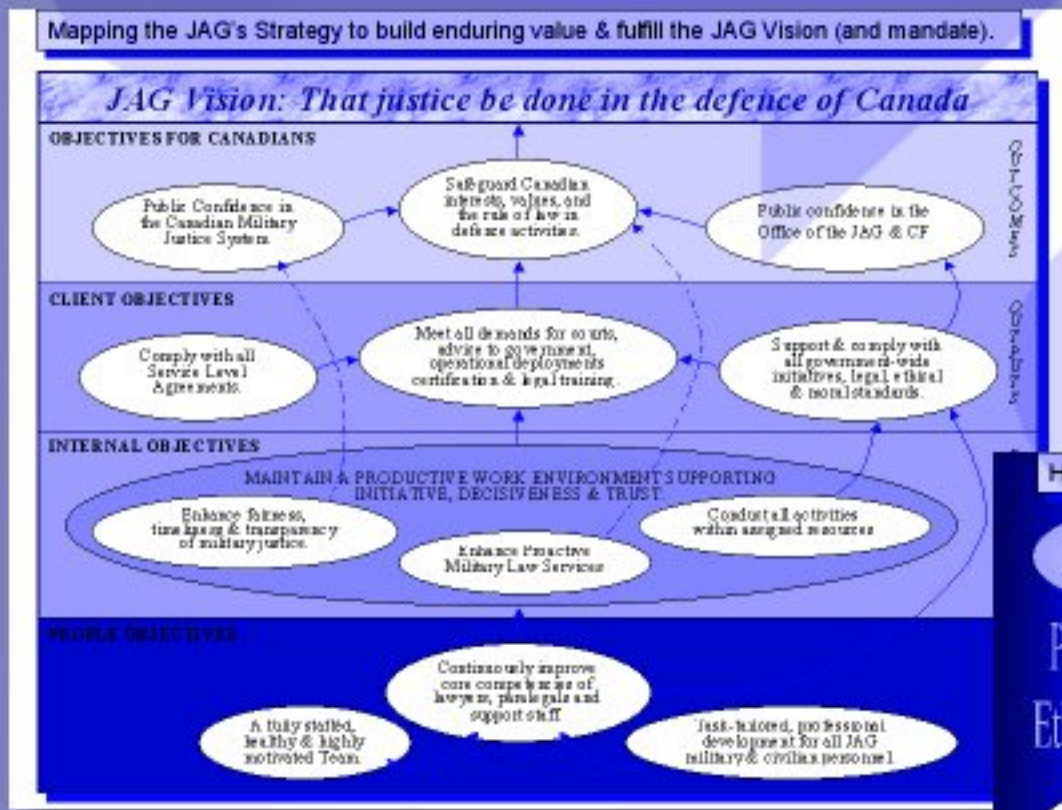
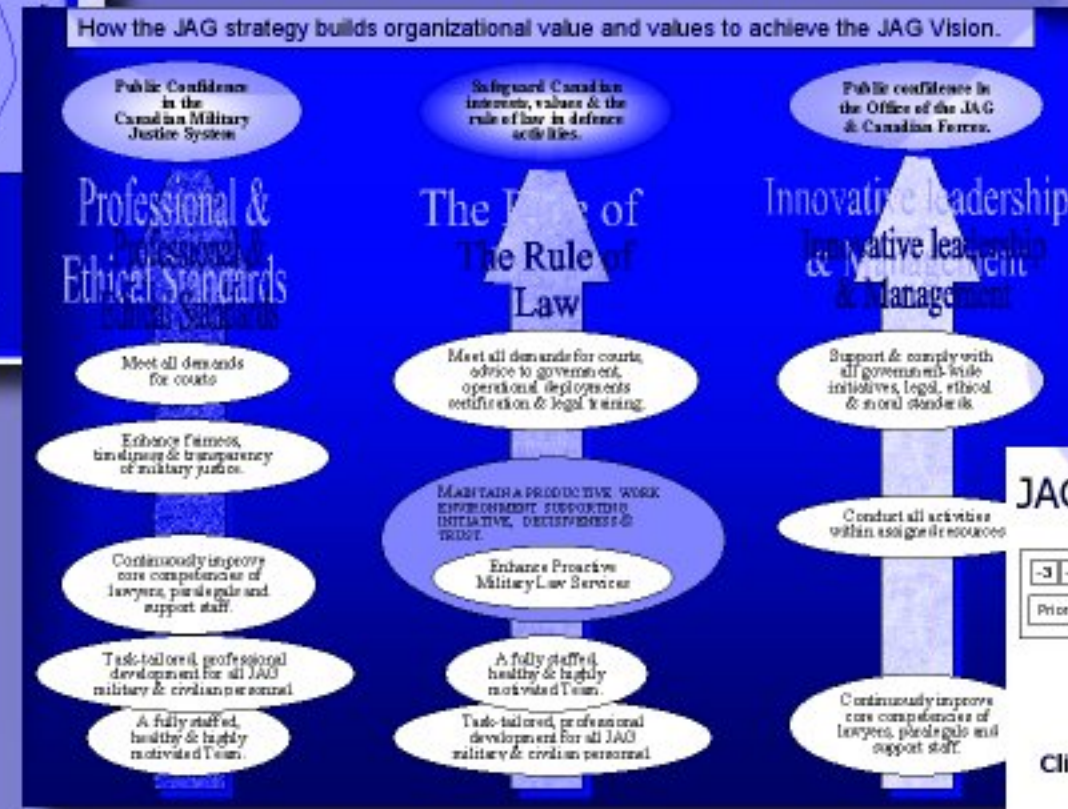


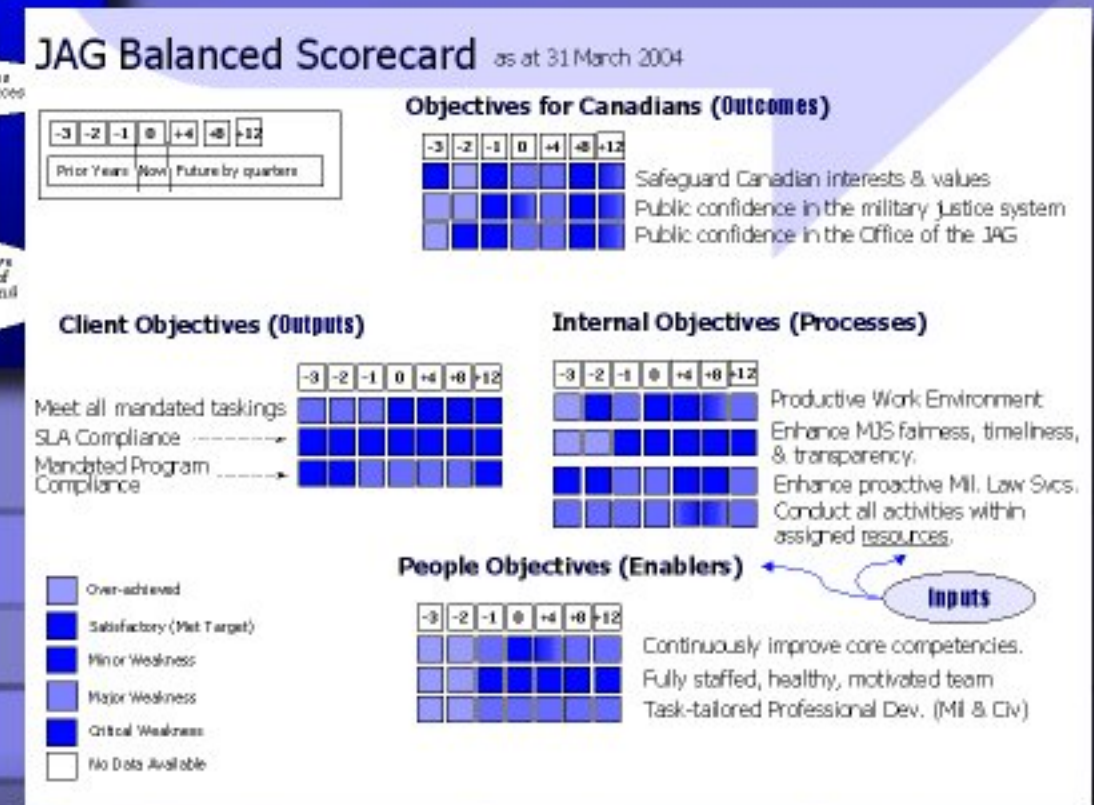
Strategy



Values



Performance



Annual Performance Report

1 April 2003 to 31 March 2004

Office of the Judge Advocate General

Cabinet du Juge-avocat général



**OFFICE OF THE JUDGE ADVOCATE GENERAL
Annual Performance Report - Fiscal Year 2003/2004**

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1 EXECUTIVE SUMMARY

1.1 MULTI-DIMENSIONAL PERFORMANCE ASSESSMENT

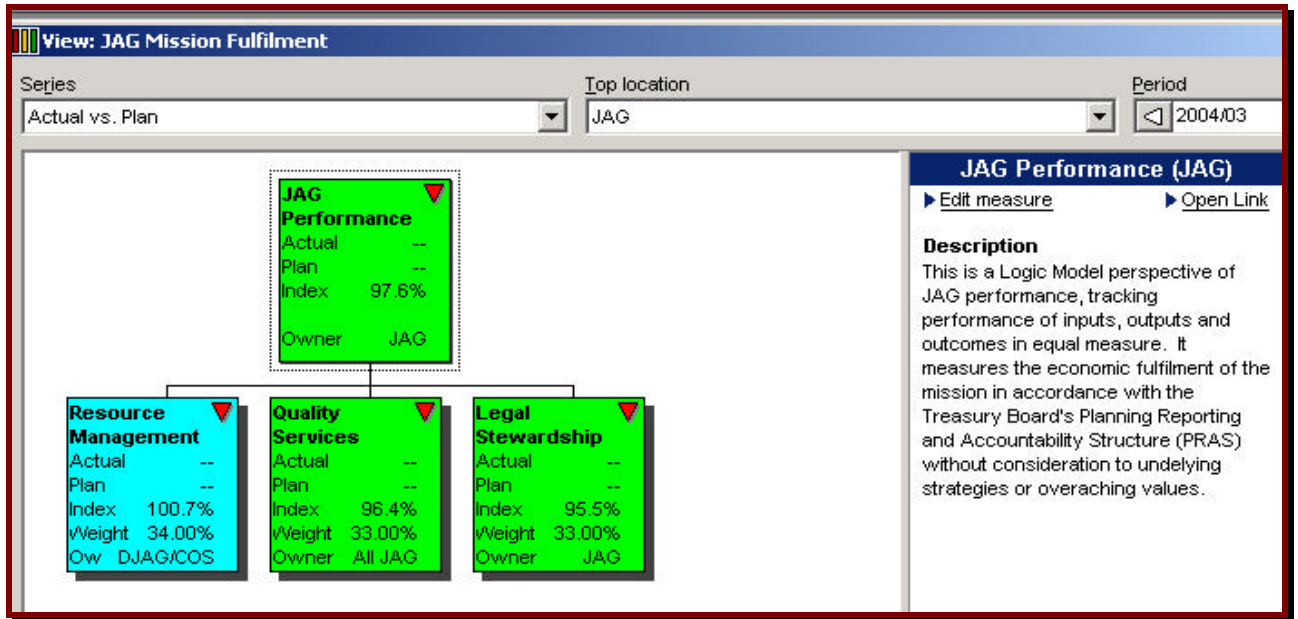
Success in achieving the performance targets set in the JAG Business Plan is assessed through the use of a well-established Performance Measurement Decision Support System (PMDSS). The PMDSS was implemented on 01 Apr 99 and it has been the basis for reporting the JAG’s annual performance for the past five fiscal years. A system audit, conducted in 2002, confirmed that it is a reliable basis 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 field 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 to ensure that well-reasoned remedial actions are put in place. These are described in the following paragraphs.

1.1.1 The Mission 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 mission performance follows. The indexes are actual FY 03/04 performance ratings.

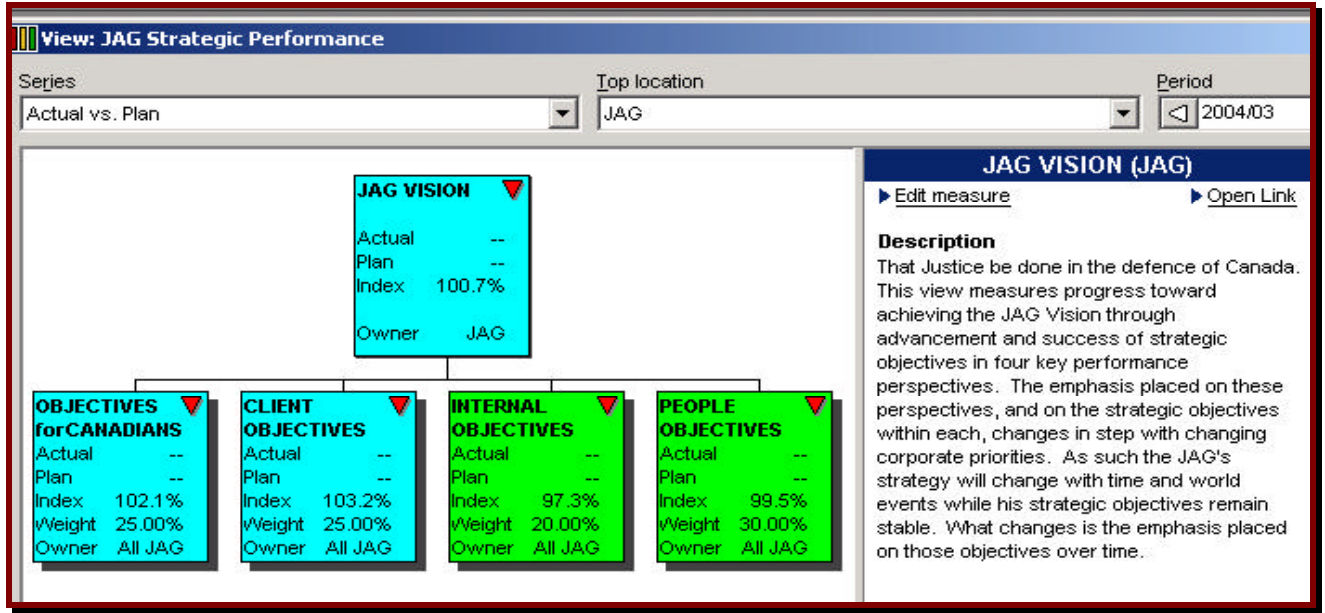


¹ Based on Planning Reporting and Accountability Structure (PRAS) guidance, the Department’s principal strategic management and reporting framework.

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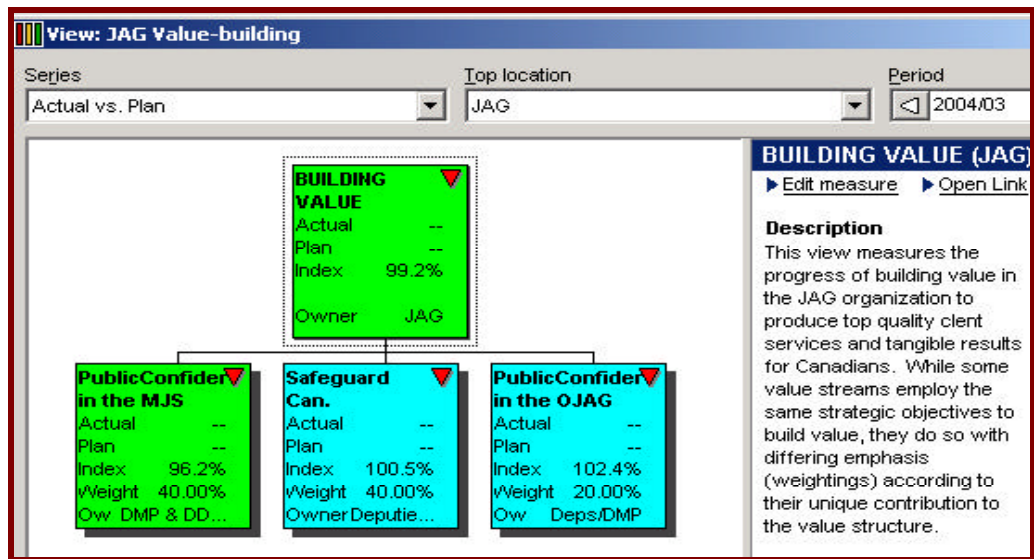
1.1.2 The Strategic View

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 to be expended on the three People Objectives. The weightings and FY 03/04 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 03/04 follows.



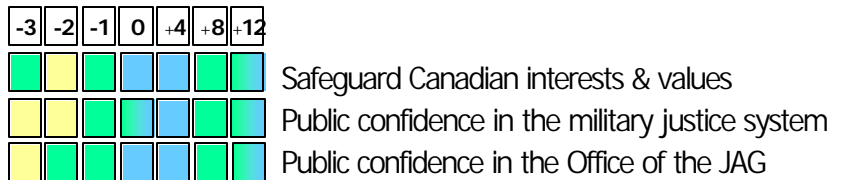
1.2 JAG SCORECARD FOR FY 2003/2004.

The “Scorecard” shown below is derived from the British-developed graphical representation of historical and predictive strategic performance. The JAG scorecard differs from that example in that it is balanced by the other views of performance described previously. The Strategic View provides the best long-range assessment of our success in delivering value to Canadians. The Mission View is the most accurate predictor of performance in the client-service sphere, and the Value-building View best judges the JAG’s enabling programs and processes.

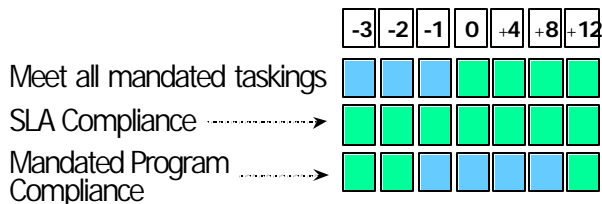
JAG Balanced Scorecard as at 31 March 2004

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

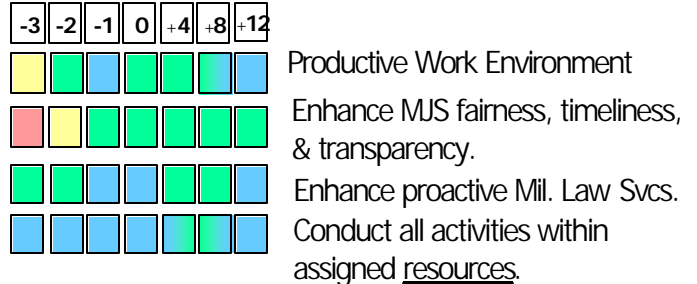
Objectives for Canadians (Outcomes)



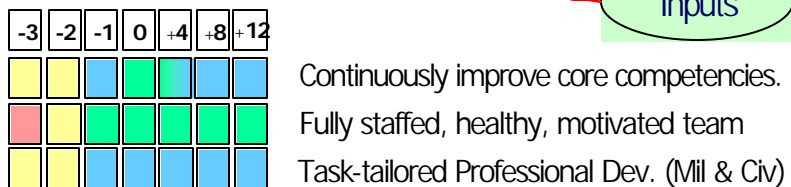
Client Objectives (Outputs)



Internal Objectives (Processes)



People Objectives (Enablers)



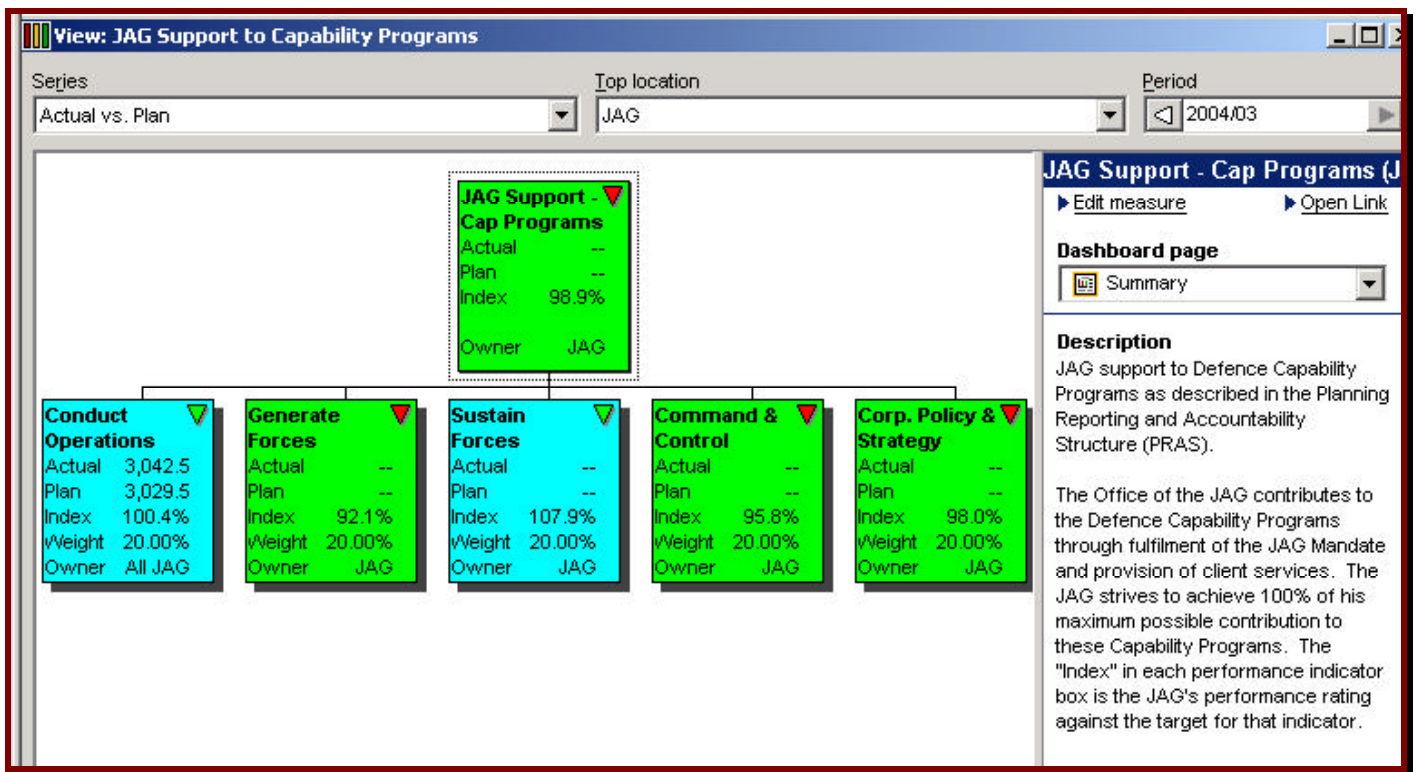
- Over-achieved
- Satisfactory (Met Target)
- Minor Weakness
- Major Weakness
- Critical Weakness
- No Data Available

This scorecard shows the improvement realised in each performance area over the past four years and predicts good to excellent performance over the next fiscal year. The scorecard is updated quarterly and is published to JAG senior managers.

1.3 JAG’S CONTRIBUTION TO THE DEFENCE CAPABILITY PROGRAMS

The five Defence Capability Programs — Conduct Operations, Generate Forces, Sustain Forces, Command and Control, and Corporate Policy and Strategy — direct efforts to meet the Defence mandate of ensuring the safety and security of Canadians at home, while contributing to peace and security abroad.

A fourth view of JAG performance evaluates the JAG’s contribution to the Defence Capability Programs. This view is not a diagnostic tool for performance shortfalls. Rather it exposes the extent to which the Office of the JAG has met its planned contribution to Defence Capabilities. The top echelon indicators in the Capability View (shown below) highlight the JAG’s success in meeting his expected levels of support to the Defence Capability Programs in FY 03/04.



