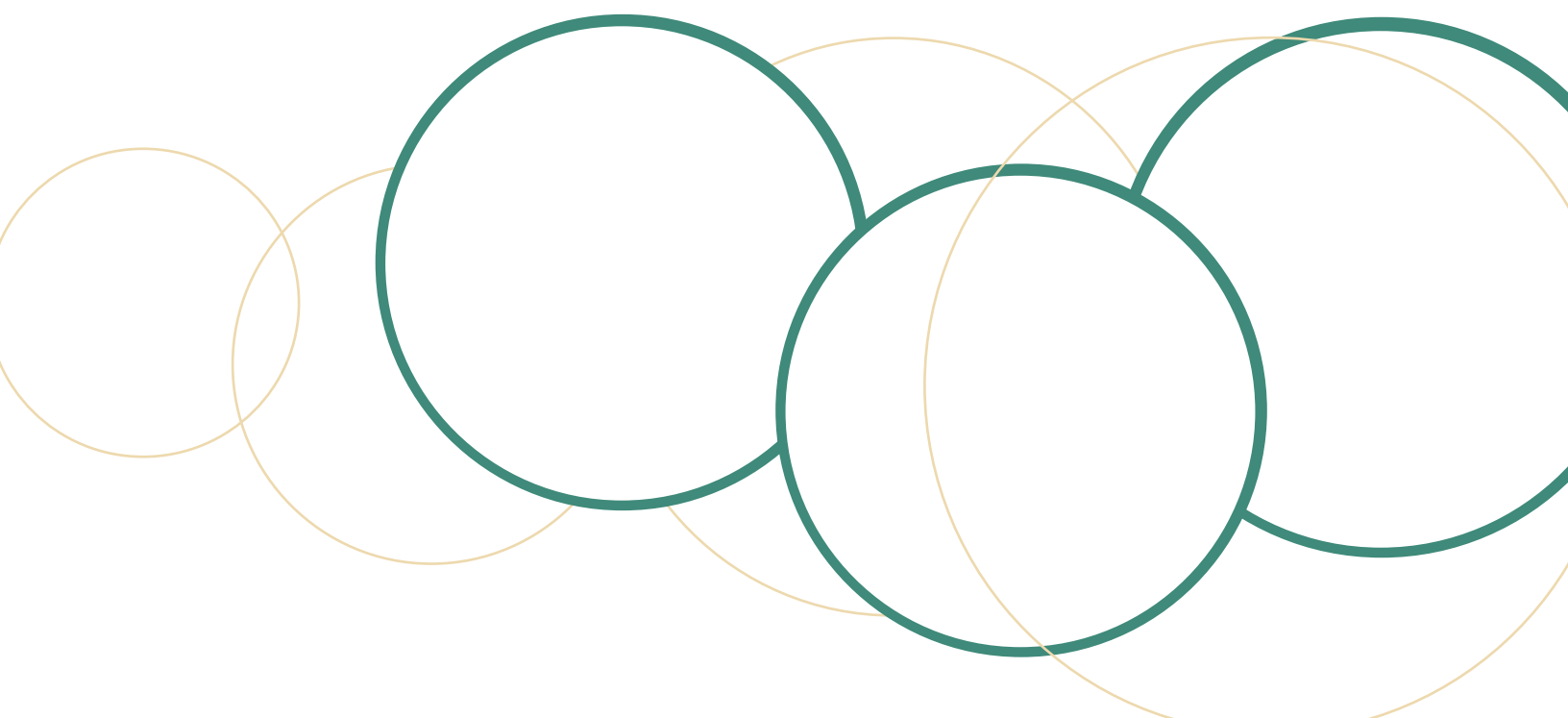




# Sustainable Development Strategy 2004–2006



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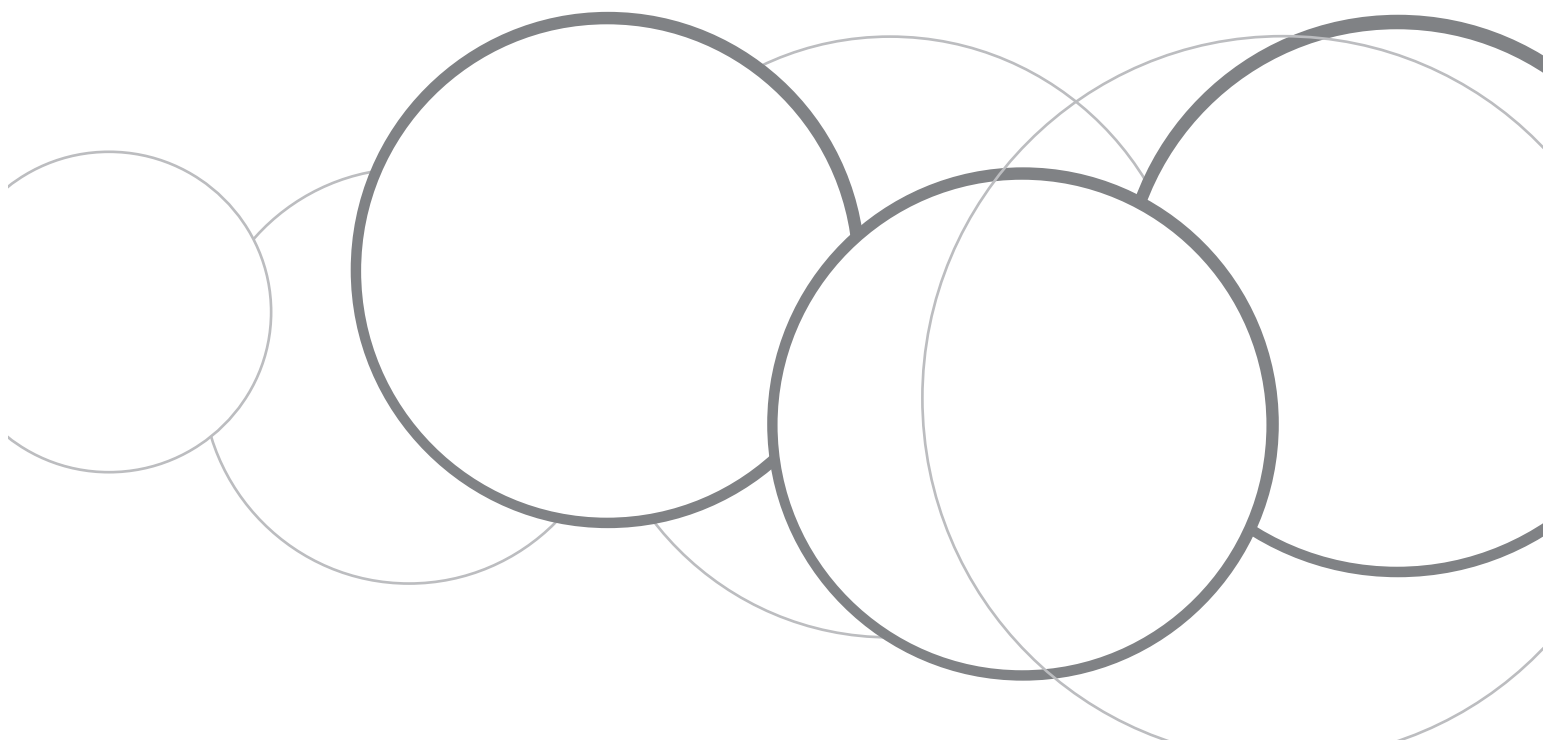




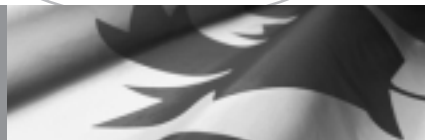
Department of Justice  
Canada

Ministère de la Justice  
Canada

# Sustainable Development Strategy 2004–2006



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## Message from the Minister



I am pleased to present the third Sustainable Development Strategy of the Department of Justice.

Sustainable development is about balancing social, economic and environmental concerns in making decisions. The ability of governments and Canadians to strike the right balance between these three, often competing, interests will have a significant impact on the well-being of current and future generations of Canadians and their communities.

Our efforts to strike the right balance focus on the need for an accessible, fair, effective and sustainable system of justice that promotes respect for rights, freedoms and the rule of law.

Under this third Sustainable Development Strategy, the Department of Justice will continue its efforts to maintain the safety and security of Canadians and ensure that our system of justice is the best it can be. We will also work to integrate the principles of sustainable development more fully into our ongoing operations and decision-making processes.

In preparing this Strategy, the Department of Justice has drawn on experiences from the first two Strategies, as well as the guidance provided by the Commissioner of the Environment and Sustainable Development in publications such as *Sustainable Development Strategies: Making a Difference*. This Strategy clarifies the link between sustainable development and the other plans, priorities and strategies of the Department of Justice.

Together with all its partners in the justice system, the Department of Justice will continue its work towards attaining a sustainable future for Canadians and their communities.

Irwin Cotler  
Minister of Justice and  
Attorney General of Canada



## Preface

Canada has embraced sustainable development as a public policy goal since the 1980s, and was an active participant in the United Nations Conference on Environment and Development (the Earth Summit) in Rio de Janeiro in 1992. That meeting of 178 nations recommended that all countries produce strategies for sustainable development.

In 1995 the federal government amended the *Auditor General Act* to require 25 federal departments to prepare sustainable development strategies for tabling in the House of Commons and to update them every three years. This legislation also created the office of the Commissioner of the Environment and Sustainable Development, who is responsible for monitoring and reporting on federal progress toward sustainable development.

