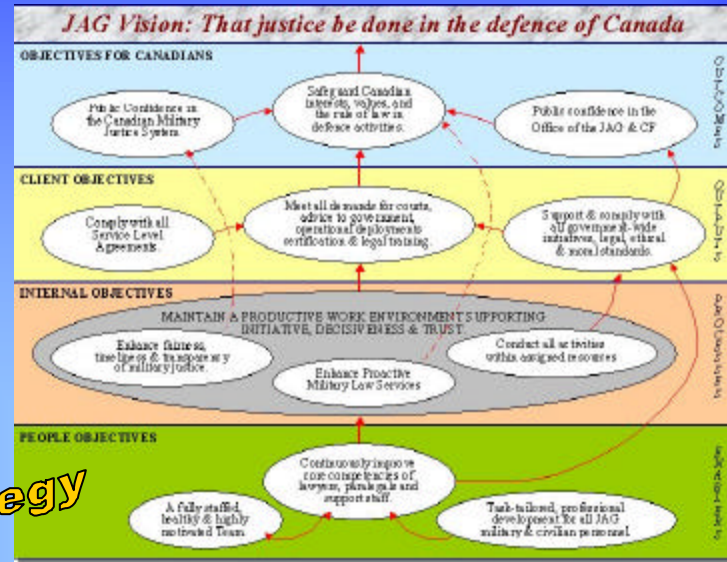




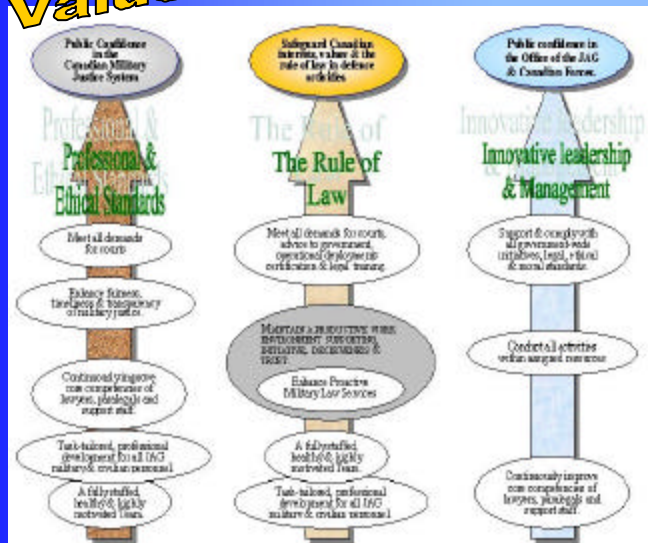
Office of the Judge Advocate General



Strategy

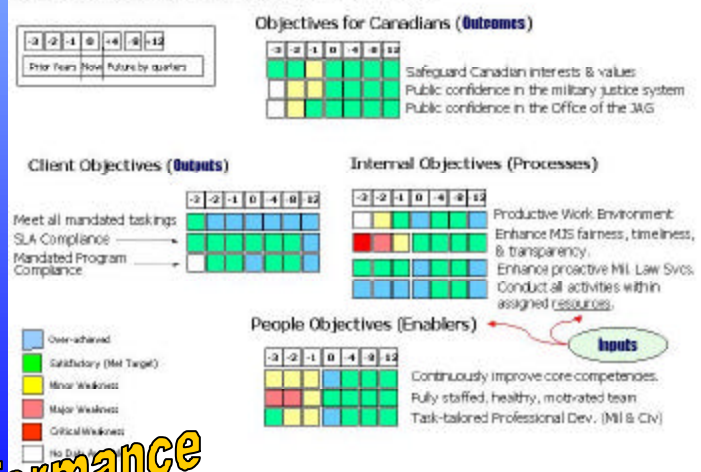
Annual Performance Report

Values



1 April 2002 to 31 March 2003

JAG Balanced Scorecard as at 31 March 2003



Performance

**OFFICE OF THE JUDGE ADVOCATE GENERAL
Annual Performance Report - Fiscal Year 2003**

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1 EXECUTIVE SUMMARY

1.1 MULTI-DIMENSIONAL PERFORMANCE ASSESSMENT

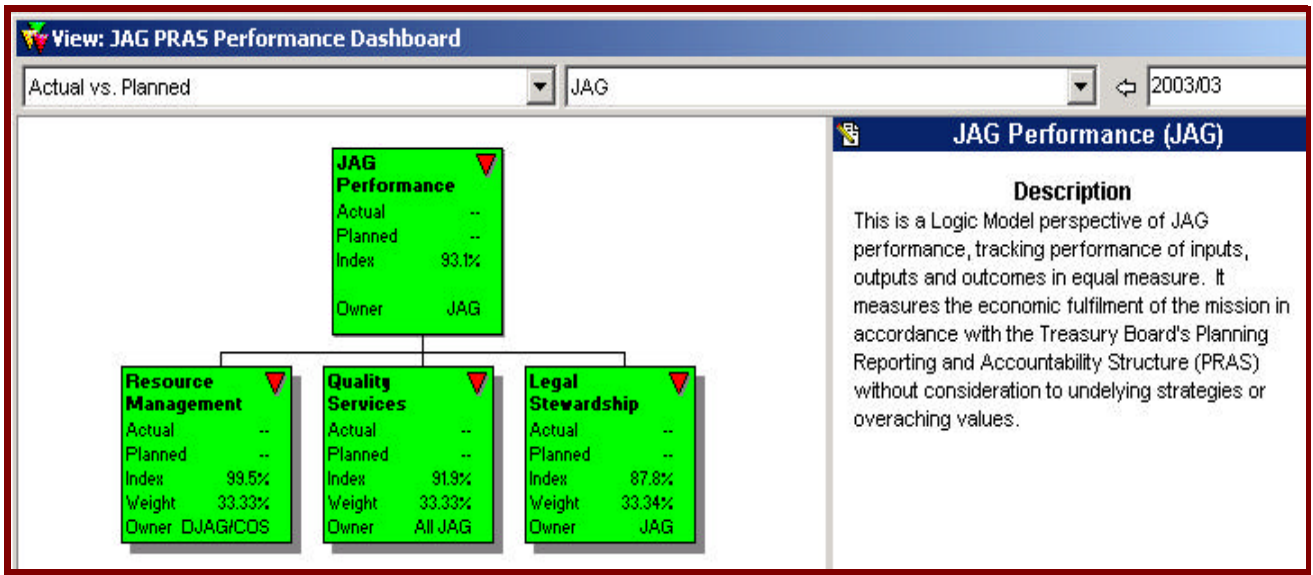
Success in achieving the performance targets set in the JAG Business Plan is assessed through the use of a well-established Performance Measurement Decision Support System (PMDSS). The PMDSS was implemented on 01 Apr 99 and it has been the basis for JAG Annual Performance Reports for the past four fiscal years. The system audit, conducted in FY 2002, confirmed that it is a reliable tool for reporting JAG performance and for taking resource decisions.

It comprises quantitative and qualitative assessment measures, comparing actual performance to standards set in over thirty Service Level Agreements (SLAs) as well as those that are prescribed by law and still others that are self-imposed.

Activity statistics gathered by legal offices and directorates are organized and displayed using a specialized decision support software application that provides the JAG, his deputies and directors with performance information upon which risk mitigation measures and resource allocation decisions can be reliably planned. This information is displayed on the JAG DIN Web page, updated monthly, for viewing by senior and middle managers. Three views of JAG performance are used to troubleshoot performance gaps and ensure that well-reasoned remedial actions are put in place. These are described in the following paragraphs.

1.1.1 The PRAS View¹

In this view of performance, management of resource inputs and the production of outputs and results (outcomes) are assessed in equal measure without reference to the underlying strategy employed by the JAG or overarching values guiding the actions of his lawyers. It is an economic model of performance used to assess the cost-effectiveness of the Office of the JAG in fulfilling the JAG Mission. The framework used to measure JAG performance follows. The indexes are actual 2003 performance ratings.

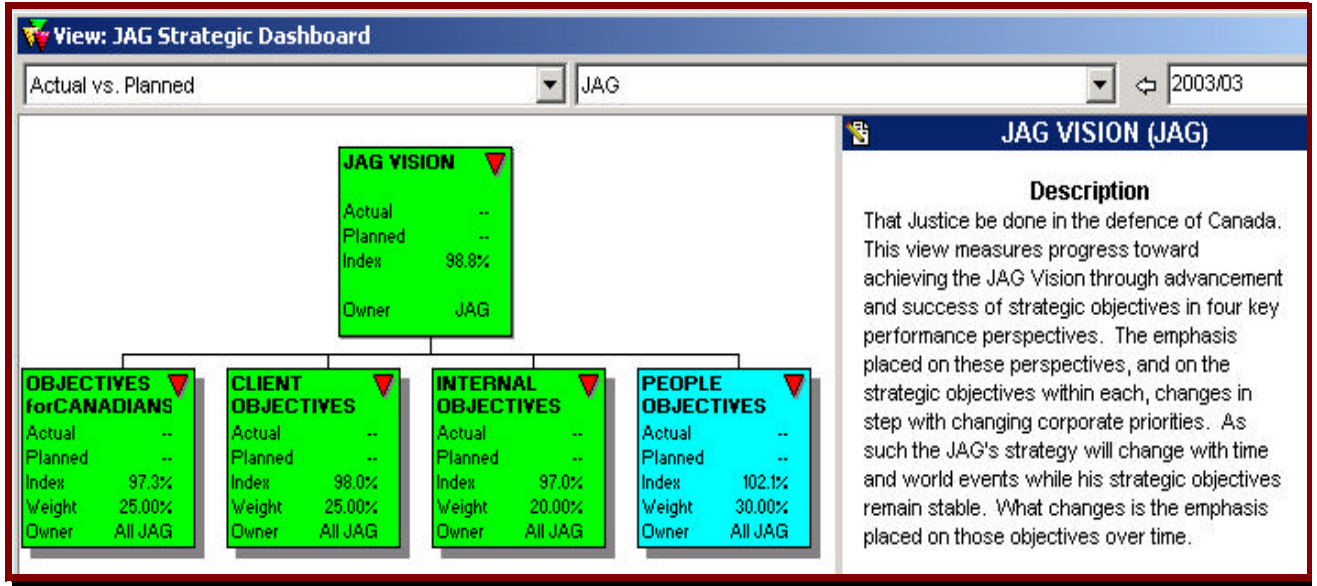


¹ Planning Reporting and Accountability Structure (PRAS), the Department's principal strategic management and reporting framework.

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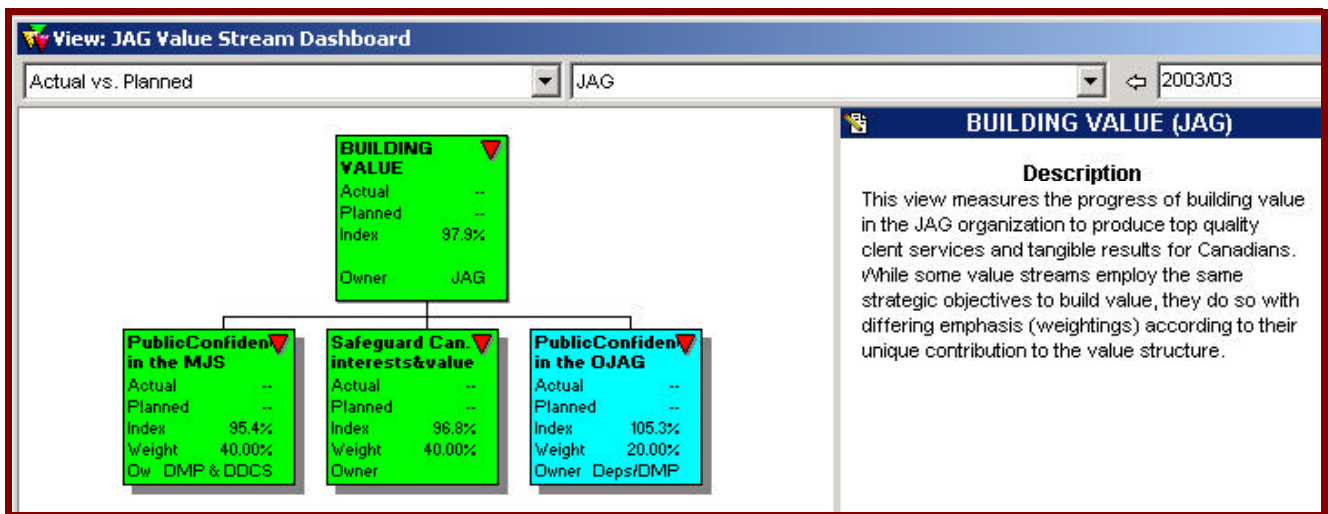
1.1.2 The Strategic View

This assessment of performance evaluates the success of the JAG's current strategy to achieve the JAG Vision – *That justice be done in the defence of Canada*. The strategy is represented by the amount of emphasis that is applied to each of four key strategic perspectives, shown below. It is expressed as an assigned "Weight" (a percentage). Each key performance perspective contains three strategic objectives, each of which has been assigned its own emphasis. The use of percentages to express strategy is very easy to understand and to apply. A 30% weight given to the People Objectives means that 30% of the JAG budget and a 30% level of effort are expended on the three People Objectives. The weightings and 2003 performance ratings are seen below.



1.1.3 The Value-building View

This performance view shows the JAG's degree of success in building organizational value and individual values to produce modern, proactive business processes, top quality legal services and positive results for Canadians. The effect of the value-building process on our Objectives for Canadians and on achieving the JAG Vision for FY 2003 is shown below.



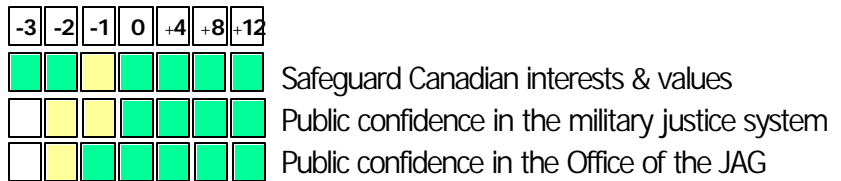
1.2 JAG SCORECARD FOR FY 2003.

Together, the three perspectives of JAG performance yield a multi-dimensional assessment of the Office of the JAG. They share a common database of performance results but mix the measures with differing emphasis according to their unique management information requirements. Monthly evaluation of all three performance views yields the best assessment of JAG performance (past, present and future). It is depicted in the JAG Balanced Scorecard, shown below.

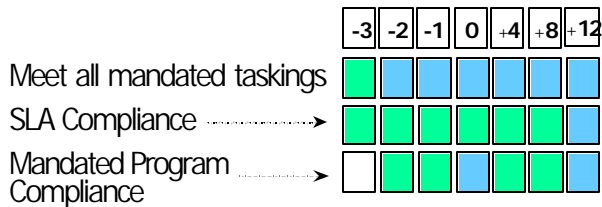
JAG Balanced Scorecard as at 31 March 2003

-3	-2	-1	0	+4	+8	+12
Prior Years			Now	Future by quarters		

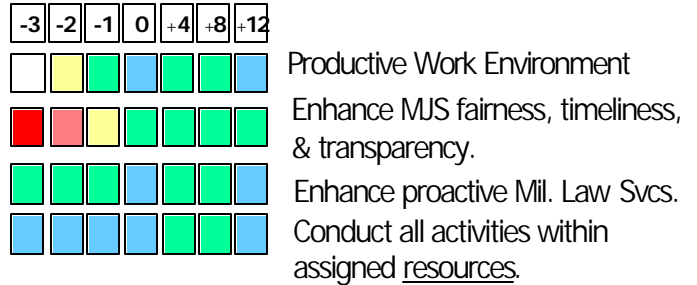
Objectives for Canadians (Outcomes)



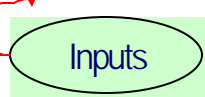
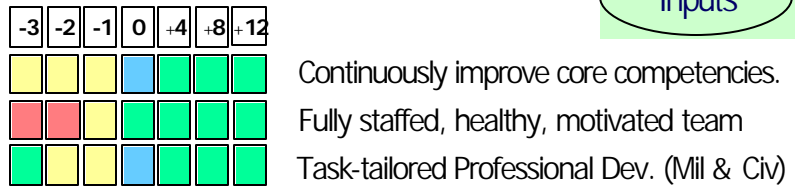
Client Objectives (Outputs)



Internal Objectives (Processes)



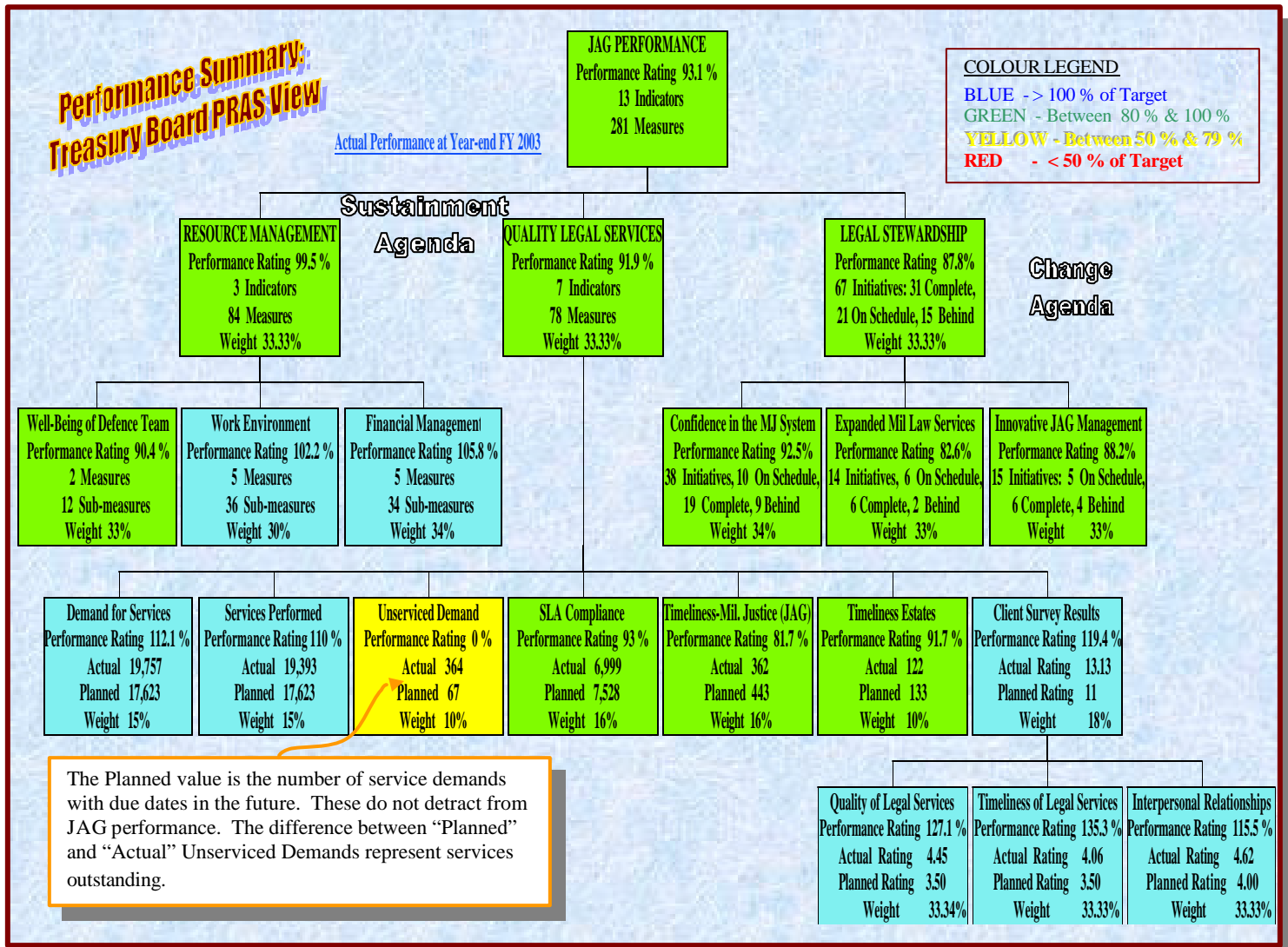
People Objectives (Enablers)



- Over-achieved
- Satisfactory (Met Target)
- Minor Weakness
- Major Weakness
- Critical Weakness
- No Data Available

JAG Annual Performance Report - FY 2003

1.3 MISSION FULFILLMENT & THE PURSUIT OF CHANGE (THE PRAS VIEW)



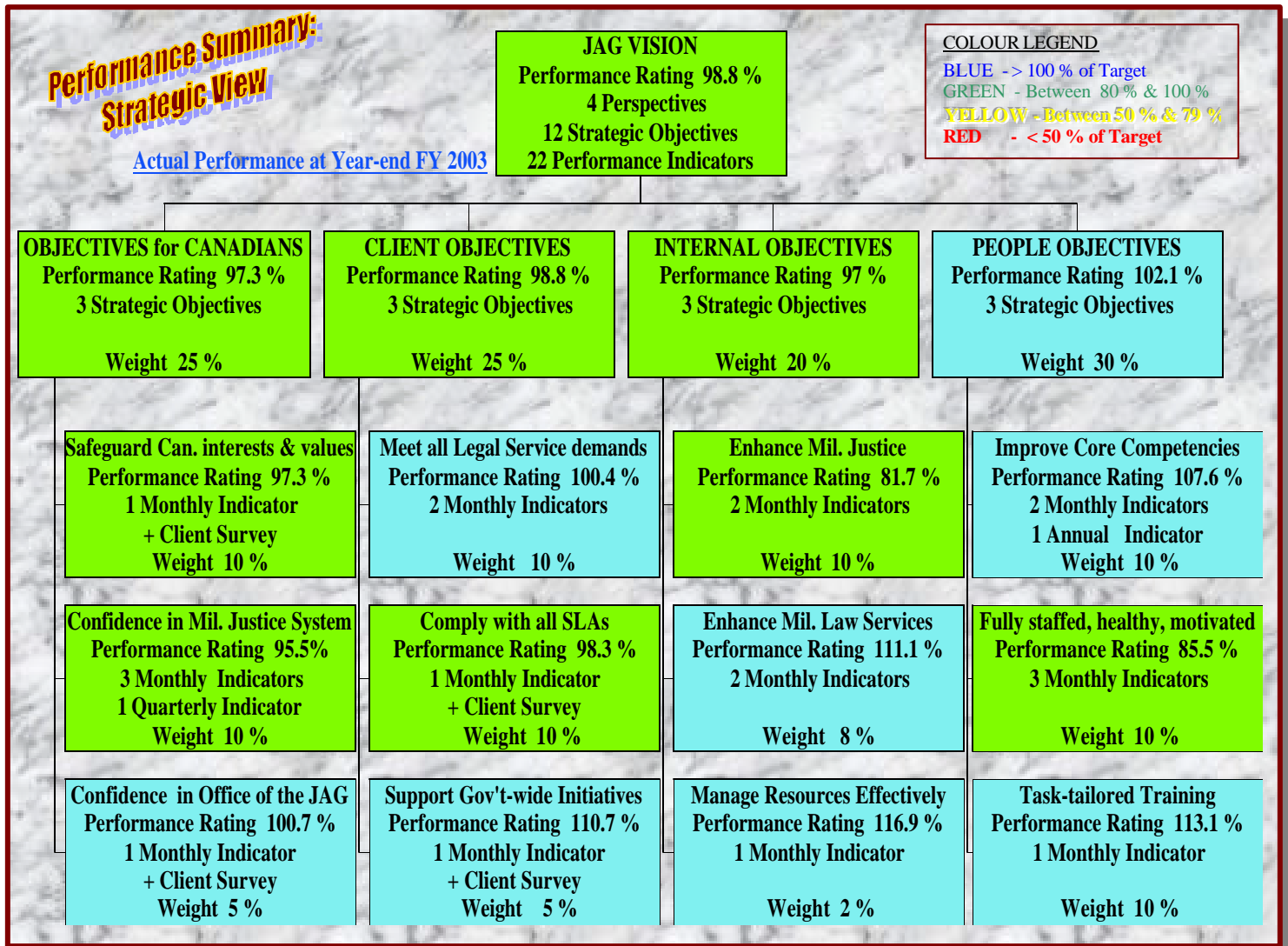
In terms of the economical fulfillment of the JAG mission, we delivered 10% more legal advice and services in the past fiscal year for less money than in the previous year. In addition, JAG business increased by 12.1%, our service compliance rating was higher, military justice timelines improved by 11.4% and our client survey feedback was even more positive than it was in 2002. We are particularly pleased with these results in the face of intense pressure through the year to increase client services in some very important areas.