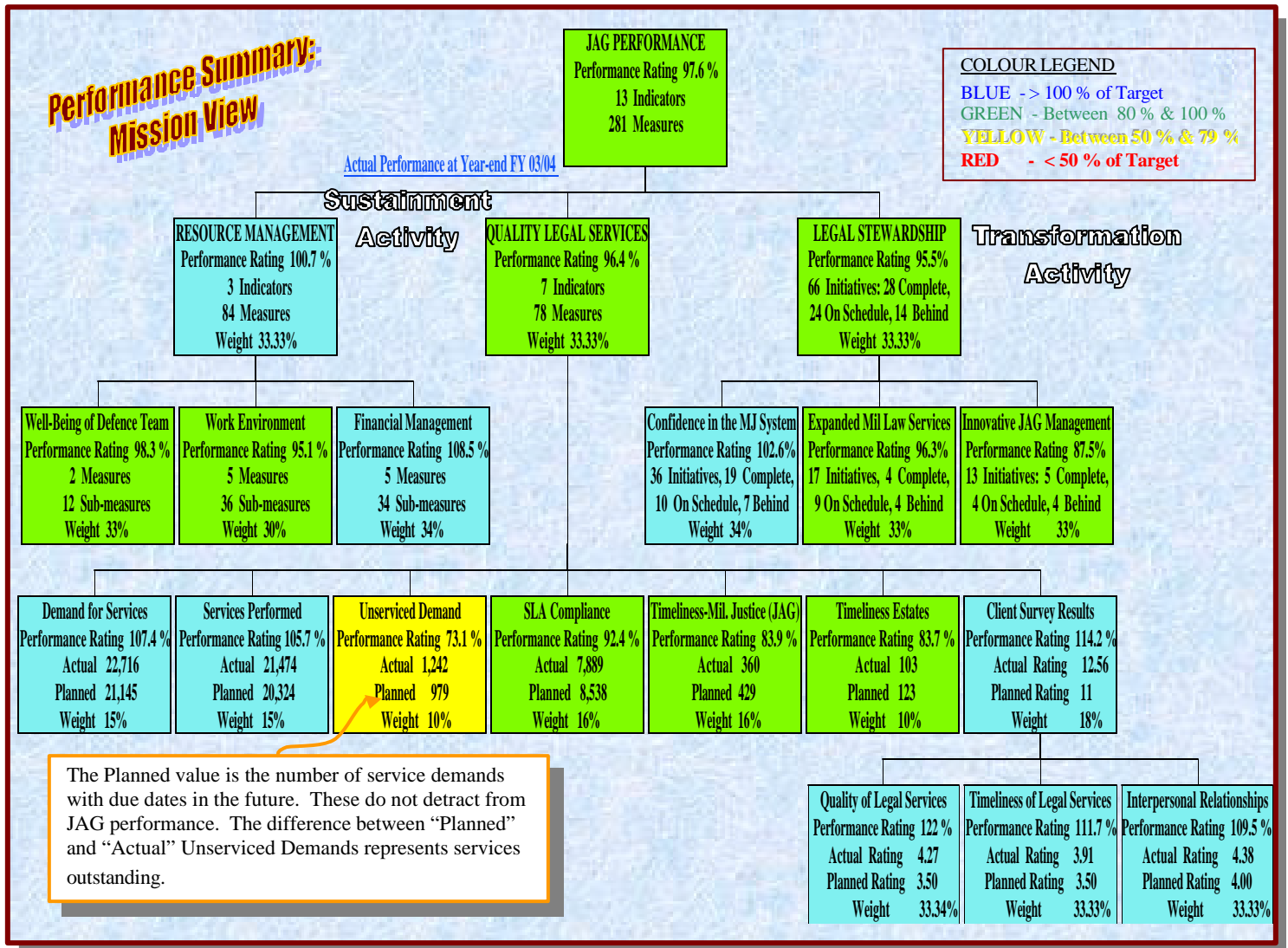
The performance measures and sub-measures used to assess JAG’s contribution to each of the above Capability Programs are explained in Annex A to this report.

Through the Director General Strategic Planning Harmonization Initiative, the Defence Capability Programs and Corporate Priorities have been linked enabling the measurement of work effort and resources against the latter through the former. Since the Office of the JAG can now track its performance against the Capability Programs, it can also track resources and work effort expended on supporting the Corporate Priorities. This, too, is explained in Annex A.

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

JAG Mission - to provide effective and efficient legal advice and services in respect of military law and superintendence of the administration of military justice.



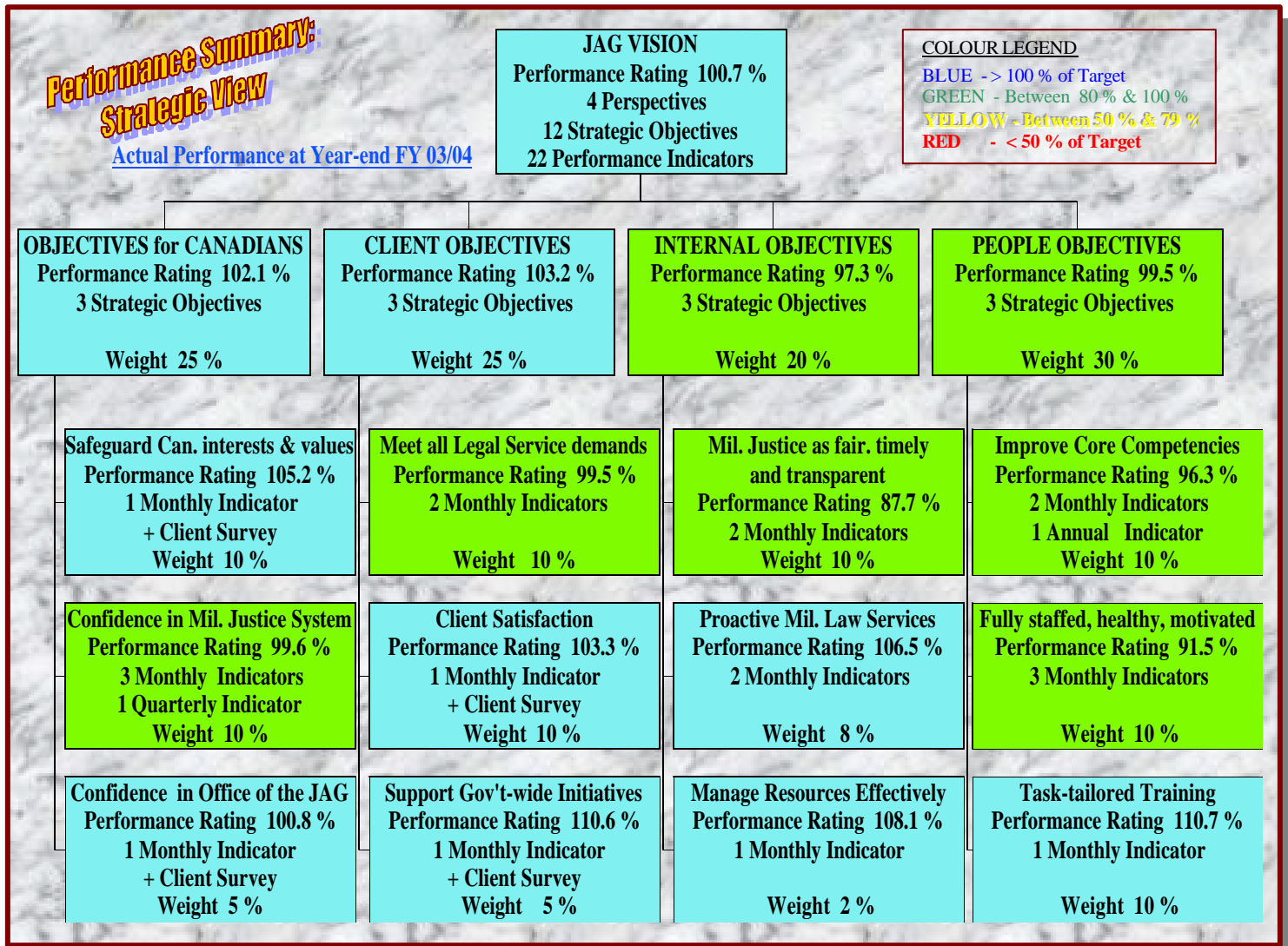
In terms of the economical fulfillment of the JAG mission, we delivered 5.7% more legal advice and services in the past fiscal year overall and 13 % more to our principal clients (those with whom we have Service Level Agreements). JAG business increased by 7.4%, military justice timelines improved by 2.2% and our annual client survey strongly indicates complete satisfaction with the services we provided and with our oversight of the administration of military justice.

During the previous year we revised the strategy in the pursuit of change to narrow our Legal Stewardship focus in an effort to conserve resources and increase productivity. That strategy worked and it has been retained. Our productivity in the change agenda (transformation of work processes) improved again in FY 03/04. The Legal Stewardship performance, a marginal 77% three years ago and an excellent 87.8% two years ago, achieved a 95.5 % performance rating this past year. We completed 27 transformation initiatives, 18 of them in the military justice domain, and advanced the progress of 40 others that will join a slate of new projects this year.

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1.5 ACHIEVING THE JAG VISION

JAG Vision – *That justice be done in the defence of Canada*



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 within those Key Performance Perspectives. Those percentages prescribe our intended level of effort.

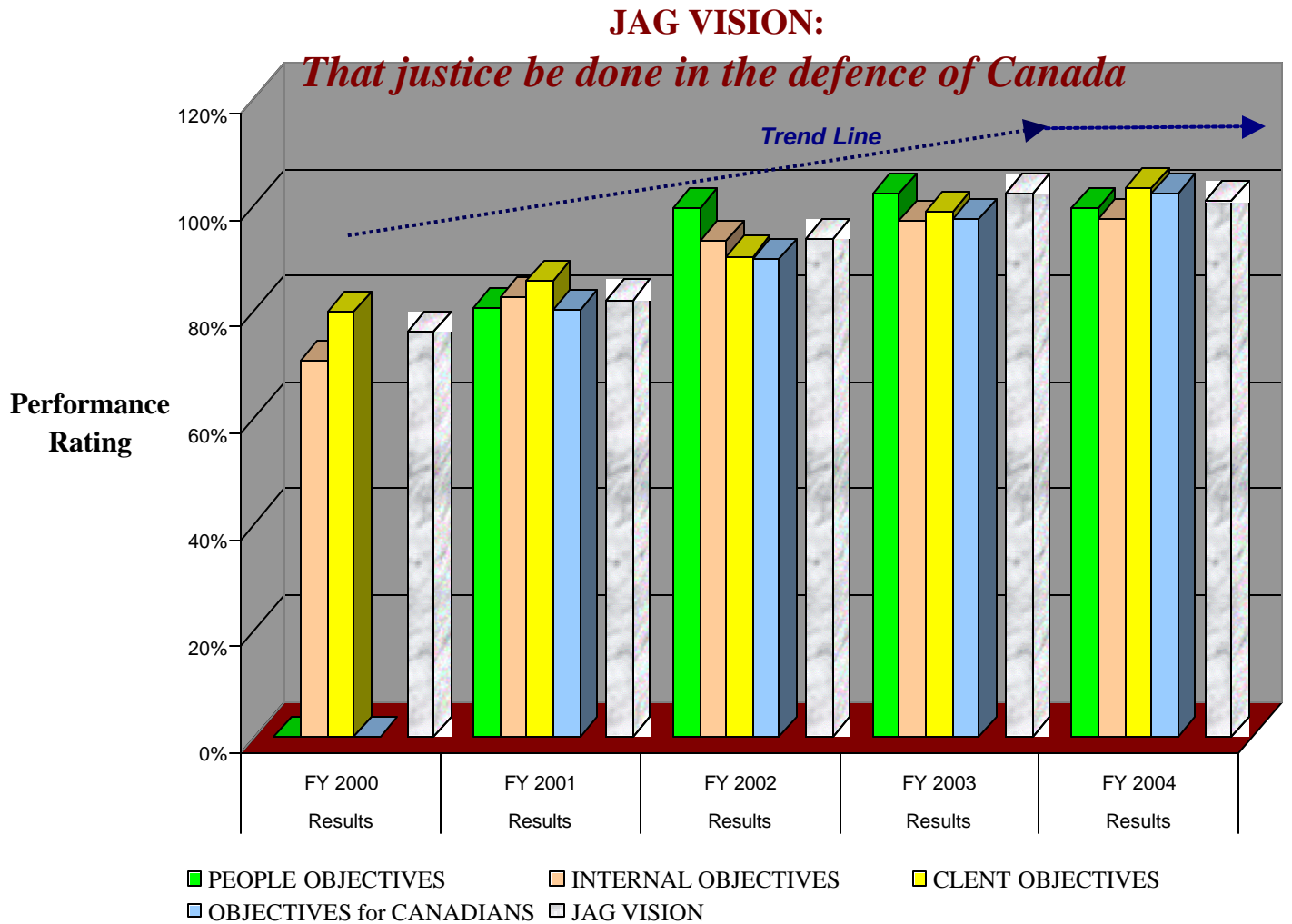
While our maximum strategic emphasis for FY 03/04 was on People Objectives, enabling the Branch through value-added personnel enhancement, the greatest strategic effort was delivered to the value consumption objectives in the output and outcome side of the strategic equation. World events demanded more CF involvement including that of our legal officers. Legal officer operational deployment was up by 14%. That, together with increased client demands at home and evolving security concerns, caused us to focus our efforts on service delivery, policy development and collaborative outreach initiatives.

Our strategy to achieve the JAG Vision was entirely effective (over 100%) in all key perspectives even though fewer people were available at home to engage in value-enhancing management projects, reducing People Objectives performance slightly.

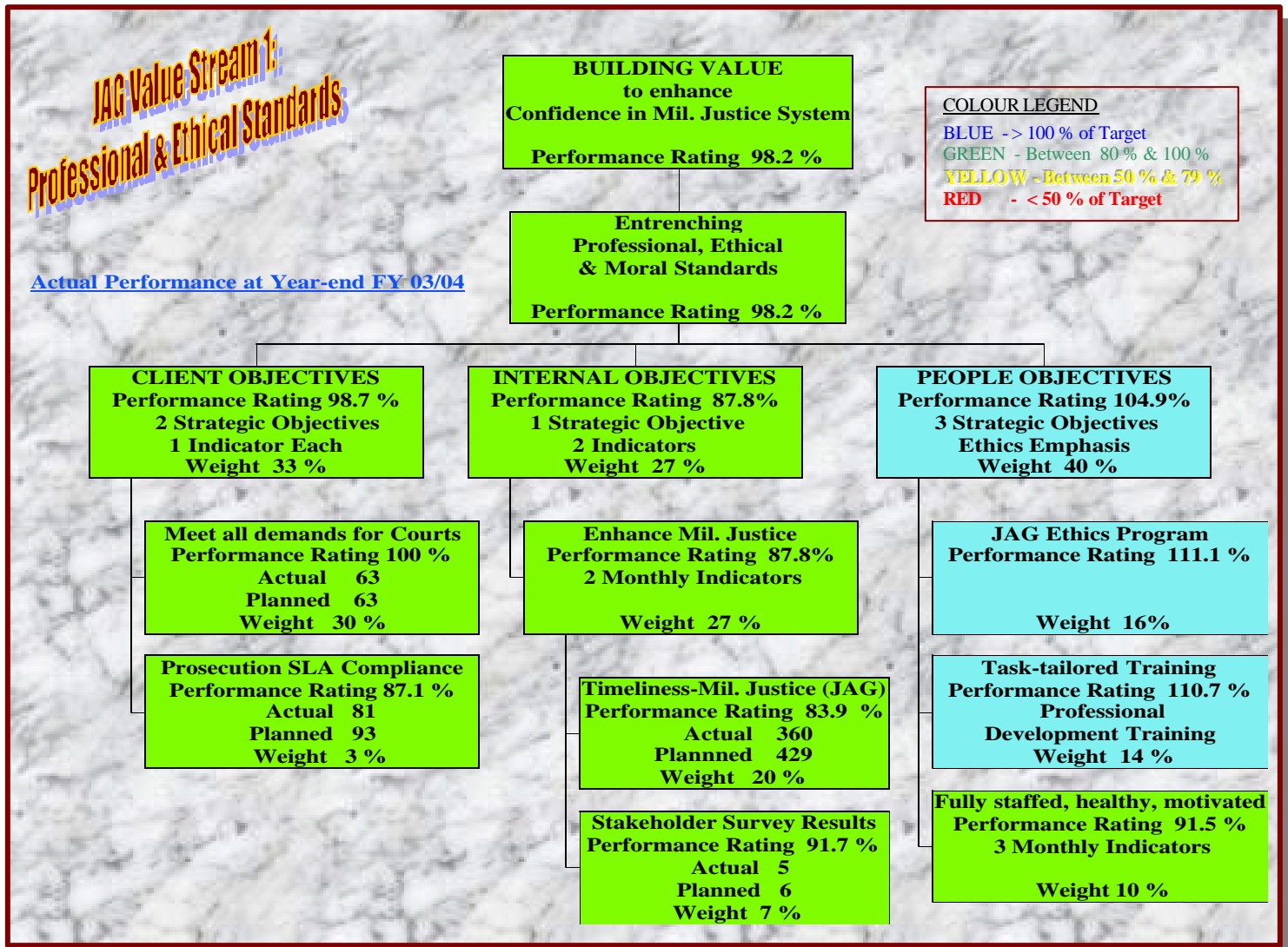
Detailed performance data is contained in Section 3 of this report.

1.6 STRATEGIC PERFORMANCE TREND

JAG performance in producing value for Canadians is best measured by the progress in fulfilling the JAG Vision over time. The graph below shows the performance trend comparing strategic data for the past five fiscal years. A striking result is the exceptionally high performance in the client service output and the outcomes for Canadians strategic objectives in the past year compared to previous years. The Office of the JAG is performing at maximum output, which means that when client demands are extreme, levels of effort in other strategic objectives must reduce. As mentioned previously, a 14% increase in legal officer operational deployment and peak client demands at home slowed the advancement of People Objectives in FY 03/04. Even so, strong progress was made toward achieving the JAG Vision.



1.7 BUILDING INSTITUTIONAL AND INDIVIDUAL VALUES



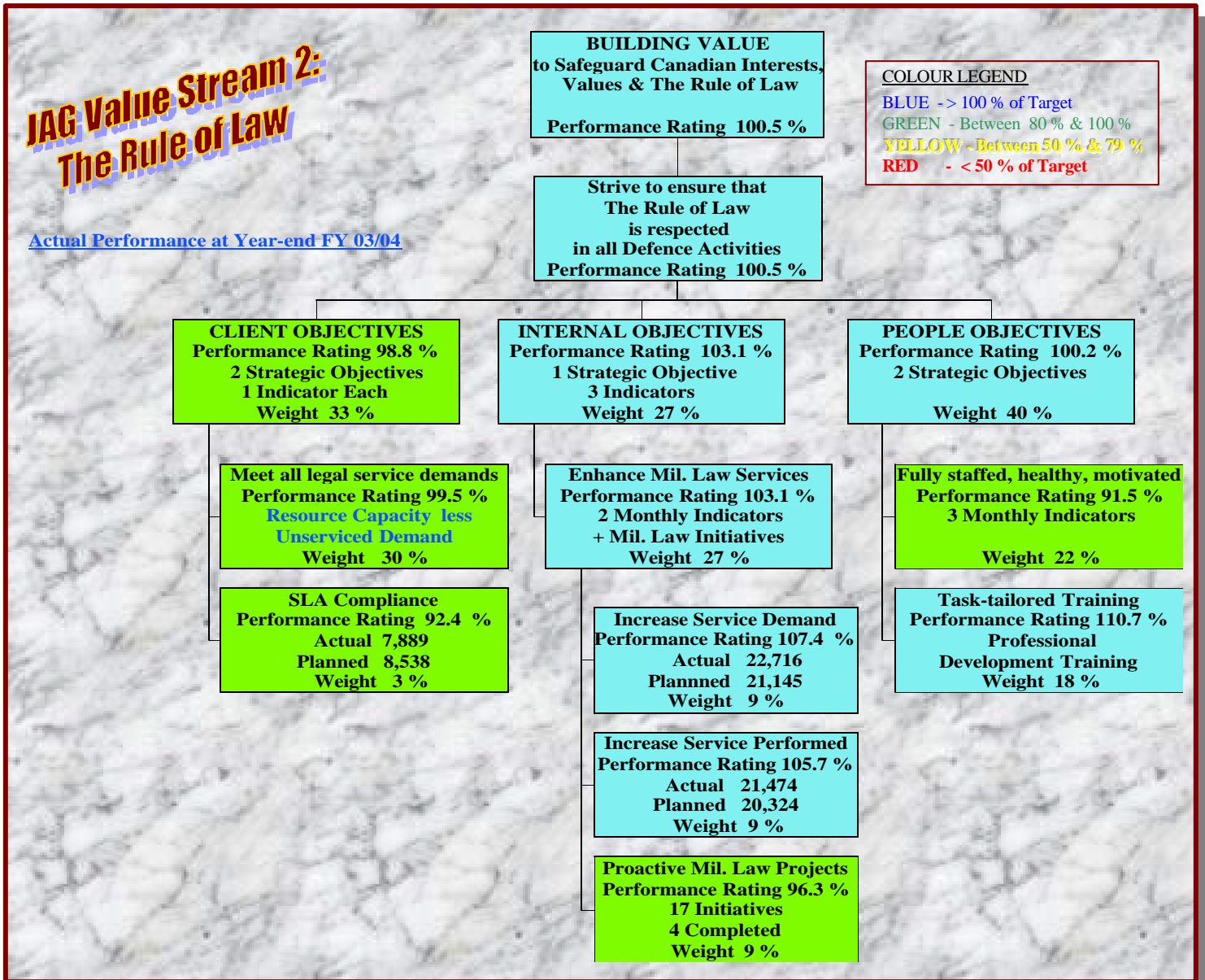
The strategy to entrench strong professional, ethical and moral standards among JAG lawyers and support staff begins with People Objectives that teach those values.

The graphic above reveals our emphasis on training as the backbone of a viable ethics program. Dedicated efforts promoting professional development and ethics training among our lawyers and support professionals seem to have paid off with excellent performance results for FY 03/04. There were no alleged Code of Service Discipline or Criminal Code offences, no allegations of unprofessional conduct, no harassment complaints and no alleged ethics breaches in the Office of the JAG.

Another positive result evident in the Value Stream # 1 performance view is the improved timeliness of JAG Directorates specializing in Military Justice (87.8% vice 81.7% in the prior year) and the higher compliance rating with Prosecution Service Level Agreements (up to 81% from 78.4% in the prior year).

The results observed in this value stream demonstrate our dedicated efforts and the high probability of success in establishing Public Confidence in the Canadian Military Justice System.

