



Case Study

Doucet Case

Facts

On March 8, 1998, Donnie Doucet, a Francophone living in Nova Scotia, was stopped for speeding on Highway 104 near Amherst, Nova Scotia, by an officer of the Royal Canadian Mounted Police (RCMP), Amherst detachment. According to the 1991 census, the francophone population of the rural area of Amherst is 255 and is 1.1% of the population. Under an agreement between Nova Scotia and the RCMP, the latter provides police services in the Amherst area, and is responsible for patrolling the Trans-Canada Highway from the New Brunswick border to the area surrounding the intersection of exit 204 to Springhill, Nova Scotia, including the Amherst area.

The officer approached Mr. Doucet's vehicle and addressed him in English. Mr. Doucet spoke in French and gave his papers to the constable, who went back to his car, returning a few minutes later with a summons written in English, which he gave to Mr. Doucet, explaining its meaning in English only. Mr. Doucet made several attempts to initiate the use of French, but did not expressly request that the officer speak to him in French.

With regard to Mr. Doucet conviction for speeding, the matter has been settled. He was found guilty and the conviction was upheld on appeal in 2003.

In 2004, Mr. Doucet brought an action before the Federal Court to determine whether his rights as a Francophone were infringed because, contrary to the right guaranteed in section 20 of the *Charter*, he did not receive services in French and could not communicate in French when he addressed a member of the RCMP who was patrolling Highway 104 near Amherst.

Questions

1. Does it affect Mr. Doucet's rights that the RCMP, a federal institution, was acting under a contract with the provincial government of Nova Scotia?
2. Is there a "significant demand" to justify services in both official languages to Mr. Doucet?
3. If Mr. Doucet had a right to services in French, what kind of services was he entitled to?