The Department of Justice, along with other departments, presented its first Sustainable Development Strategy in December 1997 and its second in February 2001. This third Sustainable Development Strategy contains a review of the Department's sustainable development accomplishments from 2001 to 2003 under the second Strategy and describes the Department's sustainable development commitments for the next three years.





## Table of Contents

Executive Summary .....	1
1. Introduction .....	5
2. The Context for Sustainable Development in the Department of Justice .....	7
2.1 Mission and Mandate of the Department of Justice .....	7
2.2 The Department’s Operating Environment .....	7
2.3 Situating Sustainable Development Within the Department’s Plans and Priorities .....	9
3. Results from the 2001-2003 Sustainable Development Strategy .....	13
4. Sustainable Development Vision and Themes for 2004-2006 and Beyond .....	17
4.1 The Department’s Vision for Sustainable Development .....	17
4.2 Translating the Vision into Results .....	17
<i>Theme 1: A sustainable justice system for Canadians and their communities</i> .....	18
<i>Theme 2: Integrating the principles of sustainable development into             our ongoing operations</i> .....	19
5. Sustainable Development Objectives and Targets .....	23
Objective 1: To strengthen knowledge and awareness of sustainable development within the Department .....	23
Objective 2: To integrate the consideration of sustainable development into the Department’s business .....	24
Objective 3: To improve the environmental sustainability of our physical operations .....	25
6. Implementation of the Strategy .....	29
Appendix 1: Results Achieved Under The 2001-2003 Sustainable Development Strategy .....	30
Appendix 2: Objectives, Targets and Performance Indicators 2004-2006 .....	42



## Executive Summary

Sustainable development means using natural and human resources to achieve social and economic goals without harming the environment upon which current and future generations depend. It requires the ongoing integration of environmental considerations into economic and social decision making.

Sustainable development is inextricably linked to a large part of the work carried out by the Department, and this Strategy complements our other plans, priorities and strategies, including our Strategic Plan and our Report on Plans and Priorities.

### Results of Our 2001-2003 Sustainable Development Strategy

The Department's 2001-2003 Strategy contained three key objectives, encompassing 13 goals and 40 targets. In reviewing the results, we found that 23 of the 40 targets were achieved, 7 were partially achieved and 10 were not achieved during the period under review.

Our first objective was to support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure. Overall, the Department provided high-quality legal advice and support to a range of federal government initiatives relating to sustainable development, and made strong progress in efforts to develop new and enhanced legal instruments as well as in promoting dispute resolution (DR) as an efficient alternative to litigation. The use of DR is expected to improve the long-term cost-effectiveness of our litigation processes, thereby contributing

to the sustainability of our legal functions. Less progress was made in delivering training and information dissemination to support sustainable development goals.

Our second objective was to explore the implications of social and cultural factors for sustainable development in the context of the Justice policy mandate. As noted in our last Strategy, social and cultural issues are probably the least explored element in the context of sustainable development, and this work was largely intended to support individuals and communities in pursuing sustainable development goals within the social context. All goals under this objective were achieved. The Department's participation in two Sustainable Communities Initiatives pilot projects supported social cohesion and contributed to sustainable development at the community level. The Aboriginal Justice Strategy achieved its targets in delivering community-based Aboriginal alternative justice programs. The National Crime Prevention Centre developed and implemented community-based solutions to problems that contribute to crime and victimization. Social cohesion was taken into account in interdepartmental research on sustainable development.

Our third objective was to reduce the direct environmental impact of Justice's physical operations. Success in relation to this objective was mixed. The goal to stabilize per-employee paper consumption at 1999-2000 levels was partially achieved, since purchasing records indicate that the amount of paper purchased has decreased; however, off-loading of printing to contractors is believed to have increased.

The Department has achieved its solid waste diversion goal at Headquarters locations, where 80% of solid waste is now diverted from landfill. The Department has achieved most of its targets in relation to green procurement and a continual review process is in place for green procurement options. The Department's efforts to increase the environmental awareness of employees were not as successful as hoped, due to the lack of a sustainable development coordinator within the Department and the lack of identified resources required to develop communication and education programs.

## **Developing Our Third Sustainable Development Strategy**

In developing our third Sustainable Development Strategy, the Department of Justice has incorporated lessons learned from its previous strategies and has developed a more focused, result-based approach to sustainable development. This third Strategy is intended to reflect those lessons learned as well as to address the expectations of the Commissioner.

The Department's long-term, twenty-year vision for sustainable development is as follows: *"Working with our partners, Canada has an accessible, fair and effective system of justice that promotes respect for rights, freedoms and the rule of law thereby contributing to the well-being of current and future generations of Canadians and their communities."* This vision statement is intended to reflect the core mandate of the Department through a sustainable development lens that provides a long-term perspective to the benefits and services provided to Canadians.

In keeping with the results-based focus of our third Sustainable Development Strategy, the Department has identified two key themes that reflect both the longer-term results we hope to achieve and the shorter-term activities and results intended to support their achievement. The theme of a sustainable justice system for Canadians and their communities represents a long-term result that is fundamental to the mandate and mission of the Department and links to a key government-wide sustainable development priority of sustainable communities. Sustainable communities are those that are able to further social, economic and environmental objectives without creating problems for another group, community or generation. As it is relevant to the Department's mandate, the sustainability of our communities will in part depend upon maintaining the safety and security of Canadians and ensuring that our system of justice is accessible and effective both for current and future generations.

The second theme of integrating sustainable development principles into our ongoing operations is a shorter-term result that is expected to contribute to the longer-term sustainability of our justice system and our communities. The distinction between shorter-term and longer-term goals is intended to ensure that the activities we undertake as part of this Strategy are logically connected to the achievement of both short-term and long-term objectives, as well as to facilitate the measurement of our progress as the Strategy is implemented.

The Department has selected three key objectives for the next three years that are expected to support the achievement of our longer-term results:

***Objective 1: To strengthen knowledge and awareness of sustainable development within the Department***

- Target 1.1: Develop and deliver training and information sessions on sustainable development issues.
- Target 1.2: Communicate information on sustainable development issues to all employees.

***Objective 2: To integrate the consideration of sustainable development into the Department's business***

- Target 2.1: Consider departmental policies and services through a sustainable development lens.
- Target 2.2: Ensure that the Sustainable Development Strategy is addressed as a priority within the Department.

***Objective 3: To improve the environmental sustainability of our physical operations***

- Target 3.1: Establish national office space standards that reflect the principles of sustainable design and improve the sustainable management of the Department's offices.
- Target 3.2: Improve conservation and waste management practices.
- Target 3.3: Increase green procurement nationally.

## **Implementation**

The implementation of this third Sustainable Development Strategy will hinge on the identification of a Sustainable Development Coordinator for the Department of Justice. The Coordinator will have overall responsibility for coordinating the Department-wide implementation of this Strategy.

Supporting the work of the Coordinator will be the Sustainable Development Working Group, which includes broad representation from across the Department. The Working Group will include representatives from those areas of the Department to be responsible for implementing the specific components of the Sustainable Development Strategy.



# 1. Introduction

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In 1995, the *Auditor General Act* was amended to require each of 25 federal departments and agencies to table sustainable development strategies in Parliament in 1997. The Act also requires these departments and agencies to table updated sustainable development strategies in Parliament every three years. The first round of strategies was tabled in December 1997, and the second round was tabled in February 2001. This document represents the third Sustainable Development Strategy for the Department of Justice, and it is intended to build on the work of the two earlier departmental strategies.

This Sustainable Development Strategy was developed by a departmental Working Group under the overall direction of the Department's Policy Priorities Committee. The Working Group included broad representation from the different parts of the organization, including some regional offices. Consultations were carried out within the Department, as well as with a number of key federal partners. The Department also posted an open invitation for feedback on our Intranet site along with our last Sustainable Development Strategy, although little feedback was received through this invitation. Key documents

were also reviewed as part of the process, including *Sustainable Development Strategies: Making a Difference*, 2003, prepared by the Commissioner of the Environment and Sustainable Development, *Coordinating 2003 Departmental Sustainable Development Strategies*, prepared by Natural Resources Canada, and other key federal documents such as Budget 2003 and the September 2002 Speech from the Throne.

## What is sustainable development?

Sustainable development means using natural and human resources to achieve social and economic goals without harming the environment upon which current and future generations depend. It requires the ongoing integration of environmental considerations into economic and social decision making.

The most widely used definition of sustainable development is the one established by the World Commission on Environment and Development (the Brundtland Commission) in 1987: "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own

needs.” This is the definition adopted by the Government of Canada, and it is used in the *Auditor General Act* in directing federal departments to develop sustainable development strategies.

It is important to note that this definition of sustainable development is not restricted to environmental considerations. It is also intended to include both social and economic dimensions.



## 2. The Context for Sustainable Development at the Department of Justice

### 2.1 Mission and Mandate of the Department of Justice

The Department's Mission is to:

- support the Minister of Justice in working to ensure that Canada is a just and law-abiding society with an accessible, efficient and fair system of justice;
- provide high-quality legal services and counsel to the government and to client departments and agencies; and
- promote respect for rights and freedoms, the law and the Constitution.

The Department of Justice has a dual mandate that derives from the dual role of the Minister of Justice, who is also the Attorney General of Canada.

In support of the Minister of Justice, the Department takes the lead on policy and program issues in those areas of law for which it has direct responsibility. It has lead or shared policy responsibility for such areas as criminal justice, human rights, family and youth law, Aboriginal justice, access to infor-

mation and privacy, official languages, courts and judges, and private international law.