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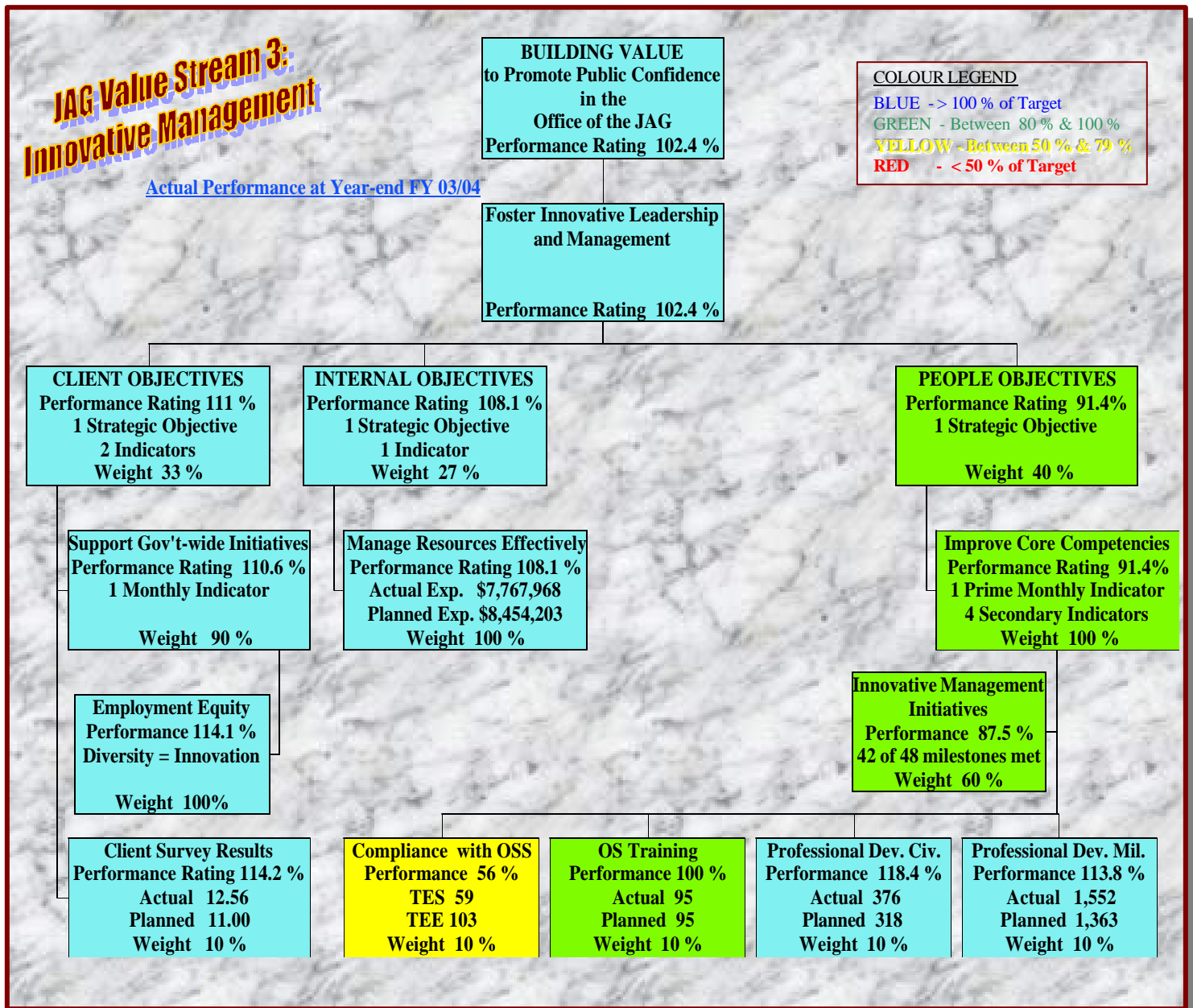


Monitoring the results in the Value Stream #2 performance view provides an assessment of the JAG's efforts and degree of success in Safeguarding Canadian Interests and Values during the conduct of defence activities. The graphic above represents a 4% improvement over all in FY 03/04 from prior year results.

The success of our strategy to advance the Rule of Law is dependent upon the dedicated involvement of JAG lawyers in all defence activities. It demands a proactive approach to the practice of military law. All of the measures in each performance perspective in this value stream address the JAG efforts to inculcate the Rule of Law upon the defence establishment.

Achieving a fully staffed, healthy and motivated, well-trained staff of lawyers and support professionals enhances our ability to increase the influence of the rule of law on defence decisions. An increase in legal service demand and in the number of services provided are indicators of the respect held for our views by defence decision-makers.

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Promoting Public confidence in the Office of the JAG means:

- managing all of our assets in an innovative, proactive way;
- pursuing a full slate of improvement initiatives to help us stay ahead of the curve in the technical environment and in resource management;
- building an effective and efficient organization to keep us relevant and credible now and in the future;
- fostering a productive work environment supportive of initiative, decisiveness and trust; and
- satisfying all client needs for legal advice and services.

Value Stream #3 tells us how well we are achieving the strategic objective to generate, in clients and in the public, confidence in the Office of the JAG as a modern, task-tailored force of legal professionals capable of responding quickly to crises. The graphic above illustrates our continuing success in generating this confidence.

1.8 PERFORMANCE GAPS

During the past fiscal there was one minor service delivery performance gap concerning a high workload backlog in personnel law and there were some other areas of legal service provision that performed near the borderline of acceptability. The latter relate to prosecution timeliness and three field offices with backlogs approaching 2% of their total demand for services. As well, new client service requirements were identified in the area of intelligence and information operations and one management process performance gap emerged early last year. Brief descriptions of the three problem areas requiring specific remedies follow:

- Unresolved (backlogged) demands should not normally exceed 2 % of the total number of service requests made of a JAG directorate. At the 10% level, the Human Resources (HR) Directorate was disproportionately strained last year. This result was client driven in that the HR Directorate was pursuing higher client priorities involving three important, time-intensive military personnel projects.
- The changing nature of military operations (asymmetric threats, information operations, intelligence gathering and space law) and the level of legal support that should be provided to adequately address information operations law matters emerged last year to severely challenge available legal resources. In order that Canada and the CF are well positioned to meet the security challenges of the 21st century the JAG's operations service line must expand in the coming year to serve those growing concerns.
- A significant Information Management (IM) capability gap was identified in the Office of the JAG dealing with efficiency and effectiveness issues respecting information storage and retrieval (treating information as an asset).

These performance deficits were addressed in the business planning process resulting in:

- a newly created Administrative Law directorate which should relieve the strain and the backlog in the HR directorate during the current fiscal year;
- the establishment of the Directorate of Law/Intelligence and Information Operations (DLaw/I&IO) to address this burgeoning legal discipline; and
- a JAG management initiative to develop and implement a comprehensive information and case management solution for the Office of the JAG to achieve compliance with Government of Canada IM related legislation, regulations and policies. This will be accomplished by integrating the departmental level enterprise management information systems and instituting comprehensive information management across the JAG organization over the next 5 years.

1.9 NOTABLE ACHIEVEMENTS IN FY 2003/04

To answer the question “have we fulfilled our vision: that justice is done in the defence of Canada” we need to know how we should appear to our stakeholders – Canadians. The stakeholder perception of the Office of the JAG (and the Canadian Forces) must be one of confidence that, in all of our defence activities, we conduct ourselves according to the highest Canadian standards and values. In order to demonstrate to our stakeholders that justice is indeed done in the defence of Canada, we must influence their collective perception in positive ways by providing evidence that:

- Canadian interests and values (and the rule of law) are respected in the conduct of all defence activities;
- the Canadian Military Justice System is fair, open and transparent; and

- the Office of the JAG can be counted upon to provide high quality legal advice to the Canadian Forces and to the Department.

These are the three top-most strategic objectives that we strive to achieve in the Office of the JAG: our *'Results for Canadians'*.

Achievement results from the full exercise of ones powers along the lines of excellence. All of our strategies to develop our people, to improve our processes and systems and to deliver top quality legal advice and services to our clients are aimed at attaining excellence in those three principal goals.

In the paragraphs that follow are some of the accomplishments generated by our efforts to excel over the past year. Not included are highly classified initiatives.

Client Objectives:

The demand for JAG legal advice and services increased by 7.6 % last year. Client satisfaction with that advice exceeded the standard expressed in service level agreements according to the FY 03/04 Client Satisfaction Survey. Steady Increases in our business together with reaffirmation of our clients' satisfaction reflect well on the CF indicating both respect for the Rule of Law and confidence in the purveyors of CF legal advice.

We improved our performance rating in the client service strategic objectives by 4 ½ percentage points, exceeding our maximum expectations. This type of result prompts us to re-examine our performance standards with a view to raising the bar even higher. Our data is validated by our qualitative measures, the Client Satisfaction Survey and the Military Justice Stakeholder Survey, both of which were highly favourable in FY 03/04.

As well, we completed all courts martial and related activity required of us, we conducted all of the legal training that was asked of us and we met each tasking for deployed operations. On the latter point, the Office of the JAG deployed a record high number (32) of legal officers (25% of the effective strength) on operational missions and exercises in FY 03/04. This level of activity was expected given the progressive buildup in the demand for operational legal services over the two previous years. In preparation, JAG operational readiness was raised to 67% (Ops-trained legal officers) in FY 03/04.

Overall, we delivered 5.7 % more high quality legal services in support of the Defence Mission than we did in the previous year. On the basis of these client service performance results we can conclude that all legal services required by the DND and CF have been performed.

Results for Canadians:

Safeguarding Canadian interests and values by advancing the Rule of Law in all defence activities

- The JAG supports the operational effectiveness of all CF personnel through military legal training. In FY 03/04, the Office of the JAG trained a record number of CF personnel (1141) on 65 courses dealing with the law of armed conflict and military justice. These results increase the likelihood that the CF will respect the rule of law in operational missions.
- In terms of self-improvement (enhancing the core-competencies of JAG lawyers) Legal Officer Intermediate Training (LOIT) was expanded to three courses covering military justice and administrative law, operations law and the law of armed conflict. In total these courses graduated 95 legal officers last year better enabling them to provide appropriate and cogent legal advice in all circumstances.

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- Through international and domestic working groups (IMSWG & PSI) JAG lawyers worked to safeguard Canadian interests and values by resolving legal issues surrounding Canada's maritime security and the international proliferation of security initiatives.
- Through participation in the AUSCANZUKUS legal working group, JAG lawyers worked to protect Canadian cyber-security by resolving legal issues surrounding Computer Network Defence (CND).
- An important strategic goal is to support stakeholder awareness of the JAG's strategic progress through a focused information program. In this respect, the Office of the JAG has implemented extensive military justice and military law outreach programs over the past five years. These programs have grown to include:
 - ✓ The Military Justice Stakeholder Committee;²
 - ✓ The CF Code of Service Discipline Committee;³
 - ✓ The JAG Advisory Panel on Military Justice;³
 - ✓ The military Justice Round Table;³
 - ✓ The Heads of Federal, Provincial & Territorial Prosecutors Committee;
 - ✓ The National Military Law Section of the Canadian Bar Association;
 - ✓ The Inter-agency Cooperation Committee; and
 - ✓ The JAG Website <http://www.forces.gc.ca/jag/>

Military Justice initiatives to improve and promote confidence in the MJS

- The review of recommendation 40.31 from the report of the Somalia Commission of Inquiry which recommended that: sentencing options such as community service, conditional sentences and fine option programs be made available to service tribunals was presented to the Bill C-25 NDA Independent Review Authority.
- Our legal education professionals conducted 51 Summary Trial Certification Training courses, certifying 619 presiding officers, re-certifying another 94 and training 170 Non Commissioned Members (NCMs) last year.
- Military justice training, specific to the process for convening a court martial, was provided to the Chain of Command and referral authorities. As well, a Referral Authority Guide was published and widely disseminated.
- Training was provided to Court Martial Appeal Court (CMAC) judges, in concert with the National Judicial Institute, on the administration and the intricacies of the Military Justice System.
- A Military Justice Stakeholder Survey was conducted this past year, which confirmed compliance with regulatory requirements of the Military Justice System.
- An extensive military justice outreach program involving stakeholders, the Canadian Bar Association, Commonwealth Armed Forces Lawyers, and the heads of federal, provincial and territorial prosecutors was actively pursued this past year.

Activities promoting confidence in the Office of the JAG

- Resource Management. FY 03/04 expenditures were 3 % below the JAG funding allocation, a result consistent with government fiscal restraint policies to promote

² A complete description available in the Annual Report of the Judge Advocate General 2003-2004.

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discipline, due diligence and value for money in the use of public funds. As well, surplus funds were remitted in a timely manner to budget authorities for reallocation.

FY 03/04 Operating Budget	Budget	Expenditure
Vote 1 (exclusive of military pay)	\$ 7,943,829	\$ 7,727,064
Vote 5	\$ 189,284	\$ 141,465
Total Operating Budgets	\$ 8,133,113	\$ 7,868,529

- In furtherance of promoting Canada's high esteem to the world, our colleague Maj Jean-Bruno Cloutier was named as recipient of the Medal of the Paris Bar for the academic year 02/03, during which he was on Post-graduate Training. This Medal is awarded annually to the top student in the Masters in Law with Thesis program at the University of Ottawa. The medal was presented to Maj Cloutier by the French Ambassador at a ceremony at the University on 3 Sep 03.
- On 01 Apr 03, the CDS approved the appointment of a senior JAG LCol legal officer to the position of Deputy Director of the Military department of the International Institute of Humanitarian Law in San Remo Italy. In addition to promoting key international defence and security relationships, this strategic appointment has provided the CF with an excellent opportunity to influence and shape international humanitarian law and the law of armed conflict in a multinational environment thereby protecting Canada's interests and promoting its values on the world stage.
- The JAG manages the force development of legal officers. This includes Regular and Reserve Force recruiting, selecting officers for the Military Legal Training Plan and for Post-graduate Training and conducting professional development, occupational specification, occupational specialty specification and ethics training. By fiscal year-end the Legal Branch had attained a 97.8 % recovery from previous personnel and experience deficits. JAG professional development training was increased by 14% last year in an effort to develop the most professional and effective lawyers possible to support the defence team. A JAG project was initiated in FY 03/04 to create a para-legal Military Occupation Classification (MOC) with a view to deploying para-legals with legal officers increasing their accessibility, efficiency and effectiveness in theatre and in court.

Examining JAG performance from different perspectives allows us to serve Canadians better. By evaluating Mission Fulfillment, Strategic Performance and Value-building separately, we can best distinguish program strengths and weaknesses and obtain insight on what does and does not produce high value to Canadians for the resources applied.

The performance of our top three strategic objectives that are addressed, in part, by the above-noted achievements improved in FY 03/04 by almost 5 percentage points. We attribute this steady improvement to the pursuit of a manageably sized, highly relevant Legal Stewardship program that concentrates effort 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 – THE STRATEGY-FOCUSED³ JAG ORGANIZATION

The strategy to achieve the JAG Vision *that justice be done in the defence of Canada* is the basis of performance measurement in the Office of the JAG. In basic terms, the strategy describes how our intangible assets of human, information and organization capital are enhanced and directed through value-building processes to provide excellent service and to forge quality client relationships, creating and sustaining value for Canadians. We have defined our value to Canadians in terms of our ability to:

- ensure that Canada has a fair, open and transparent military justice system that strengthens CF Command and Control;
- safeguard Canadian interests and values ensuring that the rule of law is respected in the conduct of defence activities; and
- develop and employ highly competent and capable military lawyers.

Depicted on the following page is a simple graphical representation of this strategy. It is a chain of cause and effect logic that links our organization's desired outcomes with its resource inputs. 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.

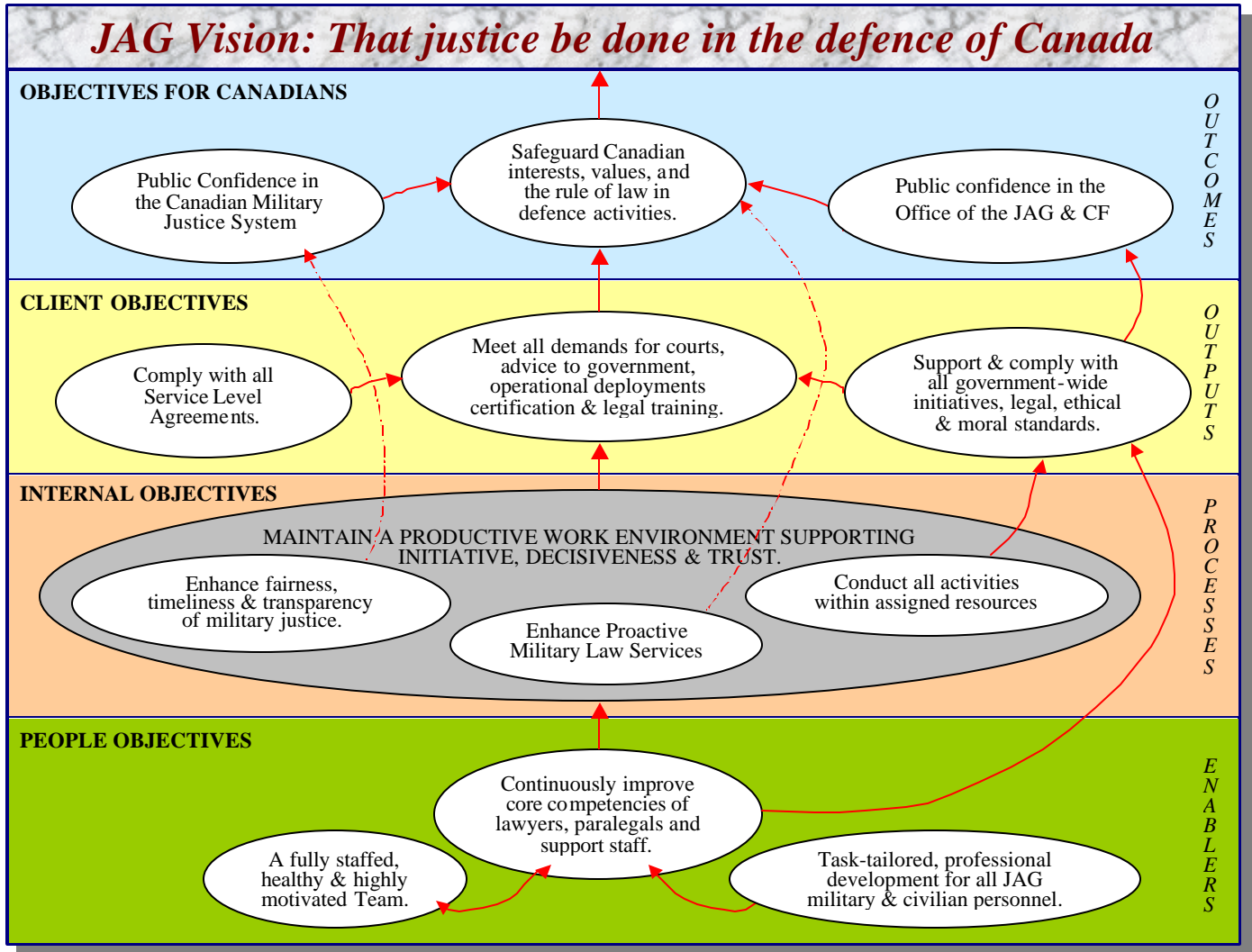
The map is representative of the way we go about building organizational value by enabling people through their continuous improvement, by making the best use of available resources to enhance work processes facilitating the production of top quality client services leading to outcomes that achieve the vision.

These high-level strategic "Outcomes" are worded in such a way that they cannot be achieved until the Canadian public has actually acquired a level of confidence in the military justice system and in the Office of the JAG and has an awareness that the JAG has safeguarded their interests, values and the rule of law in defence activities. To achieve these outcome objectives, we must enlighten Canadians and it has been one of our important goals to support stakeholder awareness of the JAG's strategic progress through a focused information program.

In this respect, the Office of the JAG operates extensive military justice and military law outreach programs. In addition, we publish the results of our performance measurement system, our client satisfaction surveys, our stakeholder surveys annually and a Military Justice Annual Report. These efforts are undertaken in part to ensure that Canadians become aware of our work and its results, so that they will know the part we are playing to safeguard Canadian interests and values and to oversee the administration of a fair, open and transparent military justice system.

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 its 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.

³ Based on the teachings of Robert S. Kaplan and David P. Norton in their book "The Strategy-Focused Organization", Harvard Business School Press, Boston Massachusetts, 2001.



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 last year's Annual Performance Report. It is worth reviewing and is mandatory reading by all new members of the Office of the JAG since all JAG lawyers, paralegals and support personnel must understand the JAG strategy and be 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 MEASURING THE VALUE STRUCTURE

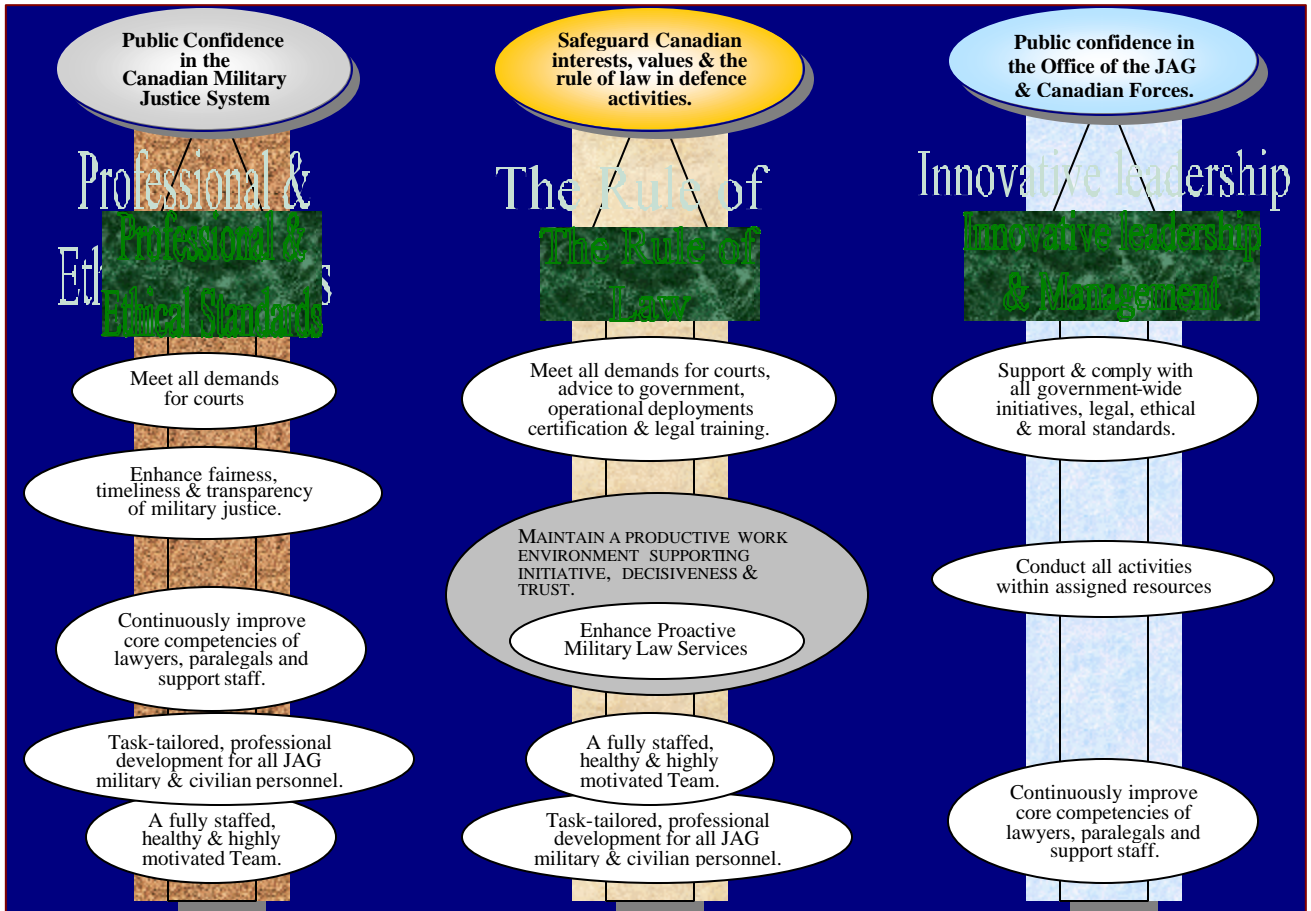
In addition to measuring the effectiveness of the JAG's strategy, it is important to assess the organization's progress in building value since that process is vital to strategic change. Dominant themes in value building tend to arise from internal processes.

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 safeguard Canadian interests and values. A third is promoting innovative leadership and management as key to building confidence in the office of the

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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.



