act and an orientation on their obligations</li> </ul>	<ul style="list-style-type: none"> <li>• French article in the <i>Correctional News Letter</i></li> </ul>	<ul style="list-style-type: none"> <li>• French article in the <i>Correctional News Letter</i></li> </ul>	<ul style="list-style-type: none"> <li>• Senior management is informed of the obligation to offer FLS</li> <li>• Presentations aiming at educating employees at meetings</li> </ul>

Mechanisms	Ontario Provincial Police	Emergency Management Ontario	Adult Community Corrections Division	Adult Institutional Services Division	Public Safety Division
Awareness	<ul style="list-style-type: none"> <li>New OPP recruits are trained on FLS at the OPP Academy through partnership with OCFLS</li> <li>Awareness campaign in French</li> </ul>				
Training	<ul style="list-style-type: none"> <li>Participation in FLIPD: workshops for police officers have been integrated (new workshops on domestic violence currently under development with AOcVF)</li> <li>FLHF</li> </ul>	<ul style="list-style-type: none"> <li>An exchange program with Québec will be launched</li> <li>Participation in five training sessions for control groups representing five francophone communities</li> </ul>	<ul style="list-style-type: none"> <li>French courses</li> <li>FLHF</li> <li>On-line training <i>Pour l'amour du français</i></li> </ul>	<ul style="list-style-type: none"> <li>French courses</li> <li>FLHF</li> <li>On-line training <i>Pour l'amour du français</i></li> </ul>	<ul style="list-style-type: none"> <li>French courses</li> <li>FLHF (only one employee)</li> </ul>
Planning	<ul style="list-style-type: none"> <li>OPP Strategy on FLS integrates planning</li> </ul>	<ul style="list-style-type: none"> <li>Annual summary of crisis management plans and programs in francophone communities</li> </ul>	<ul style="list-style-type: none"> <li>Translation and adaptation of rehabilitation programs</li> </ul>	<ul style="list-style-type: none"> <li>Translation and adaptation of rehabilitation programs</li> </ul>	
Governance	<ul style="list-style-type: none"> <li>Partnership with AFMO for the recruitment and police services of municipalities</li> <li>The project about bullying for youth is in place in the North-East, East and Central regions, through partnerships with AJEFO, AFMO and La Clé d'la Baie in Huronia</li> <li>Partnership with AOcVF to fight domestic violence</li> <li>Internal governance: governance committee for FLS created within OPP. Individual roles and responsibilities were identified</li> </ul>				

Mechanisms	Ontario Provincial Police	Emergency Management Ontario	Adult Community Corrections Division	Adult Institutional Services Division	Public Safety Division
Accountability	<ul style="list-style-type: none"> <li>• Creation of communication centers, with FLS included in the mandate (Thunder Bay, Smith Falls and North Bay)</li> </ul>	<ul style="list-style-type: none"> <li>• Emergency plans with Francophone municipalities</li> </ul>			
Tools and resources	<ul style="list-style-type: none"> <li>• <i>Antidote</i> software</li> <li>• FLIPD terminology records</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Antidote</i> software</li> <li>• Software for the Canadian program of emergency preparedness which aims at facilitating the access for francophone communities to funding to improve response capabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation kit</li> <li>• Material and communication resources were distributed to superintendents</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation kit</li> <li>• Material and communication resources were distributed to superintendents</li> </ul>	<ul style="list-style-type: none"> <li>• Francophone community organizations data entered in the database for the next request for funding applications</li> </ul>
Promotion	<ul style="list-style-type: none"> <li>• All documents (brochures, annual business plans, annual reports and press releases) and the Internet site are available in French</li> <li>• A committee is developing internal communications and some reference brochures</li> <li>• All press release forms and templates used by police detachments were translated</li> </ul>	<ul style="list-style-type: none"> <li>• Bilingual Internet Site</li> </ul>	<ul style="list-style-type: none"> <li>• Bilingual signs in designated institutions</li> <li>• Bilingual Internet Site</li> </ul>	<ul style="list-style-type: none"> <li>• Bilingual signs in designated institutions</li> <li>• Bilingual Internet Site</li> </ul>	<ul style="list-style-type: none"> <li>• Information documents for the public are available in French (signs, brochures, press releases)</li> <li>• Applications and information documents in French are available on-line</li> </ul>