We were able to advance the yardsticks in the pursuit of change, but to do so we had to adjust our strategy by reassigning legal officers from their normal duties to new demands, putting at risk our ambitious change agenda. To minimise this risk we narrowed our Legal Stewardship focus to conserve resources and to increase productivity. The results were that we were able to work with our principal clients to address their new legal service requirements² and, at the same time, we improved our Legal Stewardship performance rating from a marginal 77% in FY 2002 to 87.8% in FY 2003. We completed 31 Legal Stewardship initiatives, progressing 36 others, which continue this year.

² See "Servicing New Client Demands", sect 3.1, FY 2003/2004 JAG Business Plan, 31 March 2003.

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1.4 ACHIEVING THE JAG VISION

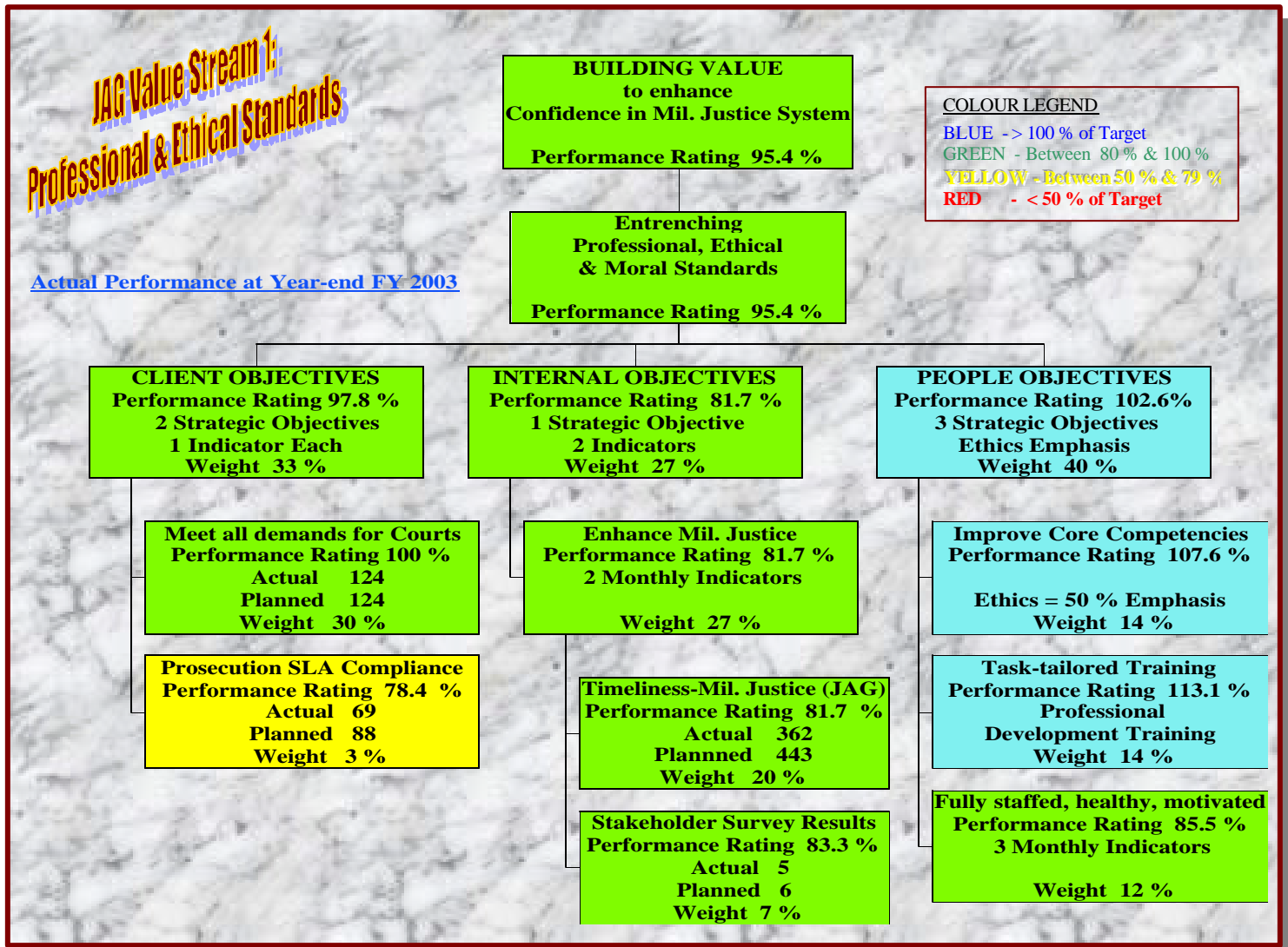


The strategy to fulfil the JAG Vision is indicated by the weight percentages (emphasis) assigned to each set of strategic objectives and to individual objectives. It is clear that the greatest emphasis in 2003 has been on People Objectives, where we have achieved the highest performance rating.

This correlation is not evident in the Internal Perspective where Military Justice Enhancement under-performed in relation to its neighbouring strategic objectives. Comparative analysis explains this result. Improvements in military justice timeliness consume a lot of time and effort on the part of everyone involved in the Military Justice System (MJS). As such, there is not a direct relationship between the expenditure of legal officer effort and improved MJS performance. Conversely, enhancement of military law services can be achieved by the direct application of legal resources to legal matters.

Overall, the strategy in place to achieve the JAG Vision has been 98.8 % effective. Detailed performance data are contained in Section 4.

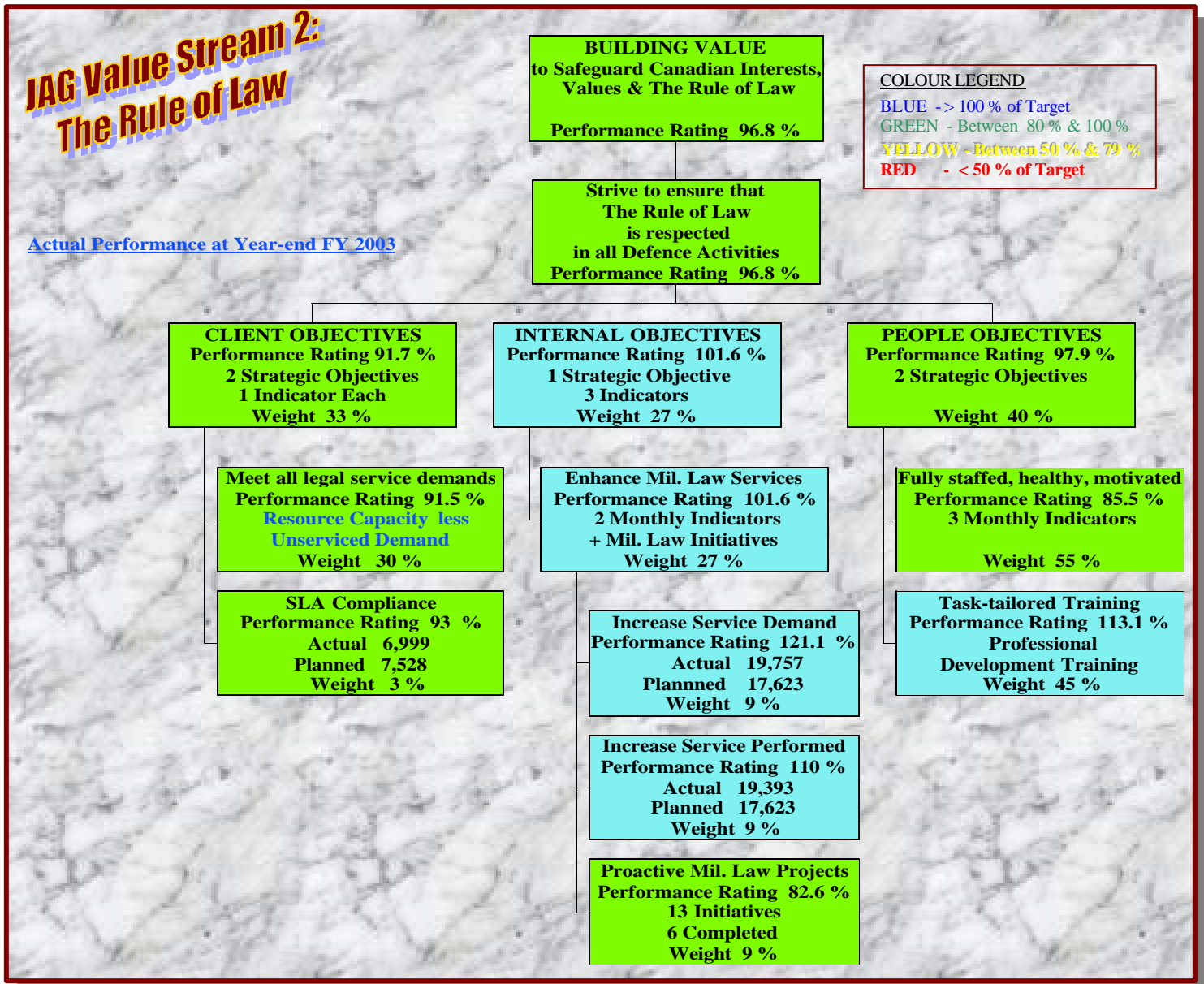
1.5 BUILDING INSTITUTIONAL AND INDIVIDUAL VALUES



The strategy to entrench strong professional, ethical and moral standards among JAG lawyers and support staff begins with People Objectives that teach those values in a dedicated way.

The graphic above reveals our emphasis on training as the backbone of a viable ethics program. The high percentages reflect the fact that actual professional development and ethics training received by our lawyers and support professionals exceeded planned training for the year. As well, timeliness of JAG Directorates specializing in Military Justice has improved over the previous year as has Prosecution SLA Compliance. The latter still requires improvement but, as noted earlier, improvement in this area is a CF-wide endeavour.

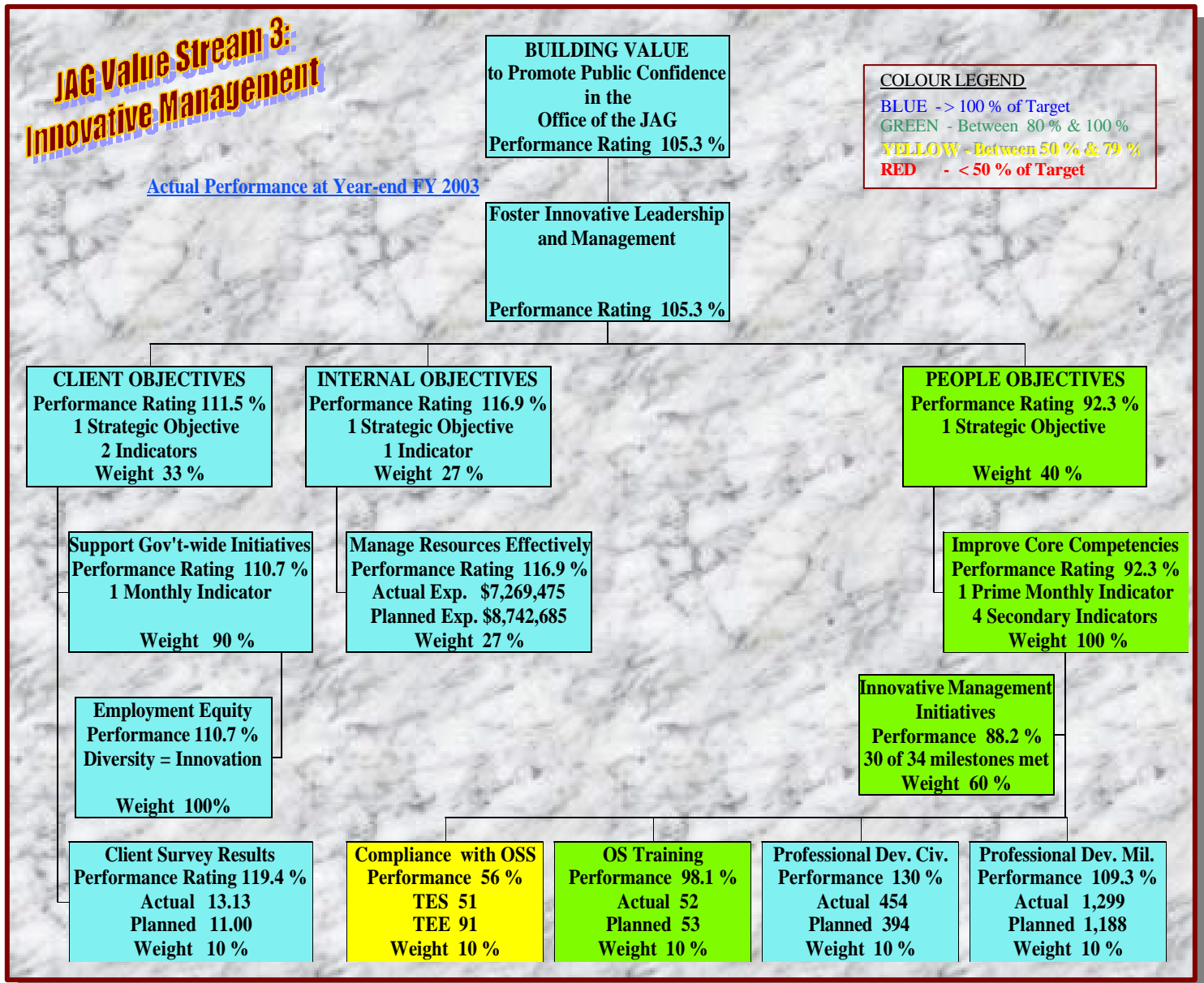
We consider this value stream a vital element in establishing Public Confidence in the Canadian Military Justice System.



This value stream plays a highly significant roll in Safeguarding Canadian Interests and Values respecting National Defence.

The success of our strategy to advance the Rule of Law in the conduct of all defence activities is dependent upon the dedicated involvement of JAG lawyers in all of those activities. It demands a proactive approach to the practice of military law. The graphic above illustrates our level of success in FY 2003.

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Managing our assets in an innovative way includes our pursuit of a full slate of innovative management initiatives to help us stay ahead of the curve in the technical environment and in resource management. Our strategy to build an innovative organization should keep us relevant and credible now and in the future. An anticipated result is to engender Confidence in the Office of the JAG as a modern, task-tailored force of legal officers capable of responding quickly to crises. The graphic above illustrates our success this past year.

This value stream supports our principal objective for Canadians. Keeping up with modern management, comptrollership and employment practices as well as rapidly advancing technology better positions the Office of the JAG to safeguard Canadian interests, values and the rule of law in all defence activities.

1.6 NOTABLE ACHIEVEMENTS

The “Hawthorne Effect” posits that measuring the system influences the system. It has been our experience, over the past four years, that steady improvement has occurred in the vast majority of activities subjected to performance measurement. When our system of measurement has identified a performance gap, the gap has closed, whether or not a remedial measure has been applied. This is not to say that simply measuring something causes it to improve, but measuring it focuses attention on improving it. A more important result of performance measurement is that when we have seen our efforts pay off, it has motivated us to keep driving to achieve even better results. In the paragraphs that follow are some of the accomplishments generated by our efforts over the past year.

Client Objectives:

The performance gaps in service delivery, identified in last year’s report, are now closed. We improved our performance rating in the client service strategic objectives by 8 ½ percentage points to 98.8% in FY 2003. This fact is born out by the results of our latest client satisfaction survey, which showed higher approval ratings than in the previous year. We feel justified in stating that we have fulfilled all required legal services in the defence program to safeguard Canadian interests or values. We completed all courts martial and related activity required of us, we met each tasking for deployed operations and we conducted all of the legal training that was asked. Overall, we delivered 10 % more high quality legal services in support of the Defence Mission than we did in the previous year and at less cost to Canadians. This is a very satisfying result particularly under the pressure placed on us by our major clients to provide them with additional legal services.

Together with these principal clients, we successfully advanced our case to the DM and CDS for a major increase to the JAG establishment of both people and funds to address important new client requirements for legal advice and services. The DM/CDS approval established:

- the Canadian Forces Grievance Authority (CFGGA) as a division under the Office of the JAG (effective 01 Jan 03);
- a new field legal office in St-Jean, Québec in support of improvements to the Military Justice System (MJS);
- dedicated legal support to the Deputy Provost Martial for Professional Standards;
- a legal section to provide litigation support for CHRA tribunals and courts;
- a legal officer position dedicated to the ICTY process in order to meet Canada’s international obligations and to protect our security interests; and
- a senior legal officer position to staff the Deputy Director billet at the International Humanitarian Law Institute, San Remo, Italy.

The new Director General Canadian Forces Grievance Authority (DGCFGA), in operation for only three months, has already significantly reduced the grievance backlog, has begun construction of a unified national grievance system (NGS) and is mobilizing users to work within that system through the production of work instruments and the provision of training.

Results for Canadians:

Military Law Enhancement to advance the Rule of Law in all defence activities

- An undergraduate level Law of Armed Conflict (LOAC) course was developed and run, with 179 CF personnel trained.
- A Legal Officer Intermediate Training (LOIT) course has been developed and 52 legal officers were trained last year.
- An Information Operations Policy has been completed.
- Ensured that DND/CF interests were represented in the negotiation of the revised North American defence architecture and during the Convention on Certain Conventional Weapons (CCW 2002).
- Ensured that CF aircraft are fully exercising their rights respecting state aircraft immunity from air navigation fees under international law when deployed abroad.
- Participated in re-writing Direction to Operational Commanders in the Conduct of Domestic Operations.
- Worked to resolve outstanding NATO Status of Forces Agreement (SOFA) issues, ensuring the CF is compliant with all NATO obligations.
- Made progress in Military Law Outreach through participation with OGDs in six meetings to strengthen inter-agency cooperation internally and domestically, and through participation in the Canadian Bar Association (CBA).

Military Justice initiatives to improve and promote confidence in the MJS

- Produced and published the “Guide to the Accused & Assisting Officers” in pamphlet form to improve the understanding of assisting officers and accused persons on their right to provision of case/charge information.
- Conducted 46 Summary Trial Certification Training courses and trained 617 presiding officers and 178 NCMS.
- Produced and published a handbook on the elements of Code of Service Discipline offences as a resource for military justice practitioners.
- Developed a Court Martial database and reporting system, consolidating information found in various formats within CMJ, DMP, DDCS, MJP&R and the Law Library, eliminating duplication.
- Produced and published a pamphlet to educate all CF on the “Investigation and Charging Process”.
- Conducted a Directorate of Military Prosecution (DMP) legal education workshop for Regular and Reserve Force prosecutors to create policy and increase efficiency (timeliness) and proficiency of military prosecutors.
- The long-awaited Trial Counsel Allowance has been approved and implemented to more adequately compensate Reserve Force legal officers while engaged in courts martial trial activity.
- Made progress in Military Justice Outreach through participation with the UK regarding a Tri-Service Act similar to the NDA, with the Heads of Federal, Provincial & Territorial Prosecutors Committee and with the Allied Legal Executive Symposium.