2.2 STRATEGIC PERFORMANCE MEASUREMENT FRAMEWORK

Our performance measurement system relies on a logical assumption to link what we do to tangible value for Canadian citizens. We assert that providing high quality client services through continuous improvement of human skills and work processes produces client satisfaction and increased demand for our legal advice. We measure client satisfaction through an annual survey and service delivery through multiple empirical measures. We further assert that these two outcomes of client satisfaction and increased service demand correlate with high levels of confidence in the Office of the JAG as purveyors of CF legal advice. These two outcomes also correlate with protecting Canadian interests and values and ensuring respect for the rule of law in the conduct of defence activities, since that is the nature of our legal advice and services. Similarly, Canadians will have confidence in a military justice system that is shown through performance measurement to be timely and that is reported in stakeholders' surveys to be compliant with regulatory requirements and is fair to the accused.

The following is a graphic representation of the JAG Strategic Performance Measurement Framework and how it relates to the fulfilment the JAG Mandate, Mission and Vision.

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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.

Performance Framework

Operational Strategy Map

Current Focus

Strategic Performance Measurement

<i>JAG Vision: That justice be done in the defence of Canada</i>		EMPHASIS	INDICATOR OF SUCCESS
O U T C O M E S	OBJECTIVES FOR CANADIANS		
	Public Confidence in the Canadian Military Justice System	10	Monthly progress of M.J. projects Annual Client Satisfaction Survey
	Safeguard Canadian interests, values and the rule of law in defence activities.	10	Monthly progress of Mil Law projects Annual Client Satisfaction Survey
O U T P U T S	CLIENT OBJECTIVES		
	Public confidence in the Office of the JAG & CF.	5	Monthly progress of Innov. Mgt. Projs. Annual Client Satisfaction Survey
	Comply with all Service Level Agreements (SLAs).	10	Monthly SLA Compliance Rating
P R O C E S S E S	INTERNAL OBJECTIVES		
	Meet all demands for courts, advice to government, operational deployments certification & legal training.	10	Monthly Capacity Index Check Monthly Unresolved Demands
	Support & comply with all government-wide initiatives, legal, ethical & moral standards.	5	Mandated Gov't. Program Compliance Annual Client Satisfaction Survey
E N A B L E R S	PEOPLE OBJECTIVES		
	Enhance fairness, timeliness & transparency of military justice.	10	Military Justice Timeliness Stakeholder Perception Survey
	Maintain a productive work Environment supporting initiative, decisiveness & trust	8	Monthly increase in Service Demands Monthly increase in services completed
	Enhance Proactive Mil. Law Services	2	Monthly Budget Performance
	Conduct all activities within assigned resources.		
	Continuously improve core competencies of lawyers, paralegals and support staff.	10	Progress achieving OSS compliance. Progress of Innovative Mgt. Projects.
	A fully staffed, healthy & highly motivated Team	10	Strength vs. Establishment, Health Index & Capacity Index.
	Task-tailored, professional development for all JAG military & civilian personnel.	10	Monthly OS training vs. planned level. Monthly PD training vs. planned level for both mil. and civ. 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 with the publication of the JAG Management Plan, 20 July 1998. He implemented performance measurement nine months later on 01 Apr 99. With five years of performance data in the Performance Measurement Decision Support System (PMDSS), we can reliably assess the long-term effectiveness of our strategy to fulfil 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.

The JAG has been pursuing the “complete client solution strategy” for client service delivery. It consists of building long-term relationships with client organizations, developing full service solutions to their legal advice needs, providing excellent service and forging quality relationships. We have been successfully managing client needs through Service Level Agreements (SLAs) and the business planning process.

Since Jan 04 the department has required us to adopt the “low total cost strategy” of service delivery whereby we would deliver consistent quality and acceptable timeliness on the most essential services necessary to fulfill our mandate in order to keep costs low. As such we would focus our efforts on operational effectiveness (courts, operational deployment, military justice and military law training.). We must favour service delivery over value-building initiatives in the near to mid term. We have not altered our long-term strategy, however.

In the paragraphs that follow are five-year assessments of strategic performance by key perspective beginning with value-building objectives on the way to the JAG Vision.

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 99/00	Results FY 00/01	Results FY 01/02	Results FY 02/03	Results FY 03/04
Continuously improve core competencies	10%	NA	58.3 %	91.4 %	107.6 %	96.3 %
<i>JAG Ethics Program</i>	50%	NA	60 %	99.6 %	133 %	111.1 %
<i>Innovative Mgt. Progress</i>	40%	NA	57.1 %	88.5 %	88.2 %	87.5 %
<i>OSS Compliance⁴</i>	10%	48.1 %	54.3 %	62.2 %	56 %	57.3 %
Fully staffed, healthy, motivated Team	10%	83 %	81.8 %	90.7 %	85.5 %	91.5 %
<i>Health Index</i>	50%	105.4 %	76.6 %	88.2 %	80 %	94.1 %
<i>Projected Strength (RegF)</i>	20%	87.9 %	93.7 %	93 %	92.5 %	97.8 %
<i>Strength vs Estab. (PRL)</i>	5%	65.6 %	72.2 %	79.7 %	77.4 %	77.4 %
<i>Strength vs Establ. (Civ.)</i>	15%	NA	72.9 %	90.3 %	89.7 %	76.7 %
<i>Resource Capacity</i>	10%	94.5 %	102.4 %	104.8 %	101.7 %	102.4 %

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

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PEOPLE OBJECTIVES and their Performance Indicators	W e i g h t	Results FY 99/00	Results FY 00/01	Results FY 01/02	Results FY 02/03	Results FY 03/04
Task-tailored professional Development Training	10%	NA	101.6 %	116.2 %	113.1 %	110.7 %
<i>Reg. F. Legal Officer Trg.</i>	34%	110.2 %	94.1 %	112.7 %	109.3 %	113.8 %
<i>JAG PRL Training</i>	33%	100 %	100 %	100 %	100 %	100 %
<i>Civilian Training</i>	33%	NA	110.9 %	136 %	130 %	118.4 %
Total: PEOPLE OBJECTIVES	30%	NA	80.6 %	99.4 %	102.1 %	99.5 %

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

For the past three years in particular, we have achieved and maintained high levels of performance in the three strategic People Objectives. Two lesser measures, *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. Nor is the poor result in civilian staffing since that downturn is attributable to the highest staffing priority being given to DGCFGA, which subsequently left the Office of the JAG with 9 newly staffed positions.

Raising the *OSS Compliance* result depends on a complex project to revise the Trained Effective Establishment (TEE). Its very low priority has constrained its progress.

Efforts to fully staff the PRL Establishment were very active again this year due to high turnover and difficulty attracting applicants in certain areas of the country.

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 99/00	Results FY 00/01	Results FY 01/02	Results FY 02/03	Results FY 03/04
Enhance fairness, timeliness & transparency of MJS	10%	NA	NA	71.9 %	81.7 %	87.8 %
<i>Timeliness.</i>	90%	42.9 %	61.6 %	70.6 %	81.7 %	83.9 %
<i>Stakeholder Perception</i>	10%	NA	NA	83.3 %	83.3 %	91.7 %
Enhance Military Law Services	8%	NA	111.4 %	115.2 %	111.1 %	106.5 %
<i>Increase in Service Demand</i>	50%	NA	+ 13 %	+ 16.7 %	+ 12 %	+ 7.4 %
<i>Increase in Services Provided</i>	50%	+ 20.5 %	+ 9.8 %	+ 13.7 %	+ 10 %	+ 5.7 %
Conduct all activities within assigned resources	2%	120.5 %	104.1 %	110 %	116.9 %	108.1 %
<i>Budget Performance:</i>						
<i>Actual Expenditures</i>	100%	\$6.037M	\$7.293M	\$7.548M	\$7.269M	\$7.768M
<i>Planned Expenditures</i>		\$7.591M	\$7.604M	\$8.407M	\$8.742M	\$8.454M
Total: INTERNAL OBJECTIVES	20%	NA	NA	81.4 %	97 %	97.3 %

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All performance indicators tracking the success of our strategy to improve internal processes show consistently positive results. We have overcome most of the obstacles to the timely delivery of military justice, our business continues to increase (indicating that our services are valued by our clients to an ever increasing degree), and we have continued to save public funds, limiting spending below our funding allocation. A performance gap was identified this past year in the process of information management. This is addressed in Section 3.3.2 (Closing Performance Gaps) below.

3.3 FULFILLING CLIENT OBJECTIVES

3.3.1 Comparative Performance

CLIENT OBJECTIVES and their Performance Indicators	W e i g h t	Results FY 99/00	Results FY 00/01	Results FY 01/02	Results FY 02/03	Results FY 03/04
Meet all demands for courts, advice to government, operational deployments, certification & legal training.	10%	NA	99 %	102.8 %	91.5 %	99.5 %
<i>Resource Capacity</i>	90%	94.5 %	102.4 %	104.8 %	101.7 %	102.4 %
<i>Unresolved Demand</i>	10%	NA	3.4 %	2 %	1.3 %	1.16 %
Client Satisfaction	10%	NA	NA	96.7 %	98.3 %	103.3 %
<i>SLA Compliance</i>	80%	101.3 %	96.9 %	91.5 %	92.4 %	92.4 %
<i>Client Survey Results</i>	20%	NA	NA	117.6 %	119.4 %	114.2 %
Support and comply with all government-wide initiatives.	5%	NA	85 %	85 %	103.3 %	110.6 %
Total: CLIENT OBJECTIVES	25%	NA	NA	90.4 %	98.8%	103.2 %

The JAG strategy applied to fulfilling client objectives has proved its effectiveness over time. We have continued to meet more than the planned number of legal taskings requested of principal clients and have progressively reduced the level of our workload backlog (unresolved demands). It is now well below the self-imposed 2% standard of acceptability for late responses.

We have maintained a performance rating of over 90 % for SLA compliance, high levels of client satisfaction (according to survey results) and have supported all government-wide initiatives. The latter performance improved as a result of our highly successful ethics program.

There was one minor service delivery performance gap last year concerning the high DLaw/HR workload backlog and there were other areas close to the borderline of acceptable performance. The latter relate to prosecution timeliness and the workload backlog in three field offices, which approached 2% of their total demand for services. As well, new client service requirements were identified in the area of intelligence and information operations. These are discussed in Section 3.3.2. below.

3.3.2 Closing Performance Gaps

FY 03/04 ended with fewer unresolved service demands than in the previous year. DLaw/I, formerly troubled with a high workload backlog of 11% in FY 01/02 and 4% in FY 02/03 is now under 1%, which compares favorably to an accepted standard of 2%.

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Three field offices ended the year close enough to this 2% standard for unresolved service demands to warrant close monitoring of both the workload and the reporting of workload statistics during the current fiscal year:

- AJAG Halifax 1.93 %
- AJAG Victoria 1.86%
- AJAG Montréal 1.69%

Prosecution timeliness dropped to 63% from 78% two years ago. While in the cautionary range, 63% is an acceptable performance result. The 2003-2004 JAG Statutory Annual Report describes CMPS activity and detailed results for the past year.

DLaw/HR experienced a 50% reduction in service demand, 10% of which remained unresolved at year-end. This was caused by the directorate's pursuit of higher client priorities: the CRA 60 file, the Price litigation and Dismemberment Legislation. It is viewed as selected neglect to satisfy higher priority work of the principal client.

The performance gaps are noted hereunder, together with their impact and prospects for improvement in the current fiscal year.

<i>Description of GAP (deficiency)</i>	<i>IMPACT on PERFORMANCE</i>	<i>CURRENT STATUS</i>
Demand for the legal services of the Directorate of Human Resources dropped by 50% from 870 in FY 02/03 to 432 last year. Of these reduced services, over 10% (45) were unresolved at year-end. Three major HR projects were in train during this period.	Unresolved (outstanding) demands should not normally exceed 2 % of the total demand placed on any organization. At 10%, the HR Directorate is disproportionately strained. The high level of unresolved demand did not affect the priority work of the directorate, which involved three major initiatives.	Only one experienced lawyer in an establishment of five has been consistently available to manage directorate business this past year. Two of the five are now on strength with two new lawyers on OJT. As well, a newly created Admin Law directorate should relieve the strain in the HR directorate and the backlogged work should be completed this fiscal year.

<i>Description of GAP (deficiency)</i>	<i>IMPACT on PERFORMANCE</i>	<i>CURRENT STATUS</i>
The changing nature of military operations and the level of legal support that should be provided to adequately address information operations law matters emerged to severely challenge available legal resources.	In order that Canada and the CF are well positioned to meet the security challenges of the 21 st century the JAG's operations service line must expand to serve those growing concerns (asymmetric threats, information operations, intelligence gathering and space law).	DM and CDS approval has been provided through the business planning process for the JAG to establish the Directorate of Law/Intelligence and Information Operations (DLaw/I&IO). This directorate will interface with and support the CF Information Operations Group and the CF Joint Intelligence Center (CFJIC).

<i>Description of GAP (deficiency)</i>	<i>IMPACT on PERFORMANCE</i>	<i>CURRENT STATUS</i>
<p>An Information Management (IM) capability gap was identified in the Office of the JAG. Information is not presently managed as an asset in that we lack a comprehensive records management capability, a secure electronic case management system, and a legal dynamic website. The Defence Subject Classification & Disposition System (DSCDS) should be implemented across the Legal Branch.</p>	<p>Legal officers and support staff lack ready access to the work product of their colleagues and predecessors. Legal opinions have a direct impact on the ability of the CF to operate legally in Canada and abroad and to sustain military justice. Inefficient management of case and legal opinion information may cause delay in dispensing legal advice and services.</p>	<p>The JAG established an internal project office to conduct the identification and option analysis phases. A working group provides requirements input to the project office. Matrix support has been secured from DIMR, SSS and other NDHQ organizations. This is a five-year project currently in the pre-definition phase and is scheduled to deliver the comprehensive records management capability with the DSCDS by Jun 07.</p>

3.3.3 Director General Canadian Forces Grievance Authority

The new division, Director General Canadian Forces Grievance Authority (DGCFGA), was established under the command of the JAG on 1 Jan 2003. This past year, the opinion was expressed that the JAG's exercise of command and control over DGCFGA could create the perception of a conflict of interest. The JAG advised the MND that it would be in the best interests of the CF that the Canadian Forces grievance process not be diminished by any suggestion or perception that it will not operate fairly on behalf of CF members.

Therefore, in concert with that advice, the JAG recommended to the CDS that DGCFGA be transferred to the VCDS. This proposed solution was approved and removes any perceived conflict. It was implemented in Jan 04.

In order that legal advice continue to be provided to the grievance process, the DGCFGA legal officer positions responsible for that advice were transferred to the JAG Administrative Law Division, DJAG/MJ & Admin Law. They serve in the new Directorate of Admin.Law (DLaw/Admin Law) responsible to DJAG/MJ & Admin Law.

3.3.4 Client Satisfaction Questionnaire Survey (working level)

During Feb/Mar 04, the third annual JAG Client Satisfaction Survey was conducted. Questionnaires were provided by e-mail to principal clients of the Office of the JAG in seven Canadian Regions and Europe. Each survey provided service quality data on 13 performance factors in the following categories:

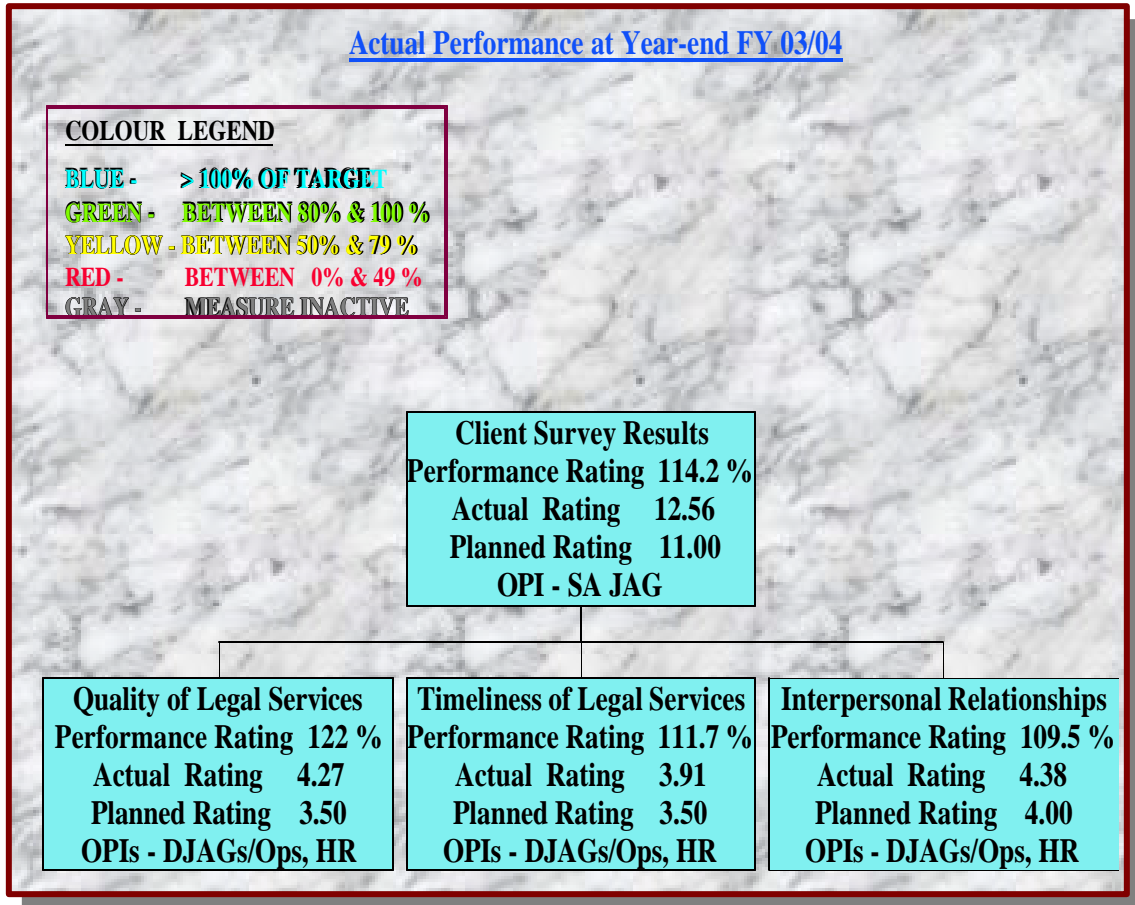
- Quality of Service;
- Timeliness; and
- Interpersonal relations.

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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 average); and
- Interpersonal relations - **4.0** (well above average).

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



These highly positive results support our assertion that we provide high quality, timely legal advice and services. As noted previously, this correlates with high levels of confidence in the Office of the JAG as purveyors of CF legal advice.

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 directed toward producing results for Canadians are essential to the achievement of that vision. Each of these top-level strategic objectives involves specific JAG commitments to Canadians. These are shown below together with the set of Legal Stewardship initiatives applicable to each. Their completion over time delivers the commitments, furthering the fulfilment of the objectives and achievement of the JAG Vision. Since these top-level objectives were not conceived until Apr 01, only a four-year comparison of their progress is possible.

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3.4.1 Comparative Performance

OBJECTIVES for CANADIANS and their Performance Indicators	Weight	Results FY 00/01	Results FY 01/02	Results FY 02/03	Results FY 03/04
Safeguard Canadian Interests, Values and the Rule of Law in all defence activities.	10%	81.2 %	85.2 %	97.3 %	105.2 %
<i>Military Law Initiatives</i>	60%	102.4 %	63.6 %	82.6 %	96.3 %
<i>Client Satisfaction Survey Results</i>	40%	NA	117.6 %	119.4 %	114.2 %
Public confidence in the Canadian Military Justice System (MJS)	10%	91.3 %	88.9 %	95.5 %	99.6 %
<i>Military Justice Initiatives</i>	40%	82.6 %	76.7 %	92.5 %	102.6 %
<i>Meet all Court Demands</i>	40%	100 %	100 %	100 %	
→ <i>Meet all Service Demands</i>			changed the measure		99.5 %
<i>Compliance Survey</i>	40%	NA	100 %	100 %	
<i>Stakeholder Perception</i>	10%	NA	83.3 %	83.3 %	92.1 %
→ <i>DMP SLA Compliance</i>	10 %		changed the measure		93 %
Public Confidence in the Office of the JAG	5%	57.1 %	102.1 %	103.8 %	100.8 %
<i>Innovative Management Initiatives</i>	50%	57.1 %	88.5 %	88.2 %	87.5 %
<i>Client Satisfaction Survey Results</i>	50%	NA	117.6 %	119.4 %	114.2 %
Total: OBJECTIVES for CANADIANS	25%	80.4 %	89.6 %	97.3 %	102.1 %

Legal Stewardship strategic initiatives are value-enhancing work process changes that deliver benefits to Canadians in different ways, at different points in time through each top-level strategic objective. Pursuing these initiatives is a very important part of the JAG strategy, representing 50% of the direct effort toward achievement of the Objectives for Canadians. The status of all Legal Stewardship projects, in train during FY 03/04 is listed below.

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 2003 - 31 March 2004)
Conduct LOAC Basic Courses	Completed	Planned to train 254; actually trained 250
NATO Status of Forces	Completed	Resolved outstanding NATO SOFA issues ensuring the CF is compliant with all NATO obligations.
2 Projects completed for the year.		

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
NORAD Contingency Plan (CONPLAN)	On Schedule	Continue to provide requisite legal support to the ongoing review of the NORAD CONPLAN. This project is ongoing.
Interdepartmental Maritime Security Working Group (IMSWG)	On Schedule	Participate in the IMSWG legal working group on the legal issues surrounding Canada's maritime security. This project is ongoing.
Proliferation Security Initiative (PSI)	On Schedule	Participate in the PSI international legal working group on the legal issues surrounding maritime proliferation security initiatives. This project is ongoing.
Computer Network Defence (CND)	On Schedule	Participate in the AUSCANZUKUS legal working group on the legal issues surrounding CND. This project is ongoing.
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. This project is ongoing.
Article 36 - Protocol 1	Behind	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. The CF has made a pledge at the Conference of the Red Cross and Red Crescent Societies on 01 Dec 03, in Geneva to do this. In the spring of 2004, DLaw/I will meet with ADM Pol to ensure that the pledge commitment is implement thereby completing the last phase of this project.
DCDS 2/98 Re-write	Behind	Participate in re-writing Direction to Operational Commanders in the Conduct of Domestic Operations. Document drafting is still underway and is control by DCDS Group/COS J3/J3 Continental. DLaw/Ops involvement in the drafting/review is ongoing.
Ops Law Manual (for legal officers)	Behind	The Operations Law Manual, a work instrument for legal officers is in draft form and the 'Final Review' is currently being conducted by DJAG/Ops.
8 Projects in train, of which 3 are behind schedule.		

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Performance Measure: Military Personnel Law & Advisory Initiatives

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
Legal Review of Medical Orders	On Schedule	Review of draft Medical Orders for compliance with law and policy. This project started in Nov 03 and is ongoing.
DND/VAC Support Program Harmonization Project	On Schedule	Improve access and follow-up of the programs that are offered to the CF members concerning mainly the Disability Insurance Programs through the harmonization between the Department of Veterans Affairs and SISIP. The project involved numerous consultations with lawyers from the Department of Veterans Affairs and legal advisors from specialized fields. The second analysis was completed in Oct 03 and in Mar 04 the preliminary comments milestone was met.
Amendments to QR&O articles 21.46 and 21.47	On Schedule	Provide legal input and support in the development and implementation of the amendments to QR&O articles 21.46 and 21.47. This project started in Dec 03 and is ongoing.
Review of QR&O Chapter 28	On Schedule	Review the new version of Chapter 28 of the QR&O and identify all the legal questions that could be raised. The project involved numerous consultations with DLAW/HR and legal advisors. In Nov 03, second analysis milestone was met.
Mil Admin Law Manual	Behind	Provide an administrative guide to CO's to enable them to be more effective in performing their duties. The latest draft is ready for review; lack of resources prevents this project from moving forward a pace.

