

Alberta court tosses French language case

Tweets about "from:natnewswatch OR #natnw" (<https://twitter.com> /search?q=from%3Anatnewswatch+OR+%23natnw)

By The Canadian Press (<http://www.nationalnewswatch.com/author/the-canadian-press/>) — Feb 21 2014

EDMONTON - Gilles Caron plans to take a decade-long fight to the country's highest court to get an English-only traffic ticket written in French.

The Alberta Court of Appeal sided with the provincial government Friday, ruling that its laws do not need to be printed and published in both English and French.

Caron, a 54-year old trucker, said he was disappointed but not entirely surprised.

"This is an English-only province with the attitude to back up their law," he told a press conference.

"I would like this government to acknowledge they have constitutional duties ... They have a duty to serve the French community in a legal way."

Caron was handed a \$54 ticket in 2003 for making an unsafe left turn in Edmonton. When he decided to fight it in court, he had no idea it would turn into such a legal saga.

The case didn't go to trial until 2008, and after 89 days of legal arguments and testimony from historical experts, a judge tossed Caron's ticket.

The provincial court judge ruled that legislative bilingualism had been established in what was known as Rupert's Land and the North-Western Territory as early as 1845. So the ticket wasn't valid.

By that time, another Edmonton man named Pierre Boutet had joined the case to fight his English-only speeding ticket.

So when the province appealed, both Caron and Boutet ended up back in court.

In 2009, the government won. A Court of Queen's Bench judge said historical documents and orders did not enshrine language rights in what is now Alberta.

Caron had run out of money fighting the case, but the court had awarded him costs to keep going. There were more challenges and appeals on that issue and, in 2011, the Supreme Court supported giving him costs because he raised an important constitutional issue.

The case went before Alberta's appeal court last year, and on Friday it agreed with the province.

"The fact that there is no constitutional document entrenching language rights in Alberta, whereas other constitutional documents clearly do so for other jurisdictions, is an insurmountable obstacle for the appellants," the court said in its decision.

"Must the statutes of the province of Alberta be printed and published in English and French? No."

In 1988, the Supreme Court ruled the provinces have the power to determine their own language rights legislation. That same year, Alberta enacted its Languages Act providing that "all acts and regulations may be enacted, printed and published in English only."

Similar cases have been fought over traffic tickets in other provinces, including Quebec, New Brunswick and Manitoba.

Caron's lawyer, Roger Lepage, said this case is also important for people in Saskatchewan, which has a language law similar to Alberta's.

Caron has instructed Lepage to ask the Supreme Court to hear his case. Lepage said it's an important issue that needs to be determined by the country's top court.

French speakers should not have to assimilate in Western Canada, he said.

Boutet, a 60-year old businessman, said he also plans to take the case to Ottawa. "It's a bilingual country ... It is my right to be served in my language."

Caron said his ancestors were on one of the first boats that reached Canada from France. He grew up in Quebec but moved to Alberta for work about 20 years ago.

"It felt like a shock, that this wasn't Canada anymore," Caron said. "By name it was Canada but ... I was treated differently."

He said he likes Alberta, but still feels like an outsider and thinks it's important for him to keep fighting his wrinkled old ticket in court.

Throughout the court battle, he said he has felt defeated. But when he thinks of his French roots, and especially his deceased father, he finds resolve.

"I think of my dad a lot when I keep going."

[Most-Read Articles \(http://www.nationalnewswatch.com/most-read-articles/\)](http://www.nationalnewswatch.com/most-read-articles/)

[News Sources \(http://www.nationalnewswatch.com/news-sources/\)](http://www.nationalnewswatch.com/news-sources/)

(/)

[Advertise \(http://www.nationalnewswatch.com/advertise/\)](http://www.nationalnewswatch.com/advertise/)

© 2014 National Newswatch Inc.

[Contact \(http://www.nationalnewswatch.com/contact/\)](http://www.nationalnewswatch.com/contact/)