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- A Military justice compliance survey, conducted early in the year, confirmed compliance generally with regulatory requirements relating to administration of Military Justice.

Innovative Management Activities promoting confidence in the OJAG

- Installed PKI Entrust smart card readers on all JAG and DND/CF LA workstations to enable electronic processing and transmission of solicitor/client privilege information.
- Acquired from the US Air Force deployment kits (War Packs) for use of JAG legal officers on field assignments.

At Section 4.4.1 of this report is a comparative summary of the performance of our three top strategic objectives that are addressed, in part, by the above-noted achievements. Our performance rating in pursuing these principal objectives improved in FY 2003 by almost 8 percentage points attributable to slimming down the Legal Stewardship program and concentrating fewer resources on the most beneficial projects. Through this strategy, we have continued military justice reform, ensured that military activities conform to the rule of law and have improved the core competencies of Canadian Forces lawyers. As such, Canadians may be assured that the Office of the JAG is committed to ensuring that justice will be done now and in the future in fulfillment of the Defence Mission.

2 INTRODUCTION – A NEW PERFORMANCE FRAMEWORK

Our first three years of performance measurement were based largely on a logic model that responds to the reporting framework of the DND Planning, Reporting and Accountability Structure (PRAS), a Treasury Board methodology. PRAS performance measurement focuses on the economic fulfillment of the mission.

PRAS Performance Measures	Description
Readiness	The exercise of primary functions
Capability	Conducting assigned missions within available resources
Sustainability	Supporting operations
Deployability	Getting into theatre and performing to operational standards
Economy	Budget variance, spending and resources usage rates
Efficiency	Unit cost of outputs
Effectiveness	Level and quality of client services

Its limitation is that it drives an organization to sustain the day-to-day business instead of changing and improving itself. It is mission-oriented and not vision-directed. In order to bring the JAG 2020 Strategy into the performance mix, our Performance Measurement Decision Support System (PMDSS) added to the PRAS framework a Legal Stewardship performance perspective that tracks the progress of strategic initiatives/projects. Despite this modification, our PMDSS remained mission oriented and resource management focused. It revealed no clear linkage to the JAG’s underlying strategy or to the strong value structure that the JAG has been building over the past five years.

The Office of the JAG no longer measures success solely on the basis of resource efficiency and mission fulfillment. Financial management is only one of 12 strategic objectives that we measure.

We have remodelled the Office of the JAG as a strategy-based organization, refocusing performance measurement on the strategy to achieve our long-term VISION – *that justice be done in the defence of Canada*. We continue to evaluate the PRAS view of performance since it remains the basis of performance reporting to government but the primary evaluative system of interest to the Office of the JAG is the Strategic Performance Dashboard of measures that assess progress toward attainment of the JAG Vision.

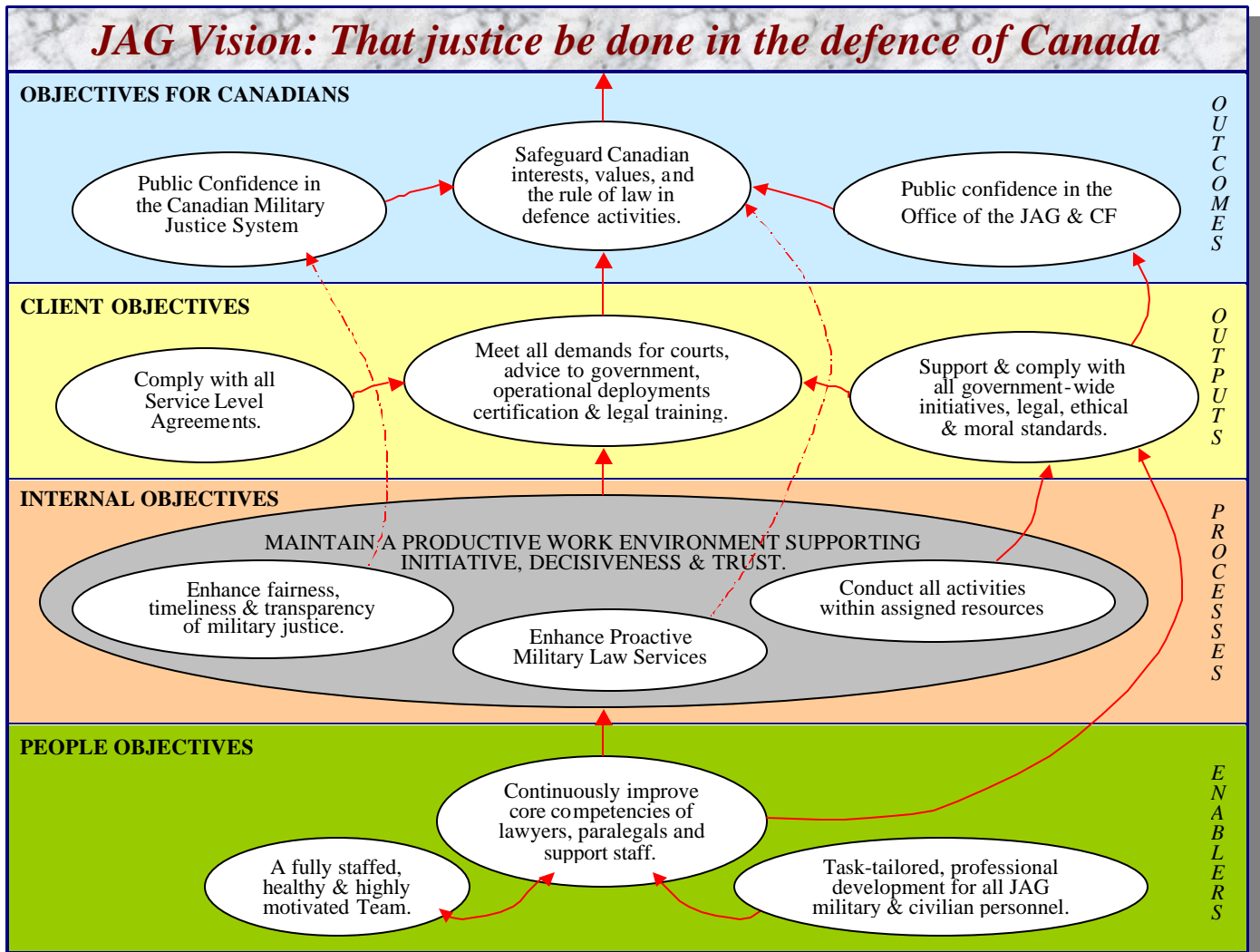
A full explanation of the development of the JAG Strategy Map, Balanced Scorecard, Value Streams, indicators of success and the measurement process is contained in Annex A to this report. It is important that all JAG lawyers, paralegals and support personnel understand the JAG strategy and are able to situate themselves on the Strategy Map so that they might appreciate the contribution of each individual in the Office of the JAG to fulfillment of the JAG Vision.

2.1 TRANSLATING THE JAG VISION INTO AN OPERATIONAL STRATEGY

The JAG Strategy Map is depicted below. It is a simple graphical representation of the chain of cause and effect logic that links our organization’s desired outcomes with its intellectual and financial assets. The causal relationships occur between strategic objectives and are indicated by the use of arrows on the map. The strategic objectives are organized in four key perspectives representing stages in the value-building and value consumption process. They give the Office of the JAG balance; to be in a position of agility to move in any direction required of it by its clients and government.

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This is a map that shows the way to our vision. It shows the direction to take to build organizational value by enabling people through their continuous improvement, by making the best use of available resources to enhance work processes facilitating the production of top quality client services leading to outcomes that achieve the vision. The “Outcomes” strategic objectives derive from the assertion that the Canadian public must become aware that its military is consistently conducting all defence activities in accordance with the Rule of Law in order that Justice be seen to be done in the defence of Canada.



The strategy map is, in effect, a service delivery agreement between our organization and its constituents. It is a navigation tool to keep management on course with the strategy and, in it's balanced scorecard form, is an evaluation tool to measure progress in fulfilling the JAG Vision. It constitutes the measurement technology for managing an organization in a knowledge-based economy.

On the following page is a graphic representation of the JAG Strategic Performance Measurement Framework and how it relates to the fulfilment the JAG Mandate, Mission and Vision. A full explanation of its development and function is contained at Annex A.

2.2 STRATEGIC PERFORMANCE MEASUREMENT FRAMEWORK

Measuring Success

JAG MANDATE (NDA Sect. 9)

- ✓ The JAG acts as legal advisor to the Governor General, the Minister, the Department and the Canadian Forces in matters relating to military law. (Sect. 9.1)
- ✓ The JAG has the superintendence of the administration of military justice in the Canadian Forces. (Sect. 9.2 (1))
- ✓ The JAG shall conduct, or cause to be conducted, regular reviews of the administration of military justice. (Sect. 9.2 (2))

JAG MISSION
To provide effective and efficient legal advice and services in respect of military law and superintendence of the administration of military justice.

JAG VISION
That justice be done in the defence of Canada.



Operational Strategy Map

Current Focus

Strategic Performance Measurement

		<i>JAG Vision: That justice be done in the defence of Canada</i>			INDICATOR OF SUCCESS	
		OBJECTIVES FOR CANADIANS		EMPHASIS		
O U T C O M E S		Public Confidence in the Canadian Military Justice System	Safeguard Canadian interests, values and the rule of law in defence activities.	10	Monthly progress – M.J. projects Annual Client Survey	
				10	25	Monthly progress – Mil Law projects (Outreach, Policy, Int'l Law Initiatives)
		Public confidence in the Office of the JAG & CF.		5		Monthly progress – Innov. Mgt. Projs. Annual Client Survey
O U T P U T S		Comply with all Service Level Agreements (SLAs).	Meet all demands for courts, advice to government, operational deployments certification & legal training	10	Monthly Compliance Rating	
				10	25	Monthly Capacity Index Check Monthly Unserviced Demand
		Support & comply with all government-wide initiatives, legal, ethical & moral standards.		5		Mandated Program Compliance Annual Client Survey
P R O C E S S E S		Enhance fairness, timeliness & transparency of military justice.	Main tain a productive work Environment supporting initiative, decisiveness & trust.	10	Monthly Timeliness of Courts Stakeholder Perception Survey	
		Enhance Proactive Mil. Law Services		8	20	Monthly increase Service Demand Monthly increase Service Reach
		Conduct all activities within assigned resources.		2		Monthly Budget Performance
E N A B L E R S		Continuously improve core competencies of lawyers, paralegals and support staff.	A fully staffed, healthy & highlv motivated Team.	10	Progress achieving OSS compliance. Progress - Innovative Mgt. Projects.	
				10	30	Monthly Strength, Health Index, Capacity Check
		Task-tailored, professional development for all JAG military & civilian personnel.		10		Monthly OS training vs planned level. Monthly PD training vs. planned for both military & civilian staff.

3 STRATEGIC PERFORMANCE

Since strategy is a plan of action whose goal is to achieve a long-term objective, its effectiveness is best measured over a long expanse of time. The JAG's strategy to fulfil his vision began upon his arrival in Jul 1998³. He implemented performance measurement nine months later on 01 Apr 99. Since we have performance data covering four complete years, we are able to sort it according to the new Strategic Performance Framework and look at the long-term progress toward achievement of the JAG Vision.

It is important to note that while a well-conceived vision rarely changes, the strategy to achieve it will change over time to accommodate national and corporate priorities, world events, resource constraints and other influences. What we are really measuring then is the progress toward achievement of our vision – the execution of strategy and not the strategy itself. In the paragraphs that follow we are examining a four year comparison of performance information to assess the progress in executing strategy to attain the JAG Vision *that justice be done in the defence of Canada*.

3.1 BUILDING VALUE THROUGH PEOPLE

3.1.1 Comparative Performance

PEOPLE OBJECTIVES and their Performance Indicators	W e i g h t	Results FY 2000	Results FY 2001	Results FY 2002	Results FY 2003
Continuously improve core competencies	10%	NA	58.3 %	91.4 %	107.6 %
<i>JAG Ethics Program</i>	50%	NA	60 %	99.6 %	133 %
<i>Innovative Mgt. Progress</i>	40%	NA	57.1 %	88.5 %	88.2 %
<i>OSS Compliance</i> ⁴	10%	48.1 %	54.3 %	62.2 %	56 %
Fully staffed, healthy, motivated Team	10%	83 %	81.8 %	90.7 %	85.5 %
<i>Health Index</i>	50%	105.4 %	76.6 %	88.2 %	80 %
<i>Strength vs Estab. (Reg. F.)</i>	20%	87.9 %	93.7 %	93 %	92.5 %
<i>Strength vs Estab. (PRL)</i>	5%	65.6 %	72.2 %	79.7 %	77.4 %
<i>Strength vs Establ. (Civ.)</i>	15%	NA	72.9 %	90.3 %	89.7 %
<i>Resource Capacity</i>	10%	94.5 %	102.4 %	104.8 %	101.7 %
Task-tailored professional Development Training	10%	NA	101.6 %	116.2 %	113.1 %
<i>Reg. F. Legal Officer Trg.</i>	34%	110.2 %	94.1 %	112.7 %	109.3 %
<i>JAG PRL Training</i>	33%	100 %	100 %	100 %	100 %
<i>Civilian Training</i>	33%	NA	110.9 %	136 %	130 %
Total: PEOPLE OBJECTIVES	30%	NA	80.6 %	99.4 %	102.1 %

- Notes:
- Percentages in the "Results" columns are percentages of targeted performance.
 - The "Weight" for each *performance indicator* is its assigned emphasis within its Strategic Objective.
 - The "Weight" for each Strategic Objective is its emphasis within the entire group of 12 strategic objectives on our strategy map.

³ JAG Management Plan, 20 July 1998

⁴ A measure of Trained Effective Strength (TES) compared to the Trained Effective Establishment (TEE).

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For the past two years in particular, we have achieved and maintained high levels of performance in the three strategic People Objectives. Two minor performance indicators, *OSS Compliance* and *Strength vs Estab (PRL)* have persisted at mediocre performance levels, which is consistent with the strategic weight applied to them. As such these lower values are not predictive of performance gaps.

In order to raise the result for *OSS Compliance*, a time-consuming project to produce a revised Trained Effective Establishment (TEE) must be completed. It's lack of urgency has constrained this effort thus far.

Efforts to fully staff our Reserve Force Establishment are active and unremitting. Unfortunately turnover in the JAG PRL is equally active and unremitting. The reasons for this are beyond JAG control. In our recruiting program we target the best lawyers in the best law firms for part-time service in the JAG PRL. While new lawyers begin service with the JAG in an enthusiastic way, many of them are under considerable pressure to attend to their private practice responsibilities on a full-time basis. They eventually leave the JAG PRL as a result. In FY 2003, 33 of 64 JAG PRL positions changed hands. As such, the *Strength vs Estab.(PRL)* performance indicator is unlikely to improve much over time regardless of the extent of our efforts.

3.2 BUILDING VALUE THROUGH PROCESS IMPROVEMENT

3.2.1 Comparative Performance

INTERNAL OBJECTIVES and their Performance Indicators	W e i g h t	Results FY 2000	Results FY 2001	Results FY 2002	Results FY 2003
Enhance fairness, timeliness & transparency of MJS	10%	NA	NA	71.9 %	81.7 %
<i>Timeliness.</i>	90%	42.9 %	61.6 %	70.6 %	81.7 %
<i>Stakeholder Perception Survey</i>	10%	NA	NA	83.3 %	83.3 %
Enhance Military Law Services	8%	NA	111.4 %	115.2 %	111.1 %
<i>Increase in Service Demand</i>	50%	NA	+ 13 %	+ 16.7 %	+ 12 %
<i>Increase in Services Provided</i>	50%	+ 20.5 %	+ 9.8 %	+ 13.7 %	+ 10 %
Conduct all activities within assigned resources	2%	120.5 %	104.1 %	110 %	116.9 %
<i>Budget Performance:</i>					
<i>Actual Expenditures</i>	100%	\$6,037,127	\$7,293,169	\$7,548,040	\$7,269,475
<i>Planned Expenditures</i>		\$7,591,130	\$7,604,393	\$8,407,871	\$8,742,685
Total: INTERNAL OBJECTIVES	20%	NA	NA	81.4 %	97 %

All performance indicators tracking the success of our strategy to improve internal processes show consistent progress toward the desired result. We have overcome the major constraints to timely delivery of military justice, our business continues to increase (indicating that our services are valued by clients to an ever increasing degree), and we have reduced spending to FY 2001 levels.

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The service delays in the Canadian Military Prosecution Service, have steadily improved for the third straight year. It is evident that we have now closed the timeliness gap in the MJS though we continue to pursue improvement in that regard.

3.3 FULFILLING CLIENT OBJECTIVES

3.3.1 Closing Performance Gaps

In last year's Annual Performance Report, two performance gaps dealing with high levels of unserved demands (legal services outstanding) were identified. They are considered closed and are explained below.

<i>Description of GAP (deficiency)</i>	<i>IMPACT on PERFORMANCE</i>	<i>CURRENT STATUS</i>
Demand for the services of the Directorate of International Law tripled last year as a result of the events of 11 Sep 01. Despite our best efforts, 11 % of the Int'l Law service demands remained outstanding at year's end (106 of 956).	Unserved (outstanding) demands should not normally exceed 2 % of the total demand placed on any organization. At 11%, the Int'l Law directorate is disproportionately strained. The high level of Unserved demand has thus far affected only the lowest priority work. We continue to crisis manage much of the work which strains the whole organization.	The top corporate priority, "Responding to the new security environment" has drawn us much deeper into the international and operational law domain. DLaw/Int staff has doubled and their workload has almost tripled again this past year (from 956 to 2557 demands). The number of outstanding demands has been reduced to 4% and the backlog continues to decline. This gap is considered closed.

<i>Description of GAP (deficiency)</i>	<i>IMPACT on PERFORMANCE</i>	<i>CURRENT STATUS</i>
<i>60% of the Unserved demands in field offices consist of open files for Claims by and against the Crown. Audit observations and follow-up show that many of these files are held open pending action by third parties following completion of the JAG legal work.</i>	Leaving these files open artificially inflates the number of accountable outstanding (unfulfilled) legal services. There is no impact on AJAG, DJAG/Ops or overall JAG performance. This is a data management problem with the PMDSS that will be corrected by a process change.	This problem has been overcome by changing the data recording procedure respecting Crown liability. Files are now closed when the AJAG's obligation is completed, determined to be when he signs off a letter identifying the value of the claim to the third party. Outstanding field office services were reduced from 351 to 140 (60%) last year.

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3.3.2 Comparative Performance

CLIENT OBJECTIVES and their Performance Indicators	W e i g h t	Results FY 2000	Results FY 2001	Results FY 2002	Results FY 2003
Meet all demands for courts, advice to government, operational deployments, certification & legal training.	10%	NA	99 %	102.8 %	100.4 %
<i>Resource Capacity</i>	90%	94.5 %	102.4 %	104.8 %	101.7 %
<i>Unserviced Demand</i>	10%	NA	3.4 %	2 %	1.3 %
Comply with all Service Level Agreements (SLAs)	10%	NA	NA	96.7 %	98.3 %
<i>SLA Compliance</i>	80%	101.3 % *	96.9 %	91.5 %	92.4 % *
<i>Client Survey Results</i>	20%	NA	NA	117.6 %	119.4 %
Support and comply with all government-wide initiatives.	5%	NA	85 %	85 %	103.3 %
Total: CLIENT OBJECTIVES	25%	NA	NA	90.4 %	98.8%

* measured against 12 SLAs * measured against 31 SLAs

The JAG strategy applied to fulfilling client objectives has proved its effectiveness over time. We have met all established legal taskings of principal clients and have reduced unserviced demands of secondary clients to a level below the 2% standard of acceptability for late responses. We maintained an over 90% performance rating for SLA compliance, improved client satisfaction (according to survey results) and supported all government-wide initiatives, enhanced by our robust ethics program.

There are no performance gaps evident in our delivery of client services and we continue to strive to reduce the number of outstanding services to secondary clients (those with whom we do not have SLAs). To put that performance factor into perspective, 1.3 % of nearly 20,000 legal service demands are late (263).

3.3.3 Establishment of an efficient and effective grievance process

On 15 Jun 2000, a new CF streamlined grievance process was introduced. It provided a basis to reduce process layers, increase responsiveness and transparency, replace the MND as an adjudicator and reduce the workload of the CDS.

Difficulties in implementing a workable system within the newly created framework gave rise to several concerns about delay, a growing backlog of unresolved files and a weakening confidence in the grievance process. A review of the performance gaps was undertaken by ADM(HR-Mil) and the JAG, which led to the approval of a restructured organization under the Office of the JAG whose new challenge was to manage and support the CF grievance process as a national system.

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The new division, Director General Canadian Forces Grievance Authority (DGCFGA), was established under the command of the JAG on 1 Jan 2003 with the following strategic goals:

- Eliminate the grievance backlog;
- Construct a unified national grievance system (NGS);
- Mobilize users to work within the NGS; and
- Restore confidence in the grievance process.

Over the period 1 Jan –31 Mar 03, the following progress has been made:

Eliminating the backlog

- 3 of 8 MND level grievances have been staffed. The remaining MND files will be resolved via Alternate Dispute Resolution.
- The Directorate of Special Grievances, Enquiries and Investigations has been created to actively manage and resolve high profile and sensitive cases.
- CDS-level statistical data has been collected clearly identifying grievances by year of submission, type, location, analyst in order to logically plan and track backlog elimination.
- An operations plan has been developed and implemented for the systematic elimination of the grievance backlog at the CDS level.
- A CGGA submission has been prepared for the Bill C-25 Review.