5 Projects in train, of which 1 is behind schedule.

Performance Measure: Military Law Outreach Program

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
CBA Military Law Section (NMLS)	Completed for period	Participation in the activities of the NMLS has 3 military law outcomes: <ol style="list-style-type: none"> 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. The planned activity was attended.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
Inter-agency Cooperation Committee	Completed for period	Seven planned meetings attended this year to strengthen inter-agency cooperation internationally and domestically. Participants are: OGD-DoJ/DFAIT, Provincial Gov't, Emergency preparedness agencies, Cdn Bar Assoc., National Committee on Humanitarian Law, ICRC, ICTY, ICTR, Key UN Organizations and Humanitarian Relief Organization.
2 Projects completed for the year as planned.		

Summary of strategic goal:

Safeguard Canadian interests and values through enhanced military law services.

Projects Completed	4	
Projects In Train	13	(4 Behind Schedule)
Total Projects	17	

3.4.3 Commitment to Canadians: Canada has a fair, open and transparent Military Justice System (MJS) that strengthens CF Command and Control.

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 2003 - 31 March 2004)
Certification Training of Presiding Officers	Completed more than planned	51 courses last year, 619 presiding officers trained and certified. In addition, there were 170 NCMs and Lts trained.
Presiding Officers Re-certification Test	Completed More than planned	95 members successfully re-certified from Oct 03 - Mar 04.
Presiding Officers Re-certification Test Project	Completed	Develop an online test to renew the four-year Presiding Officers Certification Training qualification.
Sentencing Options	Completed	Review of recommendation 40.31 of Somalia Commission of Inquiry Report recommending that sentencing options such as community service, conditional sentences and fines be made available to service tribunals. Proposals were presented to 5 Year Review Team.
Prosecutors' Workshop	Completed for period	Organized and conducted a military prosecutors' workshop to improve legal education, create policy and increase efficiency and proficiency in military prosecutions.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
CMPS Annual Report FY 2003	Completed	Annual report delivered to the JAG on the execution of DMP duties and functions.
DDCS Annual Report FY 2003	Completed	Annual report delivered to the JAG on the execution of DDCS duties and functions.
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 2003	Completed	JAG Statutory Annual Report to MND on the Administration of MJ published.
Referral Authority Training	Completed	Prepare a training seminar to allow the Chain of Command and specifically the referral authorities an occasion to provide their views on the concept of "military interest" to proceed with charges and concerns regarding the process for convening a court martial. A Referral Authority Guide was published in the July 2003.
MJ Training Seminar - CMAC Judges	Completed	In response to a number of identified concerns, CMAC judges were offered a training package introducing them to the administration of and the intricacies of the MJ System. In Nov 03, a seminar was delivered in concert with the National Judicial Institute.
Establish the 5-Year Mil. Justice Review Process	Completed	Establish the review group and identify all problems and deficiencies in the current statutory regime. Provided JAG advice to MND regarding response to IRA (Independent Review Authority) report that was tabled in Parliament. New project to follow.
12 Projects completed for the year.		
CF Drug Policy	On Schedule	Provide legal review and support in the amendment of the current CF Drug Policy and creation of new DAOD. This project started in Jan 03 and is ongoing.
Legal Review of Military Police Credentials Review Board Procedures	On Schedule	Update MPCRB procedures to reflect changes in procedure consistent with natural justice and CF regulations and policy. The project started in Feb 03 and is ongoing.
Policy Statement Re: AWOL/AWOA	On Schedule	Provide legal review and comment to the development Public Affairs documentation respecting AWOL/AWOA. This project started in Feb 04 and is ongoing.
MOU - Exchange of Military Personnel	On Schedule	Provide legal review and comment to the development of the MOU. This project will establish CF policy respecting the exchange of military personnel with another nation.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
JAG Permanent Military Court Working Group	On Schedule	Analyze and develop a policy for a legislative response to the 14 recommendations made in his report by the Bill C-25 Five Year Review Independent Review Authority, former Chief Justice Lamer, in respect of the creation of a permanent military court, the tenure of military judges and associated matters. A second meeting has taken place to discuss a work plan and the reception of initial input from DOJ counsel. Also, a member has been identified by the JAG & Deputies to work on paper considering issues.
JAG Internal Review Team Policy Development	On Schedule	Analyze and develop a policy for a legislative response to the 43 recommendations made in his report by the Bill C-25 Five Year Review Independent Review Authority, former Chief Justice Lamer, in respect of the wide range of military justice matters addressed in his report other than the creation of a permanent military court, the tenure of military judges and associated matters. Research and policy development is ongoing.
CMPS Annual Report FY 2004	On Schedule	Annual report to be delivered to the JAG on the execution of DMP duties and functions.
DDCS Annual Report FY 2004	On Schedule	Annual report to be delivered to the JAG on the execution of DDCS duties and functions.
Mil. Justice Annual Report FY 2003-2004	On Schedule	JAG Statutory Annual Report to MND on the Administration of MJ in production. The finalization of creative content and the second draft has been completed.
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 to improve implementation procedures. MJPR has met with department data system OPIs to discuss deficiencies in pay and personnel data information systems (CRS recommendation 5).
Concurrent Jurisdiction Policy	Behind	Develop policy to address discipline issues where concurrent jurisdiction exists between the CF & Civil authorities. The final draft has been completed; the policy will be forwarded to the Code of Service Discipline Committee in the 2 nd quarter of FY 04-05.
Victim Impact Statement	Behind	Develop regulatory provisions for introduction of Victim Statements before courts martial. Document required final revision by Director,

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
		DLaw/MJP&R before forwarding to legislative drafters.
Policy Review: Civilian Defence Counsel	Behind	Review of the current policy on the employment of civilian defence counsel in foreign criminal courts to represent CF members. The review has been completed and is now in the drafting preparation phase.
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. The principles of the policy have been established. The Archival Storage Policy project has been subsumed in phase I of the CIMP. As a result, no change/activity from this project milestones perspective is expected for several months.
14 Projects in train, of which 4 projects are behind schedule.		

Performance Measure: Military Justice Outreach Program

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
Heads of Federal, Provincial & Territorial Prosecutors Committee	Completed for period	DMP participation in meetings of the inter-jurisdictional Heads of Federal, Provincial & Territorial Prosecution Committee. There were 3 of 3 meetings attended.
CBA Mil Law Section	Completed for period	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. The planned activity was attended.
CAAFL Participation	Completed for period	Participate in the Commonwealth Association of Armed Forces Lawyers to acquire exposure to and to discuss military law and military justice issues in an international forum. The planned activity was attended.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
CFPM Advisory Structure	Completed	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	Completed for period	Established to provide an external perspective on military justice policy issues, two panel sessions were planned but only one could be convened. 1 of 2 meetings was attended.
Military Rules of Evidence Review and Amendments	Behind	Through the Military Justice Roundtable, assess, review and update of the MREs to both modernize the rules to ensure that they reflect the recent changes to the NDA. Liaising with LRS on revisions before submission to DOJ.
5 Projects completed and 1 project behind.		

Performance Measure: *Military Justice Stakeholder Perception*

PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
Stakeholders Survey Results	Completed	This is a questionnaire survey of major stakeholders, CF-wide, on the administration of summary trials.
Compliance Survey FY 2003	Completed	Assessed compliance of units with the regulatory requirements of the military justice system and publish results in the Military Justice Annual Report.
Compliance Survey FY 2003-2004	On schedule	Assess compliance of units with the regulatory requirements of the military justice system and publish results in the Military Justice Annual Report in Jun 04. In Mar 04, the final results were provided to the JAG.
M.J. Stakeholder Committee	Behind (No meeting conducted)	Conducted the annual meeting chaired by the JAG and 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. There was no annual meeting this year; it was postponed until the fall of 2004 due to the coming elections.
2 Projects were completed as planned for the year, 2 projects in train, 1 of which is behind.		

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Summary of strategic goal:
Promote confidence in the Canadian Military Justice System.

Projects Completed	19	
Projects In Train	17	(6 Behind Schedule)
Total Projects	36	

3.4.4 Commitment to Canadians: The JAG develops and employs highly competent and capable military lawyers.

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

<i>Performance Measure:</i>	<i>Innovative Leadership & Management Initiatives</i>
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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
Address the 2002 Public Service Employee Survey	Completed	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.
Enhance Personnel Plan	Completed	The first JAG Personnel Plan was produced in spring 1999. It must be updated periodically to facilitate career planning. A revision was conducted and published in Jan 04.
Classification Reform - FY 02/03	Completed	Ensuring the work descriptions accurately reflect managerial expectations of work to be performed by employees.
JAG Civilian Human Resources Plan 04/05	Completed	The Civilian HR Plan addresses and initiates areas of recruitment, retention, learning and professional development and employee relations in the Office of the JAG.
CCM+/Mercury - CIO Project # 37	Completed	An ADM (Fin CS) initiative to implement a new work tool to track all in-coming correspondence through a centralized departmental system.
5 Projects completed last year.		
Classification Reform – FY 03/04	On Schedule	Ensuring the work descriptions accurately reflect managerial expectations of work to be performed by employees.
Enhanced Comptrollership FY 03/04	On Schedule	Produce a plan to enhance comptrollership and budget management at all levels. This project is ongoing, in Mar 04; the regular budget briefing was given to the JAG & Deputies.
Remote Access Dial-up Connectivity - CIO Project # 24	On Schedule	Provide interconnectivity of all JAG CFLA NCR offices and with the field offices across Canada, on a single WAN. Remote access to pbviews was provided to the field offices this year.

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PROJECT TITLE	STATUS	PROGRESS achieved in reporting period (01 April 2003 - 31 March 2004)
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. More critical projects and the outcome of CIMP have delayed this project. It will not consume IT resources until these higher priority projects are completed.
NDA Parts I & II Legal Annotation	Behind	Create an annotated NDA and military administrative law bibliography. The legal work on this project has been completed but left is of a technical nature. As of 14 Apr 04 the legal opinions CD is approximately 50% finished.
Creation of Para-legal MOC	Behind	Develop the creation of a Para-legal MOC, through the Military Occupational Structure Analysis, Redesign and Tailoring (MOSART) Project. The revision have been completed, service paper resubmitted to the JAG for his approval.
Practice Management Software Implementation Phases 1-3	Behind	To procure or develop an integrated Practice Management Software system within the office of the JAG. On going further consultations are required with DC Pol. Implementation of the Practice Management Software is currently indefinitely postponed and subsumed in phase II of the JAG CIMP.
Comprehensive Information Management Project (CIMP)	Behind	The JAG Comprehensive Information Management Project seeks to identify all change management efforts, capital procurement and long-term PO&M resources required to introduce and sustain comprehensive information management throughout the Office of the JAG. The project will be steered as DND omnibus project 00000758 in three phases: (a) comprehensive records management capability; (b) secure electronic case management capability; and (c) legal portal capability. The JAG & Deputies were scheduled to consider the JAG Strategic IM Framework for approval on 15 Mar 04. Project Director of CIMP was re-scheduled to a JAG & Deputies meeting in the new year.
8 Projects in train of which 1 project is ongoing and 4 projects are behind schedule.		

Summary of strategic goal:
Continuously improve the core competencies of JAG lawyers enhancing public confidence in the Office of the JAG.

Projects Completed	5	
Projects In Train	8	(4 Behind Schedule)
Total Projects	13	

Performance Summary – Objectives for Canadians and the JAG Vision.

		<u>Prior Year</u>
Projects Completed	28	31
Projects In Train	38 (14 Behind Schedule)	36 (15 Behind)
Total Projects	66	67
Performance Rating	95.5 %	87.8 %

The Legal Stewardship (transformation) program was trimmed to 66 initiatives a year and a half ago to respond to an unprecedented increase in urgent legal service requirements from principal JAG clients. We had been unable to progress our heavy slate of projects effectively, placing the whole program at risk. The result was a dramatic turnaround in productivity. We stayed the course this past year, maintaining economy of effort and high productivity. While both years' totals are similar, the higher overall Legal Stewardship achievement percentage last year is owing to the fact that 18 of the 28 completed projects originated in the highest priority military justice subset of initiatives.

ANNEX A: JAG'S CONTRIBUTION TO THE DEFENCE CAPABILITY PROGRAMS

INTRODUCTION

The Planning, Reporting and Accountability Structure (PRAS) will eventually be superseded by the Program Activity Architecture (PAA), which is under development. It is intended that the National Defence Business Lines (the Capability Programs), currently embodied in the PRAS, will be republished in the PAA without substantial change. Since the Department and the Canadian Forces are our principal clients, there is a continuing requirement for us to clearly demonstrate that their business is our business.

All of our plans and reports have contained graphical linkages to the DND/CF mission and strategy. This Annex takes that linkage process further by describing how the JAG business lines directly support those of the DND/CF. The descriptions are largely graphical, linking relevant JAG performance indicators and measures to the capability programs through their Key Result Expectations. Our effort to do this is consistent with an ongoing VCDS initiative to clearly link, laterally and vertically, all defence activity to ensure that there is no duplication in what organizations are doing and that everything done is value-added for Canadians.

This process transformation initiative underway in the VCDS Directorate of Strategic Planning (DGSP) is a major effort to harmonize all of the strategic direction and reporting mechanisms that are currently in use. These include the PRAS/PAA, Performance Management and Strategy Maps, Strategic Capability Investment Plan (SCIP), the Defence White Paper, Strategy 2025, Corporate Priorities, and more. Harmonization means that DGSP intends for all such direction to have a common look and feel united under one lexicon of terminology and have clear, well-defined interrelationships and direct links to each other - the "enter once, use many" approach.

DEPARTMENTAL OVERVIEW⁶

Defence Mission

The Mission of the Department of National Defence and the Canadian Forces is:

To defend Canada and Canadian interests and values while contributing to international peace and security.

This Mission represents the overarching goal of the Department, and as such is the ultimate result against which the Canadian Forces will be judged by the people of Canada.

Capability Programs

To illustrate the direct connection between the Defence Mission and the results that the Department must achieve to accomplish the Mission, the Department uses Capability Programs. Capability Programs are a means of logically describing sets of fundamental military capabilities required to achieve the results the Department desires. This approach reflects the fact that the Department plans, organizes and prioritizes its activities more along the lines of general military capability rather than along the lines of specific organizational structure. It also emphasizes the ascendance of capability-based planning over threat-based planning, by placing a renewed focus on capability at the highest strategic level.

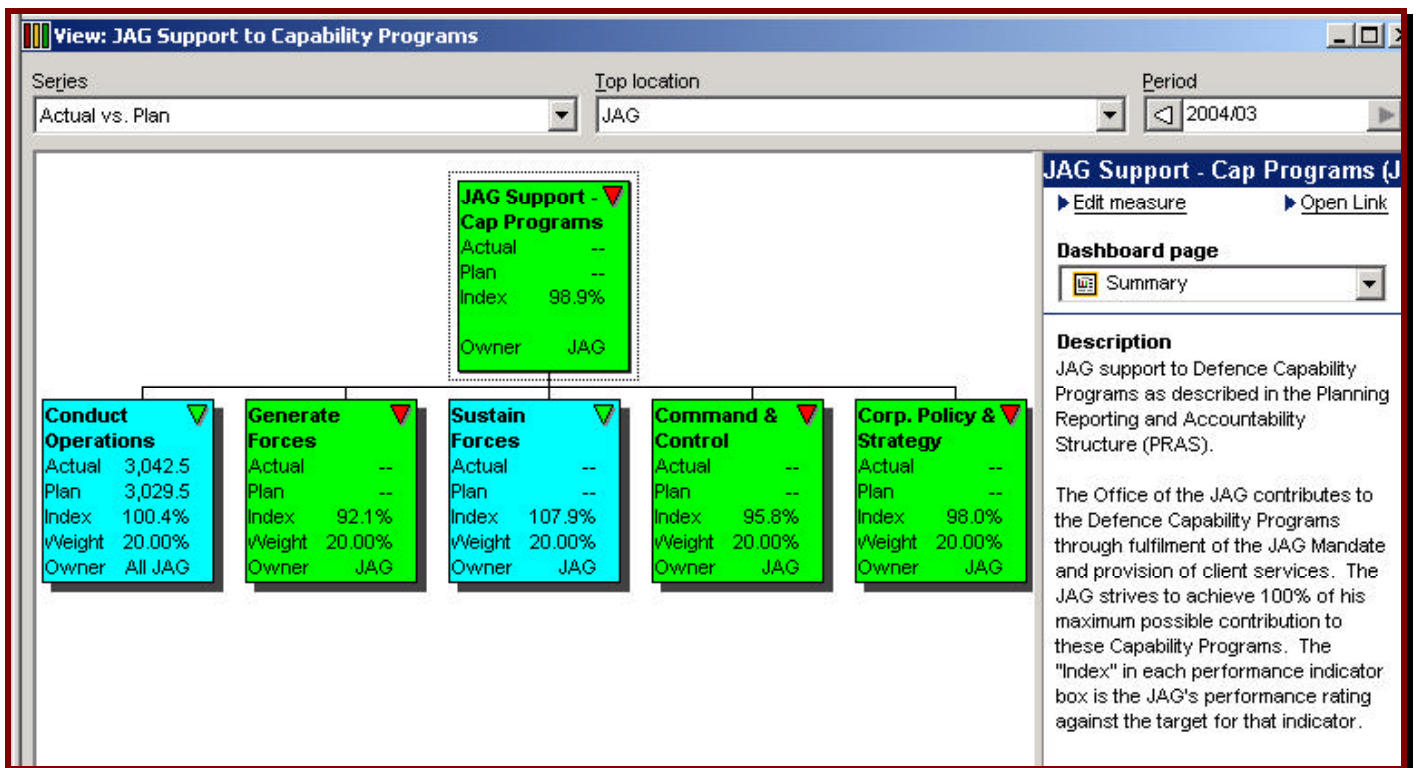
These results-oriented groupings are directly equivalent to Business Lines, and fundamentally reflect the functional priorities and management philosophy of the Department. The five Capability Programs are:

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- **Conduct Operations** – the ability to employ the range of military capabilities required to achieve assigned missions, when and where directed;
- **Generate Forces** – the ability to recruit and train personnel, research, test and procure equipment, and design force structure to produce multi-purpose combat-capable military forces;
- **Sustain Forces** – the ability to repair and maintain equipment, shelter and sustain personnel, and produce the infrastructure and capabilities necessary to support military operations;
- **Command and Control** – the ability to collect, analyze and communicate information, plan and coordinate operations, and provide the capabilities necessary to direct forces to achieve assigned missions; and
- **Corporate Policy and Strategy** – the ability to produce and implement corporate policies and strategies to achieve broad Government objectives, manage Departmental activities, and provide defence and security advice.⁵

JAG'S LINKAGE TO THE CAPABILITY PROGRAMS

Panorama Business views (pbviews) is the display and diagnostic software system used to monitor JAG performance. One of four performance views is used to expose the extent to which the Office of the JAG has met its planned contribution to the Capabilities Programs. The top echelon indicators in this Capability View (shown below) highlight the JAG's success in meeting his expected levels of support to the Defence Capability Programs in FY 03/04.



The remainder of this Annex explains how the Office of the JAG contributes to each of the Defence Capability Programs through their subsets of Key Result Expectations that derive from defence policy. Planned and actual levels of achievement for each are revealed in the graphics.

⁵ Department of National Defence – Planning, Reporting and Accountability Structure, 2001

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1. Conduct Operations The Department will provide the ability to employ the range of military capabilities required to achieve its assigned missions, when and where directed.

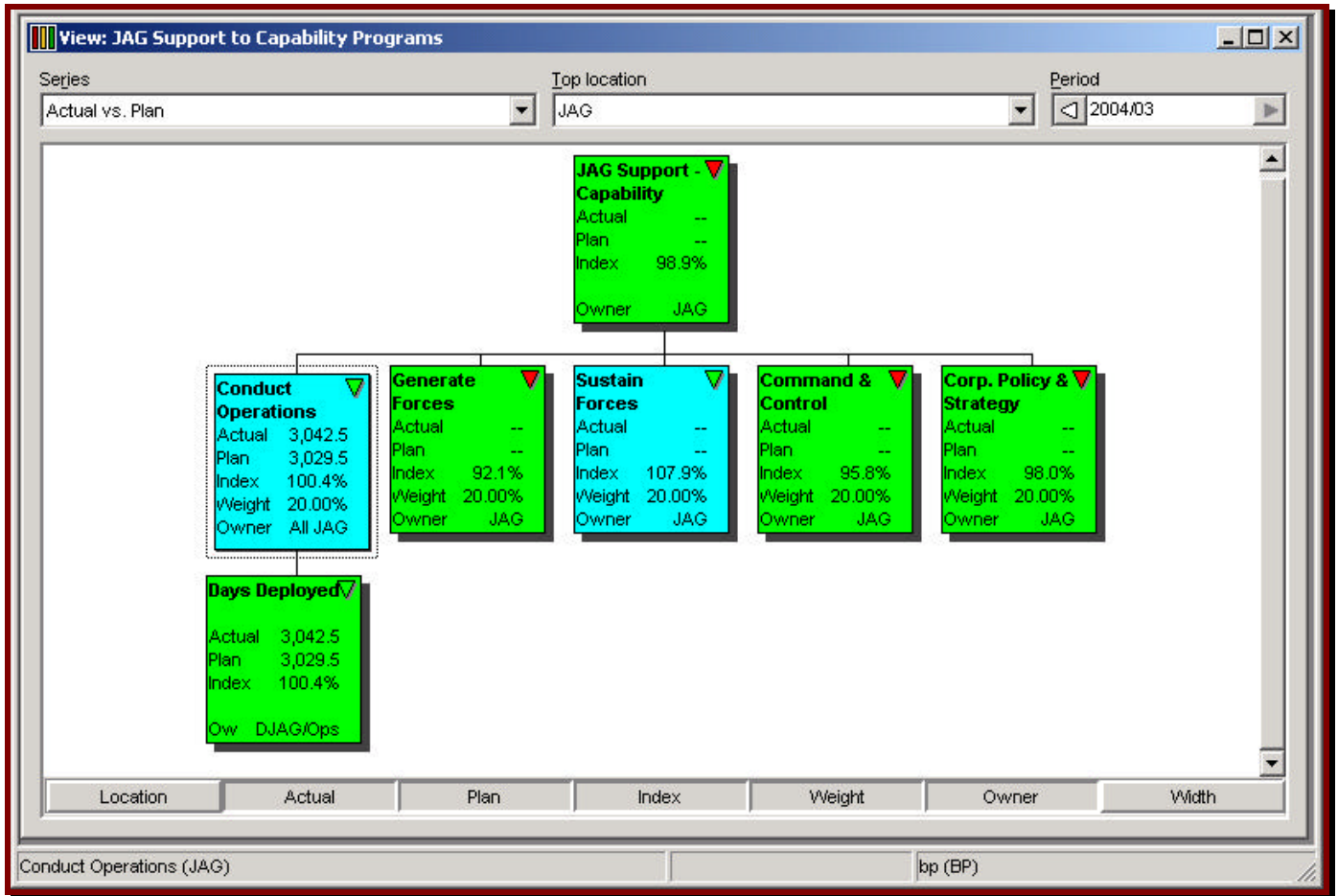
The JAG contributes to each of the following Key Result Expectations through the provision of legal advice and services both in garrison and in theatre.