In support of the Attorney General, the Department protects the interests of the Crown within the framework of existing legislation. As such, the Department provides a full range of legal services to the Government of Canada, including the provision of legal advice, preparation of legal documents, drafting of legislation and regulations, and conduct of litigation. It also prosecutes violations of all federal legislation other than the *Criminal Code* in the provinces and for violations of all federal legislation, including the *Criminal Code*, in the territories.

### 2.2 The Department's Operating Environment

The Department operates in a highly complex and demanding environment. Most federal departments and agencies have their own legal services unit staffed by lawyers from the Department of Justice. Justice employees play a central role in preparing every bill drafted for Parliament, regardless of the department of origin.

About half of Justice's employees are lawyers. Other employees are experts in a range of fields such as the social sciences and communications, as well as paralegals and support staff. Many employees work outside the national capital in the Department's regional offices and sub-offices. Regional staff provide legal and policy advice to federal departments and agencies, handle most of the federal government's litigation outside the National Capital Region and advise the Minister on regional issues and how best to respond to them.

The effectiveness and sustainability of the justice system is linked to the public's confidence in it and its ability to meet their needs and concerns. Canadians clearly want to have a more active role in developing Canada's justice system and laws. The Department provides information to the public on the workings of the justice system. It also encourages involvement from individuals, communities, non-government organizations and other governments in reforming legislation and administering programs designed to increase access to justice and improve the justice system.

Canadians continue to have high expectations of the Department's role in protecting the safety and security of their communities. As well as supporting the government's ongoing anti-terrorism initiative, the Department maintains its strong commitment to such areas as combating organized crime, programs against child victimization, crime prevention and youth justice.

The growing scale and cost of federal litigation, together with the increasingly complex nature of the advice being requested by client departments, have led the Department to seek ways to help legal services units better integrate policy and legal considerations into the early stages of their work and

to better assess and manage legal risk. The Department's prosecution function is also under growing pressure, as a result of a steady increase in the volume and complexity of cases being prosecuted and demands to expand the presence of federal prosecutors in Canada's North. The Department collaborates with other sectors of the criminal justice system to develop more streamlined processes and alternatives to prosecution where appropriate.

The Department is also being called upon to provide leadership on an increasing range of international legal issues, particularly in the fields of environmental, commercial, procedural, family and criminal law. The Canadian Government seeks the Department's expertise both in assessing the impacts of international developments on domestic laws and in drafting international conventions and other instruments.

Given this dynamic environment and its many challenges, the Department is making careful choices in setting its priorities and in ensuring that they align with and support the overall priorities of the government. In keeping with its standing as a departmental priority, the Department of Justice has been working to enhance its governance processes, and will further address this in the following ways:

- The Department of Justice faced an increasingly complex, diverse and litigious environment in the years preceding the 2001-03 Sustainable Development Strategy, while experiencing a rapidly growing workload. In order to respond effectively to these and other challenges, the Department was substantially restructured in 2001. A key component of this reorganization was a streamlining of the senior committee structure. Senior management now includes the DM Team, and

three other key committees: Executive Council, Litigation Committee and Policy Priorities Committee. These changes are expected to contribute to a more effective, efficient and transparent decision-making process, and they complement the Portfolio system that was established in 1995 for the provision of legal services. We will continue to work to ensure that the links and the interdependencies among all of the key components of the Department become stronger, and that information, advice and decision making are shared more and more across the Department. These changes will permit greater coordination of broad, complex files, as well as a more strategic approach to the provision of legal services and the development of public policy, which should lead to stronger management of multi-faceted issues like Sustainable Development.

- In 2003, the President of the Treasury Board introduced the Management Accountability Framework. It is intended to provide public service managers with a clear summary of management expectations within an overall framework for high organizational performance. Along with other federal departments, Justice is in the process of implementing the Framework.
- In 2003, the Department embarked on a mandate review in tandem with the Treasury Board vertical review of the Department. It is expected that both reviews will provide specific guidance on further enhancing governance structure and processes, as well as helping to clearly define our core business and priorities.
- The Department has also been working to better integrate its planning and reporting processes. For example, work has been done over the past year to enhance the level of integration between our strategic and operational planning processes, as well as to improve on our annual planning, priority-setting and reporting mechanisms.

### ***2.3 Situating Sustainable Development Within the Department's Plans and Priorities***

The Department's efforts in promoting sustainable development generally, and in developing this Strategy specifically, do not exist in a vacuum. Sustainable development is inextricably linked to a large part of the work carried out by the Department, and this Strategy is intended to be complementary to other plans, priorities and strategies.

The Department's work is generally guided by its five-year Strategic Plan, which was finalized and released in 2001. The Strategic Plan sets out three Strategic Directions for the Department: Serving Canadians; Providing High Value and Making Choices; and Capitalizing on Our Strengths. The Strategic Directions are consistent with, and reflect long-term sustainable development principles for the Department and the government. The linkages between these three Strategic Directions and sustainable development are discussed in the following table.

## Linkages Between the Department's Strategic Directions and Sustainable Development

Strategic Direction	Link to Sustainable Development
<p><b><i>Serving Canadians.</i></b>  <i>We will strive to make the justice system relevant, accessible and responsive to the needs of Canadians, and we will provide effective stewardship of that system.</i></p>	<p>This strategic direction is in part intended to ensure that the system will be sustainable and that future generations of Canadians will inherit an effective system of justice.</p>
<p><b><i>Providing High Value and Making Choices.</i></b>  <i>In an environment where our workload is increasing and the needs of the government and our clients are changing, we will focus on efficiently and effectively delivering cutting edge leadership and excellence in those areas of law and policy that are integral to the role of government or that are focused on emerging government priorities.</i></p>	<p>Focusing our resources and efforts in areas of greatest priority, given the limitations in our resources, is integral to the principles of sustainable development. It will enhance the efficiency of our current resource base without compromising our ability to serve our clients and Canadians the best we possibly can.</p>
<p><b><i>Capitalizing on Our Strengths.</i></b>  <i>We will integrate the law and policy dimensions of our work to better meet the needs of government. We will use our presence across Canada and in all departments and agencies to generate timely and strategic legal service for the government. We will work together, share information and knowledge, and create an enabling work environment.</i></p>	<p>Our role as legal advisors to government and our responsibility for justice-related policy puts us in a unique position to support sustainable development priorities of the government.</p> <p>Our legislative and regulatory central agency function also positions us to support SD-related legislative and regulatory initiatives of the government.</p> <p>We strive to integrate the skills and knowledge available throughout the Department, to the advantage of government generally.</p>

In its most recent annual Report on Plans and Priorities, the Department of Justice identified three key priorities for the two-year period 2003-04 to 2004-05:

- **Ensuring safe and secure communities.** The safety and security of communities has been internationally identified as an important component of the social dimension of sustainable development because it is an important determinant of the quality of life for both current and future generations. While the particular threats associated with terrorism and organized crime have the potential to affect a large number of individuals and even whole communities, all forms of crime invariably affect the well-being of society and require clear and unequivocal response from government.
- **Providing accessible and inclusive justice for all Canadians.** The effectiveness and sustainability of our system of justice depends upon its accessibility to all Canadians. Access to justice engenders confidence in the system, which is a critical prerequisite to its long-term sustainability.
- **Providing a focus on governance, by improving the Department's outreach to all Canadians on the justice issues that affect their daily lives.** Our focus on governance issues allows us to ensure that we have the necessary processes and mechanisms in place within the Department to support the long-term sustainability of our legal institutions and our communities.

These priorities reflect the broader, horizon-setting Strategic Directions of the Department. They also underpin the basic principles of sustainable development and have therefore been incorporated into the preparation of this third Sustainable Development Strategy for the Department of Justice.



### 3. Results from the 2001-2003 Sustainable Development Strategy

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This section provides a summary of the Department's results achieved under the 2001-2003 Sustainable Development Strategy. Detailed results achieved for each of the objectives, goals and targets are set out in Appendix 1.

The 2001-2003 Strategy contained three key objectives, 13 goals and 40 targets. In reviewing the results we found that 23 of the 40 targets were achieved, 7 were partially achieved and 10 were not achieved during the period under review.

***Objective 1: Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure.***

The first objective included five goals.

- 1.1 Deliver excellent legal support for major sustainable development initiatives

- 1.2 Develop new and enhanced legal instruments
- 1.3 Continue to develop capacity to deliver high-quality legal services
- 1.4 Enhance legal training for clients
- 1.5 Promote dispute resolution and more efficient litigation

The first two goals under this objective were fully achieved. The Department provided high-quality legal advice and support to a range of federal government initiatives related to sustainable development during the period covered. Strong progress was made in efforts to develop new and enhanced legal instruments in relation to sustainable development. These efforts include support for developing alternatives to traditional regulation through such actions as Litigation Avoidance Measures, also referred to as Instrument Choice, which is one of the six pillars of the Department's Legal Risk Management (LRM) project. Litigation Avoidance Measures encourage departments to look beyond laws as the primary instrument to achieve public policy objectives, and they promote practices that reduce unnecessary litigation.



Less progress was made in relation to goals 1.3 and 1.4, which largely relate to training on issues associated with sustainable development, both internally for Department staff and counsel and externally for clients. Some progress was made in relation to targets to improve information and training on sustainable development issues for legal counsel and to enhance legal work tools. However, targets to increase use of the Sustainable Development Network for legal counsel, as well as the Sustainable Development Intranet site, were not achieved. Progress in these areas has been adversely affected by the lack of a sustainable development coordinator to push this issue to the forefront within the Department.

