

# Your language rights in New Brunswick

A summary of your rights under the *Official Languages Act* of New Brunswick

## FACTSHEET 4 - The justice system

### What you need to know

English and French are the official languages of the New Brunswick courts. This means, among other things, that:

- you have the right to use the official language of your choice in court;
- you cannot be placed at a disadvantage by reason of your choice of language;
- if you are a party to a matter, the judge must understand the language you have chosen without relying on an interpreter;
- a person who is alleged to have committed an offence has the right to have the proceedings conducted in the language of his or her choice and shall be informed of that right by the judge. Moreover, the judge must understand the language chosen by this person without relying on an interpreter.

### Official languages in everyday use

Examples of public bodies that must serve you in the official language of your choice:

- Administrative tribunals (for example: Assessment and Planning Appeal Board, the Appeals Tribunal under the *Workplace Health, Safety and Compensation Commission Act*)
- Legal Aid Services Commission
- Courts
- Sheriff services

### Answers to your questions

*I have to appear as a witness in a trial that is being held in French. Can I testify in English?*

Yes. The *Official Languages Act* states that all witnesses have the right to be heard in the official language of their choice. The Court will use an interpretation service so that the other parties can understand you in the other language.

### Across the province

In New Brunswick, you have the right to use English or French in any matter before the courts.



### All communications

Your language rights apply to all types of communication.



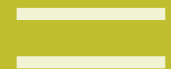
### Active offer of service

From the moment of first contact, you must be greeted in both official languages so that you know that services are available in both English and French.



### Services of equal quality

Administration of justice must be of equal quality in both official languages.



## Language Rights: Fundamental Rights

Your language rights are important! Judge for yourself:

- The language rights of New Brunswickers are set out in an act: the *Official Languages Act* (OLA) of New Brunswick.
- The Premier of New Brunswick is responsible for the administration of the OLA.
- If there is a conflict between the OLA and another provincial Act, the OLA prevails.
- The language rights of New Brunswickers are guaranteed by the *Canadian Charter of Rights and Freedoms*, which is part of the Canadian Constitution.

### A few historical benchmarks

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| 1969 | Passage of the Province's first official languages act  |
| 1982 | The language rights of New Brunswickers are enshrined in the <i>Canadian Charter of Rights and Freedoms</i>                                       |
| 1988 | Enactment of the <i>Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick</i>                                  |
| 1993 | The Charter was amended by the insertion of section 16.1 guaranteeing the equality of the Anglophone and Francophone communities of New Brunswick |
| 2002 | Adoption of a new official languages act for New Brunswick  |

## About the Commissioner

The Commissioner of Official Languages for New Brunswick is an independent officer of the Legislative Assembly. The Commissioner's role is to protect the language rights of members of the Anglophone and Francophone communities and to promote the advancement of both official languages.

### If your rights are not respected

There may be circumstances when public bodies do not respect your language rights. If that is the case, we invite you to contact us. Filing a complaint is easy, and the investigations we conduct help improve the quality of bilingual services. To learn more, simply click on this [link](#).

### How to contact us

Office of the Commissioner of Official Languages  
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OF OFFICIAL LANGUAGES  
FOR NEW BRUNSWICK



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To find out more about your language rights, visit  
[www.officiallanguages.nb.ca](http://www.officiallanguages.nb.ca).