- 2.1 Surveillance and Control** – Provide the capability to conduct general surveillance and demonstrate the ability to monitor and control activity within Canada’s territory, airspace and maritime areas of jurisdiction.
- 2.2 Search and Rescue** – Provide comprehensive Search and Rescue services throughout Canada’s areas of responsibility as part of the National SAR program, and maintain the ability to respond to a major airline disaster in the North or remote areas.
- 2.3 Humanitarian Assistance** – Provide the capability to render humanitarian assistance and conduct disaster relief activities, within Canada and internationally.
- 2.4 Aid of the Civil Power** – Provide the capability to assist National civil authorities in Aid of the Civil Power operations. In addition, provide the capability to mount an immediate, effective and appropriate response for the resolution of terrorist activities.
- 2.5 Evacuation of Canadians** – Provide the capability to assist the Department of Foreign Affairs and International Trade in the protection and evacuation of Canadians from areas threatened by imminent conflict.
- 2.6 Assistance to OGDs** – Provide the capability to assist OGDs and other levels of Government to enforce Canadian National Sovereignty and Interests claims, and to conduct civil operations in areas such as fisheries protection, drug interdiction, and environmental protection.
- 2.7 UN Operations** – Provide the capability to participate in UN Peace Support Operations.
- 2.8 Defence of North America** – Provide the capability to defend Canadian and US Territory, in cooperation with US forces, against potential threats to security.
- 2.9 International Security** – Participate in bilateral and multilateral operations and exercises in concert with US forces, UN member states, NATO member states, and in coalitions of like-minded countries.⁶

The best proxy measure of the extent of the JAG’s contribution to this business line is the direct provision of legal officers to domestic and international operations. JAG deployment data envelopes UN Operations, Defence of North America (defending Canadian and US Territory, in cooperation with US forces, against potential threats to security) and International Security (participation in bilateral and multilateral operations and exercises in concert with US forces, UN member states, NATO member states, and in coalitions of like-minded countries).

The graphic below shows the FY 03/04 results of these deployment statistics in the context of the PMDSS Capability View.

⁶ ANNEX A – A Chart of Key Result Expectations, to *Department of National Defence – Planning, Reporting and Accountability Structure, 2001*



2. **Generate Forces** The Department will recruit and train personnel, research, test and procure equipment and design force structure to produce multi-purpose combat-capable military forces.

The JAG supports this business line through the following Key Result Expectation:

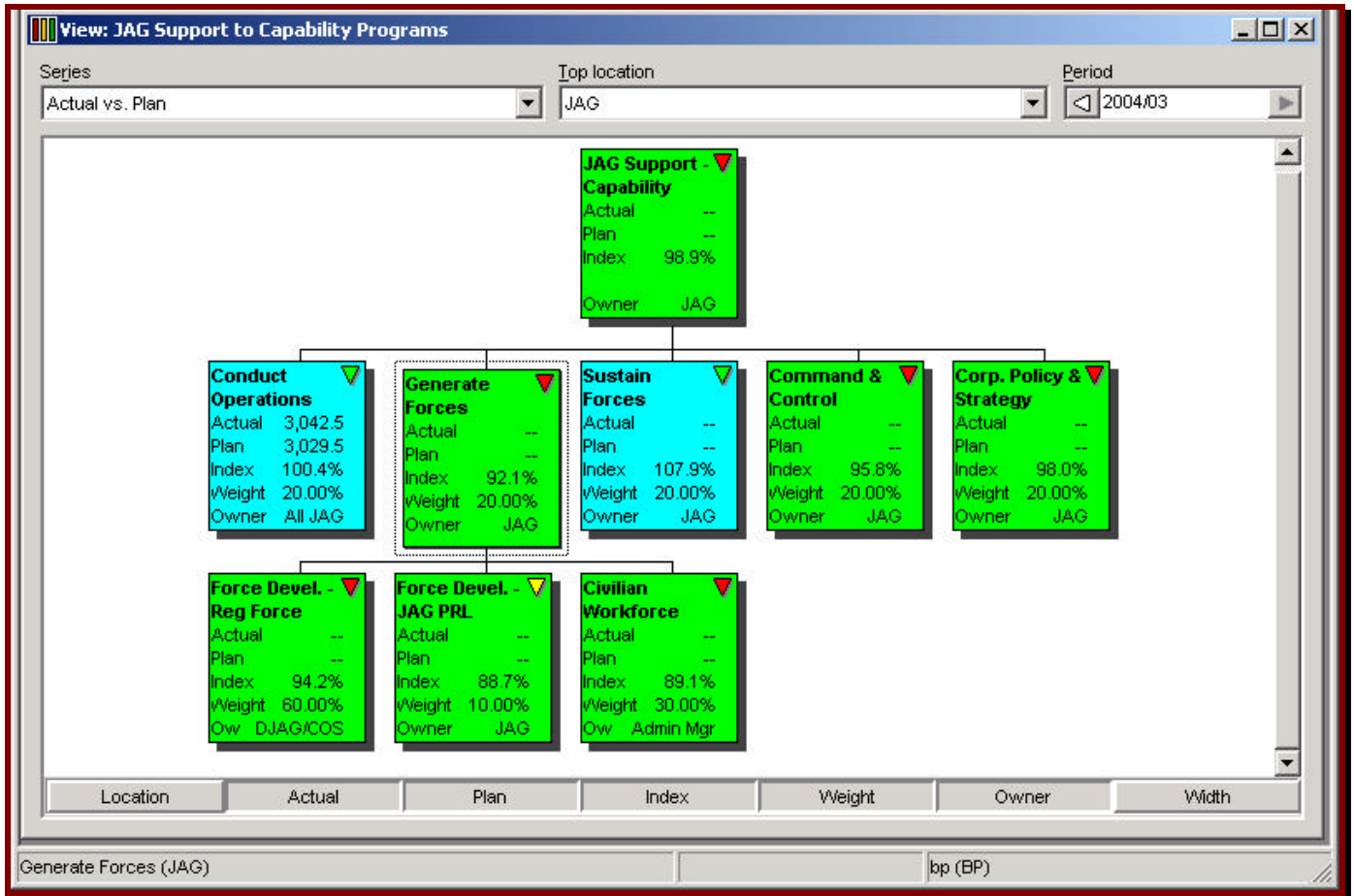
- 4.1 **Generate Personnel** – Provide the Canadian Forces and the Department of National Defence with trained military and civilian personnel able to carry out a wide range of Defence Tasks.

The JAG manages the force development of legal officers. This includes Regular and Reserve Force recruiting, selecting officers for the Military Legal Training Plan and for Post-graduate Training and conducting professional development, occupational specification, occupational specialty specification and ethics training.

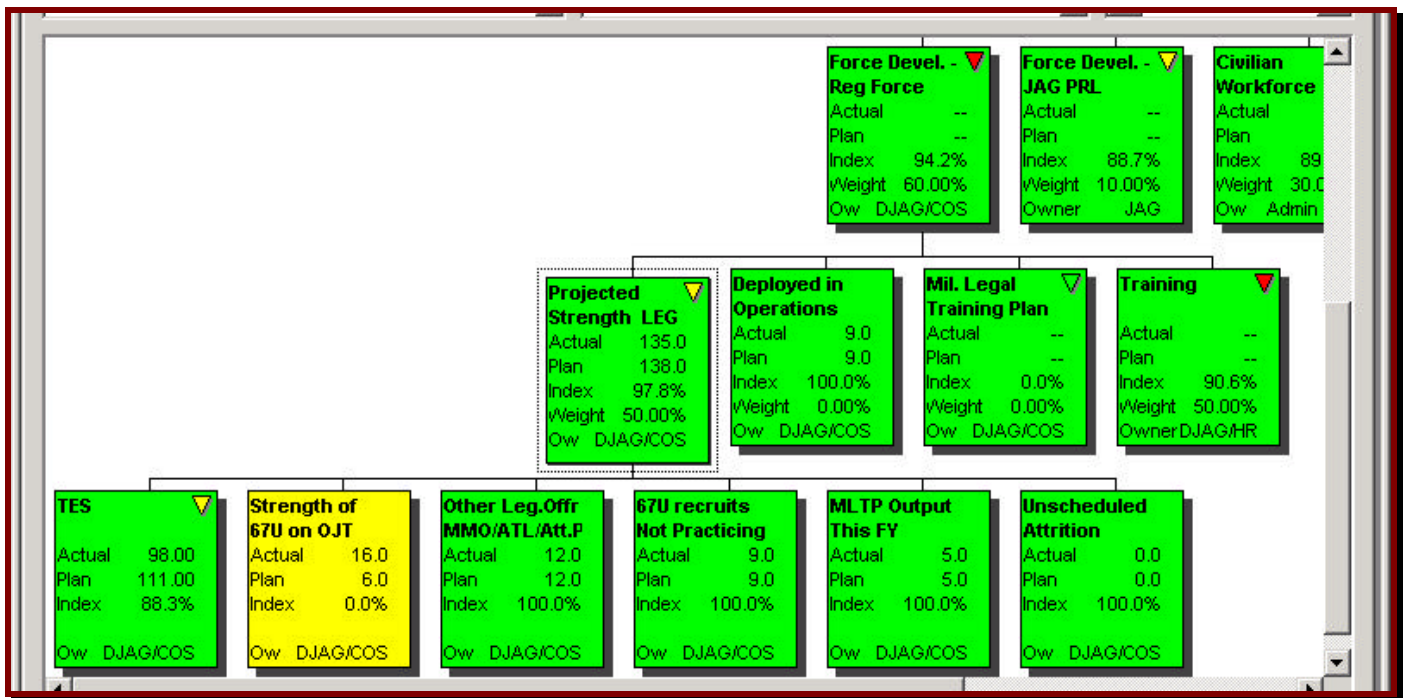
The JAG also manages the recruiting, staffing and specialized training of public servants employed as legal researchers and para-legals. In addition, law school graduates are hired each year as “Students at Law” to fulfil their Articles of Clerkship within the Office of the JAG, carrying out their ten-month Articling Phase of the Bar Admission Course that is prescribed by their respective law societies. This program is another source of recruitment of direct entry legal officers, playing an important part in the Generation Forces Key Result Expectation.

The graphic below shows the FY 03/04 results of the three JAG force generation measures in the PMDSS Capability View.

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The graphic below reveals the subset of measures enabling future legal officer strength and Force Generation planning. “TES” is Trained Effective Strength (fully employable legal officers).



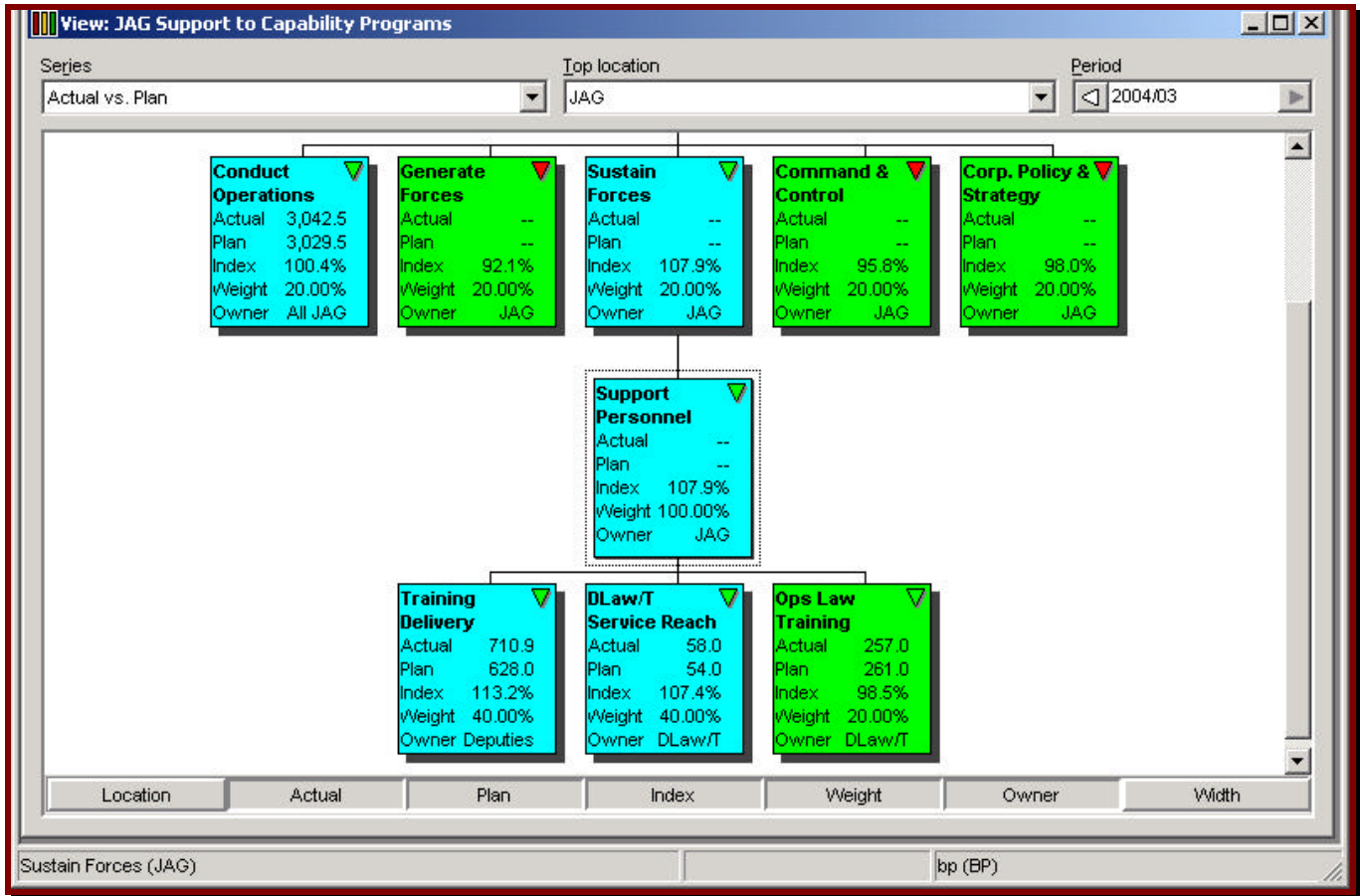
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3. **Sustain Forces** The Department will repair and maintain equipment, shelter and sustain personnel, and produce the infrastructure and capabilities necessary to support military operations.

The JAG helps to *Sustain Forces* through the following Key Result Expectation:

3.1 Support Personnel – Provide the capabilities necessary to maintain and support the health and effectiveness of Defence personnel.

The JAG supports the effectiveness of Defence personnel through military legal training.



4. **Command and Control** The Department will collect, analyze and communicate information, plan and coordinate operations, and provide the capabilities necessary to direct forces to achieve assigned missions.

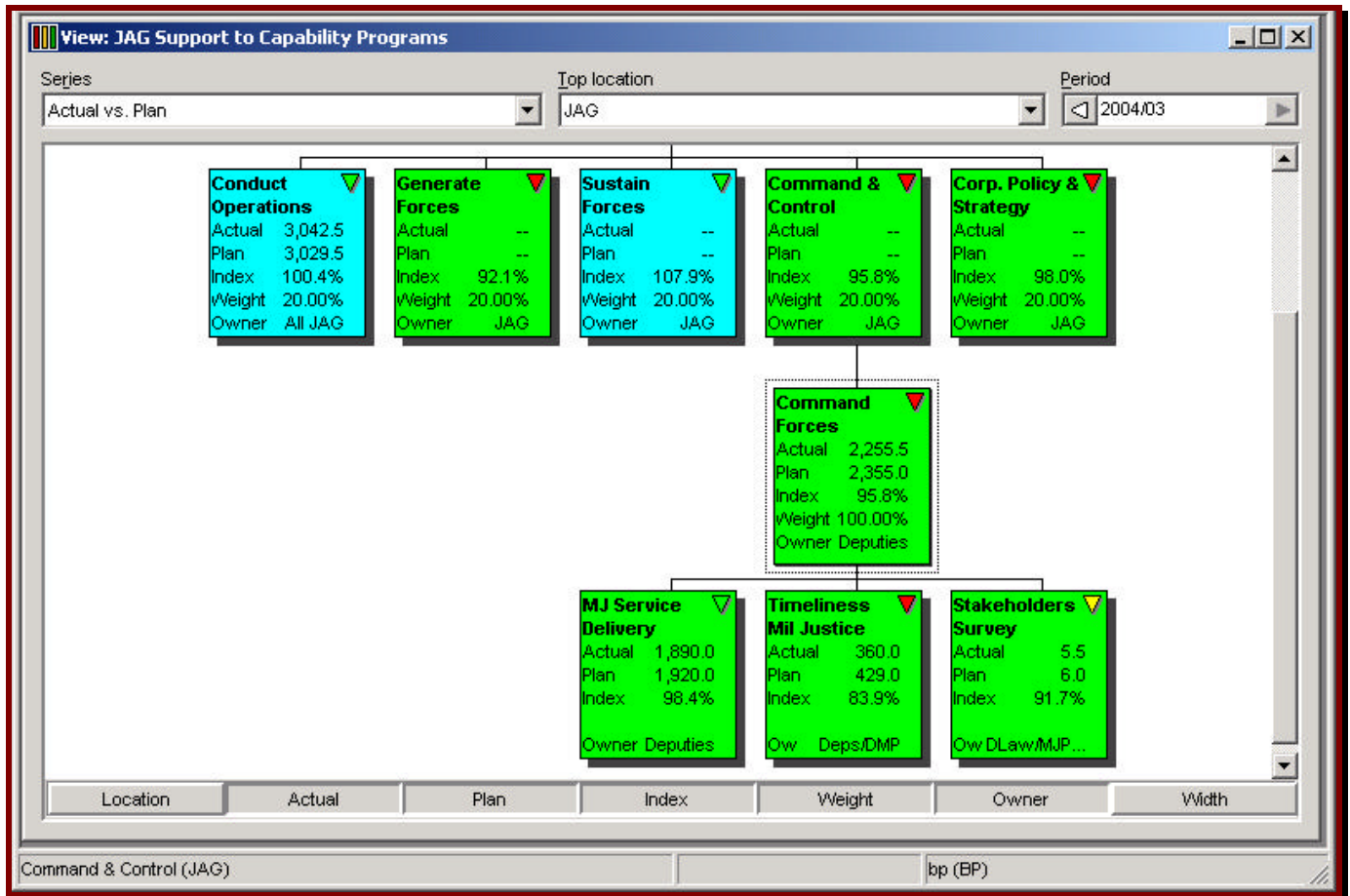
The “Command and Control” capability program is required to provide leadership and clear direction to military operations and the force generation and force-sustainment elements of Defence. The JAG contributes to Command and Control through Key Result Expectation 1.1.

1.1 Command Forces – Provide the capability to effectively and efficiently command and control forces in the conduct of assigned missions.

The document titled *Organization and Accountability, Second Edition, September 1999*, reports that “the military chain of command and related bodies of law and doctrine such as the Code of Service Discipline are central to the nature and purpose of the Canadian Forces, and to the effective exercise of operational command.” In this respect, the JAG’s superintendence role in the military justice system supports the CF capability to effectively and efficiently command and control forces.

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The three lower tier measures in the diagram below assess the Office of the JAG performance against planned achievement levels in military justice activities. The “MJ Service Delivery” measure consists of both prosecution and defence services, military justice policy and research activities, certification and re-certification training provided to summary trial presiding officers and to other CF members involved in the summary trial process. The timeliness of courts martial, appeals, the provision of legal research and opinion services (particularly to the Military Police Complaints Commission and to the Provost Martial) are important measures impacting CF Command and Control. In contrast, Stakeholder Perception has little effect on commanding forces. It is included here because it represents, in part, the opinion of force commanders of military justice effectiveness, enhancing the validity of the performance assessment.



5. Corporate Policy and Strategy The Department will produce and implement corporate policies and strategies to achieve broad Government objectives, manage Departmental activities, and provide defence and security advice.

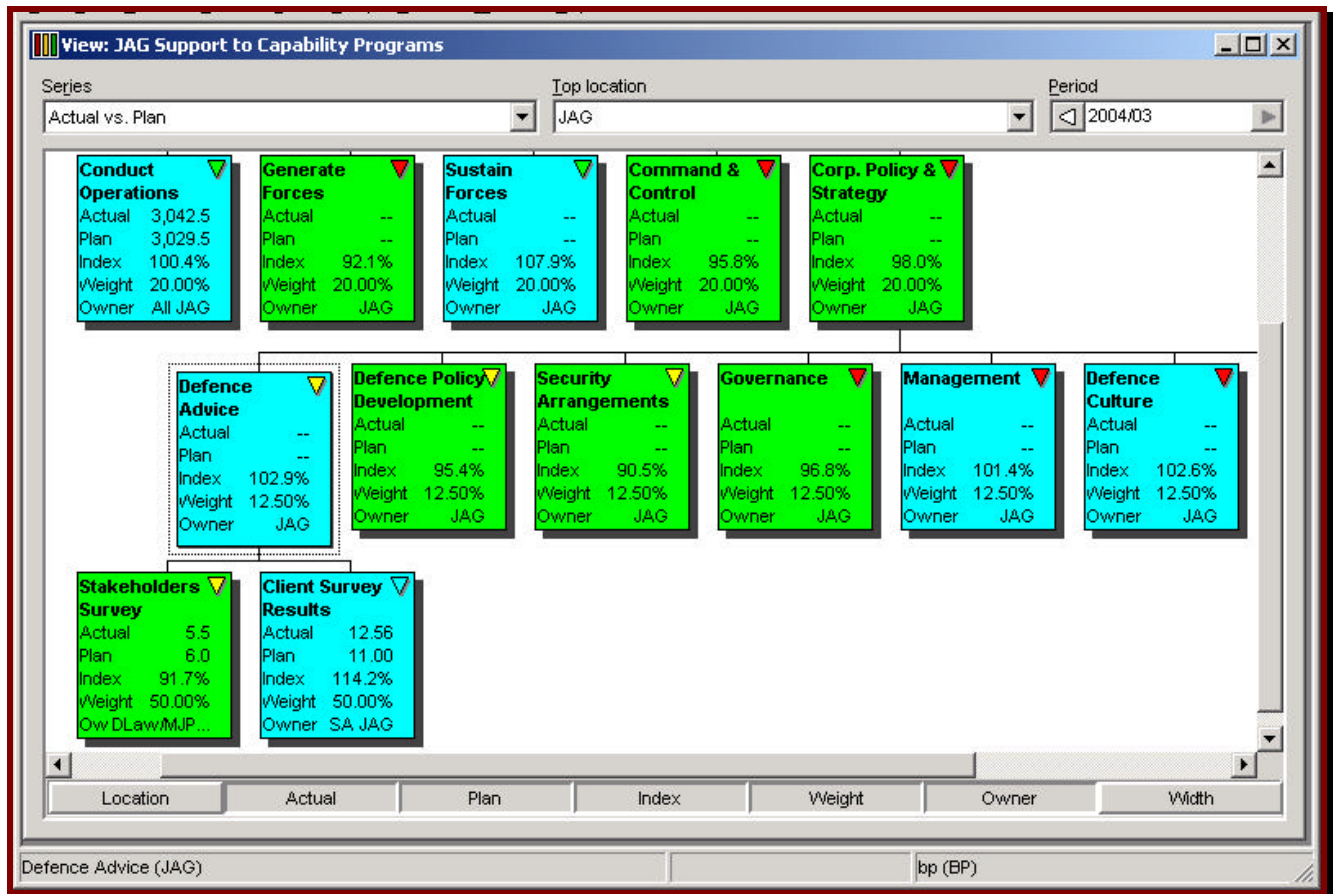
The “Corporate Policy and Strategy” Capability Program is broad in scope, comprehensive in character, and demonstrates Department of National Defence (DND) and Canadian Forces (CF) compliance with legislative, managerial and administrative requirements. This capability comprises the provision of policy advice to government, security arrangements, governance and management, and support to government objectives.

JAG contributes strongly to all Key Result Expectations associated with this Capability Program.

5.1 Defence Advice – Provide the Government with accurate, timely, and relevant defence and security advice.

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The best measures of JAG performance in delivering timely, comprehensive and relevant legal advice are the results of the annual surveys of clients and of military justice stakeholders (accused persons, assisting officers, presiding officers, commanding officers and review or charging authorities). These survey results are shown below.