Strong progress has been made in relation to goal 1.5, promoting dispute resolution and more efficient litigation through the use of alternatives. Dispute resolution alternatives are considered in relation to Aboriginal land claim and self-government agreements and major litigation, including Aboriginal residential school abuse cases.

While the Department recognizes that it has not provided sufficient training specifically on sustainable development, other training in such areas as conflict management and human rights law and the Charter has contributed to sustainable development goals. Furthermore, while not a specific target of the previous Sustainable Development Strategy, the Legal Risk Management (LRM) project, a joint initiative of the Department of Justice and Treasury Board, has gone a long way over the last three years in developing capacity to deliver high-quality legal services (goal 1.3) and more efficient litigation (goal 1.5). The goal of LRM is to develop a sustainable approach to managing legal risks that will protect the interest of the Crown and minimize overall costs. The Department has also set up several Practice Groups over the last few years to deal with developing legal

issues, including sustainable development issues. One of these Practice Groups is specific to Environmental Law and is chaired by a lawyer from the legal services unit of the Canadian Environmental Assessment Agency (CEAA). This Practice Group was formed in 2001 and meets several times a year to make presentations to Justice lawyers across the country on a wide variety of environmental issues and to allow them to raise questions and discuss issues that affect them.

Other legal work tools have also been created over the last three years and are having a positive influence on the Department's ability to deliver high-quality legal services. These include legal information technology tools such as Barrister's Briefcase, LIMS – the Legislation Information Management System, and iCase.

***Objective 2: Explore the implications of social and cultural factors for sustainable development, in the context of the Justice policy mandate.***

The second objective included four goals.

- 2.1 Promote sustainable development principles through Sustainable Communities Initiatives in Cape Breton and the Annapolis Valley
- 2.2 Continue to pursue the Aboriginal Justice Strategy in accordance with the principles of developing sustainable communities
- 2.3 Pursue crime prevention activity that furthers sustainable development principles
- 2.4 Contribute to interdepartmental research on the links between social cohesion and sustainable development



All four goals under the second objective were achieved. The Department's participation in two Sustainable Communities Initiatives pilot projects in Nova Scotia supported social cohesion and contributed to sustainable development at the community level, especially in relation to crime prevention, restorative justice, and Aboriginal justice.

The Aboriginal Justice Strategy achieved its targets in developing and delivering community-based Aboriginal alternative justice programs and in supporting community capacity building in the administration of justice. An evaluation of the Strategy has shown that the program reduces rates of recidivism, supporting sustainable development principles within Aboriginal communities.

The National Crime Prevention Centre (NCPC) succeeded in developing and implementing community-based solutions to problems that contribute to crime and victimization and in increasing public awareness and support for effective approaches to crime prevention.

Social cohesion was taken into account in interdepartmental research on sustainable development. However, the interdepartmental report on social cohesion did not make clear linkages with sustainable development.

***Objective 3: Reduce the direct environmental impact of Justice's physical operations.***

The third objective included four goals.

- 3.1 Stabilize the level of paper use
- 3.2 Decrease solid waste
- 3.3 Increase green procurement
- 3.4 Increase environmental awareness of employees

Success in relation to this objective was mixed, with significant achievements on goals 3.2 and 3.3 and few achievements on goals 3.1 and 3.4.

The goal to stabilize per employee paper consumption at 1999-2000 levels (3.1) was partially achieved. Purchasing records indicate that the amount of paper purchased per employee has decreased from 1.33 boxes of paper per employee in 1999-2000 to 1.00 box of paper per employee in 2002-2003.

Although purchasing records suggest a decrease, this target is considered only partially achieved because the data available reflect only paper purchased directly. The Department cannot say for sure that paper consumption has decreased, because anecdotal evidence suggests that the Department off-loaded some of its printing during the period. Off-site printing (i.e., work contracted to outside printers) in particular is thought to have increased appreciably over the last three years. However, there is no data on this subject.

The Department is working to develop electronic document-management systems and mechanisms to track off-site printing. These will provide fuller information on paper consumption. The Department is also working to develop litigation support software, such as Barrister's Briefcase, and best practices for management of electronic documents. Full deployment of new electronic systems is expected to reduce paper waste and storage requirements.

The Department has achieved goal 3.2 at its Headquarters locations, where 80% of solid waste is now diverted from landfill. However, difficulties remain in quantifying waste diversion in most Government of Canada and private sector lease locations where the Department's waste is incorporated into a building total and recycling may not be provided.

The Department has achieved most of its targets in relation to green procurement. The use of recycled photocopier paper was, however, discontinued due to frequent equipment malfunctions and high cost. Refurbished toner cartridges are being used to the greatest extent possible and 95% of toner cartridges are returned for refurbishment. A continual review process is in place for green procurement options, and 52% of stocked items at Headquarters and 30% at regional stores are now identified as green.

The Department's efforts to increase employees' environmental awareness were not as successful as hoped, due to the lack of a sustainable development coordinator within the Department and the resources required to develop communication and education programs. However, green signage at photocopiers and recycling stations was reviewed and enhanced and Environmental Awareness Week, Clean Air Day and the Commuter Challenge were publicized each year and employee participation was encouraged. Unfortunately, the Department's participation in environmental awareness activities was limited to the National Capital Area prior to 2003; it has now been extended to include all regional offices. Employees were encouraged to participate in various awareness and training activities and prizes were distributed nationally and awarded randomly to those who actively participated in the week's activities. Feedback from our regional offices confirmed a substantial increase in participation. The weekly employee newsletter, *JustInfo*, also included information on sustainable development issues from time to time.

Finally, while this was not a specific goal or target of the previous Strategy, the Department of Justice has worked with Public Works and Government Services Canada (PWGSC) over the last couple of years to establish national office standards that contribute to operational sustainability. In the National Capital Region Headquarters location the Department has put in place a policy requiring the use of environmentally friendly or "green" products that minimize environmental and human impacts.

## 4. Sustainable Development Vision and Themes for 2004-2006 and Beyond

### 4.1 *The Department's Vision for Sustainable Development*

A vision statement reflects the ideals to which an organization strives. It is a long-term guiding principle that supports decision-making. A vision should be concise, yet broad enough in application, so that all parts of the organization can relate their work to a common purpose that ultimately benefits all Canadians.

The Department's long-term Vision for Sustainable Development is:

#### **Our sustainable development vision**

**Working with our partners, Canada has an accessible, fair and effective system of justice that promotes respect for rights, freedoms and the rule of law, thereby contributing to the well-being of current and future generations of Canadians and their communities.**

This Vision for Sustainable Development is not in itself intended to explain the Department's short-term goals and objectives. Its focus on the well-being of Canadians and their communities is intended to reflect the ultimate purpose of the role of government—to improve the well-being of the citizens we serve and the communities in which they live. The justice system is ultimately a community-based entity that includes the courts, law enforcement and legal professionals and all activities of the Department of Justice.

### 4.2 *Translating the Vision into Results*

Drawing on its Vision for Sustainable Development, the Department has established two broad themes to direct its efforts over the long term in supporting sustainable development:

1. A sustainable justice system for Canadians and their communities; and
2. Integrating the principles of sustainable development into the Department's ongoing operations.

As such, the Department's Vision for Sustainable Development includes dimensions relative both to the external environment upon which its outputs and activities have an impact ("a sustainable justice system for Canadians and their communities") and to the Department's internal operations ("integrating the principles of sustainable development into the Department's ongoing operations"). The vision itself is intended to extend over a long-term reference horizon of twenty years.

These two broad themes are interrelated. The first theme, relating to the sustainability of the justice system and of our communities, represents a long-term goal that is fundamental to the mandate and mission of the Department of Justice and to a large extent mirrors our Vision for Sustainable Development. The second theme, integrating sustainable development principles into our ongoing operations, represents a shorter-term goal that is expected to contribute to the longer-term sustainability of our justice system and our communities. The distinction between shorter-term and longer-term goals is intended to ensure that the activities we undertake as part of this Strategy are logically connected to the achievement of both short-term and long-term objectives. It will also make it easier to measure progress as the Strategy is implemented. As such, this Strategy has been developed to be more results-based than our previous sustainable development strategies.

### **Theme 1: A sustainable justice system for Canadians and their communities**

Sustainable communities are those that are able to further social, economic and environmental objectives without creating problems for another group, community or generation. The sustainability of our communities will in

part depend upon maintaining the safety and security of Canadians and ensuring that our system of justice is accessible and effective, which is relevant to the Department's mandate.

Enhancing the safety and security of Canadians is a key priority for the Department of Justice. In addition to its overall responsibility for the *Criminal Code*, the Department is closely involved in efforts to combat terrorism and organized crime and has responsibility for international criminal justice issues. These efforts, which involve working together with our partners, are intended to enhance the safety and security of Canadians, thereby improving the long-term quality of life in our communities for both current and future generations.

Also central to the Department's mandate is ensuring that Canada has an accessible, fair, efficient and sustainable system of justice. Part of this effort involves working to improve the efficiency and effectiveness of the justice system across all of our communities, which will have long-term implications toward maintaining a sustainable system of justice. Initiatives that will contribute toward ensuring a sustainable system of justice include legislative initiatives and programs. As a broad legislative initiative to support the sustainability of the justice system, *Criminal Code* reform would enhance public protection and streamline the criminal justice system so that scarce resources are used more efficiently.