Construct a unified national grievance system (NGS) and Mobilize users to work within the NGS

- User work instruments were developed, including Grievor's/Assisting Officer's Handbook, and pamphlets (Good Grievance Template and Good Grievance Network);
- A plan has been completed to visit all major access points (Bases/Wings) in order to brief on the revitalized grievance system, seek feedback and distribute work instruments;
- A template for the analysis and presentation of grievance files for CDS/CFGA adjudication has been developed; and
- Training has been developed and delivered to grievance analysts on the new template for file analysis and presentation.

3.3.4 Client satisfaction questionnaire survey (working level)

During Feb/Mar 03, the second annual JAG Client Satisfaction Survey was conducted. 271 questionnaires were provided by e-mail to principal clients of the Office of the JAG in seven Canadian Regions and Europe. 207 questionnaires were returned completed (76%). Since each respondent produced tabulated score sheets for each category of question, results were readily adaptable to PMDSS analysis. Each survey provided service quality data on 13 performance factors in the following categories:

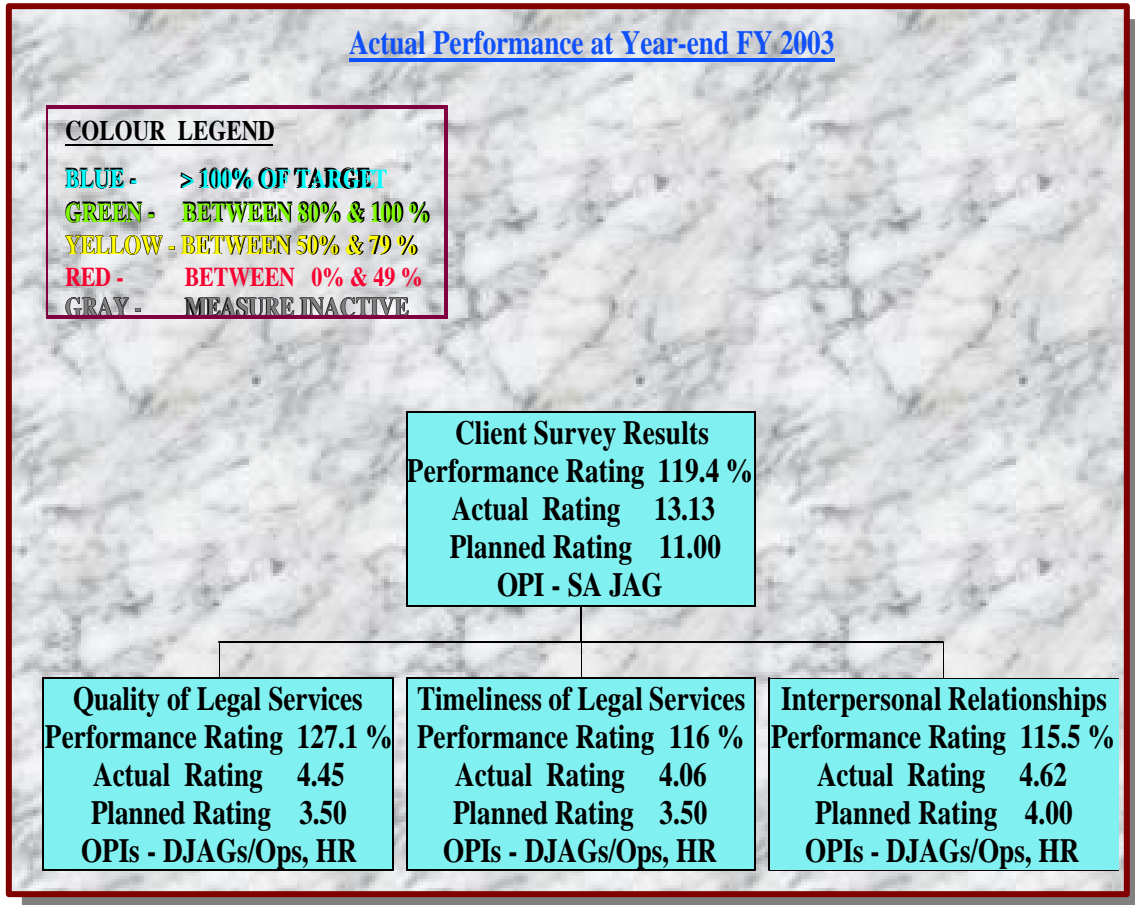
- Quality of Service;
- Timeliness; and
- Interpersonal relations.

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The scoring in each performance factor ranged from 1 (Needs a lot of improvement) to 5 (Excellent). For the purposes of evaluating whether or not the results of this survey validated or contradicted the correlations predicted by other performance indicators in the PMDSS, performance targets were established in each category as follows:

- Quality of Service - **3.5** (above average);
- Timeliness - **3.5** (above average⁵); and
- Interpersonal relations - **4.0** (well above average).

Hereunder is a graphic summary of the survey results as displayed in the PMDSS.



We raised the bar higher for FY 2003 planning an average timeliness rating of 3.5 vice the prior year's 3.0. Despite this we exceeded the previous year's results, which support our claim to providing high quality, timely legal advice and services.

3.4 FULFILLING CANADIAN OBJECTIVES & THE JAG VISION

While all of the JAG's strategic objectives are aimed at fulfilling his vision – *that justice be done in the defence of Canada*, the three objectives that are directed toward producing results for Canadians prove the fulfilment of that vision. Each of these top-level strategic objectives furthers the JAG's commitments to Canadians. They involve a set of Legal Stewardship initiatives containing discrete improvement projects as well as other performance indicators of success that are included in the table below with their appropriate emphasis.

⁵ We raised the bar this year from average to above average in "Timeliness".

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3.4.1 Comparative Performance

OBJECTIVES for CANADIANS and their Performance Indicators	W e i g h t	Results FY 2000	Results FY 2001	Results FY 2002	Results FY 2003
Safeguard Canadian Interests, Values and the Rule of Law in all defence activities.	10%	NA	81.2 % (estimate)	85.2 %	97.3 %
<i>Military Law Initiatives</i>	60%	94.5 %	102.4 %	63.6 %	82.6 %
<i>Client Satisfaction Survey Results</i>	40%	NA	NA	117.6 %	119.4 %
Public confidence in the Canadian Military Justice System (MJS)	10%	NA	91.3 % (estimate)	88.9 %	95.5 %
<i>Military Justice Initiatives</i>	40%		82.6 %	76.7 %	92.5 %
<i>Meet all Court Demands</i>	40%		100 %	100 %	100 %
<i>Compliance Survey</i>	10%	NA	NA	100 %	100 %
<i>Stakeholder Survey Results</i>	10%	NA	NA	83.3 %	83.3 %
Public Confidence in the Office of the JAG	5%	NA	57.1 % (estimate)	100.1 %	100.7 %
<i>Innovative Management Initiatives</i>	60%	NA	57.1 %	88.5 %	88.2 %
<i>Client Satisfaction Survey Results</i>	40%	NA	NA	117.6 %	119.4 %
Total: OBJECTIVES for CANADIANS	25%	NA	80.4 % (estimate)	89.6 %	97.3 %

Progressing the Legal Stewardship strategic initiatives represents 40% of the effort in moving the yardsticks ever closer to attainment of the JAG Vision. The status of all Legal Stewardship projects that were in train during FY 2003 is listed in the tables that follow.

3.4.2 Commitment to Canadians: The Rule of Law is reflected in the conduct of all defence activities.

Strategic Objective: **Safeguard Canadian interests and values and the Rule of Law in all defence activities.** (through enhanced military law services).

Performance Measure: Operations Law Initiatives

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Conduct LOAC Basic Courses	Completed	Planned to train 182, Actually trained 179
Ops Law Course Developed	Completed	This course is part of the Legal Officers Intermediate Training.
POE/F 488A - Law of Armed Conflict	Completed	Developed LOAC course at the undergraduate level in English and French, which was delivered during the Fall Term 02.
Information Ops Policy	Completed	Participated in writing CF Information Operations Policy.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Continental Defence	Completed	Ensured CF/DND legal interests were represented in the negotiation of a revised North American defence architecture.
Convention on Certain Conventional Weapons	Completed	Ensured CF legal interests were represented during CCW 2002 Working Group Conferences.
6 Projects completed for the year.		
State Aircraft Immunity	On Schedule	Ensure that CF aircraft and the CF are fully exercising their rights with respect to state aircraft immunity from air navigation fees under international law when deployed abroad.
DCDS 2/98 Re-write	On Schedule	Participate in re-writing Direction to Operational Commanders in the Conduct of Domestic Operations.
NATO Status of Forces	On Schedule	Resolve outstanding NATO SOFA issues ensuring the CF is compliant with all NATO obligations.
Article 36 - Protocol I	On Schedule	Create a legal and policy framework in consultation with DCDS and ADM (Pol) to ensure the CF weapons are Article 36 (Additional Protocol 1) compliant.
Ops Law Manual (for legal officers)	Behind	The Operations Law Manual, a work instrument for legal officers is in draft form and being circulated within JAG for feedback.
5 Projects in train, of which 1 is behind schedule.		

Performance Measure:

Military Personnel Law & Advisory Initiatives

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Mil Admin Law Manual	Behind	Provide an administrative guide to Commanding Officers to enable them to be more effective in performing their duties.
1 Project behind Schedule.		

Performance Measure:

Military Law Outreach Program

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Inter-agency Cooperation	6 planned meetings attended	Six meetings attended this year to strengthen inter-agency cooperation internationally and domestically. Participants are: OGD-DoJ/DFAIT, Provincial Gov'ts, Emergency

JAG Annual Performance Report - FY 2003

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
		preparedness agencies, Cdn Bar Assoc., National Committee on Humanitarian Law, ICRC, ICTY, ICTR, Key UN Organizations and the Humanitarian Relief Organization.
CBA Mil Law Section	1 planned activity attended	Participation in the activities of the National Military Law Section (NMLS) has 3 military law outcomes: 1. Expand knowledge of Mil. Law within the civilian legal community; 2. Establish a forum to exchange & develop ideas for benefit of the CF & military law; and 3. Provide the vehicle through which JAG lawyers may contribute to the legal profession.
2 Projects in train.		

Summary of strategic objective:

Safeguard Canadian interests and values and the Rule of Law in all defence activities
(through enhanced military law services).

Projects Completed	6	
Projects In Train	8	(2 Behind Schedule)
Total Projects	14	

3.4.3 Commitment to Canadians: Canada's Military Justice System (MJS) is fair, open and transparent.

Strategic Objective - Public Confidence in the Canadian Military Justice System.

Performance Measure: Military Justice Enhancements

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Certification Training of Presiding Officers	Completed for period	46 courses last year, 617 presiding officers trained and certified.
ATI Review Phase 2	Completed	A JAG position has been developed and delivered to the ATI Review Team.
Provision of Information to Assisting Officers and Accused persons	Completed	Develop process to improve the understanding of assisting officers and accused persons on their right to provision of case/charge information.
Policy Review: Civilian Defence Counsel	Completed Phase 1	Review the policy on the employment of civilian defence counsel in foreign criminal court to represent CF members. Submission was made to the Code of Service Discipline Committee.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
CSD Committee	Completed for period	The Code of Service Discipline Committee, co-chaired by the CDS and JAG, held two meetings.
Mil. Justice Annual Report FY 2002	Completed	JAG Statutory Annual Report to MND on the Administration of MJ was published.
AJAG Auditing Function	Completed	Developed advisory & assisting function for AJAG Chief Warrant Officers to ensure that units comply with their military justice procedural requirements for reporting and seeking legal advice.
Court Martial Database	Completed	Developed a Court Martial database and reporting system, consolidating information found in various formats within CMJ, DMP, DDCS, MJP&R and the Law Library, eliminating duplication.
Prosecutors' Workshop	Completed for the period	Organized and conducted a military prosecutors' workshop to improve legal education, create policy and increase efficiency and proficiency in military prosecutions.
CMPS Annual Report FY 2002	Completed	Annual report delivered to the JAG on the execution of DMP duties and functions.
DDCS Annual Report FY 2002	Completed	Annual report delivered to the JAG on the execution of DDCS duties and functions.
Element of Offences Handbook	Completed	Prepared and distributed handbook of essential elements for CSD offences.
Trial Counsel Allowance	Completed	The Treasury Board approved a court allowance for Reserve defending officers and prosecutors. Implementation has been completed.
Pamphlet-Investigation & Charging Process	Completed	Developed and published this pamphlet to educate all members on the process of investigation and laying of charges.
Guide to the Accused & Assisting Officers	Completed	Updated the guide (principal tool for assisting officers and others involved in the summary trial process) with the latest regulatory & statutory changes.
15 Projects Completed for the year.		
Mil. Justice Annual Report FY 2003	Ahead of Schedule	JAG Statutory Annual Report to MND on the Administration of MJ in production.
Victim Impact Statement	On Schedule	Develop regulatory provisions for introduction of Victim Statements before courts martial.
CRS Audit of Sentence Implementation Program	On Schedule	This independent audit by CRS will review the status of all punishments awarded at Courts Martial between 1 Sep 99 and 31 Dec 2001 and make recommendations by Mar 04 to improve implementation procedures.
CMPS Annual Report FY 2003	On Schedule	Annual report to be delivered to the JAG on the execution of DMP duties and functions.

JAG Annual Performance Report - FY 2003

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
DDCS Annual Report FY 2003	On Schedule	Annual report to be delivered to the JAG on the execution of DDCS duties and functions.
MJ Training Seminar to CMAC Judges	On Schedule	Provide a training package to CMAC judges, introducing them to the administration and intricacies of the Military Justice system.
MJ Articles for Maple Leaf/ JAG Newsletter	3 of 4 Completed for the period	Articles on the Canadian Military Justice System to be produced for publication.
Sentencing Options	Behind	Review recommendation 40.31 of the Somalia Commission of Inquiry Report recommending that sentencing options such as community service, conditional sentences and fines be made available to service tribunals. Formulate an implementation recommendation by Apr 03.
Concurrent Jurisdiction Policy	Behind	Develop policy to address discipline issues where concurrent jurisdiction exists between the CF & civil authorities. Awaiting CPIC amendments to Bill C 15
Archival storage Policy	Behind	Develop policy to provide guidelines to DMP and DDCS for the disposition of the personnel information gathered in the course of their duties and that cannot be treated in accordance with the public archival policy.
Referral Authority Training	Behind	Training has been conducted for the Chain of Command and specifically referral authorities dealing with proceeding with charges and the process for convening courts martial. The remaining milestone will see publication of a pamphlet as a guide to Referral Authorities.
JAG Management Proposal of 5 year Military Justice Review Process	1 Milestone incomplete	Ensure meaningful review of identified problems and deficiencies in the current statutory regime. The JAG Internal Review Team (JIRT) has been established.
12 Projects in train, of which 1 project is ahead of schedule, 1 partially completed and 5 behind schedule.		

Performance Measure:

Military Justice Outreach Program

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Allied Legal Executive Symposium	Completed	The symposium facilitated the exchange of ideas on legal issues among senior legal advisors from Australia, NZ, UK and USA.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Tri-service Act Review Team Visit	Completed	Meeting held with the United Kingdom regarding Tri-Service. The session provided information regarding a single Tri-Service Act similar to the National Defence Act to the United Kingdom Tri-Service Act team. Discipline within BI and TRI Service Units in the UK is inhibited and complicated by their maintenance of separate systems for each of three Armed Forces.
Heads of Federal, Provincial & Territorial Prosecutors Committee	2 of 2 Meetings Attended	DMP participation in meetings of the inter-jurisdictional Heads of Federal, Provincial & Territorial Prosecution Committee.
CBA Mil Law Section	Planned activity attended.	Participation in the activities of the National Military Law Section (NMLS) has 3 Mil. Justice outcomes: 1. Expand knowledge of the Mil. Justice System within the civilian legal community; 2. Establish a forum to exchange & develop ideas for benefit of CF & the MJS; and 3. Provide the vehicle through which JAG lawyers may contribute to the legal profession.
CFPM Advisory Structure	On Schedule	Develop an advisory structure to ensure regular and formal contact is maintained with the office of the CFPM thereby ensuring that relevant developments in the military justice system are reflected in CFPM practices and policies where appropriate.
JAG Advisory Panel	1 of 2 Completed	Established to provide an external perspective on military justice policy issues. Two panel sessions were planned but only one could be convened.
International Association of Prosecutors	Behind (unattended)	It was intended that military prosecutors participate in one selected activity of this association. Workload and the cost factor precluded participation last year.
Military Rules of Evidence Review and Amendments	Behind	The JAG review and update of MREs, to both modernize the rules to ensure that they reflect the recent changes to the NDA, has been completed. They await review by the DND/CF LA pending publication.
2 Projects completed as planned, 3 Project On schedule, 1 project partially completed, 1 project unattended and 1 project behind.		

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Performance Measure: *Military Justice Stakeholder Perception*

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
M.J. Stakeholder Committee	Planned activity attended.	Conducted the annual meeting, chaired by the CJ CMAC, with membership being MND, Chief Justice of the CMAC, CDS, VCDS, CFPM, DMP, DDCS and the CMJ. This committee provides a formal, regular forum to address broad policy issues that impact upon military justice.
Stakeholders Survey FY 2002	Completed	Obtained detailed opinions concerning identified military justice problem areas from target groups of stakeholders through the interview survey method.
Compliance Survey FY 2002	Completed	Assessed compliance of units with the regulatory requirements of the military justice system and published results in the Military Justice Annual Report.
2 Projects completed as planned for the year, 1 project in train.		

Summary of strategic objective:

Public confidence in the Canadian Military Justice System.

Projects Completed	19	
Projects In Train	19	(9 Behind Schedule)
Total Projects	39	

3.4.4 Commitment to Canadians: The JAG employs the most competent and capable military lawyers available.

Strategic Objective: **Public confidence in the Office of the JAG.**

Performance Measure: *Innovative Leadership & Management Initiatives*

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
Web Site development/enhancement/Maintenance	Completed	The JAG / CF LA LAN has an increasing need for easy access to Information within it's own user-base. By implementing a true Intranet within the borders of the LAN, users can have immediate access to information through their Desktop Web Browser.
MJ Database Statistics - CIO Project # 13	Completed	Enhanced Military Justice Database application. Provided to the JAG an application database for capturing and monitoring Military Justice Cases.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2002 - 31 March 2003)
PKI Entrust - CIO Project # 27	Completed	Installed smart card readers on all JAG & CLFA workstations to permit the electronic processing and dissemination of designated information up to and including Protected B.
War Packs Acquisition - CIO Project # 23	Completed	Acquisition, from the US Air Force with in-house development, of deployment kits for use by JAG military personnel on field assignments.
RMC Admissions Committee Review	Completed	Review applicant files for admission (expected approx 500 files) to the first year of all RMC undergraduate programs.
CDN Civics & Society POE 106 – RMC	Completed	Assist Royal Military College with weekly classes; by conducting one hour weekly tutorials; and with marking examinations & essays.
6 Projects completed last year.		
Creation of Para-legal MOC	On Schedule	Develop the creation of a Para-legal MOC, through the Military Occupational Structure Analysis, Redesign and Tailoring (MOZART) Project.
Practice Management Software Application Project	On Schedule	Procure or develop an integrated Practice Management Software system within the office of the JAG.
Address the 2002 Public Service Employee Survey	On Schedule	Senior Management is to validate and discuss results of survey and initiate dialogue involving employees, managers, supervisors, teams, and unions to determine relevant priorities for action.
Classification Reform	On Schedule	Ensuring the work descriptions accurately reflect managerial expectations of work to be performed by employees.
SQL Server Migration - CIO Project # 11	Ongoing	Implement new concept of data warehousing for the JAG & DND CF/LA. Centralized data will be captured once, eliminating duplication & minimizing data input errors. All existing databases will be redesigned & merged using VB-6 & MS SQL Server.
CCM+/Mercury - CIO Project # 37	Behind	An ADM (Fin CS) initiative to implement a new work tool to track all in-coming correspondence through a centralized departmental system.
Document Assembly System - CIO Project # 34	Behind	Implement Word Templates to standardize JAG letterhead and format and to facilitate PKI Entrust functionality.
Remote Access Dial-up Connectivity - CIO Project # 24	Behind	Provide interconnectivity of all JAG CFLA NCR offices and with the field offices across Canada, on a single WAN.
NDA Parts I&II Leg.Annotation	Behind	Create an annotated NDA and military administrative law bibliography
9 Projects in train of which 4 projects are behind schedule.		

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Summary of strategic objective:
Public confidence in the Office of the JAG.

Projects Completed	6	
Projects In Train	9	(4 Behind Schedule)
Total Projects	15	

Performance Summary – Objectives for Canadians and the JAG Vision.

			<u>Prior Year</u>	
Projects Completed	31		46	
Projects In Train	36	(15 Behind Schedule)	45	(21 Behind)
Total Projects	67		91	
Performance Rating	87.8 %		77 %	

A shift in JAG strategy was put into effect at mid year to respond to an unprecedented increase in urgent legal service requirements from principal JAG clients. Several legal officers were reassigned from their normal duties to attend to these new service delivery needs, putting at risk an ambitious Legal Stewardship change agenda. To minimise the risks to the Legal Stewardship program its focus was narrowed to conserve resources and to increase productivity. The results were that we were able to work with our principal clients to address their new legal services⁶, collectively requiring the dedicated attention of 12 experienced legal officers, and, at the same time, we improved our Legal Stewardship performance rating from a marginal 77% in FY 2002 to 87.8% in FY 2003.

⁶ See “Servicing New Client Demands”, sect 3.1, FY 2003/2004 JAG Business Plan, 31 March 2003.

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ANNEX A: JAG STRATEGIC PERFORMANCE MEASUREMENT

INTRODUCTION

Until this past year the JAG performance measurement framework was tailored to respond to the Treasury Board's Planning Reporting and Accountability Structure (PRAS).