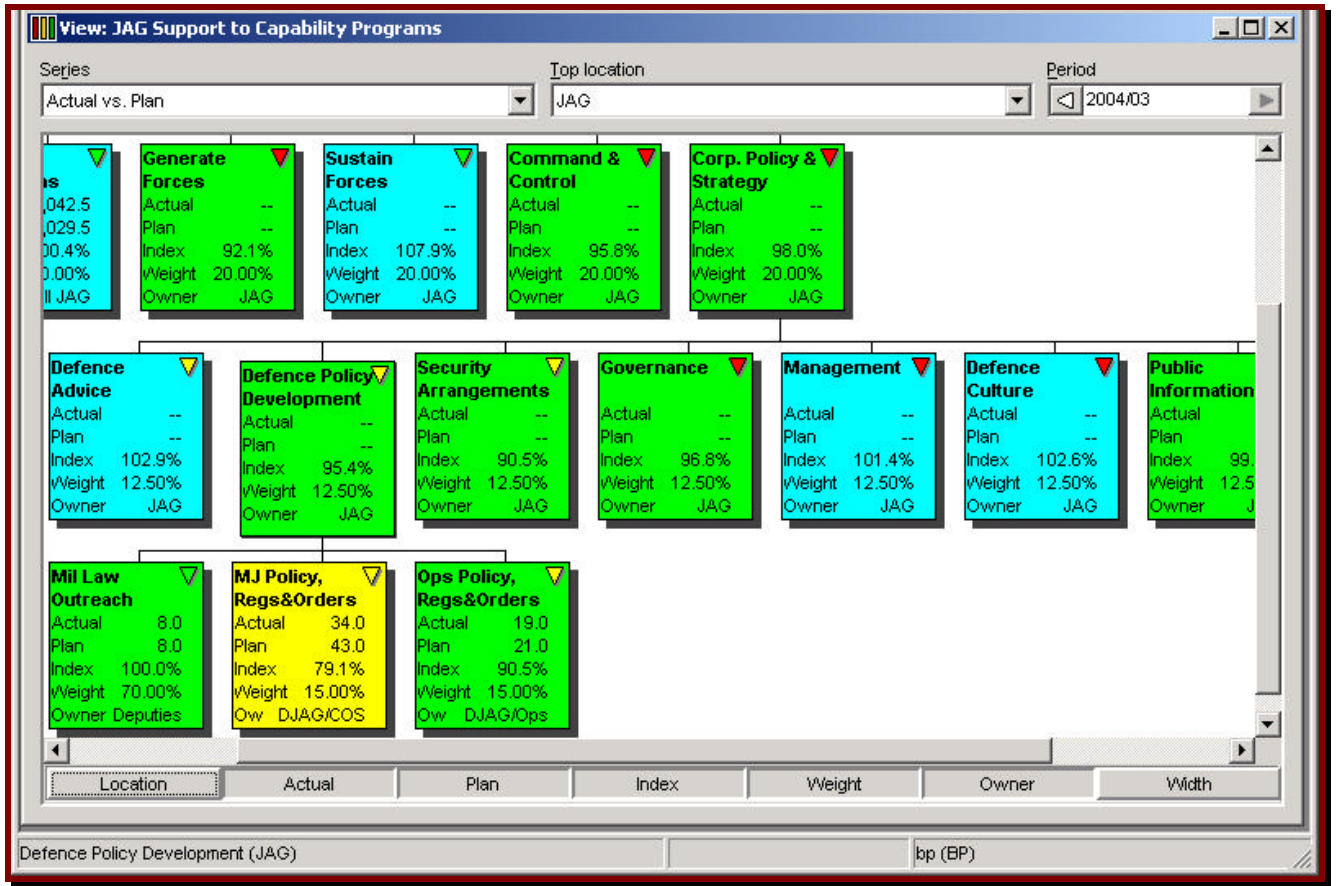
5.2 Defence Policy Development – Ensure Canadian defence policy remains relevant, effective, affordable and realistic through continual in-depth strategic monitoring and analysis, by maintaining defence policy representation and consultative links with Canadian public agencies and bodies.

Shown below are three measures that address JAG policy development activity and the consultative links with OGDs and agencies.

Concerning the latter, the JAG Outreach program includes participation in the National Military Law Section of the Canadian Bar Association (CBA). This is a forum where civilian and military persons, interested in military law exchange, develop ideas for the benefit of military law. It provides a vehicle through which JAG lawyers can contribute innovative thought to the legal profession.

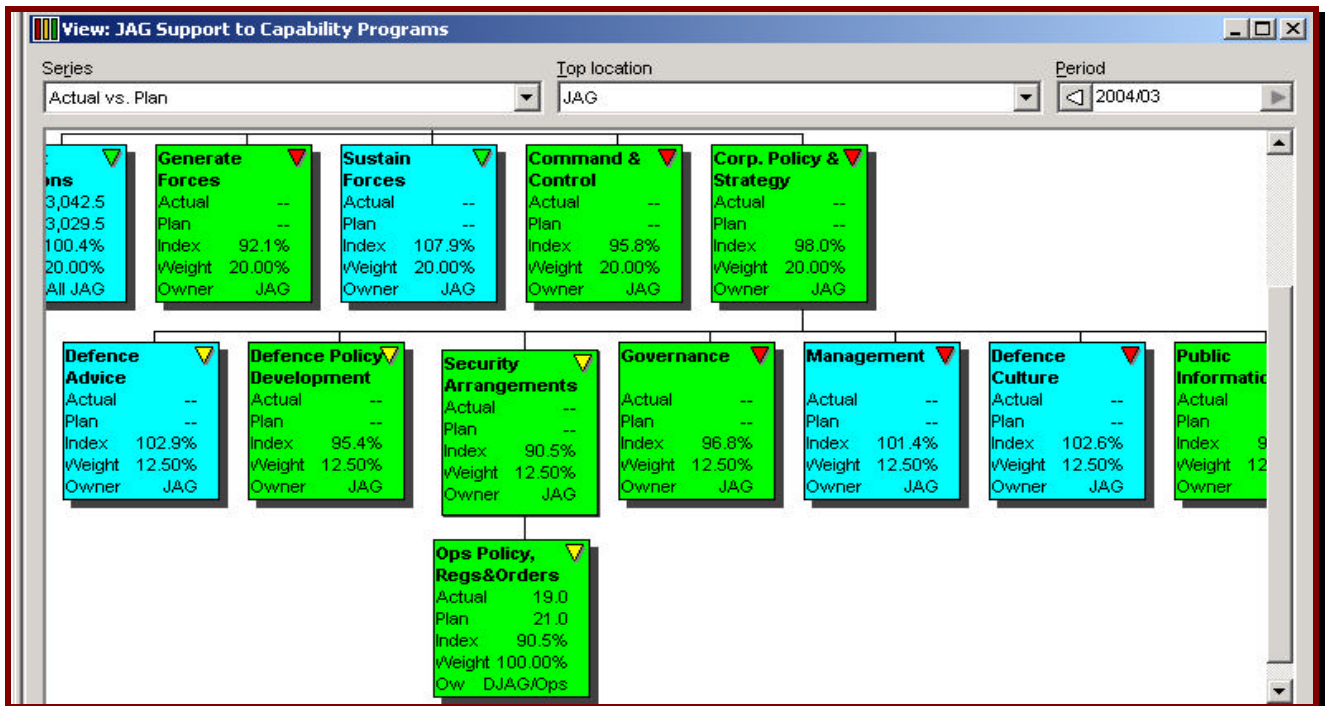
Another Outreach initiative is aimed at strengthening inter-agency cooperation internationally and domestically. Participants include: OGD - DOJ/DFAIT, Provincial Governments, Emergency Preparedness Agencies, the National Committee of International Humanitarian Law, the ICC, the Canadian Council of International Law (CCIL), Canadian Bar Association, US Naval War College, USAF Judge Advocate General School, US Army JAG School, ICTY/ICTR, American Society of International Law (Lieber Society), International Society of Military Law and Law of War, Commonwealth Military Lawyers Association.

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5.3 Security Arrangements – Participate in bilateral and multilateral defence and security arrangements, treaties, and programs with the US and other countries.

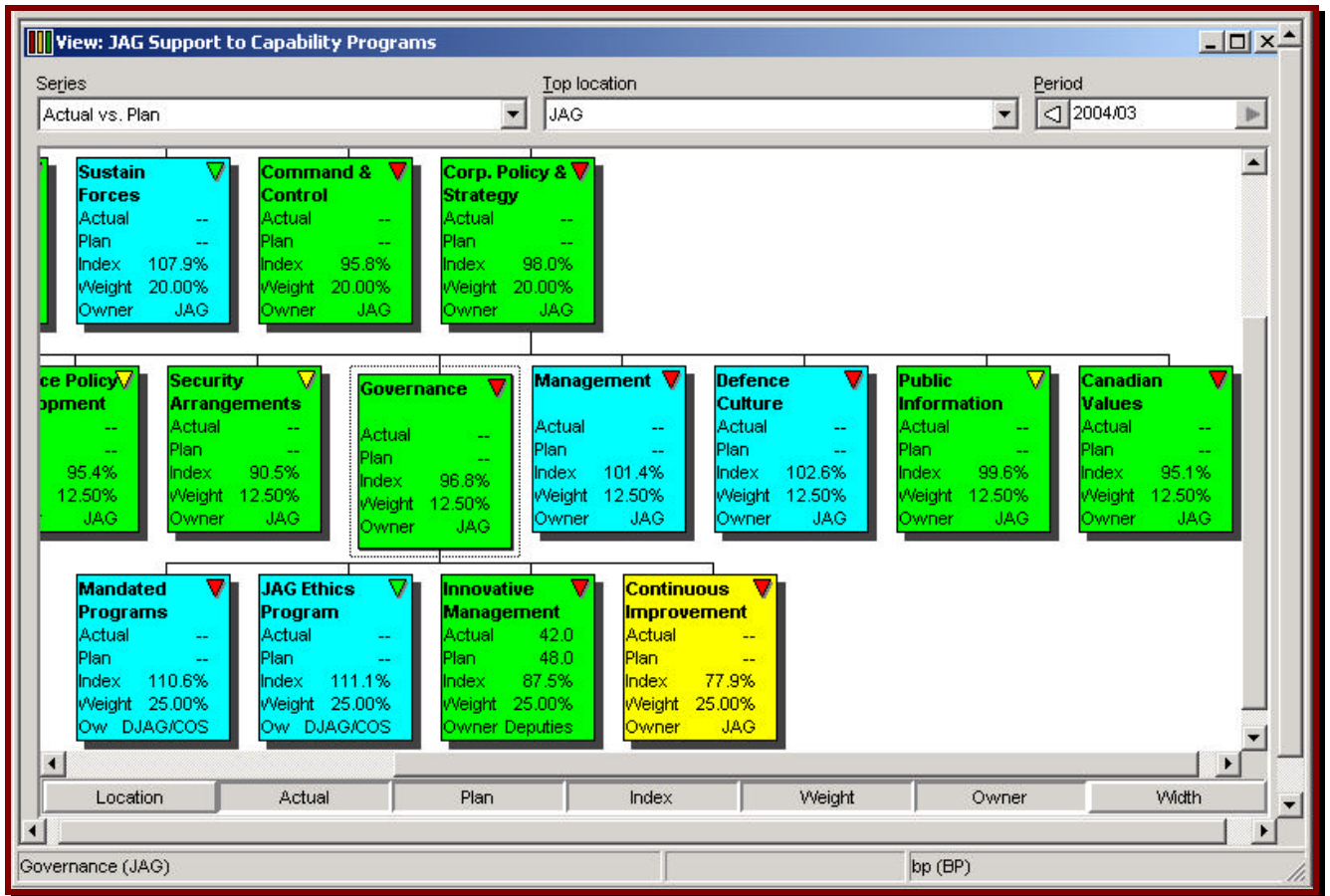
The one JAG measure that addresses this Key Result Expectation is JAG development of Operations Law policy, regulations and orders, shown below.



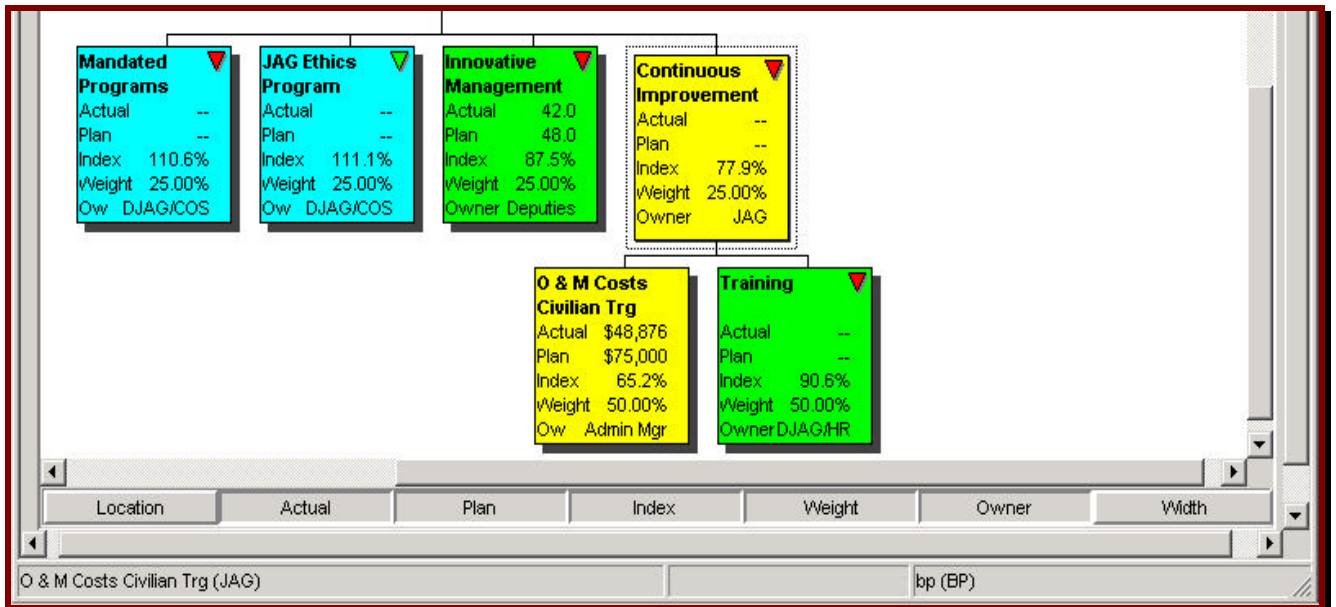
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5.4 Governance – Ensure that the DND/CF implements and supports Government-wide initiatives, complies with legislation, policies and management practices, and provides effective mechanisms for DND/CF policy development and standardization.

The JAG's value-building processes strongly support the Governance business line.



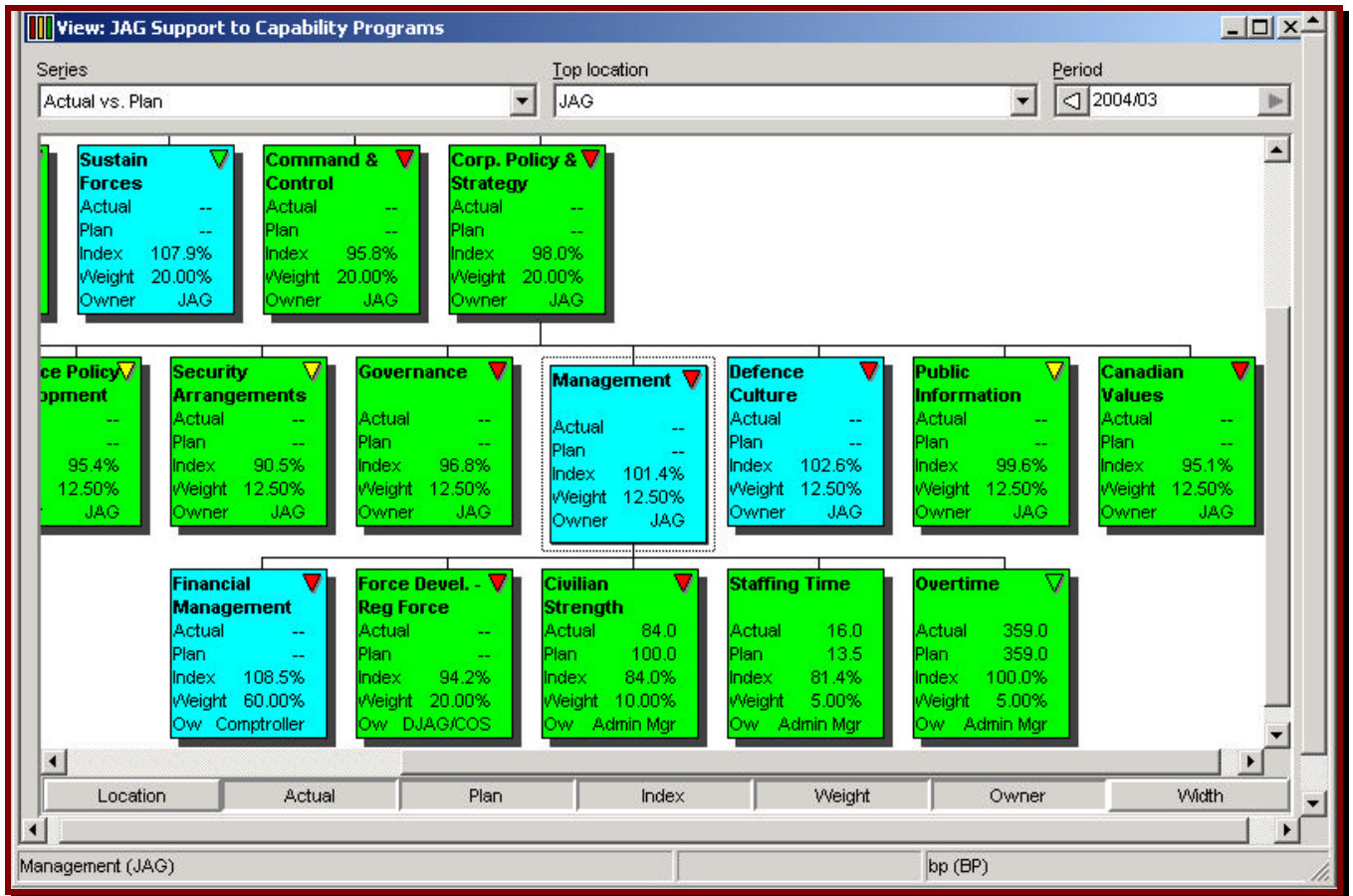
Civilian training costs, reflected below, are representative of increased subsidization and not a lack of civilian professional development, which exceeded the plan by 18.4% in FY 03/04.



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5.5 Management – Provide effective and efficient corporate administrative, financial, and resource management support services.

The five measures below constitute all management activities over which the Office of the JAG exercises full control.



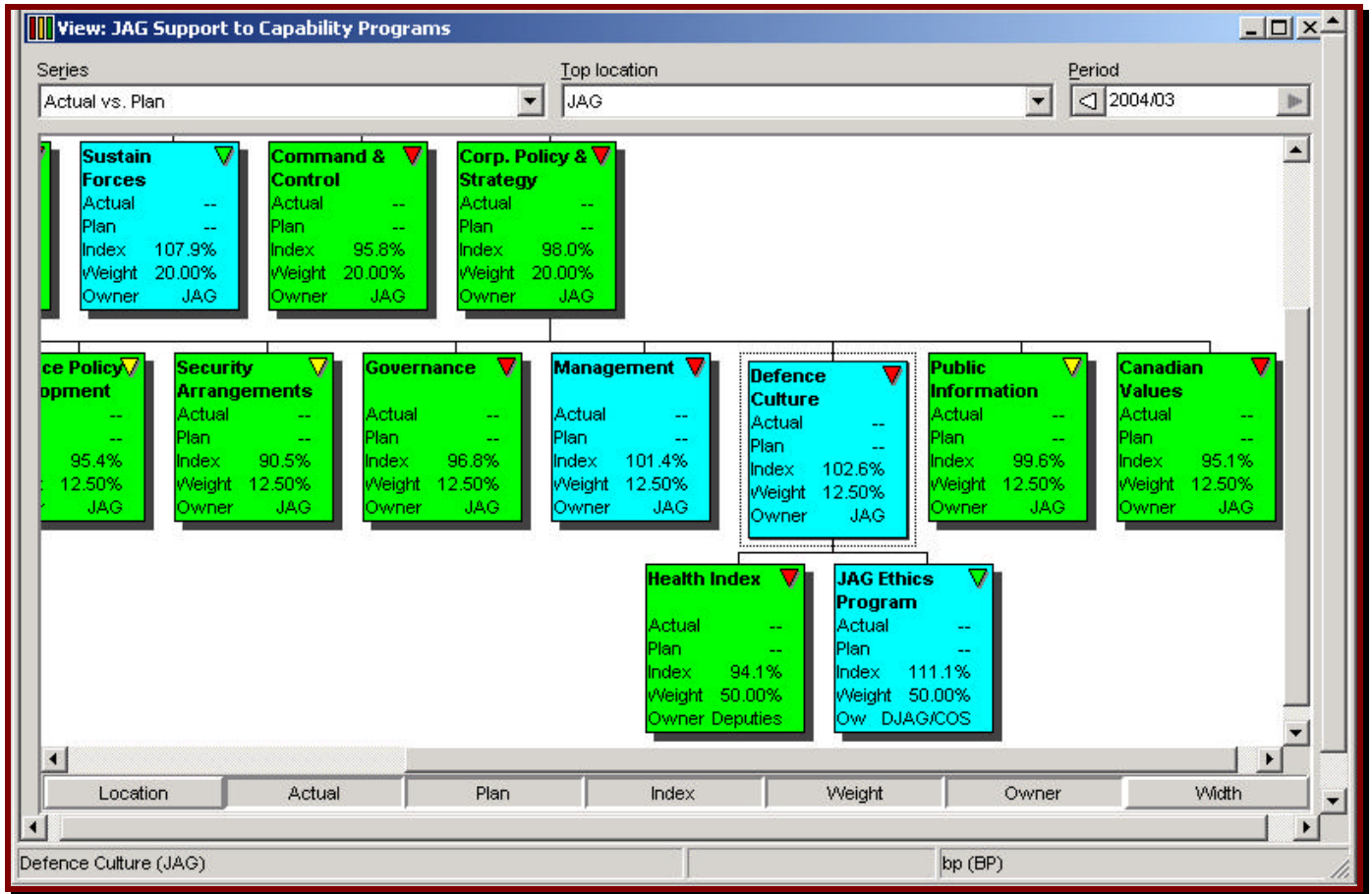
5.6 Defence Culture – Provide a work environment that actively encourages organizational and individual learning, leadership and ethical development, and encourages a culture of continual performance improvement.

Two strong performance indicators, which found the JAG's value-building program to entrench Professional and Ethical Standards in the Office of the JAG, are used to assess JAG support to the Defence Culture Key Result Expectation.

- ✓ The JAG Health Index consists of five performance indicators and 67 measures providing a valid and reliable assessment of institutional health and the personal well-being of CF members and civilian employees.
- ✓ The JAG Ethics program consists of three indicators and nine measures to estimate the extent of progress inculcating professional and ethical standards and conduct in the Office of the JAG.