An effective system of justice not only reacts to actions and events, but also prevents problems and crimes. The Department's delivery of such programs as the Youth Justice Renewal Initiative and the Aboriginal Justice Strategy is therefore an important element toward supporting the long-term sustainability of our system of justice. In addition to contributing toward the reduction of crime in Canadian communities, thereby enhancing

safety and security, a result would be to reduce future caseloads facing the justice system and to enable the system to operate more effectively for those cases that continue to arise.

Ensuring fairness in our system of justice for current and future generations is also an important element for its sustainability. Programs such as the Aboriginal Courtworker Program and the Legal Aid Program are intended to improve access to justice for people with special needs.

As well, the Department is now implementing strategies under the *Official Languages Act* to provide services and support aimed at improving access to the justice system for minority language communities.

We will also continue to work with our partners to streamline the processes involved in family law. Processes such as the Unified Family Courts in several Canadian jurisdictions are expected to make the justice system more efficient by ensuring that only the most difficult cases go to court, while minimizing the potentially negative impact of separation on children.

Our responsibility for public law issues is also relevant to sustainable development. At the World Summit on Sustainable Development in 2002, Prime Minister Jean Chrétien noted “as much as sound environmental practices, peace and security, good governance, respect for human rights and the rule of law are also preconditions for a sustainable future.” Particularly relevant is our work in reviewing the *Canadian Human Rights Act*, our responsibility for access to information and privacy law, and our work on biotechnology legislation.

Over the three-year period of the Department’s 2004-2006 Sustainable Development Strategy, the Department plans to continue to focus on enhancing the safety and security of Canadians and their communities and to continue taking steps to streamline and improve efficiencies in the justice system. Together, these initiatives are expected to contribute to a sustainable justice system in which current and future generations of Canadians will have confidence.

## **Theme 2: Integrating the principles of sustainable development into our ongoing operations**

The review of our 2001-2003 Sustainable Development Strategy shows that there are considerable opportunities for the Department to more fully integrate sustainable development principles into our operations and decision-making processes. This will allow for a more systematic approach to ensuring that our policies, programs and operations are consistent with and further the Department’s sustainable development objectives.

Current opportunities for the Department to integrate sustainable development into its ongoing operations include:

- Ensuring that social, economic and environmental factors are considered in the development of departmental programs, policies and operations. For example, the Department has not yet implemented the *1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*. We can also ensure that various review committees within the Department, such as the Challenge Team and the Policy Priorities Committee, take sustainable development into consideration.

- Providing direct legal support to departments and agencies where sustainable development is at the core of their mandates, and providing effective legal support for sustainable development initiatives of the federal government, including implementation of the Kyoto protocol.
- Continuing to develop new and enhanced legal work tools and making better use of information technology. Tools such as Barrister's Briefcase (litigation support tool), iCase (Web-based case management system), the Legislation Information Management System –LIMS (provides access to legislation over the Internet) and the Grants and Contributions Information Management System (GCIMS) are improving the Department's information management practices and the efficiency and effectiveness of Justice counsel.
- Redoubling our efforts to implement specific legal training on Sustainable Development, recognizing that the overall function of legal advice to government should take into account social, economic and environmental sustainability principles for the justice system and for society as a whole.
- Continuing to promote the use of dispute resolution as an alternative to the adversarial process in order to enhance the cost-effectiveness of our legal services and the overall sustainability of the justice system.
- Identifying opportunities to minimize the immediate and longer-term impact of our physical operations. This includes such things as reducing energy consumption, purchasing socially and environmentally responsible products, and diverting waste from landfills through the use of recycling and conservation programs.

- Enhancing the Department's governance processes, including implementing the results of the current mandate review and supporting vertical and horizontal reviews, led by Treasury Board.

### **Long-, mid- and short-term, and from general to specific**

The Department's Sustainable Development Vision represents a broad, long-term image of sustainable development in relation to the Department's business. It describes what a sustainable Department of Justice and Canadian justice system might look like 20 years from now, and beyond.

In order to promote its Vision for Sustainable Development, the Department will focus its efforts over the next three years to advance the principles of sustainable development in relation to the following three broad objectives:

Objective 1: To strengthen knowledge and awareness of sustainable development within the Department

Objective 2: To integrate the consideration of sustainable development into the Department's business

Objective 3: To improve the environmental sustainability of our physical operations

Being fairly broad, the objectives are not mutually exclusive. They overlap between themselves and with the Vision to some extent. They may stretch beyond their three-year time frame towards a long-term horizon.

In order to help distinguish between long-term and short-term results, as well as to help establish the link between our activities related to sustainable development and the expected results, a results chain has been



developed. This model provides the overall structure that helps to define the specific actions we can take to bring us closer to attaining our Vision for Sustainable Development.

The Results Chain works its way up from the activities that the Department will undertake in support of sustainable development, to the

outputs we expect from our activities. These activities and outputs are then expected to produce immediate, intermediate, and ultimate outcomes in relation to the Department's Sustainable Development Strategy, which are to be guided by our Sustainable Development Vision.

<b>Results Chain for Sustainable Development in the Department of Justice</b>	
Vision for Sustainable Development	Working with our partners, Canada has an accessible, fair and effective system of justice that promotes respect for rights, freedoms and the rule of law, thereby contributing to the well-being of current and future generations of Canadians and their communities
Ultimate Outcomes	Sustainable communities A sustainable system of justice
Intermediate Outcomes	Contribution of legal services to the achievement of government-wide sustainable development objectives  Policies support an effective and environmentally friendly system of justice  Physical operations are environmentally sound
Immediate Outcomes	Increased knowledge and awareness of sustainable development within the Department  Sustainable development considerations are better integrated into operations and decision-making processes  Employees adopt more environmentally responsible practices
Outputs	Training and information sessions on sustainable development  Policies and information materials on sustainable development  Updated internal processes
Activities	Training and information dissemination  Development of SD-related tools and materials  Examine and update internal processes relating to the consideration of sustainable development issues  Greening operations





## 5. Sustainable Development Objectives and Targets

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This section provides an overview of each of the Department's three objectives for the 2004-2006 Strategy. Specific information on the objectives, targets and performance indicators for the Department of Justice's Sustainable Development Strategy 2004-2006 is set out in Appendix 2.

### ***Objective 1: To strengthen knowledge and awareness of sustainable development within the Department***

The building of sustainable development knowledge among departmental staff through training and disseminating information was included under the Department's Strategy for 2001-2003 and, as such, represents an extension of that part of our previous Strategy.

As reported under Section 3, above, while some progress was achieved in this area, most of our commitments remain outstanding. Further progress in implementing the Department's SDS 2001 would likely have been achieved if the concept of sustainable development and its implications had been

better understood. The concept of sustainable development remains somewhat misunderstood by a substantial cross-section of departmental staff.

Building knowledge and awareness will help officers and managers of the Department to consider matters through a sustainable development lens when developing policy or delivering legal advice and other services. It will also help to properly position sustainable development within departmental business priorities, and to foster green behaviour in relation to the Department's physical operations.

Knowledge and awareness of sustainable development can be built through the development and dissemination of information in multiple formats, such as electronic communications; posting information on Web sites; and printed material. It can also be achieved through the provision of training to departmental personnel and clients.

Knowledge and awareness of sustainable development is a critical "first step" in achieving progress towards the Department's broader sustainable development objectives.

Strengthening knowledge and awareness of sustainable development will therefore, remain an objective under the Department's SDS 2004-2006. However, we have sought to eliminate the overlap among its elements.

The first of two targets under this objective consists of developing and delivering training and information sessions on sustainable development issues. To that end, training on the *1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals* will be developed and delivered to departmental employees responsible for implementing the Directive. As well, training and information sessions on sustainable development issues will be provided through activities such as addresses by guest speakers and informal lunchtime discussions. Some training and information sessions will provide a general introduction and overview on the concept of sustainable development and related federal government activities. Others will focus on, for example, alternatives to legislative or regulatory approaches to policy implementation. A sustainable development component will also be added to Justice's "Legal Awareness" client training program.

The second target under Objective 1 is to communicate information on sustainable development issues to all employees. This will be achieved by communicating such information to all employees at least four times per year. The Department's Sustainable Development Intranet site will be updated and enhanced on a regular basis in order to provide current and useful information. Information and status updates on research and interdepartmental efforts in relation to sustainable development will be disseminated widely within the Department.

## **Objective 2: To integrate the consideration of sustainable development into the Department's business**

The consideration of sustainable development will be integrated into the Department's business by improving upon departmental activities and instruments that are specifically meant to facilitate the achievement of sustainable development objectives. Examples of such activities and instruments include the implementation of the *1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*; research, policy and program development regarding sustainable development; and development and implementation of a legal issues checklist.

The SDS 2001-2003 raised several of these issues including training and the development of sustainable development checklists. Two targets are set under this objective for the 2004-2006 SDS:

- Consider departmental policies and services through a sustainable development lens; and
- Ensure that the Sustainable Development Strategy is addressed as a priority within the Department.

Consideration of the Department's policies and services through a sustainable development lens will involve, for instance, completing the development and implementation of a sustainable development legal issues checklist, which began under the Department's previous Strategy.

The Department will also take measures to implement the *1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*. In particular, we will

develop a toolkit, including guidelines on how to conduct a preliminary environmental scan and, where necessary, a more detailed analysis of environmental effects of departmental policy, plan and program proposals. Policy developed by the Department of Justice is generally focused on social issues: it has in the past tended to afford less consideration to possible environmental considerations, which have been generally quite limited. The Cabinet directive is one of several tools the Department can use to ensure that potential environmental implications – the least considered of the three legs of sustainable development when it comes to Justice activities – are systematically considered, and that a potential loophole is thus eliminated.