PRAS Performance Measures	Description
Readiness	The exercise of primary functions
Capability	Conducting assigned missions within available resources
Sustainability	Supporting operations
Deployability	Getting into theatre and performing to operational standards
Economy	Budget variance, spending and resources usage rates
Efficiency	Unit cost of outputs
Effectiveness	Level and quality of client services

This is a logic model of performance measurement that focuses on the economic fulfillment of the mission. A limitation of the PRAS methodology is that it drives an organization to sustain the day-to-day business instead of changing and improving itself. It is mission-oriented and not vision-directed.

The Office of the JAG no longer measures success solely on the basis of resource efficiency and mission fulfillment. Financial management is only one of 12 strategic objectives that we measure. Our stakeholders don't particularly care if we are under-funded. They expect us to get the money we need to do the job. No one will thank us for staying within budget if we fail to deliver the product or service they need.

We have remodelled the Office of the JAG as a strategy-based organization, refocusing performance measurement on the strategy to achieve our long-term VISION – *that justice be done in the defence of Canada*. We continue to evaluate the PRAS view of performance since it remains the basis of performance reporting to government but the primary evaluative system of interest to the Office of the JAG is the Strategic Performance Dashboard of measures that assess progress toward attainment of the JAG Vision.

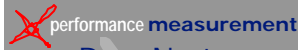
What follows is a description of how we have mapped strategy to the JAG Vision, how we build organizational value and individual values and how we measure our success.

STRATEGIC PERFORMANCE MEASUREMENT

Most organizations have a vision of success, many have strategies aimed at fulfilling their vision, but fewer than 10 % of strategies work. The reason for this is that most strategies remain in the boardroom with the result that they fail to become operational. It seems to be counter-intuitive to share the strategy with those who must implement it.

In successful organizations the Strategy is job-one. For example, Pizza-Pizza's vision is to be the fastest provider of product in the industry. Their strategy is to do only those things that add speed to the production process. Their vision and strategy are imbued among all franchise owners. If someone tried to sell a Pizza-Pizza owner/manager a better pizza oven that made a much tastier pizza but also added 10 seconds to the cooking time, the response would be NO SALE.

To realign our organization to our strategy, we have adopted the Kaplan-Norton balanced scorecard and a process called strategy mapping – a Harvard Business School method of determining strategic objectives, processes and tasks necessary to achieve a corporation's long-term vision.



Dr.'s Norton and Kaplan have distilled the concept of the Strategy Focused Organization into Five principles.

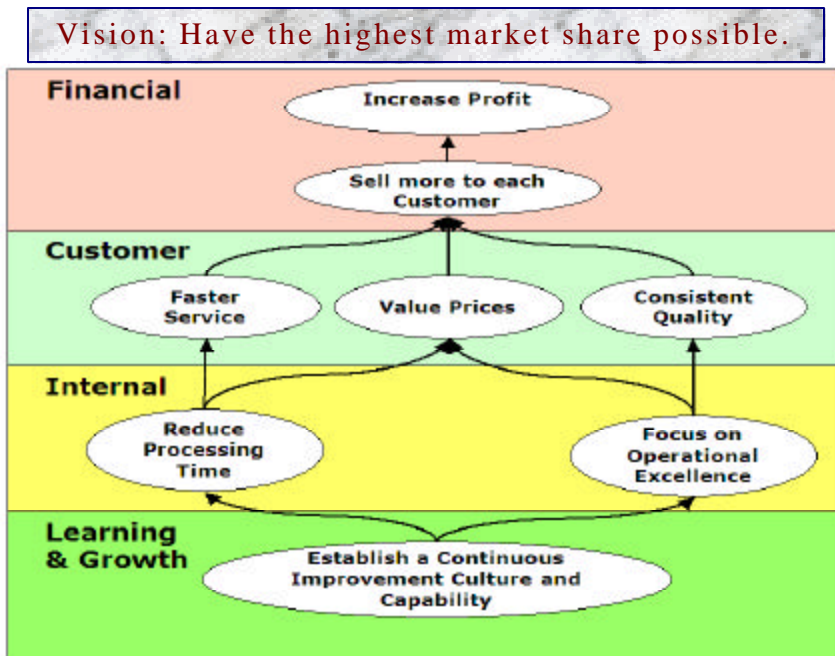


The Balanced Scorecard is the framework at the center of a Strategy Focused Organization

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A strategy Map is a simple graphical representation of the chain of cause and effect logic that links an organization's desired outcomes with its assets.



Causal relationships occur between strategic objectives and these are indicated by the use of arrows on the map. The strategic objectives are organized into four key perspectives representing stages in the value-building and production process of an organization. They give the organization balance; to be in a position of agility to move in any direction according to external and internal stimuli.

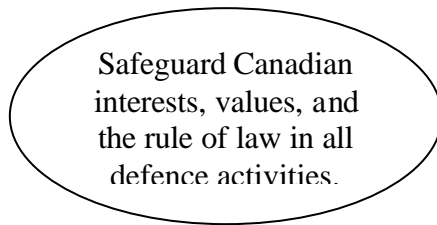
⁷ Page 9, The Strategy-Focused Organization, Robert S. Kaplan & David P. Norton, Harvard Business School Press, Boston, Massachusetts, Copyright 2001 Harvard Business School Publishing Corporation.

The JAG strategy map is a management framework that the JAG organization learns from and uses. It starts with the destination - the JAG Vision:

JAG Vision: That justice be done in the defence of Canada

The mapping process requires that we have one measurable strategic objective that will tell us if we have achieved this vision? So how will we know that justice is being done in the defence of Canada? The Canadian public will tell us, usually through the news media. We must convince them, as well as the Canadian government and the Canadian Forces (our principle clients and receivers of our legal services) that justice is indeed being done in all defence activities.

The one principal objective to prove the JAG Vision is:



If we can do that one thing successfully, we will be successful legal service providers to DND and the CF. That goal, or Strategic Objective, is an “outcome” of all the things we do. “Outcomes” then is the first layer in our strategy map. It is the penultimate destination.

Another way to conceptualize this strategy map is to view it as taking us from Winnipeg, Manitoba to Vancouver, British Columbia to capture a “vision” of the Rocky Mountains. You can think of “Objectives for Canadians” British Columbia, and our primary strategic objective as the destination, Vancouver.

JAG Vision: That justice be done in the defence of Canada

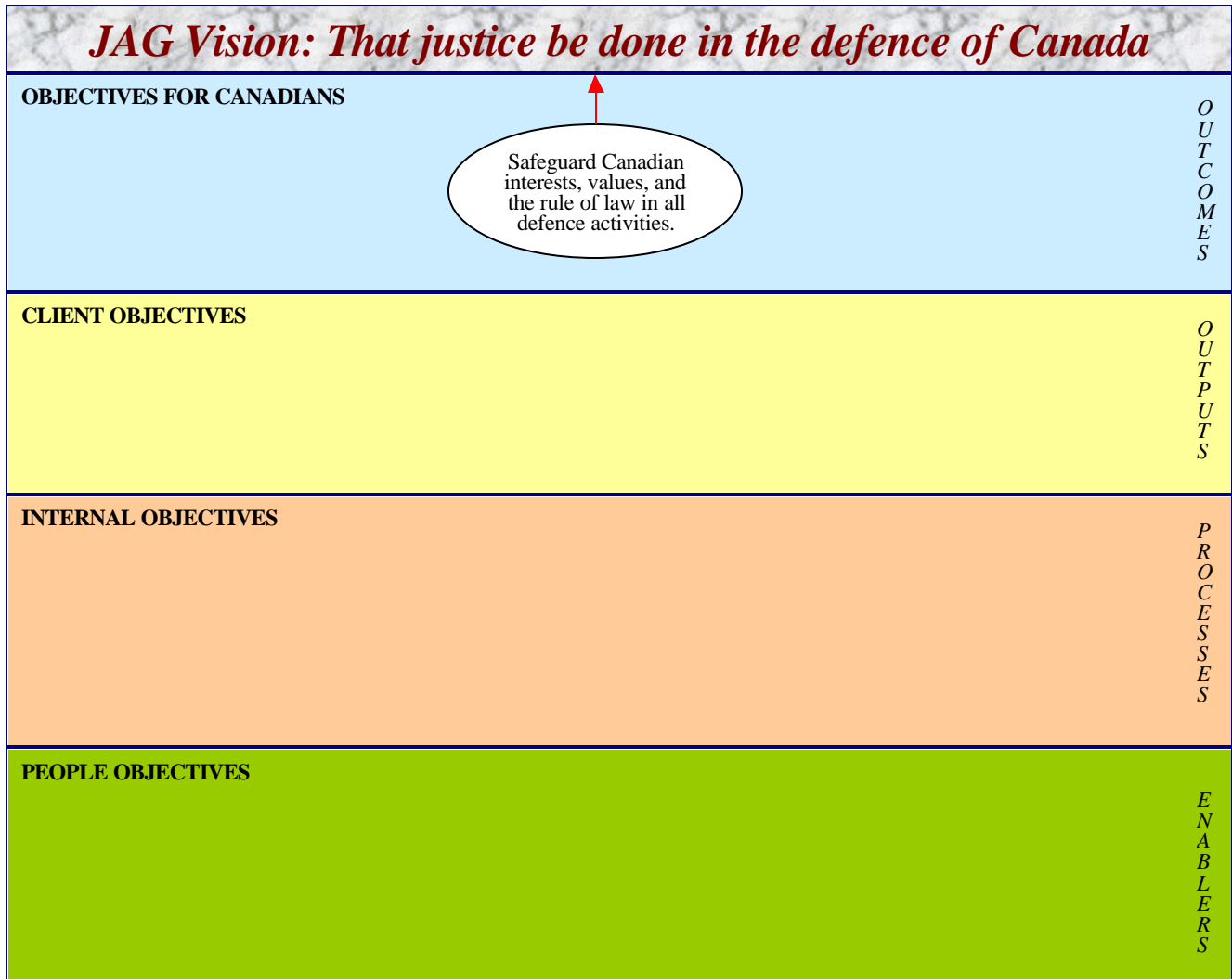
OBJECTIVES FOR CANADIANS



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The rest of the map consists of generating proactive and appropriate legal advice and services (the client perspective) using a highly advanced, productive work environment (the process layer of our strategy map) starting with hiring and developing the best people (the enablers of our success). These are the four strategic perspectives in our strategy map.



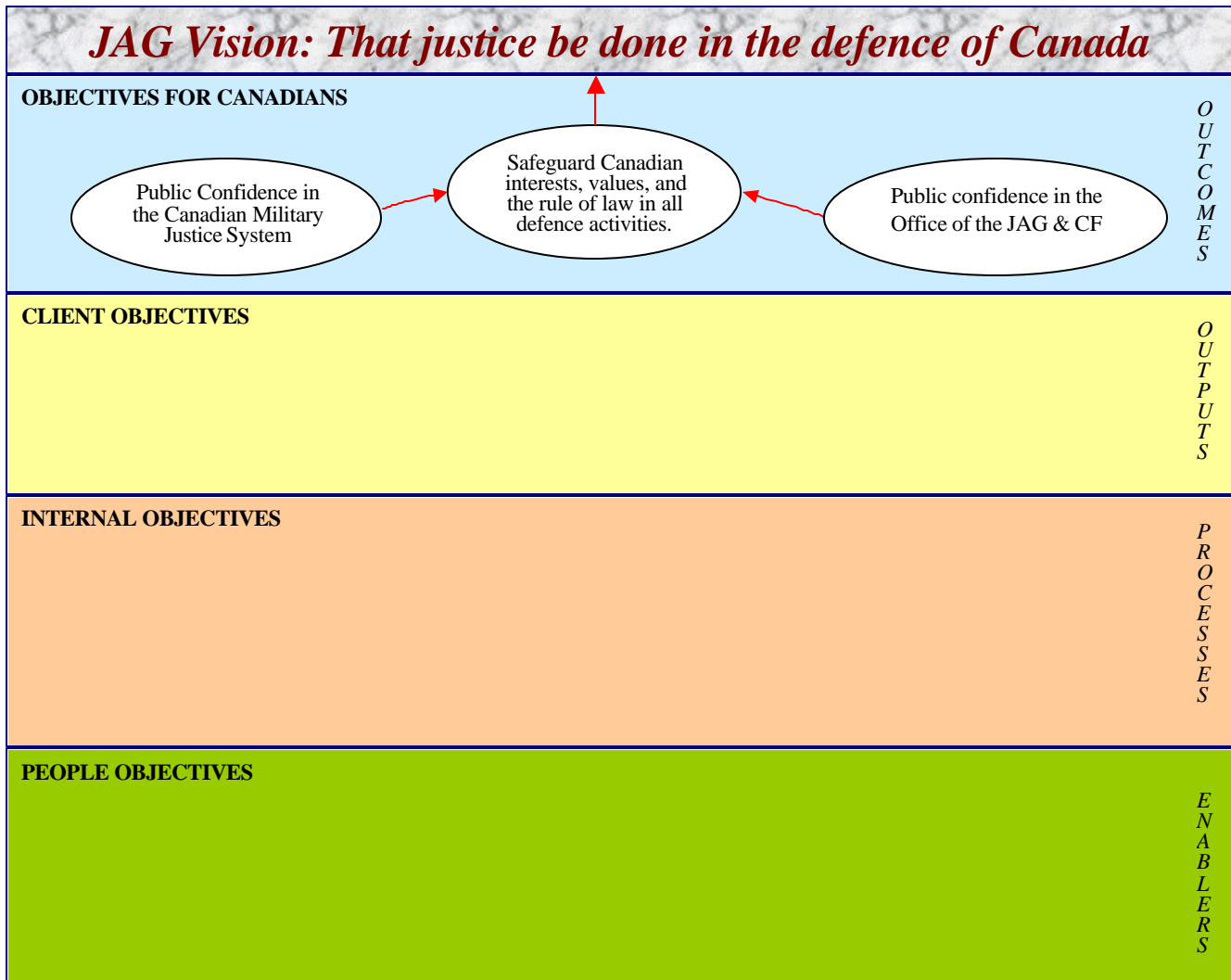
In terms of our trip to Vancouver, we now have a map of all the provinces on our route together with the destination to capture our vision.

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There are other “Outcomes” or objectives for Canadians that reinforce achievement of our vision. Since the JAG superintends the administration of military justice, a vital component of the Command and Control Capability of the CF, there must be public confidence in this system of military justice.

As well, there must be confidence in the credibility and reliability of JAG legal advice, so a third strategic “Outcome” objective is “Public confidence in the office of the JAG”.

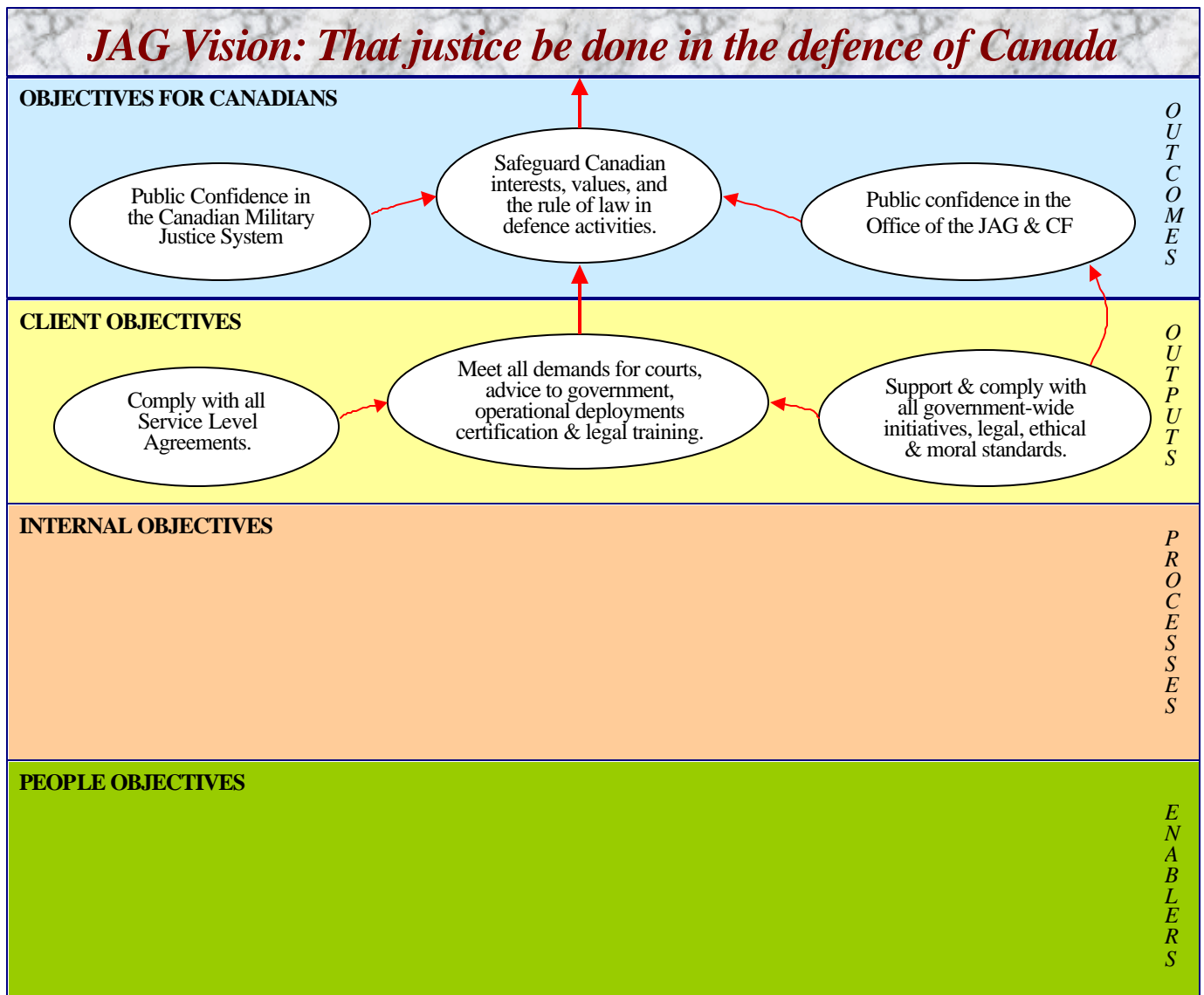
As you see, we indicate these strategic objectives by bubbles on our strategy map and we show the causal link ages between these bubbles and the Vision by the use of arrows.



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The most important client objective that we must achieve, because it is fundamental to achieving our Vision, is Meeting all demands for our services. Important intermediate and supportive objectives are complying with all SLAs and with governmental and departmental initiatives, legal, ethical and moral standards.

The latter objective has an obvious direct impact (causal linkage) on the Outcome objective of Public confidence in the office of the JAG.



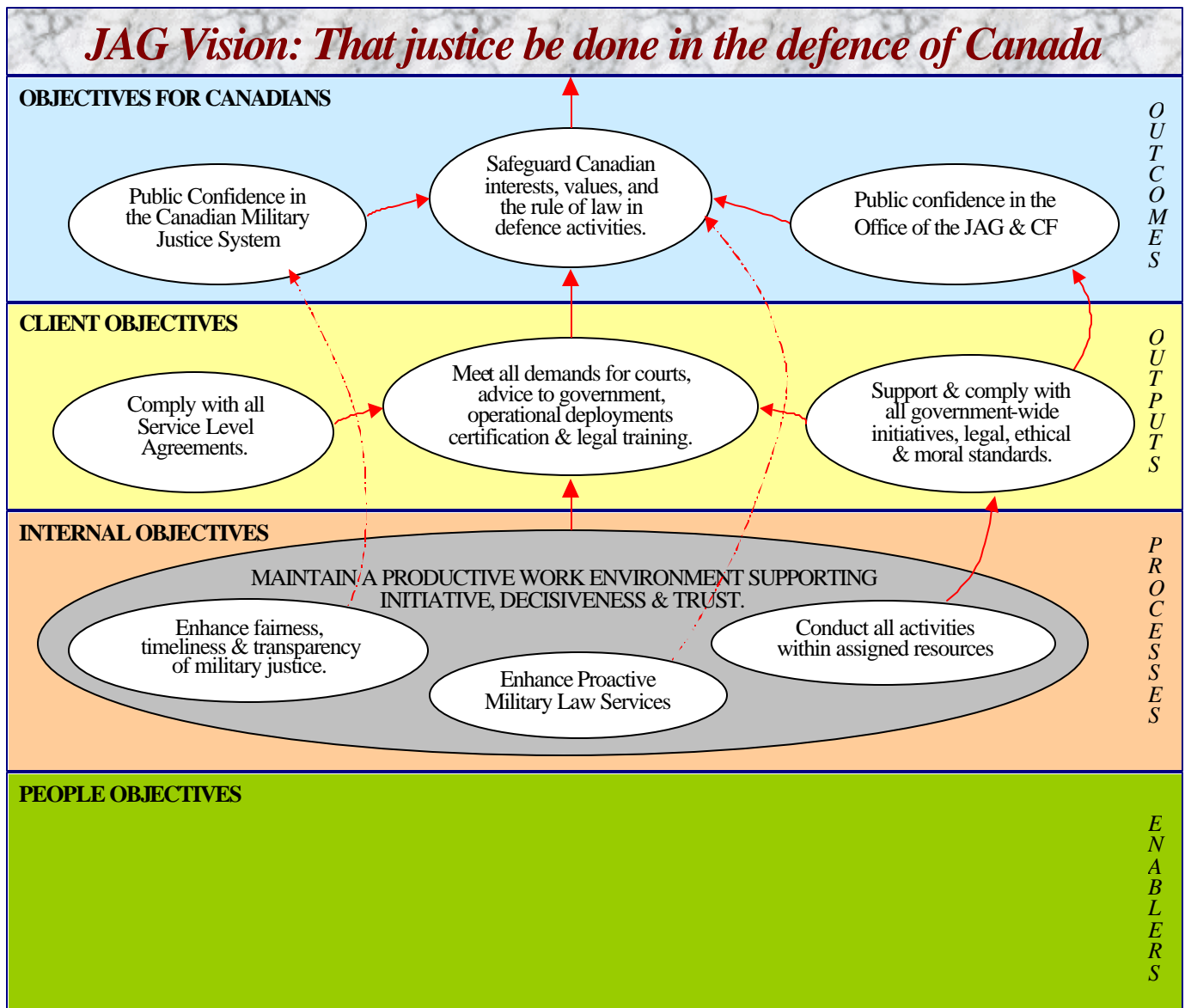
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Our over-arching goal respecting internal processes in the Office of the JAG is to ensure that they combine to create a productive work environment supportive of initiative, decisiveness and trust.