## Appendix C      Legal Aid Ontario. Prerequisite dimension

Mechanisms	Legal Aid Ontario
Recruitment	<ul style="list-style-type: none"> <li>• <i>Carrières en justice</i></li> <li>• Vacant designated bilingual positions are advertised in French newspapers and in the Internet site</li> </ul>
Designated bilingual positions	<ul style="list-style-type: none"> <li>• Nomination of two vice-presidents, FLS spokespersons</li> </ul>
Awareness	<ul style="list-style-type: none"> <li>• Information sessions are held with new staff, management and new work teams, on a regular basis</li> <li>• The FLS section of the Intranet provides a great deal of FLS information, presentations, update bulletins and tools, including the LAO FLS guide</li> </ul>
Training	<ul style="list-style-type: none"> <li>• <i>Carrières en justice</i></li> <li>• French course</li> <li>• Participation in FLIPD</li> <li>• Clinic lawyers participate in professional trainings offered in French (lexicons)</li> <li>• Educational and training material on FLS was presented to LAO senior management and will be distributed</li> <li>• Follow-up system of staff having received a training</li> </ul>
Planning	<ul style="list-style-type: none"> <li>• FLS integration in the services planning is clearly stated in the FLS Guide</li> </ul>
Governance	<ul style="list-style-type: none"> <li>• LAO's Board has its own advisory committee on FLS, which comprises members from different geographical regions with having different experiences</li> <li>• Establishment of a committee responsible for supervising the action plan for FLS</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>• Clauses on FLS in some contracts with legal aid clinics</li> </ul>
Tools and resources	<ul style="list-style-type: none"> <li>• The orientation kit includes material on FLS</li> <li>• New FLS Guide available and advertised to employees</li> <li>• <i>Antidote</i> software</li> </ul>
Promotion	<ul style="list-style-type: none"> <li>• Editing of brochures now including information on the right to FLS</li> <li>• Entirely bilingual Internet site</li> <li>• Clinics and offices offering FLS are identified by the Franco-Ontarian flag in the LAO Internet site</li> </ul>

## Appendix D Services provided by the divisions of the Justice Sector

Divisions du ministère du Procureur général	
Court Services Division	"Court Services Division manages more than 250 court offices in communities across the province. These offices provide an essential public service. Court staff schedule court cases, maintain court records and files, collect fines and fees, enforce civil orders, provide justice information to the public, and facilitate the delivery of other justice services, including civil and family mediation programs, victims' services and legal aid services. Court Services Division also provides administrative and courtroom support to all judicial officers in the Superior Court of Justice and the Ontario Court of Justice. Court staff manage the jury system and provide the courtroom clerks, court reporters, registrars and court interpreters required for court proceedings (Ministry of the Attorney General, <i>Court Services</i> , accessed on October 27, 2008, [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/courts/Default.asp">http://www.attorneygeneral.jus.gov.on.ca/english/courts/Default.asp</a> ])."
Criminal Law Division	"The Criminal Law Division is responsible for the conduct in Ontario of prosecutions under the Criminal Code and other Federal Statutes such as the Youth Criminal Justice Act, as well as under provincial statutes such as the Highway Traffic Act and the Liquor Licence Act. The division's other responsibilities include representing the Crown in criminal appeals in the Courts of Appeal and in the Supreme Court of Canada and providing specialized legal advice in a number of areas of criminal law to the Police, the Attorney General, the Deputy Attorney General, and other stakeholders in the criminal justice system (Ministry of the Attorney General, <i>Criminal Law Division</i> , accessed on October 27, 2008, [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/about/criminal/Default.asp">http://www.attorneygeneral.jus.gov.on.ca/english/about/criminal/Default.asp</a> ])."
Ontario Victim Services Secretariat	"OVSS works to ensure that victims of crime are treated with respect and receive the information and services they need [...] OVSS provides direct services to victims of crime across Ontario and funds community organizations that deliver support services to victims (Ministry of the Attorney General, <i>Ontario Victim Services Secretariat</i> , accessed on October 27, 2008, [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/ovss/about.asp">http://www.attorneygeneral.jus.gov.on.ca/english/ovss/about.asp</a> ])."
Office of the Public Guardian and Trustee	"This service helps to protect mentally incapable adults who are suffering, or at risk of suffering, serious harm. Severe self-neglect, physical abuse and financial exploitation of incapable people are some of the problems that this service can, in certain circumstances, help to resolve (Ministry of the Attorney General, <i>Office of the Public Guardian and Trustee</i> , accessed on October 27, 2008, [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/guardinvest.asp">http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/guardinvest.asp</a> ])."
Office of the Children's Lawyer	"The Office of the Children's Lawyer is a law office in the Ministry of the Attorney General which delivers programs in the administration of justice on behalf of children under the age of 18 with respect to their personal and property rights. Lawyers within the office represent children in various areas of law including child custody and access disputes, child protection proceedings, estate matters and civil litigation. Clinical investigators prepare reports for the court in custody/access proceedings and may assist lawyers who are representing children in such matters (Ministry of the Attorney General, <i>Office of the Children's Lawyer</i> , accessed on October 27, 2008, [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/family/ocl/">http://www.attorneygeneral.jus.gov.on.ca/english/family/ocl/</a> ])."