We will also develop baseline indicators on the sustainability of the justice system to facilitate ongoing measurement of our progress in advancing the longer-term expected results of this Strategy.

In order to ensure that the Sustainable Development Strategy is addressed as a priority within the Department, we will include and list sustainable development as a departmental priority within our strategic documents and it will be included as a recurrent agenda item at important departmental committee meetings. The Department will name a sustainable development champion and a coordinator in 2004. The champion will be a senior executive responsible for advocating sustainable development issues within the Department. The coordinator will chair an ongoing working group on Sustainable Development, which will be responsible for developing and implementing an action plan for the Strategy in 2004 and coordinating departmental responses to Environmental Petitions.

### ***Objective 3: To improve the environmental sustainability of our physical operations***

The “greening” of the physical operations of the Department is probably the most obvious and best understood element of sustainable development in relation to the Department’s business. Simply put, it answers the question: What are the environmental implications of Justice’s physical activities?

Greening departmental physical operations has been an aim of the previous two strategies. The physical operations include managing the offices and buildings housing Justice personnel and the related procurement and maintenance and managing the procurement of office equipment and supplies as well as the disposal of waste generated by the Department’s activities.

The Department has two types of office arrangements: “corporate” Justice offices and about 45 “co-located” Justice offices, which are situated within client departments. Justice’s commitments for greening physical operations under this Strategy focus on its “corporate” offices, since client departments normally manage greening for co-located arrangements. The Department’s corporate offices are situated in 40 buildings across Canada. Expansion of 16% per annum over the last five years has moved Justice from the 20th largest PWGSC tenant nationally in 1998 to the 11th in 2002 and to the 5th largest tenant in the National Capital Region. Thus, the significance of our “ecological footprint” has increased and will continue to do so. About 45% of Justice floor space is in Crown-owned buildings, and the other 55% is in space leased from the private sector by Public Works and Government Services Canada (PWGSC) on behalf of Justice.

The Department can make a significant contribution to sustainable environmental operations by ensuring sustainable design of the office spaces that it occupies. To this end, the Department will continue its work with PWGSC to establish national office standards that contribute to operational sustainability by taking a long-term approach to decision making and avoiding waste where possible.

The sustainable management of buildings involves management of renovation and demolition projects and related procurement as well as building and grounds maintenance. It involves efforts to reduce the direct and indirect consumption of energy and the use of environmentally damaging products and practices. At Justice Headquarters, the Department has put in place a policy requiring the use of environmentally friendly or “green” cleaning products, which minimize both environmental and human impacts.

Improving waste-management practices aims to divert waste from landfills through the use of conservation and recycling programs. Paper use, most notably the use of letterhead, printing and photocopying operations, falls within this area. Since 2001, the Department’s paper consumption has increased appreciably. Areas of intervention to reduce dependencies on paper include printing on both sides and moving to new technologies and business practices to manage our legal business. The inclusion of contaminants in recycled materials continues to decrease the effectiveness of our recycling programs and requires improved employee education. The current paper recycling program, our participation in the Computers for Schools program, and the direction of used office equipment and furnishings to Crown Assets for disposal have minimized our operational impact during a period of expansion, and all should continue to serve the Department well.

Greening the procurement of office equipment, furniture and supplies has implications for the type of equipment and supplies purchased, and ultimately requires the establishment of policies and procedures to ensure consideration of the social and environmental impacts of production, use and disposal. The goal should not be simply to buy recycled products such as paper and toner cartridges, but to expand the product areas where environmental and sustainability factors are weighed to ensure that socially and environmentally responsible products are purchased.

As discussed above in section 3, greening the Department’s physical operations was one of the three main goals under the 2001 Strategy. The mixed results achieved during the 2001-2003 period point to a need to renew efforts and adjust targets.

Three departmental targets for 2004-2006 are set under Objective 3. The targets are intended to reflect more closely the Department’s operations, while posing a challenge to improve performance. The targets are:

- to establish national office space standards that reflect the principles of sustainable design and improve the sustainable management of the Department’s offices;
- to improve conservation and waste-management practices; and
- to increase green procurement nationally.

Sustainable design of the Department’s offices will minimize environmental impact on both the environment and our employees. The Department will continue its work with PWGSC to establish national office standards by January 2005 that will, as far as possible, minimize the space required to house its operations and that will consider health and well-being, the use of site resources, energy

reduction and selection, materials and building water use and waste reduction; and encourage the sharing of services such as meeting rooms, storage space, library and mail and reception operations, to benefit from economies of scale. These standards will be incorporated into a Master Occupancy Agreement setting out the roles and responsibilities of both PWGSC and Justice, to be signed at the Deputy Minister level by September 2005.

Improving conservation and waste-management practices will be achieved by putting in place, nationally, mechanisms to collect meaningful data on procurement and consumption, including printing and copying done by external providers. The Department will also endeavour to stabilize internal paper use at the 2002-2003 level by December 2005 and minimize additional file-storage requirements through the development and deployment of electronic document management systems, such as Barrister's Briefcase. We will also examine opportunities to encourage the greater use of electronic disclosure in federal courts, thereby reducing paper consumption.

In addition, the Department will increase the amount of waste that its Headquarters diverts from landfills from 80% to 85% by December 31, 2006, while continuing to encourage and support waste-diversion efforts at other sites. Sites where Justice-specific audits can be implemented to track particular products such as paper will also be identified, and audit processes will be put

in place. The Department will also explore options for technology intervention at the desktop that will encourage reduced paper use, such as implementing duplex default printer settings.

Purchasing must be viewed as an integral part of the Department's solid waste management plan and, as such, procurement policy should match the Department's overall sustainable development goals. The Department will increase its green procurement nationally by: developing a green procurement policy and detailed guide to help employees identify and purchase environmentally friendly and environmentally preferred products by December 2005; continuing to require training in green procurement for all holders of departmental acquisition cards; continuing to evaluate the number and quantity of items stocked in departmental stores and putting in place processes that will improve capacity for "just in time ordering"; and considering, whenever possible, the life-cycle cost of a product, especially a major purchase. The Department will attempt to find a solution by the end of 2006 to the technical problems that caused it to discontinue the use of recycled photocopier paper and resume doing so. It will increase the proportion of stocked items at Headquarters identified as "green" from 52% to 65% by the end of 2006, and increase the average in regional stores from 30% to 50%.



## 6. Implementation of the Strategy

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The implementation of this third Sustainable Development Strategy will begin with the identification of a Sustainable Development Coordinator for the Department of Justice. The Coordinator will have overall responsibility for coordinating the Department-wide implementation of this Strategy.

Supporting the work of the Coordinator will be the Sustainable Development Working Group, which includes broad representation from across the Department. The Working Group will include representation from those areas of the Department to be responsible for implementing the specific components of the Sustainable Development Strategy.

The first task of the Coordinator and the Working Group will be to develop a departmental Implementation Plan for the Strategy. The Implementation Plan will identify specific responsibility areas within the Department for meeting the commitments and targets established in this Strategy. Timelines will also be set out in the Plan. The Implementation Plan will be approved by senior management.

Essential to the successful implementation of this Sustainable Development Strategy will be the ongoing measurement of progress. The Implementation Plan will therefore also include a specific performance-measurement strategy that will allow us to measure and report on progress on a regular basis, including provision for the development of a baseline.

An integral part of implementing this Strategy will also be to work with our partners in advancing the sustainable development agenda across the federal government. For example, the Department of Justice is an active participant in “Sustainable Federal House in Order,” an interdepartmental initiative designed to identify and coordinate opportunities to advance the federal commitment to be a leader in sustainable development. “Sustainable Federal House in Order” oversees the Sustainable Development in Government Operations (SDGO) and Federal House in Order (FHIO) initiatives. Our organization is working together with other “Sustainable Federal House in Order” departments and agencies to adopt common measurement and reporting methods.



## Appendix 1

# Results Achieved Under The 2001-2003 Sustainable Development Strategy

**Objective 1: Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure**

TARGET	RESULTS ACHIEVED
<b>Goal 1.1: Deliver excellent legal support for major sustainable development initiatives</b>	
<p>Excellent legal support for major sustainable development issues across the government</p>	<p>Achieved.</p> <p>The Department of Justice provided high-quality legal advice and support for numerous major sustainable development initiatives across the government during the period covered by the 2001-2003 Sustainable Development Strategy. Advice and support have been provided to:</p> <ul style="list-style-type: none"> <li>• client departments in making policies, drafting legislation, developing funding agreements, and assessing legal risks;</li> <li>• Canadian delegations to international meetings such as the World Summit on Sustainable Development; and</li> <li>• those developing numerous international agreements with sustainable development impacts, including trade agreements and international cooperation agreements.</li> </ul>
<b>Goal 1.2: Develop new and enhanced legal instruments</b>	
<p>Excellent legal support for developing and implementing legislation and regulations respecting sustainable development</p>	<p>Achieved.</p> <p>Justice provided high-quality legal advice and support in the development and implementation of legislation and regulations respecting sustainable development, including:</p> <ul style="list-style-type: none"> <li>• Bill C-9, <i>Amendments to the Canadian Environmental Assessment Act</i>;</li> <li>• Bill C-42, <i>Antarctic Environmental Act</i>;</li> <li>• Bill C-5, <i>Species at Risk Act</i>;</li> <li>• new legislation and regulations to implement the Kyoto Protocol in Canada; and</li> <li>• the review of the <i>Canadian Environmental Protection Act</i>.</li> </ul>