Our strategic objectives here are process change objectives that are dedicated to constantly finding better ways to;

- improve our military justice system timeliness, fairness and transparency;
- improve the proactivity and probity of our legal advice; and
- enhance our management skills to make the best use of our resources.

It is clear at this point in the map that there are direct causal linkages between these three process objectives and our outcomes and outputs.

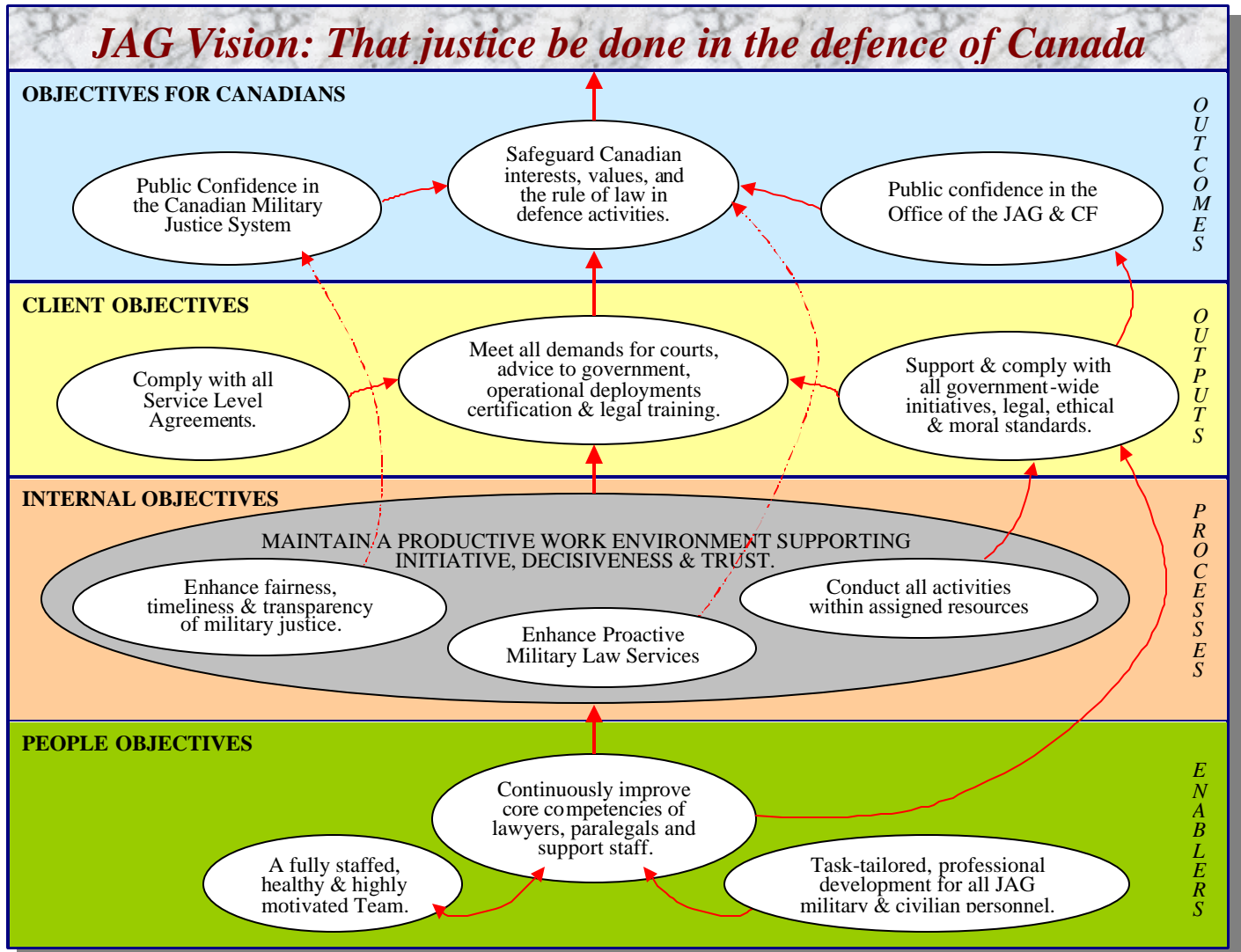


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We now look at the power plant of our strategy: the engine that will drive all our improvement processes to produce top-notch client services and impact the essential outcomes that will realize our vision. These are our PEOPLE objectives ... the ENABLERS.

Here again there is a central theme – Continuously improve the core competencies of our lawyers, paralegals and support staff. It has two integral supporting components. The central theme directly supports the government-wide priority to “Put people First”, which in turn enhances confidence in the Office of the JAG.

It is interesting to note that the lower two layers of the map are value adding while the upper tiers are value consuming.



Now that the road map to the achievement of the JAG Vision has been drawn, the next essential step is to define an operational and measurable strategy to transport the Office of the JAG along the road to success at an affordable and productive rate.

The Map itself is not the Strategy. It only tells what direction to take to get us where we want to go. It does not tell us how long to spend at each stop along the way, how much energy (resources) we will need get from point to point or whether or not we should skip a stop along the way because it is more urgent to get to the destination with fewer intermediate steps.

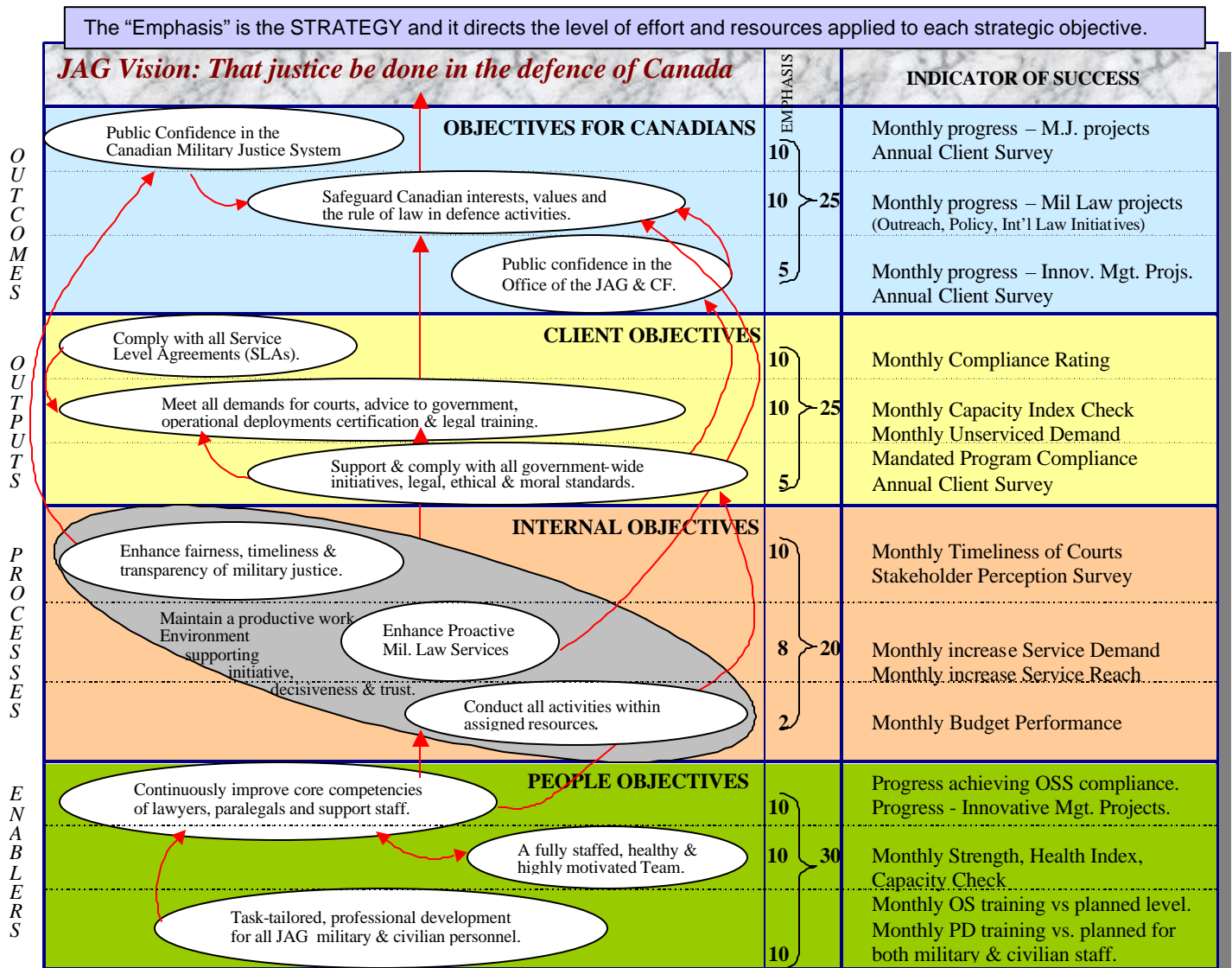
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Those decisions form the strategy. The strategy will change depending on short-term objectives of government and depending on how quickly we are required to achieve these short-term objectives. The long-term vision does not change, nor do the strategic objectives that are required to achieve that vision. Depending on the circumstances, the strategy that is being directed may bypass some of the strategic objectives, or de-emphasize them, to achieve a short-term government (client) goal.

Aligning the organization to the strategy involves assigning emphasis to each Key Perspective and strategic objective. As with all strategy development, this weighting process is carried out by senior management. The weights are arrived at based on client demands for services and the Government's priorities for delivering value to Canadians.

MEASURING THE STRATEGY

For each strategic objective one good indicator of success, for which data can be acquired on a monthly basis, must be selected. Quarterly measures are not acceptable. That would be like driving your car with your eyes closed and opening them occasionally to see if you are still on the road. Performance must be monitored regularly and frequently to remain on course.



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Regular strategy sessions (quarterly) may result in changes to the emphasis (weights). There should be a means of tracking spending to strategic objectives (Activity-based Costing) to see if money is being spent in rough approximation to the weights assigned. If spending is not aligned to the strategy, it should be. Incorrect weighting or incorrect spending will drive the wrong behaviours.

In practical terms, the Strategy Map can be used to resolve day-to-day conflicts. If a manager has competing demands on his time, the demand associated with the higher weighted strategic objective on the map should be addressed first. For example, a meeting dealing with an SLA (10%) should be attended over one on budget management (2%).

Alignment of the organization with the strategy is completed by mapping processes and process owners to each strategic objective. It is important to note that most processes involve more than one process owner. Strategy is everyone's business and an organization's value cuts across functional lines of expertise.

The Map is further expanded to fully explain each strategic objective, to show the processes involved in attaining them and the organizational entities responsible for their progress.

<i>JAG Vision: That justice be done in the defence of Canada</i>		EMPHASIS	DESCRIPTION OF OBJECTIVES	PROCESSES/OBJECTS	INDICATORS OF SUCCESS	OFFICI
O U T C O M E S	OBJECTIVES FOR CANADIANS	10	Public perception of military justice as fair, timely, open and transparent.	Military justice outreach program, training & enhancement initiatives	Monthly progress – MJ projects Annual Client Survey	DIAGCOS DMP/EDCS
		10	Public trust in the propriety & probity of legal advice provided to DND/CF.	Projects to enhance proactive mil. law advice & services	Monthly progress – Mil Law projects Annual Client Survey	Deputies DMP/EDCS
		5	Public awareness of JAG lawyers as the most competent & capable available.	Modern management projects, in moving core competencies	Progress - Innovative Mgt. Projects Annual Client Survey	DIAGCOS
O U T P U T S	CLIENT OBJECTIVES	10	Meet timeliness & quality criteria in all SLAs with client organizations	SLA clients receive first priority legal Service after MND, DM & CDS	Monthly SLA Compliance Rating	Deputies DMP
		10	Fulfill the JAG Mission by meeting all legal taskings arising from the NDA.	Advice, Courts, Certification & Legal Training, Operational Deployments	Monthly Capacity Index Check Monthly Unserved Demand	Deputies DMP/EDCS
		5	Provide corp. admin, modern mgt. & support govt-wide initiatives & standards	Comply with corp. policies, standards & support in modern mgt. initiatives	Mandated Program Compliance Annual Client Survey	Deputies DMP/EDCS
P R O C E S S E S	INTERNAL OBJECTIVES	10	Support Command & Control with a fair, open, responsive, effective MIS.	Eliminate CM delay, engage in MJ Outreach & MJ enhancement projects	Monthly Timeliness of Courts Stakeholder Perception Survey	DMP/EDCS DIAGCOS
		8	Enhance confidence in JAG legal advice increasing its acceptance & value.	Enhance proactivity through outreach, pol. dev, education & client service.	Monthly increase Service Demand Monthly increase Service Reach	Deputies DMP/EDCS
		2	Manage the annual budget to meet program & resource priorities.	Monitoring & revision of RC budget to successfully execute business plan.	Monthly Budget Performance	AIJAG Resource Mgr.
E N V I R O N M E N T	HUMAN OBJECTIVES	10	Build a leading edge learning, sharing & knowledge-based organization.	Enhance occupational knowledge & the high-tech Environment.	Progress achieving OSS compliance Progress - Innovative Mgt. Projects	DIAGHR DIAGCOS
		10	Promote well-being, balance, ethics, inclusiveness & responsiveness	Fill all positions, motivate & develop staff. Complete all mandated tasks.	Monthly Strength, Health Index & Capacity Check	AIJAG Resource Mgrs
		10	Train & retain the right number & mix of qualified people at the right time	Maintain a functional Personnel Plan For all JAG mil. & civ. Personnel	Monthly OS training vs planned level Monthly PD training vs planned for both military & civilian staff.	DIAGHR Deputies DMP/EDCS

The Office of the JAG uses the decision support tool Panorama Business Views (pbviews) to evaluate the performance of each strategic objective (and all of their supporting measures) in the JAG Strategy Map.

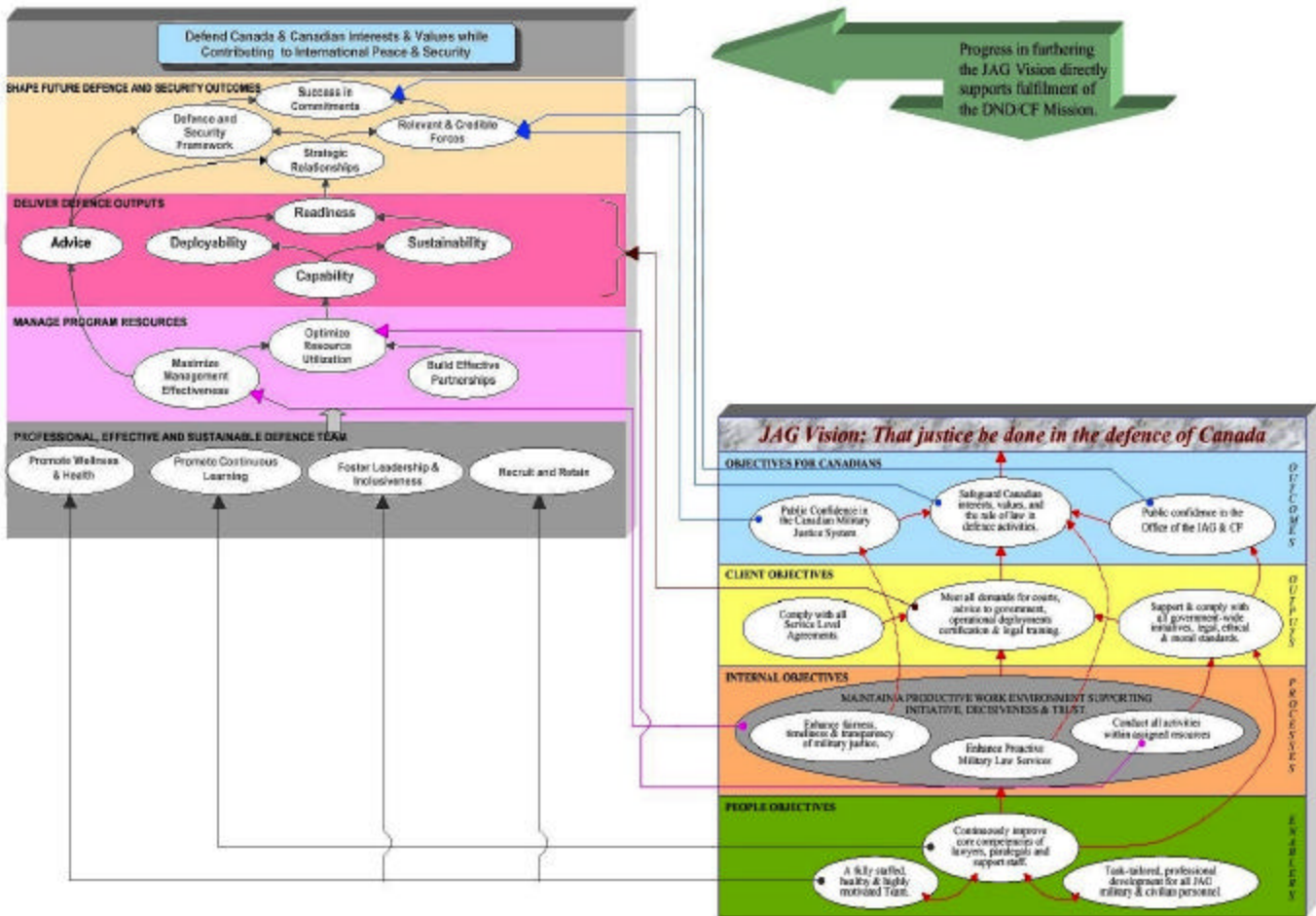
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Strategic performance measurement does not measure the outputs of the various stove-pipes, it measures the value of the total organization to the client.

For example, the value of MacDonald's to its customers is the speed and quality of product delivery. Each functional silo, the cleaning function, food preparation, counter service, ingredient ordering, etc., adds value to the processes driving the quality and timeliness strategic objectives. In much the same way, all JAG Deputies, prosecutors and defending officers contribute to the processes driving the strategic objective "Safeguard Canadian interests, values, and the rule of law". How they are doing individually is only of interest if the performance indicator "Monthly Progress in Military Law Projects" falters. If that occurs, we drill down into the supporting performance measures to determine the problem and brainstorm a remedy.

Our strategy map is, in effect, a service delivery agreement between our organization and its constituents. It is a navigation tool to keep management on course with the strategy and, in its balanced scorecard form, is an evaluation tool to measure progress in achieving the vision. It constitutes the measurement technology for managing in a knowledge-based economy.

One of the important external stimuli to which our strategy must be responsive is the strategy of National Defence Headquarters. Our strategy map directly links to that of the headquarters as shown here.

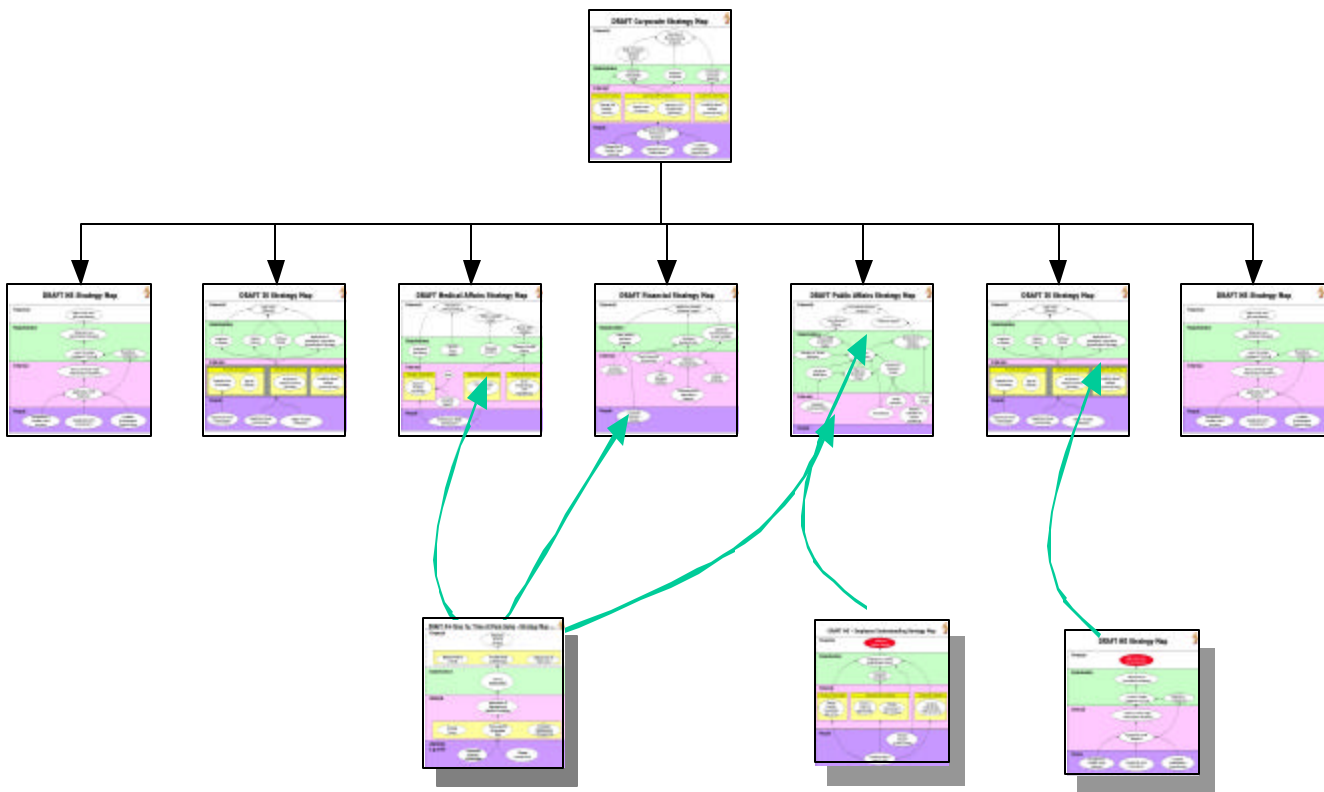


Strategy is top-down driven and cascaded maps must be amended as changes are made at the top.