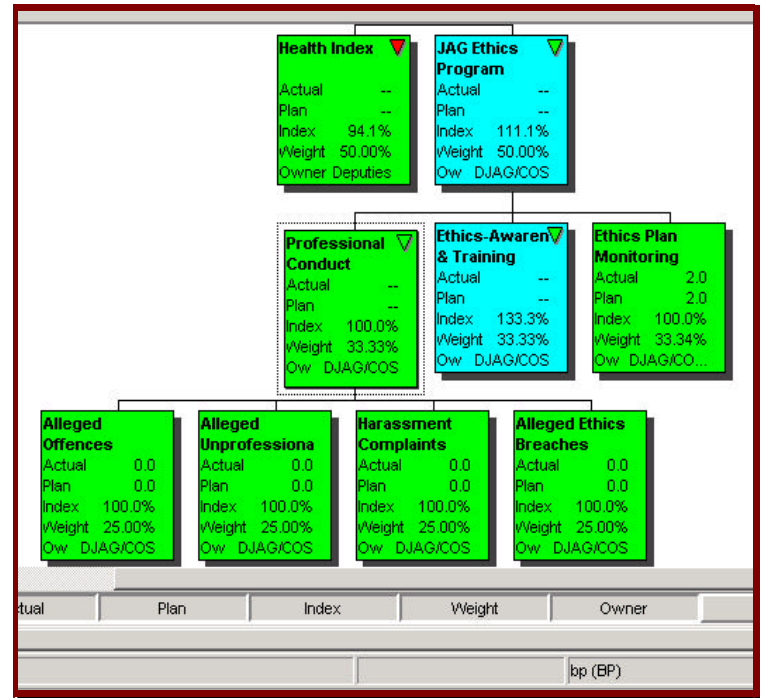
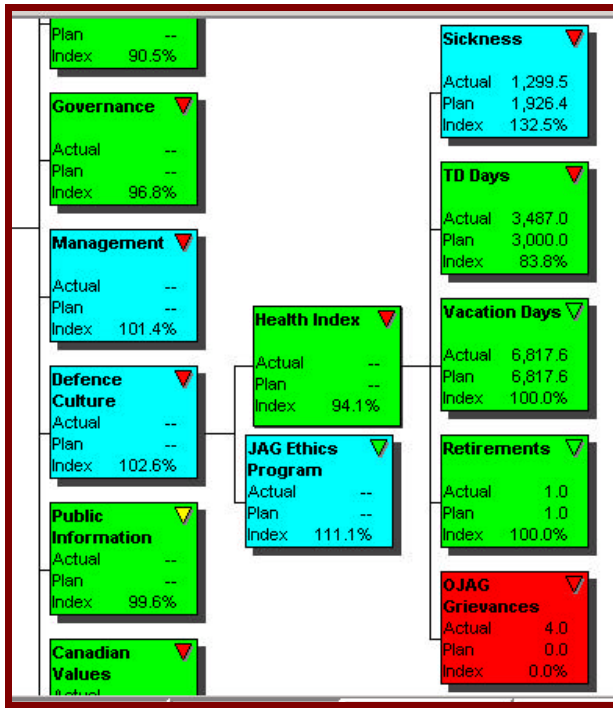
The graphics below illustrate how these indicators roll up to provide a good representative picture of the JAG's support to Defence Culture.

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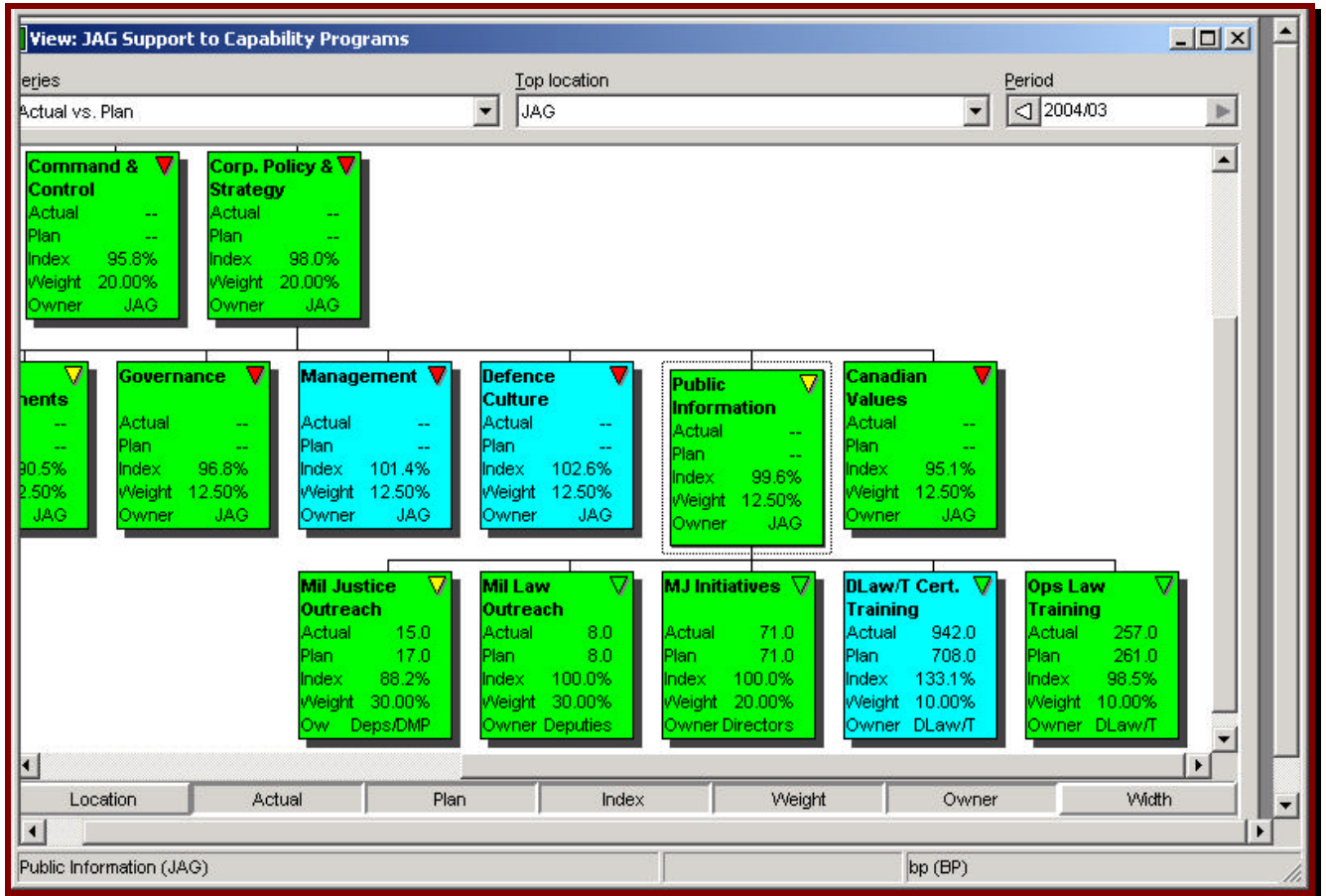
Health Index

JAG Ethics Program



5.7 Public Information – Provide effective and efficient public information and communication capabilities to ensure internal and external awareness and understanding of Defence activities.

The JAG outreach programs, production of the Statutory Annual Report and other initiatives aimed at promoting a better understanding of the administration of military justice, and training initiatives to enhance CF knowledge of operations law are the five performance indicators chosen represent the JAG’s support to the Public Information Key Results Expectation.

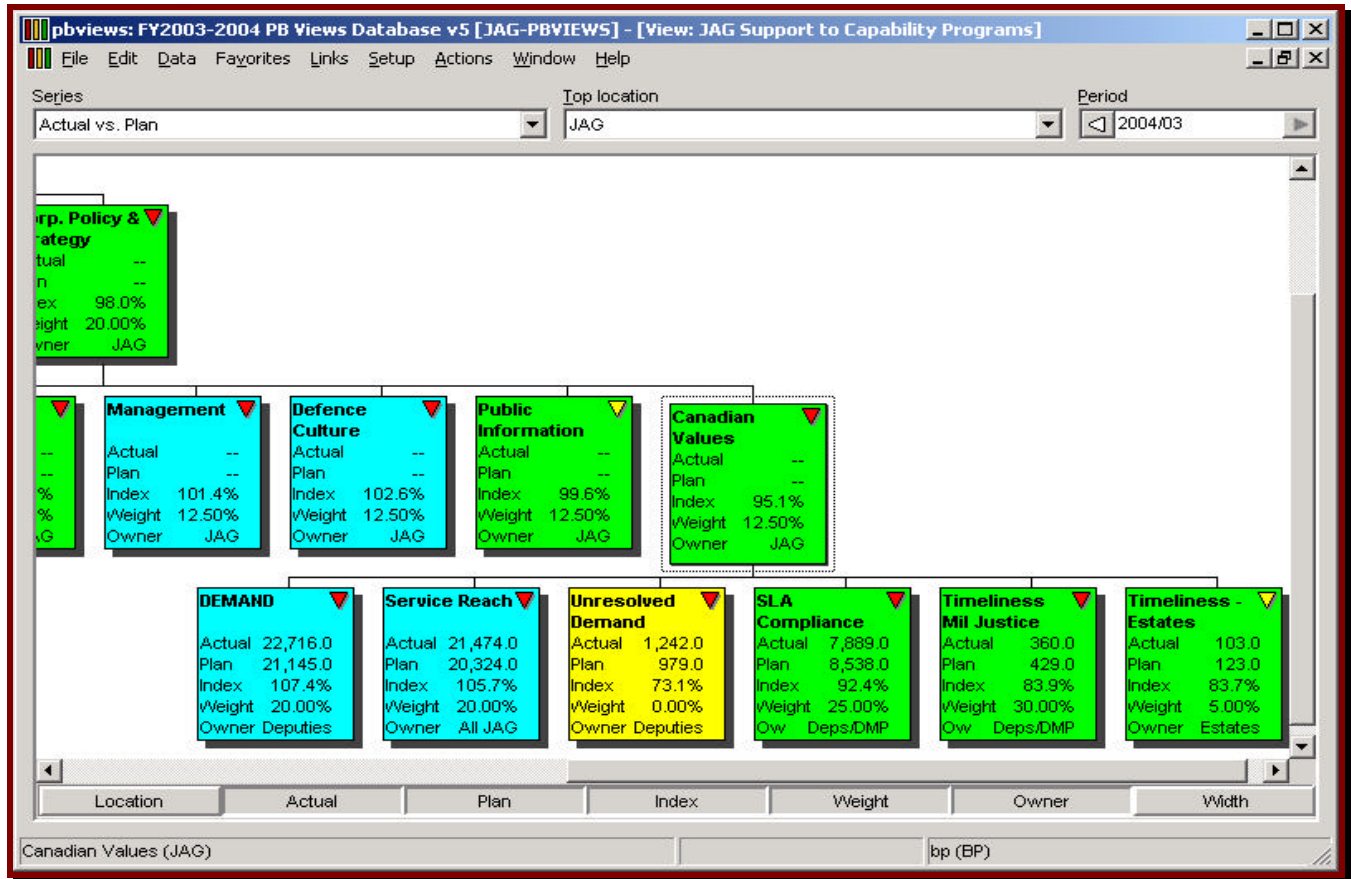


5.8 Canadian Values – Ensure that the Department of National Defence and the Canadian Forces fulfil their role as a national institution, by reflecting and reaffirming Canadian values and expectations.

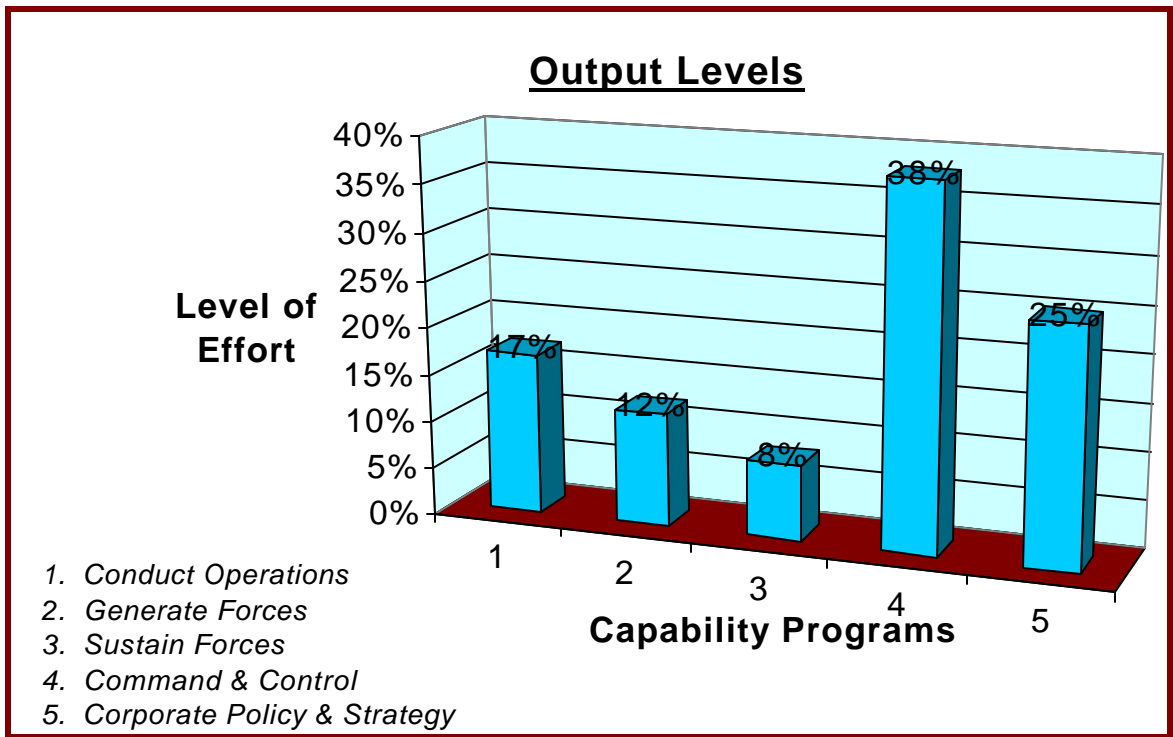
Shown in the graphic below are the six performance indicators that assess the fulfillment of JAG client service objectives. Logically, if the Office of the JAG is meeting its obligations in respect of the legal advice and services required by clients, then the organization is fulfilling its role by reaffirming performance expectations. An increase in client demand for JAG legal advice and services correlates with high levels of confidence in the Office of the JAG as purveyors of CF legal advice. An increase in Service Reach correlates with protecting Canadian interests and values since JAG legal advice advocates the rule of law. High performance values for timeliness of JAG military justice activities would promote institutional and public confidence in the fairness of the military justice system.

These client service performance indicators (shown below) best fit the intended Key Results Expectations defined above for Canadian Values.

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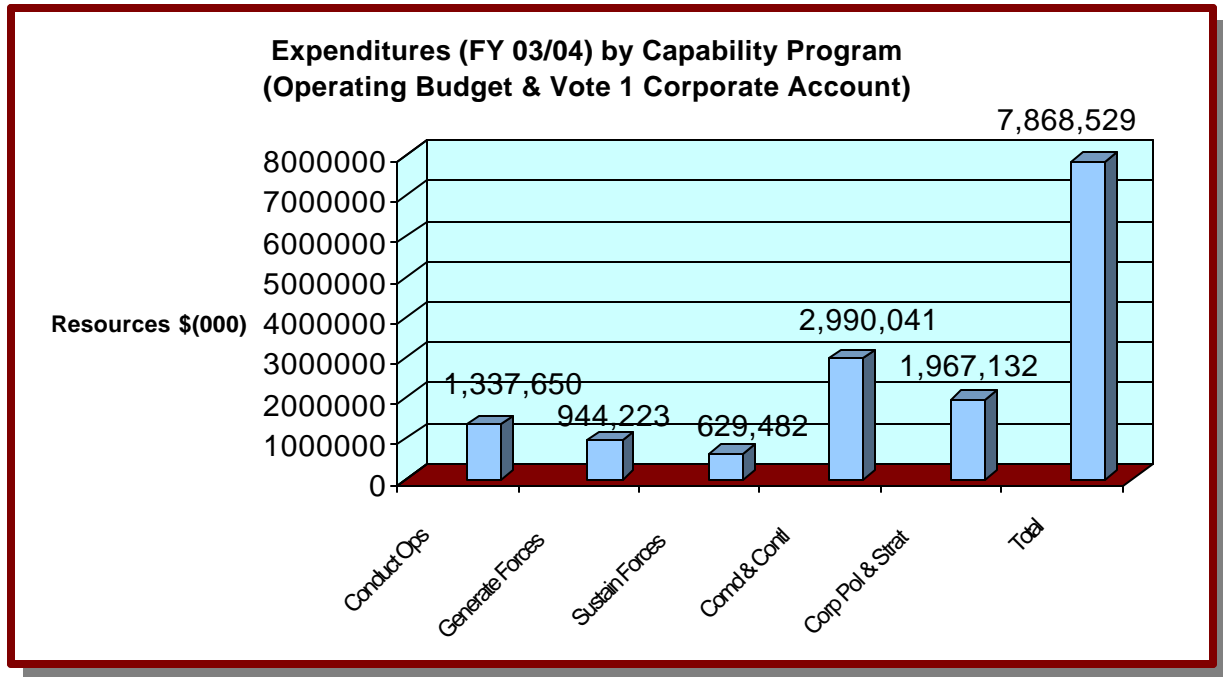
The approximate levels of effort relating to Capability Programs for FY 03/04 are shown below. Estimated levels of Personnel Effort to Defence Capability Programs (FY 03/04).



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Using the above estimates for levels of effort, proportionate levels of expenditure of JAG funds can be determined. These amounts are shown below. Since the entire JAG effort is spent in the service of the DND and CF, the total JAG expenditures for FY 03/04 are used for this example.

Proportional Expenditures by Defence Capability Program (FY 03/04).



JAG'S LINKAGE TO THE CORPORATE PRIORITIES.

In its effort to harmonize strategic direction, DGSP has developed a linked relationship between the Capability Programs and the Corporate Priorities for Defence. This enables performance measurement conducted at the National Defence Headquarters level to report resource information for the Corporate Priorities and related initiatives through the Capability Program indicators and measures.

In the previous section the JAG's clear linkage to the Defence Capability Programs and its Key Result Expectations was demonstrated. JAG performance indicators and measures assigned to each provide a reliable assessment of achieved results against those planned⁷. Using the DGSP theory linking Capability Programs to Corporate Priorities, the Office of the JAG can now track resources and work effort expended in support of the Corporate Priorities for National Defence.

The table below was produced by DGSP this fiscal year for the Report on Plans and Priorities, FY 2004 – 2005, to identify the relationship between the Defence Capability Programs and Corporate Priorities for Defence. Its relevance to this Annex of the FY 03/04 JAG Annual Performance Report is that it allows the JAG to project his past (and current) support to the Capability Programs in terms of his support to the Corporate Priorities for Defence. This will complete the process of linking JAG's work effort and funding to client business lines and priorities. The DGSP linkage table is shown below.

⁷ Planned results are to be found in the JAG Business Plan for FY 2004/2005.

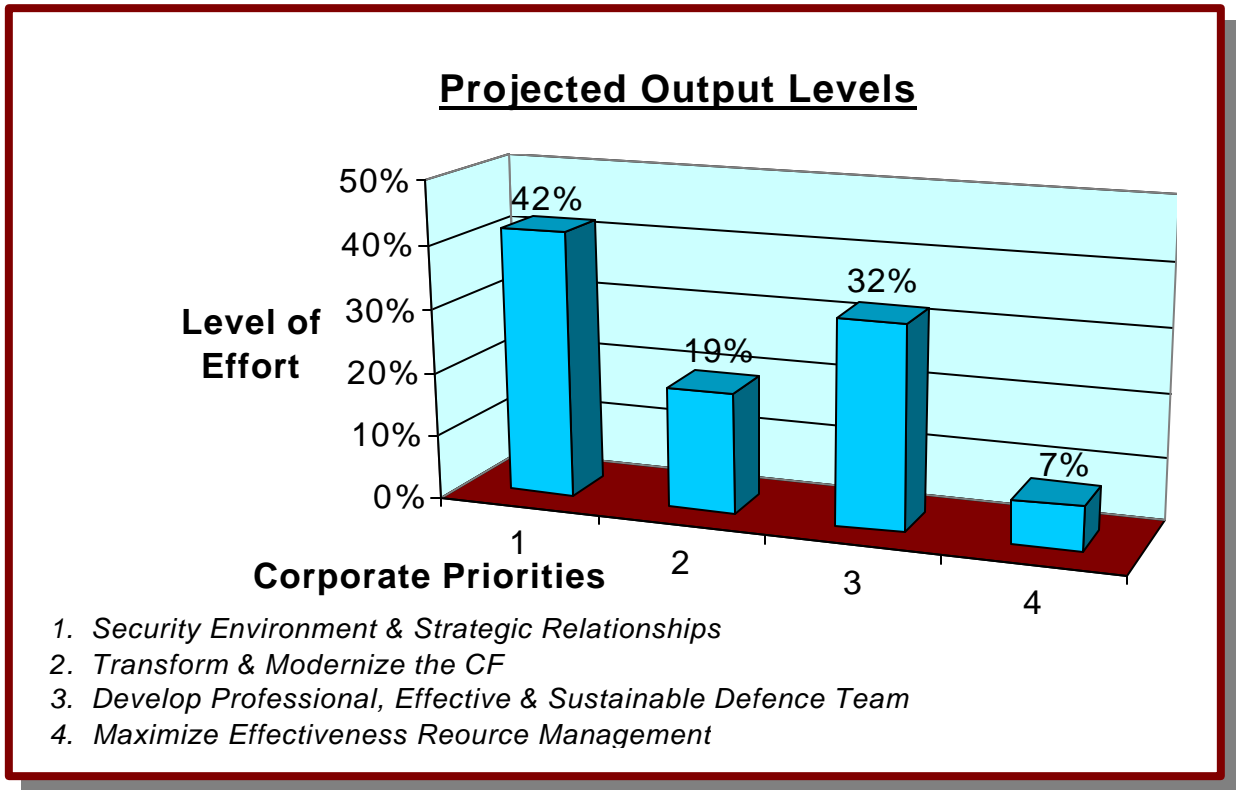
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DEFENCE'S PRIORITIES AND RELATED INITIATIVES	CAPABILITY PROGRAMS						TYPE OF PRIORITY
	CONDUCT OPERATIONS	GENERATE FORCES	SUSTAIN FORCES	COMMAND AND CONTROL	CORPORATE POLICY & STRATEGY		
Adapt to the evolving security environment and enhance strategic relationships							
• Contribute to the international campaign against terrorism	◆			◆			O
• Enhance critical infrastructure protection, intelligence, research and development, and emergency response and management capabilities	◆	◆		◆	◆		O
• Prepare and conduct a defence policy review, if directed by government					◆		P
• Strengthen defence and security arrangements with the United States, including the Canada/U.S. Planning Group					◆		O
• Broaden our constituency to engage traditional and non-traditional stakeholders	◆	◆		◆	◆		N
• Expand strategic partnerships with other government departments, other levels of government and the private sector	◆			◆	◆		O
• Promote other key international defence and security relationships	◆			◆	◆		O
Transform and Modernize the Canadian Forces							
• Focus strategic planning efforts on the required capabilities					◆		O
• Enhance the capability to operate effectively in joint, interagency and multi-national environments	◆			◆	◆		O
• Actively shift resources and effort from lower to higher priority initiatives to accelerate the pace of transformation		◆	◆	◆	◆		N
Develop and Support a Professional, Effective and Sustainable Defence Team							
• Align recruitment and retention processes to better meet our needs		◆	◆		◆		O
• Modernize human resource management					◆		O
• Encourage and support continuous learning		◆	◆				O
• Continue to strengthen military health care			◆		◆		O
• Advance leadership through the promotion of diversity and inclusiveness in the workforce		◆		◆	◆		O
• Improve our bilingual capacity					◆		N
• Promote Wellness and Health			◆		◆		O
Maximize effectiveness in the management of resources							
• Enhance DND/CF management excellence through a focus on comptrollership and the advancement of modern management principles					◆		O
• Implement the new IM strategy and governance					◆		O
• Pursue a culture of excellence in internal communications					◆		O

Legend: P = Previous; O = Ongoing; N = New

The JAG levels of effort and expenditures applied to the Defence Capability Program in FY 03/04 together with the above table linking those programs to Corporate Priorities for Defence in FY 04/05, allow us to estimate the projected JAG level of effort and expenditures on Corporate Priorities in FY 04/05. Those estimates are shown below.

Estimated levels of Personnel Effort to Corporate Priorities for Defence (FY 04/05).



Proportional Expenditures by Defence Capability Program (FY 04/05).