TARGET	RESULTS ACHIEVED
<p>Excellent legal support for developing alternatives to traditional regulation</p>	<p>Achieved.</p> <p>As part of the Department's Legal Risk Management (LRM) project, efforts are being made to develop Litigation Avoidance Measures. These efforts, also known within the Department as Instrument Choice, involve Justice legal personnel working with client departments to develop alternatives to traditional regulation. Examples include the work done on the Health Protection Legislative Renewal project as well as the leading role that Justice counsel played in the resolution of land claims and self-government agreements with Aboriginal groups in Canada.</p>
<p>Greater accessibility of federal legislation</p>	<p>Achieved.</p> <p>Use of the Internet under the Legal Information Management System (LIMS) project is making federal legislation more accessible to Parliament, government and the public.</p> <p>Considerable effort was also made to ensure that new or revised acts and regulations were drafted in plain language and that new federal laws were harmonized with the civil law of the Province of Québec.</p>
<p><b>Goal 1.3: Continue to develop capacity to deliver high-quality legal services</b></p>	
<p><i>Information and training for legal counsel</i></p> <p>All training materials posted on Justice's Intranet site</p>	<p>Not achieved.</p> <p>Not all training materials have been posted to Justice's Intranet site. However, the Justice employee site, JUSnet, was redesigned and now offers legal counsel improved access to corporate services and information.</p>
<p>Internal training sessions offered on all new sustainable development legislation and significant legal developments within six months</p>	<p>Achieved.</p> <p>The Environmental Law Practice Group meets several times a year to provide Justice lawyers across the country with presentations on a wide variety of environmental issues and to allow them to raise questions and discuss issues with which they are involved. Monthly Departmental Legal Services Unit (DLSU) meetings also include presentations on sustainable development issues such as environmental law and dispute resolution mechanisms.</p>

TARGET	RESULTS ACHIEVED
<p>Internal training sessions offered on the <i>Canadian Environmental Assessment Act</i> at least once per year</p>	<p>Achieved.</p> <p>The legal services unit for the Canadian Environmental Assessment Agency has provided training sessions on the <i>Canadian Environmental Assessment Act</i> to Justice lawyers at least once per year.</p>
<p><b>Networking of legal counsel</b> Annual increase in use of the Sustainable Development Network</p>	<p>Not achieved.</p> <p>The Sustainable Development Network did not have the support required to maintain it. A SD coordinator would have been better positioned to maintain this Network.</p>
<p>Annual use of the Sustainable Development Network for feedback on implementation of this Strategy</p>	<p>Not achieved.</p> <p>Activities of this nature require that someone be tasked with the job to ensure that it is accomplished, such as a sustainable development coordinator.</p>
<p>Annual increase of 25% in the material on Justice's internal Sustainable Development Intranet site</p>	<p>Not achieved.</p> <p>The Sustainable Development site was not maintained or updated.</p>
<p>Annual increase in the use of the Intranet site</p>	<p>Not achieved.</p> <p>The site is out of date and thus not relevant.</p>
<p><b>Legal work tools</b> Annual enhancements to the checklist on sustainable development legal issues</p>	<p>Not achieved.</p> <p>A checklist on sustainable development legal issues was not distributed.</p>
<p>Annual enhancements to standard environmental assessment clauses for contribution agreements</p>	<p>Achieved.</p> <p>A set of model environmental assessment clauses was developed in 2002 and circulated within the Department. DLSUs also review and enhance the environmental-assessment clauses that are regularly included in contracts and contribution agreements for projects that could trigger the requirement for assessments.</p>

TARGET	RESULTS ACHIEVED
Enhancements to the standard environmental property law clauses by 2003	<p>Partially achieved.</p> <p>The precedential environmental clauses that were distributed in 1995 and 1999 have been reviewed Department-wide and determined to be current, practical and in use by property law legal advisors. The Civil Law (Québec) portion of this material has been updated and amended. Additional common law precedents have been identified but not added, due to funding and distribution issues.</p>
<b>Goal 1.4: Enhance Legal Training for Clients</b>	
<p>Add sustainable development material to relevant modules of Justice's Legal Awareness client training program</p> <p>Post all client training materials on Justice's Sustainable Development Intranet site</p>	<p>Partially achieved.</p> <p>Justice provides legal training to its clients as a “preventative law” activity. Some DLSUs and regional office training has been provided to clients in areas such as legal risk management, human rights, alternative dispute resolution, environmental law and contract law. Unfortunately, information is unavailable on the number of modules that have been updated.</p> <p>Not achieved.</p> <p>Client training materials have not been posted to Justice’s Sustainable Development Intranet site.</p>
<b>Goal 1.5: Promote dispute resolution and more efficient litigation</b>	
Contribution to increased dispute resolution awareness and activity across the federal government through Justice's Dispute Resolution Services	<p>Achieved.</p> <p>Dispute Resolution (DR) Services works closely with counsel from across the Department to raise awareness of DR alternatives. DR alternatives are considered in relation to Aboriginal land claims and self-government agreements and major litigation, including cases of alleged abuse in residential schools.</p> <p>Justice promotes the use of alternative dispute resolution approaches with client departments in managing legal risks. One example of this is the novel dispute resolution initiative used by the DLSU for the Income Security Programs of Human Resources Development Canada to</p>

TARGET	RESULTS ACHIEVED
	<p>address a backlog of over 2000 Canada Pension Plan disability cases awaiting hearing before the Pension Appeals Board. This initiative:</p> <ul style="list-style-type: none"> <li>• virtually eliminated the former backlog;</li> <li>• resulted in improved and timely client service for these appellants; and</li> <li>• saved approximately 14 weeks of hearings before the Board, including the associated travel and accommodation costs.</li> </ul>
<p>Action to manage civil litigation and prosecutions more strategically, in conjunction with Treasury Board and other departments</p>	<p>Achieved.</p> <p>The Legal Risk Management project, a joint initiative of the Department of Justice and Treasury Board, was launched in early 2000 to put in place a comprehensive, government-wide approach to avoid or manage litigation. As a result litigation is now being managed more strategically within departments in conjunction with DLSUs. Several legal practice groups have also been established in the past few years to provide Justice lawyers with further opportunities to share information and address legal issues across departments. Horizontal management of litigation files involving more than one department ensures proper consultation, effective management and consistent instructions to the litigators.</p>

**Objective 2: Explore the implications of social and cultural factors for sustainable development, in the context of the Justice policy mandate**

<b>TARGET</b>	<b>RESULTS ACHIEVED</b>
<b>Goal 2.1: Promote sustainable development principles through Sustainable Communities Initiatives in Cape Breton and the Annapolis Valley</b>	
Development and application of genuine progress indicators for use in establishing goals and measuring progress	<p>Achieved.</p> <p>Genuine progress indicators of community safety have been piloted and evaluated in both locations and indicators are being used to monitor improvements in government community collaboration. Work is also under way to develop a common set of sustainability indicators for use across the province of Nova Scotia.</p>
Piloting new forms of governance aligning social, economic and environmental interests and combining the strengths and resources of the public, private and voluntary sectors	<p>Achieved.</p> <p>The Sustainable Communities Initiatives (SCI) have succeeded in engaging the public, private and voluntary sectors to ensure that sustainability issues are identified and addressed using a sustainability lens to integrate social, economic and environmental perspectives and interests.</p> <p>Municipalities in the Annapolis Valley have adopted the sustainability principles developed within the SCI, and the 2003-04 SCI business plan has been approved by social, economic and environmental agencies of both the federal and provincial governments.</p>
The advancement of collaborative decision making and alternative dispute resolution techniques	<p>Achieved.</p> <p>Two training and awareness sessions have been held within each partner site area, and over a dozen sessions have been held within departments.</p> <p>Awareness presentations have been made to diverse audiences at several provincial, regional and national conferences.</p>
The advancement of the precautionary principle through measures such as crime prevention, pollution prevention, health promotion and nature conservation	<p>Achieved.</p> <p>Key sustainability issues have been identified through the assembly and analysis of existing data studies and plans and major evidence-based preventative initiatives are under way in each location.</p>

**TARGET****RESULTS ACHIEVED****Goal 2.2: Continue to pursue the Aboriginal Justice Strategy in accordance with the principles of developing sustainable communities**

<p>Develop and deliver community-based Aboriginal alternative justice programs</p>	<p>Achieved.</p> <p>The Aboriginal Justice Directorate, in partnership with provincial and territorial governments, has put in place 88 community-based program agreements, serving over 280 Aboriginal communities. A previous evaluation showed that this program supports sustainable development principles by reducing rates of recidivism within Aboriginal communities.</p>
<p>Develop a national network of experts to promote change in the mainstream justice system through the Aboriginal Justice Learning Network</p>	<p>Achieved.</p> <p>The Aboriginal Justice Learning Network is a broad-based voluntary organization of Aboriginal community members and justice representatives who share a commitment to improving the administration of justice for Aboriginal people and communities. The Network offers free resources, publications and videos on aspects of Aboriginal justice and community-based programs.</p>
<p>Fund community capacity building in the administration of justice</p>	<p>Achieved.</p> <p>A training and development component was added to the renewed Aboriginal Justice Strategy in April 2002 to support capacity building of stakeholders involved in Aboriginal justice. This component provided funding to 28 agreements across the country over the first year.</p> <p>A self-government capacity building fund was also included in the renewed Strategy to support projects and the development of resource material to support local administration and enforcement of Aboriginal laws.</p>
<p>Continue to develop a policy framework for self-government negotiations on the administration of justice</p>	<p>Achieved</p> <p>Legal counsel continue to develop policies in response to issues arising during the negotiation of the administration-of-justice provisions in self-government agreements.</p>