For instance, if Canada were to respond to a call for armed conflict, the emphasis on many strategic objectives at the corporate level would change to put greater effort into defence outputs. In turn, the weightings on certain JAG strategic objectives would be adjusted. CLIENT OBJECTIVES/ 'SLA compliance' may be reduced to add weight to the element 'Meet all demands for deployments'. This kind of strategic shift occurs during scheduled or emergency senior management strategy sessions.

Strategy maps cascaded below that of the Office of the JAG to its functional organizations must maintain alignment to the JAG's strategic objectives. It is important to keep the mapping architecture simple to facilitate change (not too many strategic objectives, not a lot of connective tissue, maximum of two indicators per objective).

How strategy maps cascade. . .



MEASURING THE VALUE STRUCTURE

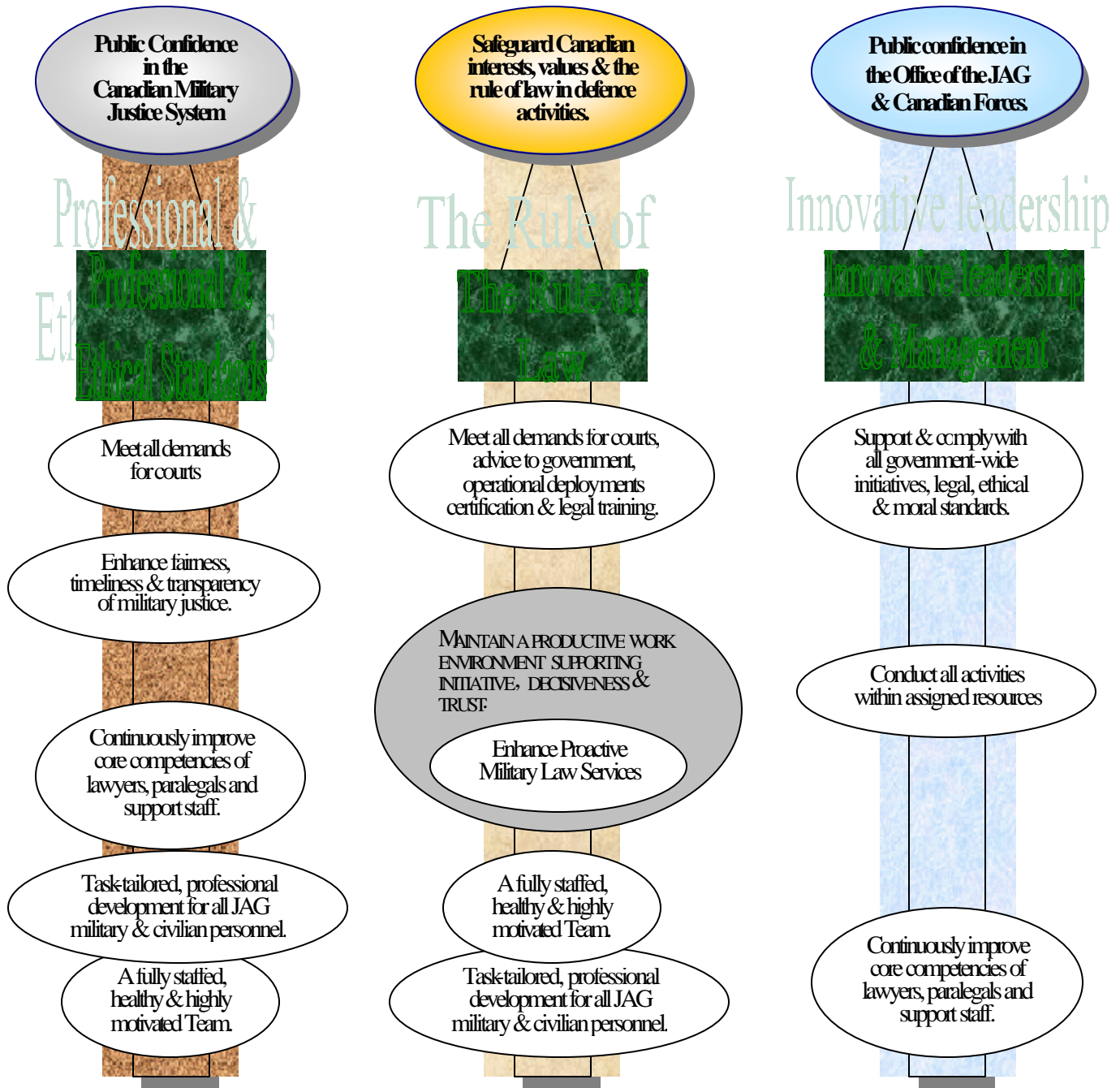
In addition to measuring the effectiveness of the JAG's strategy, it is important to assess the organization's progress in building value since that process is vital to strategic change. Dominant themes in value building tend to arise from internal processes.

In the Office of the JAG, inculcating high professional and ethical standards is vital to maintaining and building public confidence in the military justice system. Another value stream involves our lawyers becoming Champions of the Rule of Law as the most effective means to

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safeguard Canadian interests and values. A third is promoting innovative leadership and management as key to building confidence in the office of the JAG. The strategy in each of these value streams is what gets us from the bottom to the top of the value-building continuum.

How the JAG strategy builds organizational value and values to achieve the JAG Vision.

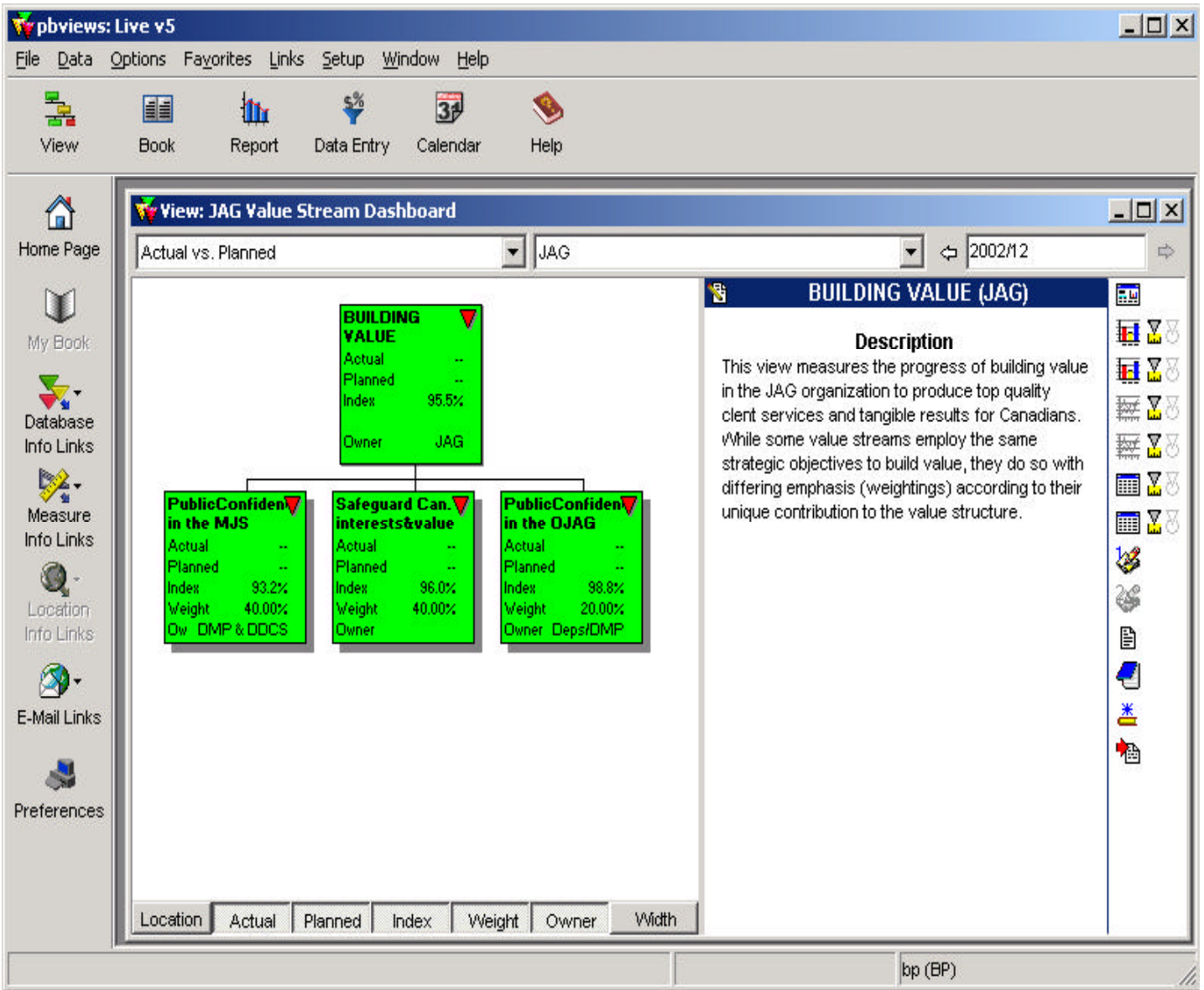


The progress of building value in the office of the JAG is the subject of an entire performance view in pbviews.

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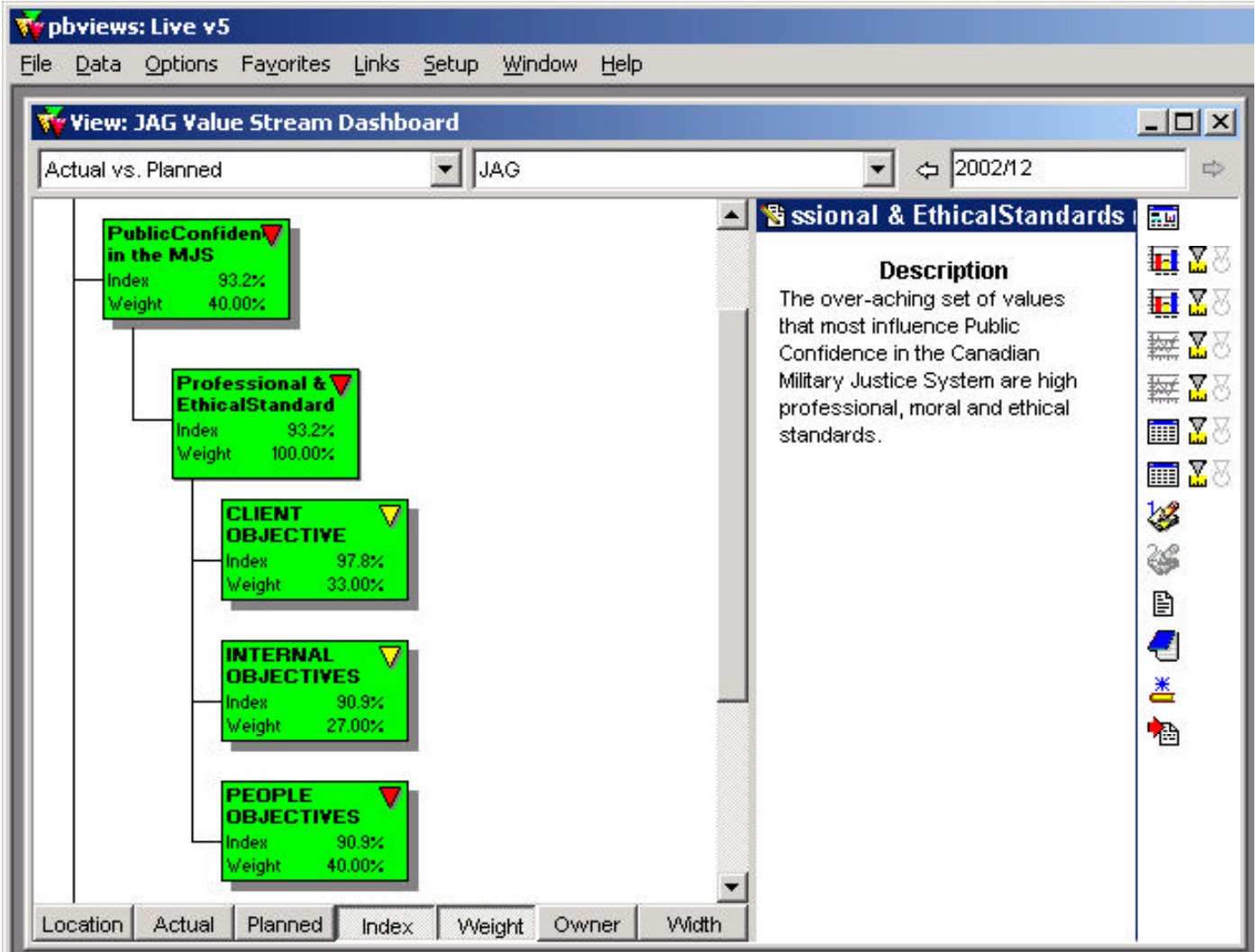
Each strategic objective in the Outcomes perspective is driven by a dominant theme, which is a set of values or principles that emerge in the internal process improvement and people enabling perspectives. The extent to which these themes are progressing is important management information.

Here's why. In December 2002, the Strategic Performance View revealed less than favourable progress being made in achieving the strategic Objectives for Canadians. The overall performance rating for these objectives was around 85% and we prefer it to be in the 90% range. These objectives are the top-most bubbles in our value stream pictorial above. The "Value Stream" performance view for December 2002 gives us assurance that the performance gap is not related to the value-building continuum, which shows a performance rating of over 95%.



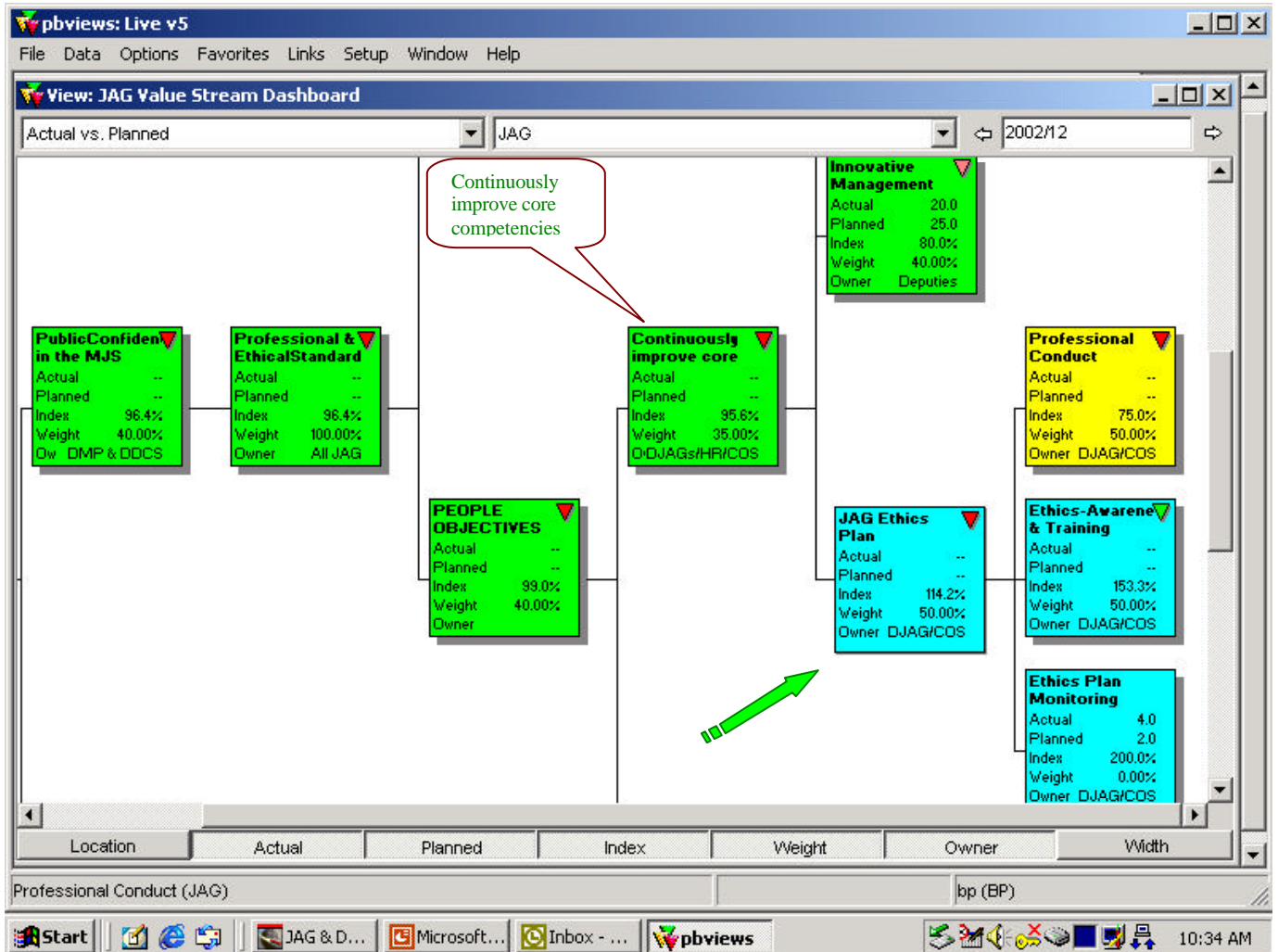
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The over-arching set of values that most influences Public Confidence in the Canadian Military Justice System are high professional, moral and ethical standards. This is reflected in our pbviews measurement schema below. Note, too, that progress in value building is measured through the value-building continuum (people objectives, internal process improvements and output production).



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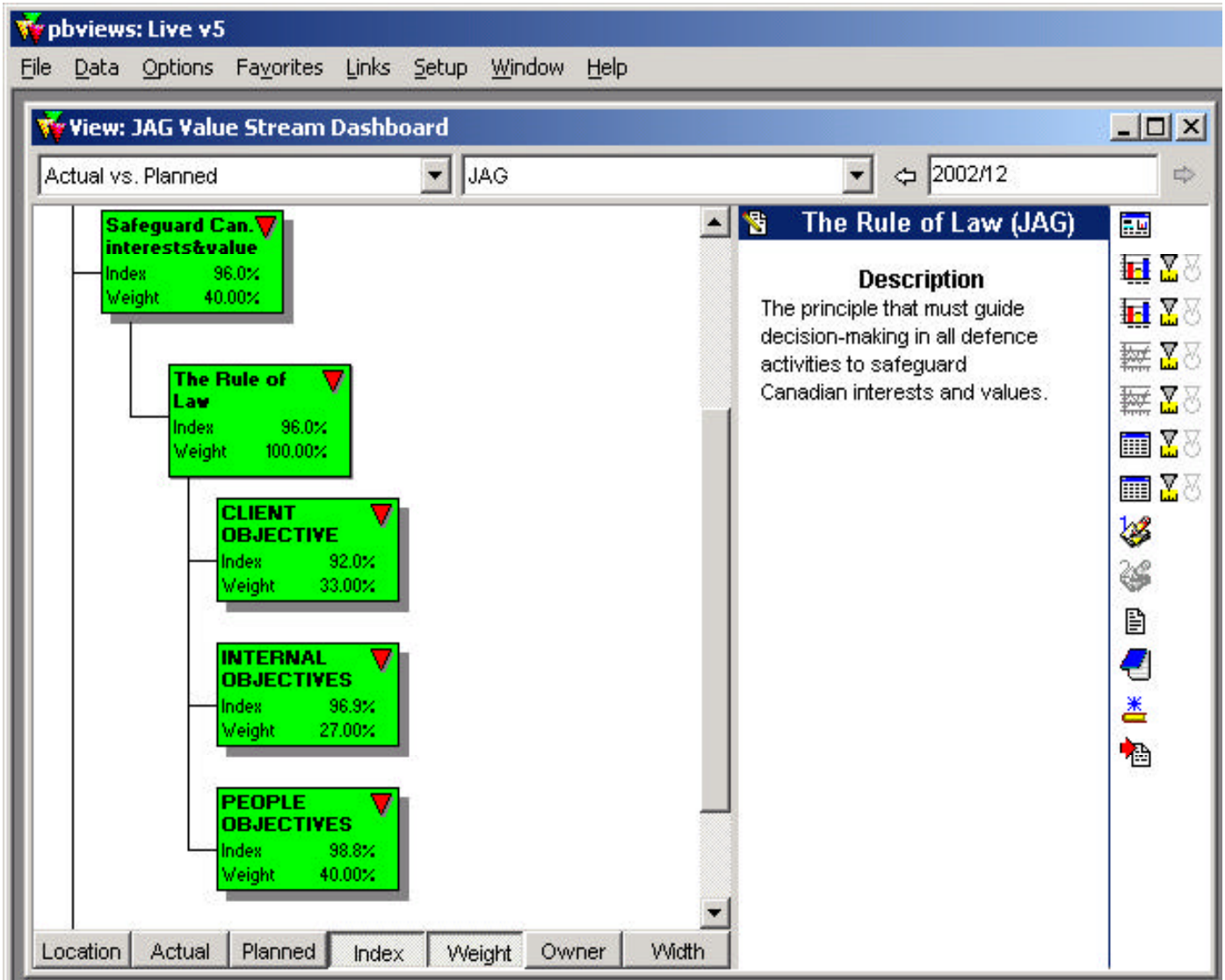
The work we do to engrain high standards of ethics in our lawyers is fully 50% of the effort put into improving the core competencies in the Office of the JAG. Continuously improving core competencies is the highest weighted of the strategic PEOPLE OBJECTIVES in our value-building journey to high Professional and Ethical Standards.