Divisions within the Ministry of Community Safety and Correctional Services	
Ontario Provincial Police	"The functions of the Ontario Provincial Police include the performance of all duties and services in relation to the preservation of peace; prevention of crime and offences against the laws in force in Ontario and the criminal laws in Canada; and apprehension of criminals and offenders who may be lawfully taken into custody (ServiceOntario INFO-GO, <i>Ontario provincial Police</i> , October 27, 2008, [ <a href="http://www.infogo.gov.on.ca/infogo/office.do?actionType=serviceDirectory&amp;infoType=service&amp;unitId=UNT0005172&amp;locale=en">http://www.infogo.gov.on.ca/infogo/office.do?actionType=serviceDirectory&amp;infoType=service&amp;unitId=UNT0005172&amp;locale=en</a> ] ).
Emergency Management Ontario	"Emergency Management Ontario is responsible for promoting, developing and maintaining emergency programs throughout the province. (Ministry of Community Safety and Correctional Services, <i>Emergency Management Ontario</i> , accessed on October 27, 2008 [ <a href="http://www.mcscs.jus.gov.on.ca/english/EmergencyManagement/emo.html">http://www.mcscs.jus.gov.on.ca/english/EmergencyManagement/emo.html</a> ] ).
Adult Community Corrections Services	" Adult Community Corrections is responsible for the supervision of adult offenders 18 years and over serving sentences in the community as part of probation, provincial parole or conditional sentence orders. Consistent with the Ministry of Community Safety and Correctional Services' commitment to community safety and crime prevention and as a partner in the criminal justice system, probation and parole officers (PPOs) work closely with all courts of criminal jurisdiction in Ontario, policing services and with the Ontario Parole and Earned Release Board (OPERB). PPOs prepare court-ordered reports for the Courts; prepare pre-parole reports for the OPERB; supervise probationers, parolees and conditional sentence offenders; enforce non-compliance with parole certificates, probation or conditional sentence orders; attend court as requested; liaise with community agencies, community correctional stakeholders and the public; and deliver rehabilitative core programs (ServiceOntario INFO-GO, <i>Adult Community Corrections Services</i> , accessed on October 27, 2008, [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/justice-ont/french_language_services/services/adult_community_corrections_services.asp">http://www.attorneygeneral.jus.gov.on.ca/english/justice-ont/french_language_services/services/adult_community_corrections_services.asp</a> ] ).
Adult Institutional Services	"Adult Institutional Services (AIS) is responsible for supervising adult offenders 18 years old and over in custody awaiting trial, sentencing or other judicial proceedings, or those serving sentences not exceeding two years less-a-day. Guided by four regional offices, AIS provides coordinated support to manage institutional facilities, such as jails, detention centres, correctional centres and treatment centres. It also provides coordination and support to regional and field personnel in the development, operation and evaluation of programs and services in adult correctional facilities. The four regional offices report to the Assistant Deputy Minister of AIS (ServiceOntario INFO-GO, <i>Adult Institutional Services</i> , accessed on October 27, 2008 [ <a href="http://www.attorneygeneral.jus.gov.on.ca/english/justice-ont/french_language_services/services/adult_institutional_services.asp">http://www.attorneygeneral.jus.gov.on.ca/english/justice-ont/french_language_services/services/adult_institutional_services.asp</a> ] ).
Public Safety Division	"The Public Safety Division works with its policing partners to promote community safety. Activities include: training through the Ontario Police College; scientific analysis in the Centre of Forensic Sciences; licensing of private security practitioners; development of guidelines and standards; monitoring and inspecting police services; distribution of crime prevention grants; support for intelligence led operations; management of provincial appointments and selections systems; delivery of the Major Case Management system; the promotion of animal welfare; and representing the province in negotiating tripartite First Nations Policing Agreements (Ministry of Finances, <i>Public Safety Division</i> , accessed on October 27, 2008 [ <a href="http://www.fin.gov.on.ca/en/budget/estimates/2009-10/volume1/MCSCS_778.html">http://www.fin.gov.on.ca/en/budget/estimates/2009-10/volume1/MCSCS_778.html</a> ] ).
Agency	
Legal Aid Ontario	"Legal Aid is offered to low-income individuals and groups dealing with various legal issues such as criminal matters, family conflicts, Immigration and Refugee Status Commission hearings, conflicts between landlords and tenants, support for disabled people and payment of family allowances (Legal Aid Ontario, <i>Home</i> , accessed on October 27, 2008, [ <a href="http://www.legalaid.on.ca/en/">http://www.legalaid.on.ca/en/</a> ])."