TARGET	RESULTS ACHIEVED
<p><b>Goal 2.3: Pursue crime prevention activity that furthers sustainable development principles</b></p> <p>Integrated action of key partners in reducing crime and victimization</p>	<p>Achieved.</p> <p>The National Crime Prevention Centre (NCPC) was expanded in 2002. Committees and working groups are coordinated through the NCPC at the federal, provincial and municipal government level. The private sector continues to coordinate efforts with NCPC via the Business Network on Crime Prevention made up of representatives from Canadian business associations.</p> <p>A Project Impact Study in 2002 reported that more than half of the projects continued their activities after Community Mobilization Program funding ceased with public and private sector partners' support. In the same study, 95% of sponsors reported they would pursue crime prevention partnerships in the future.</p>
<p>Development and implementation of community-based solutions to problems that contribute to crime and victimization</p>	<p>Achieved.</p> <ul style="list-style-type: none"> <li>• Funding committed to projects under the Community Mobilization Program has increased by 12% over 2001-02 levels.</li> <li>• Project sponsors reported decreases in crime and victimization in specific projects.</li> <li>• Project evaluations, internal studies, etc. also reported decreased risk factors and increased protective factors in specific projects.</li> </ul>
<p>Increased public awareness and support for effective approaches to crime prevention</p>	<p>Achieved.</p> <p>The NCPC has noted:</p> <ul style="list-style-type: none"> <li>• broader participation of stakeholder groups (i.e., schools, health officials, private sector, police) in projects and initiatives;</li> <li>• increased numbers of letters of interest and project proposals more adequately reflecting the complexity of crime prevention through social development models;</li> <li>• media coverage of crime prevention through social development has increased by 63%;</li> <li>• enquiries to NCPC on the issue of bullying have increased by 30%; and</li> <li>• NCPC Web site traffic has increased by 24%.</li> </ul>

**TARGET****RESULTS ACHIEVED****Goal 2.4: Contribute to interdepartmental research on the links between social cohesion and sustainable development**

Social cohesion taken into account in interdepartmental research on sustainable development

Achieved.

Interdepartmental policy research has added to the body of knowledge and experience governing both social inclusion and the role of the social sector in sustainable development. The Department, in collaboration with the interdepartmental Policy Research Initiative, also developed a research report on social cohesion.



**Objective 3: Reduce the direct environmental impact of Justice's physical operations**

TARGET	RESULTS ACHIEVED
<b>Goal 3.1: Stabilize the level of paper use</b>	
<p>Stabilize paper use at the 1999-2000 level by December 2002</p>	<p>Partially achieved.</p> <p>Purchasing records indicate that the amount of paper purchased per employee decreased from 1.33 boxes of paper per employee in 1999-2000 to 1.00 box of paper per employee in 2002-2003.</p> <p>Although purchasing records suggest a decrease, this target is considered only partially achieved because the data available reflect only paper purchased directly. The Department cannot say for sure that paper consumption has decreased because anecdotal evidence suggests that the Department has off-loaded some of its printing during the period. Off-site printing (i.e., work contracted to outside printers) in particular is thought to have increased appreciably over the last three years. However, data on this have not been collected.</p> <p>The Department is working to develop electronic document-management systems and mechanisms to track off-site printing. These will provide fuller information on paper consumption.</p>
<b>Goal 3.2: Decrease solid waste</b>	
<p>By March 31, 2004, divert from landfills 76% of total solid waste produced nationally</p>	<p>Partially achieved.</p> <p>While we are unable to quantify diversion at leased private sector sites, we are able to report on progress at Justice Headquarters locations, which account for approximately 50% of our employee base and now divert 80% of waste from landfill. The Department also participates nationally in the Computers for Schools Program as a first option for disposal.</p> <p>Difficulties remain in quantifying waste diversion in most Government of Canada and private sector lease locations where the Department's waste is incorporated into a building total and recycling may not be provided.</p>

TARGET	RESULTS ACHIEVED
<b>Goal 3.3: Increase green procurement</b>	
<p>Ensure that all purchases nationally of paper, paper dividers and file folders are recycled/post-consumer material by the end of 2001</p>	<p>Partially achieved.</p> <p>All Kraft envelopes, letterhead, forms, folders, file hangers, bubble and interoffice envelopes, coloured bond, figuring pads, etc. are recycled / post-consumer material.</p> <p>Pilot attempts were made to use recycled photocopier paper but, due to frequent malfunctions in equipment and higher cost, a decision was taken to return to premium paper.</p>
<p>Ensure that all purchases of toner cartridges are recycled cartridges by the end of 2001, to the extent feasible in each geographic location</p>	<p>Partially achieved.</p> <p>Information is not available on the proportion of refurbished toner cartridges purchased nationally. However, when refurbished toners are available for a product, departmental policy is to order them. As well, 95% of toners used are being returned for refurbishment.</p>
<p>Review green procurement options for other high-volume items every six months</p>	<p>Achieved.</p> <p>A continual review process is in place to ensure that the Department is buying green whenever possible. This has resulted in:</p> <ul style="list-style-type: none"> <li>• 56 of the 108 stocked items at Headquarters being identified as green and an average of 30% of those in regional stores;</li> <li>• all individuals who hold departmental acquisition cards being required to attend green procurement training prior to the card being issued since November 2001; and</li> <li>• personnel with purchasing authority being placed on an internal distribution list and receiving information on environmentally friendly products.</li> </ul>
<b>Goal 3.4 : Increase environmental awareness of employees</b>	
<p><i>Communications</i></p> <p>Make annual enhancements to signage on greening at photocopiers, recycling stations, etc.</p>	<p>Achieved.</p> <p>Signage reviewed and enhanced, where required.</p>

TARGET	RESULTS ACHIEVED
Send electronic communication to all employees on sustainable development issues at least four times per year	<p>Not achieved.</p> <p>The lack of a SD coordinator resulted in this activity not being achieved. That said, the Communications Branch has supported employee awareness of the Sustainable Development Strategy through articles and progress reports in the Department's weekly employee newsletter, <i>JustInfo</i>.</p>
Distribute general awareness materials in all buildings, nationally, at least four times per year	<p>Partially achieved.</p> <p>Environmental Awareness Week, Clean Air Day and the Commuter Challenge were publicized each year, and employee participation was encouraged.</p> <p>The Department's participation in environmental awareness activities was limited to the National Capital Region prior to 2003. This year, it was extended to include all regional offices. Employees were encouraged to participate in various awareness and training activities, and prizes were distributed nationally and awarded randomly to those who actively participated in the week's activities. Feedback from our regional offices confirmed a substantial increase in participation.</p>
Create Environmental Leadership Program by December 2001	Not achieved.
Create Rewards and Recognition Program by December 2001	Not achieved.

## Appendix 2

# Objectives, Targets and Performance Indicators 2004-2006

**Theme 1 - A sustainable justice system for Canadians and their communities**

**Theme 2 - Integrating the principles of sustainable development into the Department's operations**

Objectives	Targets	Performance Indicators
<b>Objective 1:</b> <b>To strengthen knowledge and awareness of sustainable development within the Department</b>	Develop and deliver training and information sessions on sustainable development issues.	Training on the 1999 <i>Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals</i> developed and delivered to departmental employees responsible for implementing the Directive.
		Training and information sessions on SD issues provided to Justice employees through activities such as addresses by guest speakers and lunchtime discussions.
		SD component added to Justice's Legal Awareness client training program.
	Communicate information on sustainable development issues to all employees.	Information on sustainable development issues communicated to all employees at least four times per year.
		Regular updates and enhancements to the Department's Sustainable Development Intranet site to provide current and useful information on sustainable development issues.
		Information and status updates on research and interdepartmental efforts in relation to SD disseminated widely within the Department.
<b>Objective 2:</b> <b>To integrate the consideration of sustainable development into the Department's business</b>	Consider departmental policies and services through a sustainable development lens.	Development and implementation of a sustainable development legal issues checklist.
		Implementation of the 1999 <i>Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals</i> by the Department.
		Baseline indicators established on the sustainability of the justice system to facilitate ongoing measurement.

Objectives	Targets	Performance Indicators
	Ensure that the Sustainable Development Strategy is addressed as a priority within the Department.	<p>SD listed as a departmental priority.</p> <p>Departmental SD champion and coordinator named in 2004.</p> <p>Implementation plan for the SDS developed and approved by June 30, 2004.</p> <p>SD is included as a recurrent agenda item at important departmental committee meetings.</p>
<b>Objective 3: To improve the environmental sustainability of our physical operations</b>	Establish national office space standards that reflect the principles of sustainable design and improve the sustainable management of the Department's offices.	<p>National office space standards established by January 2005.</p> <p>National office space standards incorporated into a signed Master Occupancy Agreement with PWGSC by September 2005.</p>
	Improve conservation and waste management practices.	Mechanisms put in place nationally to collect meaningful data on procurement and consumption.
		Paper use stabilized at the 2002-2003 level by December 2005
		Amount of waste diverted from landfills increased from 80% to 85% at HQs by December 31, 2006.
		Audit process in place in non-headquarters locations to track waste-diversion efforts for particular products, such as paper.
		Quantifiable reduction in energy consumption, where measurement is possible.
	Increase green procurement nationally.	<p>Development of a green procurement policy and guide by December 2005.</p> <p>Increase in the proportion of stocked items at HQ identified as "green" from 52% to 65% by the end of 2006 and in the average in regional stores from 30% to 50%.</p>