This performance view shows that in December 2002 we were doing very well with our Ethics program.

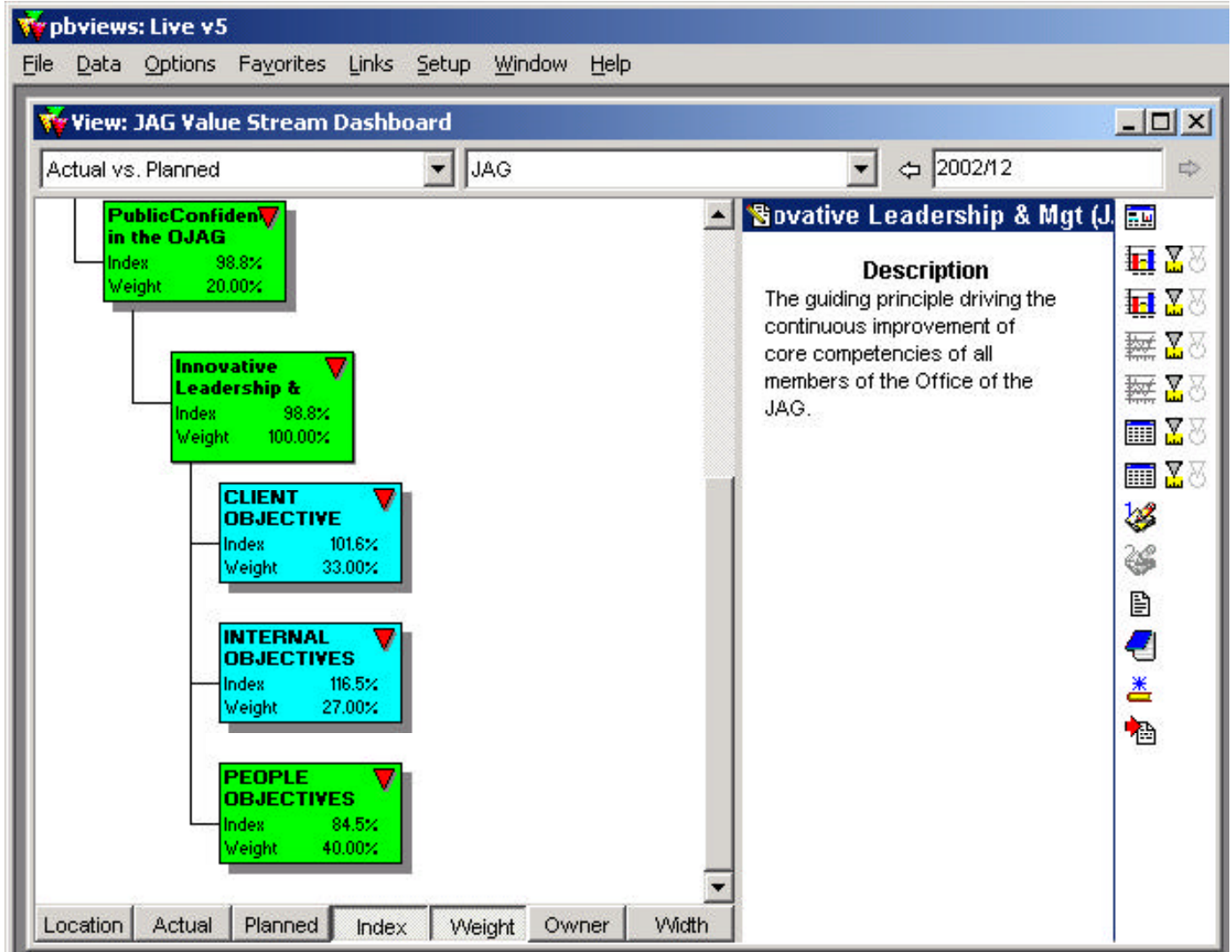
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Similarly, in December 2002, we had no serious concerns with our progress in establishing the “Rule of Law” as the guiding principle in safeguarding Canadian interests and values.



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Our leadership and management performance indicators were generally above expected values in December 2002 as well. The red arrowheads point to sub-par values that might be symptomatic of an underlying problem. Since the overall performance ratings in each key perspective of this value stream are excellent, any problems indicated by red arrowheads do not play a significant roll in building value. They may relate to performance problems elsewhere that will show up in the Strategic Dashboard of pbviews.



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The Evaluation Scorecard tells us if the organization is moving in the right direction. It does not tell us if a division or directorate is failing to contribute. That's where the performance measurement tool, pbviews, becomes important – to allow us to isolate key activities that are not performing and to take appropriate management action.

JAG Balanced Scorecard as at 31 December 2002

-3	-2	-1	0	+4	+8	+12
Prior Years			Now	Future by quarters		

Objectives for Canadians (Outcomes)

-3	-2	-1	0	+4	+8	+12
Green	Green	Yellow	Yellow	Green	Blue	
White	Yellow	Yellow	Yellow	Green	Blue	
White	Yellow	Green	Yellow	Yellow	Green	Blue
Safeguard Canadian interests & values						
Public confidence in the military justice system						
Public confidence in the Office of the JAG						

Client Objectives (Outputs)

	-3	-2	-1	0	+4	+8	+12
Meet all mandated taskings	Green	Blue	Blue	Blue	Green	Green	Green
SLA Compliance	Green	Green	Green	Green	Green	Green	Green
Mandated Program Compliance	White	Green	Green	Green	Green	Green	Green

Internal Objectives (Processes)

	-3	-2	-1	0	+4	+8	+12
Productive Work Environment	White	Yellow	Green	Yellow	Yellow	Green	Blue
Enhance MJS fairness, timeliness, & transparency.	Red	Red	Yellow	Yellow	Yellow	Green	Green
Enhance proactive Mil. Law Svcs.	Green	Green	Green	Green	Green	Green	Green
Conduct all activities within assigned resources.	Blue	Blue	Blue	Blue	Blue	Blue	Blue

People Objectives (Enablers)

	-3	-2	-1	0	+4	+8	+12
Continuously improve core competencies.	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Green
Fully staffed, healthy, motivated team	Red	Red	Yellow	Yellow	Yellow	Green	Green
Task-tailored Professional Dev. (Mil & Civ)	Green	Yellow	Yellow	Yellow	Green	Green	Green

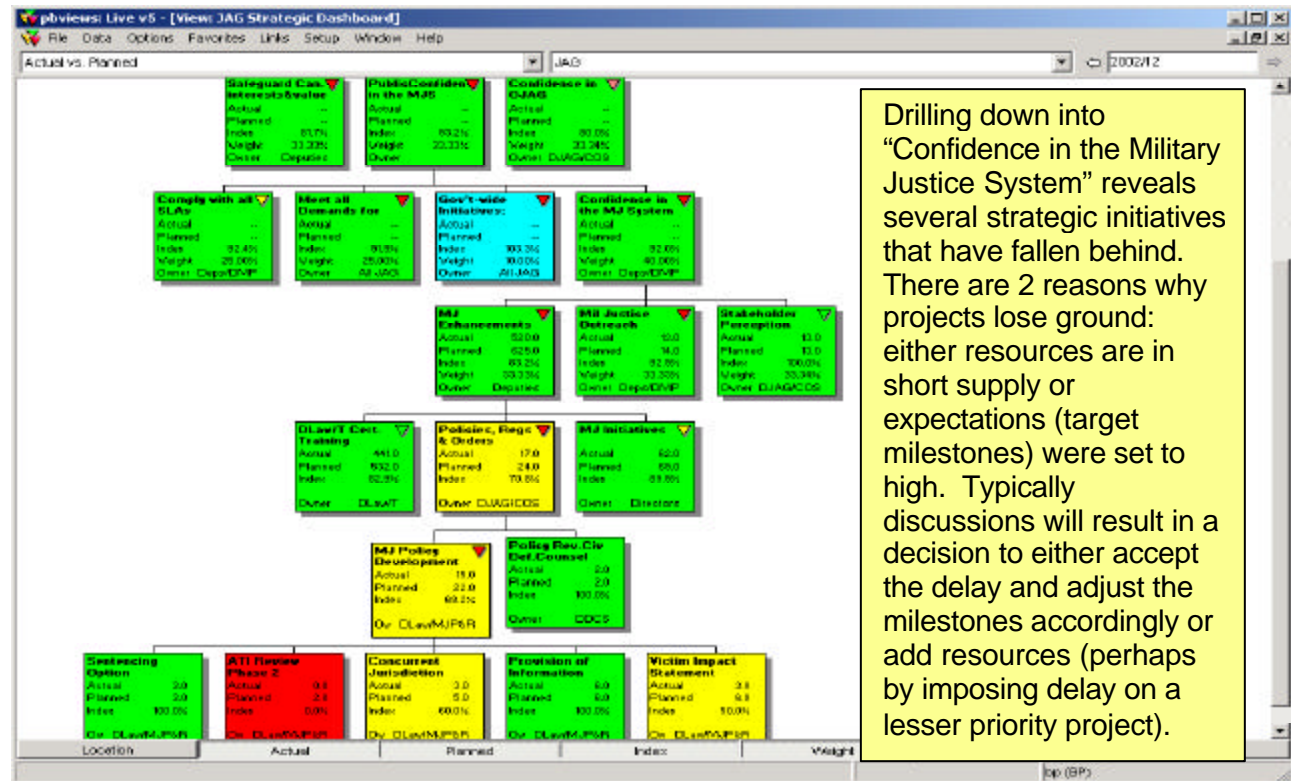
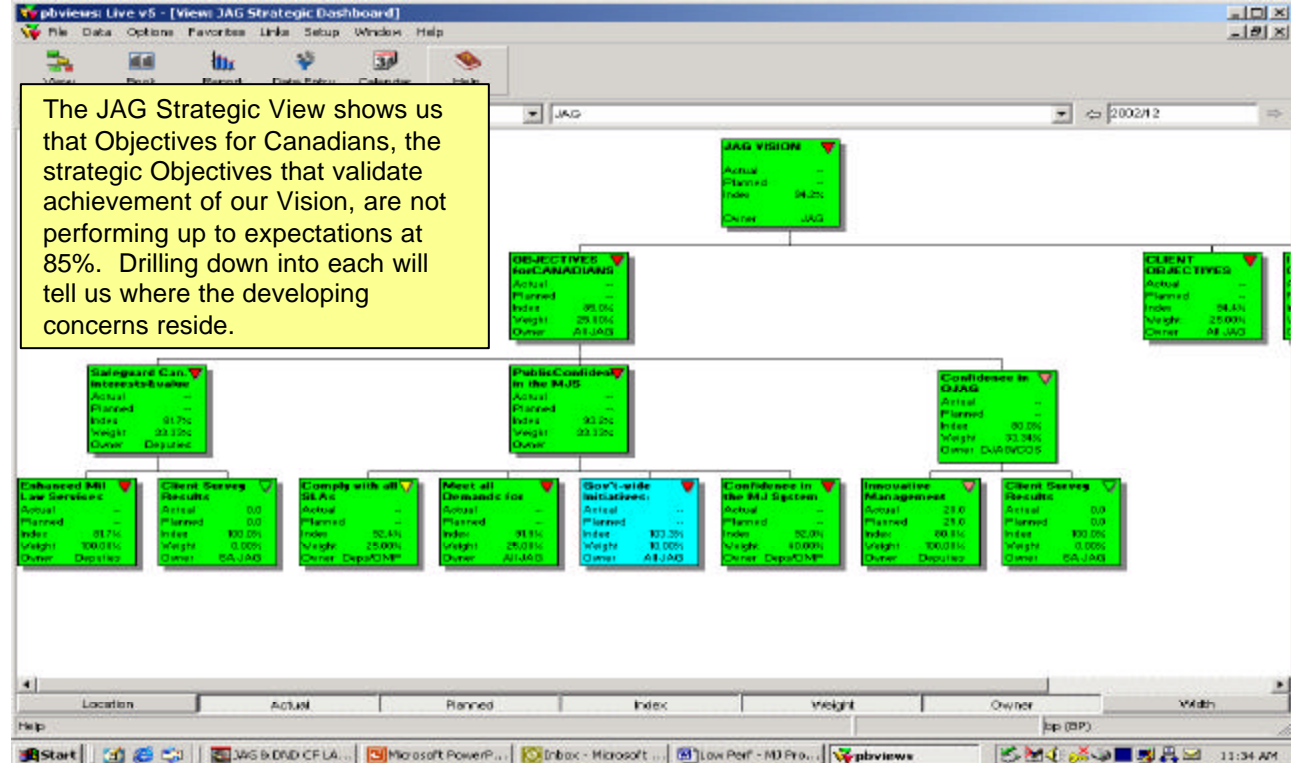


- Over-achieved
- Satisfactory (Met Target)
- Minor Weakness
- Major Weakness
- Critical Weakness
- No Data Available

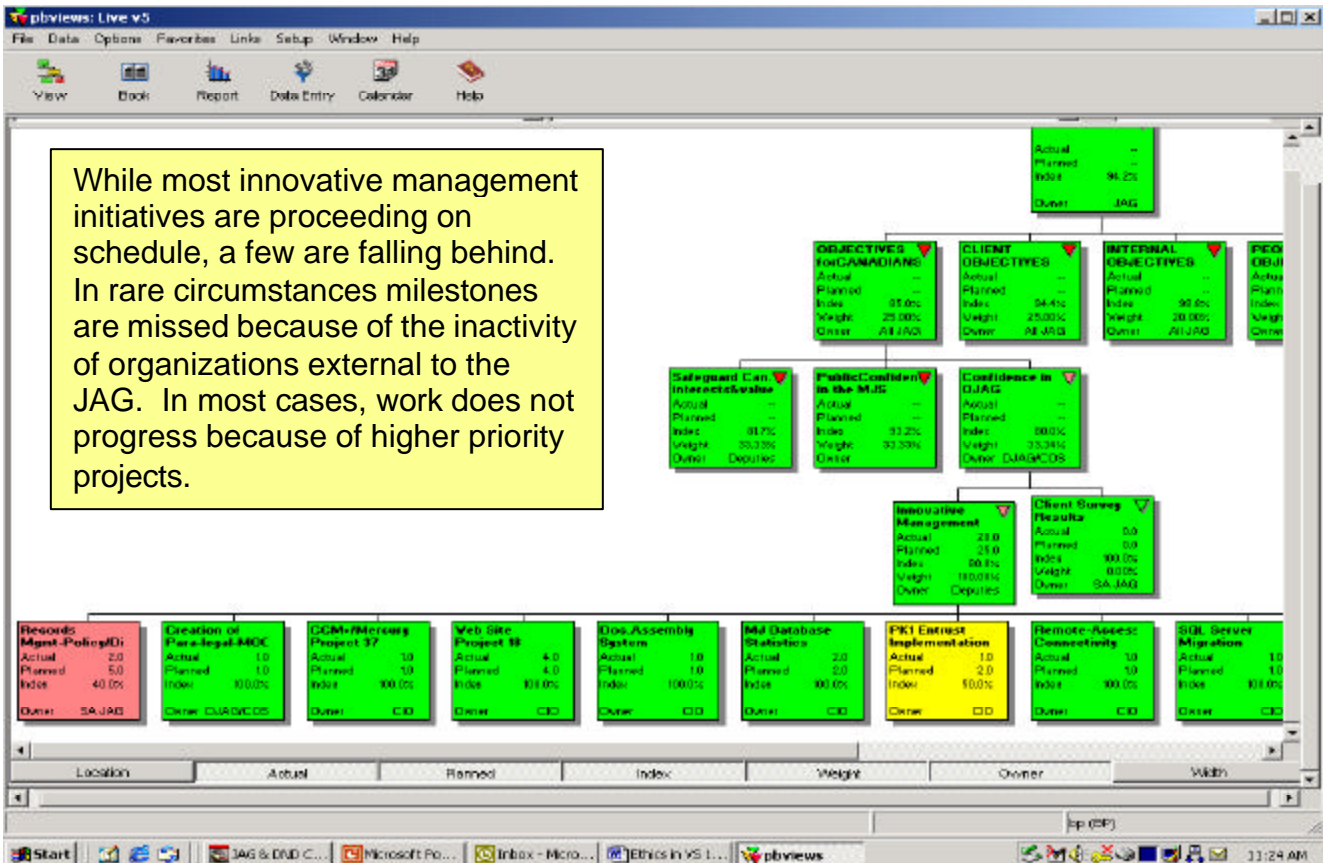
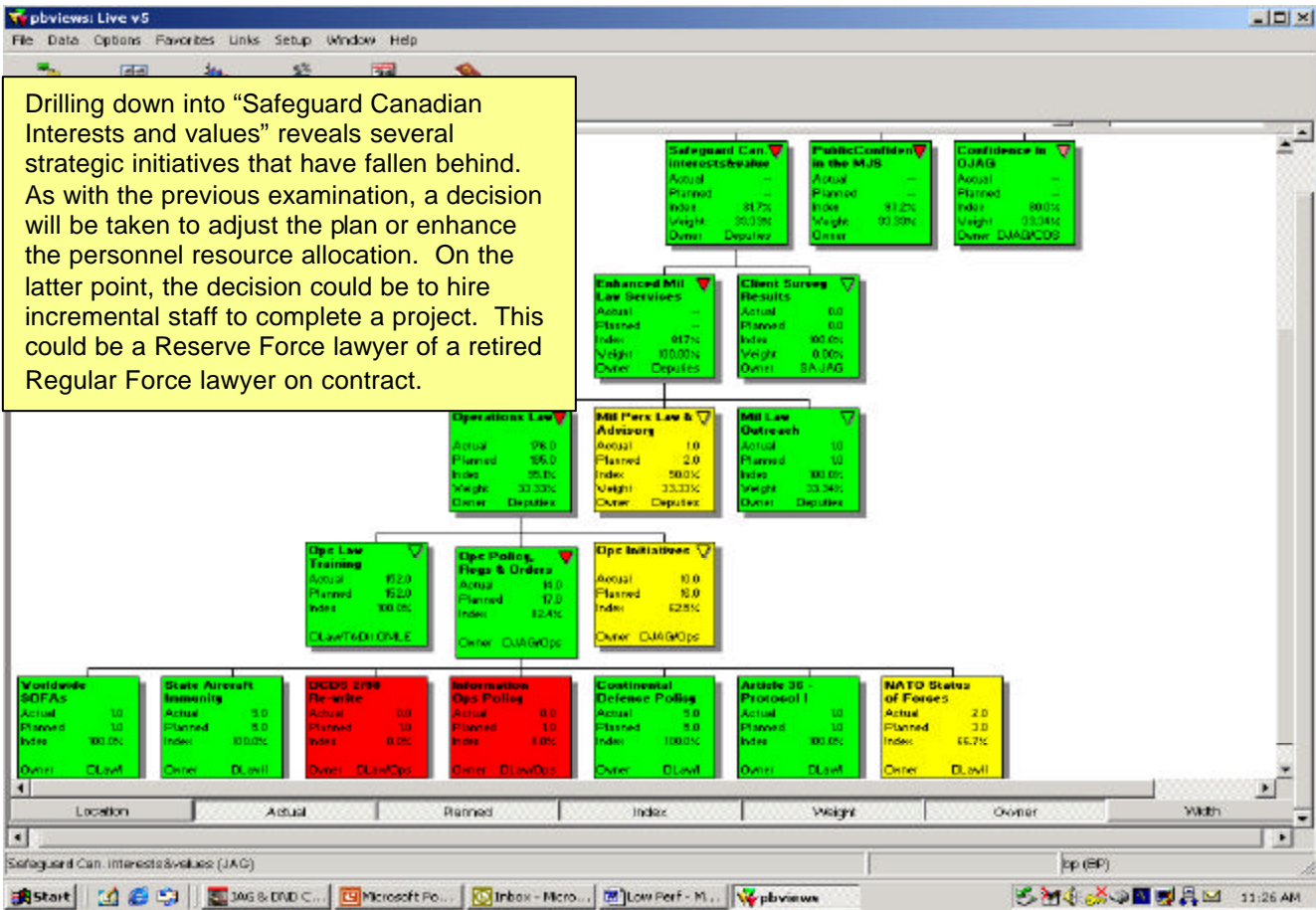
The scorecard is updated monthly on the basis of multi-dimensional performance assessment and is provided to JAG senior management as the best assessment of JAG performance (past, present and future). In quarterly performance review sessions, conducted by the JAG with his deputies, this scorecard is used in conjunction with pbviews to isolate performance gaps and troubleshoot solutions. These solutions generally cause minor shifts in strategy such as reallocating resources temporarily to overcome lagging performance.

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The example noted earlier concerned lagging performance in the Objectives for Canadians perspective (an 85% performance rating in that group of strategic objectives). The pictorials that follow are screen captures of pbviews that demonstrate how we drill down into indicators and measures to isolate performance problems. We already know that the reason is not based in our value-building processes, since they have been shown to be performing above 90%.



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The JAG's multi-dimensional performance measurement system starts with the PRAS View, assessing the economic fulfilment of the JAG mission. This model neglects the underlying strategy and overarching value structure diving success. It is interesting to note the different performance ratings of the three criteria. When the entire strategy is assessed along with mission fulfilment a more balanced view of performance is achieved. The value-building processes are monitored in a separate perspective to ensure that performance gaps are not reflective of breakdowns in these key structures. Note that Value Building is not the root cause of the low outcomes rating in the JAG's Strategic View.

