

**STUDY ON THE COMPENSATION
AND WORKLOAD
OF CROWN PROSECUTORS
IN CANADA**

FINAL REPORT

submitted to the
ministère de la Justice
and the
Association des substituts du Procureur général du Québec

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Direction du travail et de la rémunération*

May 2002



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Conventions

In this report, the ISQ used the following symbols:

- ... Not appropriate or not applicable
- .. Data unavailable
- e Estimate

Disclaimers

Because of rounding of data and confidentiality criteria, the totals do not necessarily equal the sum of the parts.

In the French text, expressions in the masculine or feminine may be substituted to give effect to the true meaning.

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Introduction

This report has eight chapters. Chapter 1 introduces the context in which the study was undertaken and describes the equal labour-management approach used throughout the process.

Chapter 2 describes the methodology used by the ISQ for measuring total compensation and the analysis approach used for studying the workload of Crown prosecutors in Canada. In addition to Québec, the respondents selected for this study were: Nova Scotia, New Brunswick, Ontario, the federal government, Manitoba, Alberta and British Columbia. Information is also provided on specific salary levels and the analysis of data.

In Chapter 3 an analysis of some context-specific elements and compensation policies that provide a perspective for the data on salaries and total compensation outlined in Chapter 4 is presented. More specifically, the mechanisms for upgrading working conditions used by each of the respondents, criteria for salary increases, and types of advancement up the salary scales are presented.

Chapter 4 presents the findings on the comparisons of salaries, employee benefits and paid time off, actual hours of work, and total compensation. At the request of the parties, the results are organized by categories of years of relevant experience. Total compensation is compared in terms of the employer cost methods.

Chapter 5 presents the results of the study on workload in three main areas: workforce, files and additional workload indicators. The workforce was studied from several angles: historical profile, profile of the specialized workforce, level of experience, coaching ratio and support ratio. The ISQ analysed files in terms of level of crime in the respondent provinces, the volume of files, and the complexity of files. Lastly, the discussion of the additional workload indicators covers elements such as file preparation time, court time, absenteeism and turnover rate, computer tools, travel, professional liability, etc.

Chapter 6 describes some aspects of compensation and other benefits received by Crown prosecutors. These aspects and benefits are: training and professional development, provision of equipment and services, job security clauses, overtime, and the premiums offered by the various respondents.

Chapter 7 presents a study of the tasks of Crown prosecutors. Each task is analyzed in terms of whether or not Crown prosecutors have to do it and, where they do, the level of experience required to do the task. The results of the analysis are presented in two separate sections: general duties associated with judicial proceedings or related procedures and tasks associated with specialized files.

Lastly, Chapter 8 suggests a set of tools for comparing the cost of living from one province to the next. These tools provide a summary measurement of the differences in cost of living for elements such as goods and services, shelter and taxation.

1.1 Terms of reference

On May 1, 2001, representatives of Québec's *Ministère de la Justice* (MJQ) and of the *Association des substituts du Procureur général du Québec* (ASPGQ) reached a tentative agreement concerning the working conditions and compensation of Crown prosecutors. The same agreement also recognized the ASPGQ as the sole representative of Crown prosecutors. Furthermore, the Ministry and the Association jointly agreed, through a letter of understanding, to review compensation and salary scales in light of results of a comparative study on the compensation and workload of Crown Attorneys, in the Canadian market as a whole.

To that end, the *Institut de la statistique du Québec* (ISQ) was approached to conduct a study comparing the salaries, total compensation, working conditions, workload and duties of Québec Crown prosecutors against those of Crown prosecutors in other Canadian provinces and the federal government.

Various meetings of the parties, the facilitator and the ISQ were held to define the objectives, set a timetable and allocate resources for the study. A proposal, submitted by the ISQ on June 20, 2001, was accepted by the parties.

As part of this undertaking with equal labour-management participation, all the survey tools were developed with input from the parties and were validated by the *Ministère de la Justice*, the ASPGQ, a professor of law from the University of Montréal as well as the employers and associations of Crown prosecutors in other provinces and the federal government. Moreover, all the documents exchanged as part of the exercise were provided simultaneously to the representatives of the parties. The ASPGQ also asked the ISQ and the Ministry to have the representatives from the associations in the other provinces present during the pollsters' visits. The *Ministère de la Justice* agreed to this request, but only if the process adhered to a specific framework of conditions. The ISQ therefore proceeded accordingly.

In order to foster reflection by the parties when they review compensation and salary scales, the final report will be forwarded to them and to the facilitator, so they have the same information.

This study has been conducted for the exclusive use of the Québec *Ministère de la Justice* and the *Association des substituts du Procureur général du Québec* (ASPGQ), for their negotiation purposes. However, the ISQ has obtained authorizations from the respondents to the effect that the information associated with their names may be disseminated more widely.

1.2 Components of the study

The ISQ's usual method for obtaining compensation data involves matching it against a benchmark job. After meeting with the parties, the ASPGQ representatives said they were interested in knowing the salary of Crown prosecutors, by year of relevant experience. With the consent of the Ministry, that is how the ISQ proceeded. For the first component, the parties asked that the ISQ survey, disbursements for premiums, specific compensation policies and overtime, in addition to the elements it normally covers.

Next, the *Ministère de la Justice* and the ASPGQ agreed that the ISQ would survey various descriptive elements, such as approaches for determining working conditions, criteria for salary increases, type of advancement up the salary scale, professional development offered, provision of equipment and services (e.g., uniforms, vehicles), and job security clauses.

Another significant component of the study is workload. The parties entrusted the ISQ with the task of developing a tool for surveying and measuring the workload of Crown prosecutors in Canada. For the sake of rounding out the study on workload, a grid of duties was developed for comparing the various duties of Crown prosecutors from one respondent to the next. Lastly, to conclude the study, the ISQ provided the parties with tools for determining the various regional cost-of-living levels.

This Chapter explains, in general, the orientation and methodology adopted by the ISQ for its comparative study of total compensation and workload.

2.1 The matching method

The ISQ's usual method of matching based on a benchmark job involves identifying common elements of the benchmark job that can be matched against elements in work descriptions used in the comparison market.

However, for the purposes of this study, the parties wanted to know the salaries of Crown prosecutors, by year of relevant experience. The surveyed respondents use two ways to calculate relevant experience: the years of recognized experience and the years of experience after being called to the Bar.¹ For the purposes of compensation comparisons, the ISQ deems these two methods of recognizing years of experience as equivalent since they express the way in which each employer recognizes and accordingly remunerates the experience of each Crown prosecutor.

Salary data was therefore collected according to the number of years of recognized experience or years after being called to the Bar, for each employed Crown prosecutor. Since the salaries and salary scales were surveyed on the basis of years of recognized experience, it is possible that the salary data of a given experience category may apply to Crown prosecutors whose salary scales and, consequently, salary-scale maximums, differ. The maximums reported in the tables and appendices therefore represent an average of the maximums of the various salary scales in which there are Crown prosecutors, for a given experience category, weighted by the number of Crown prosecutors in each of the salary scales. It is for this reason that the reader will not necessarily see maximums reported for the salary scales of each province.

In the presentation of the results, the salaries have been grouped into categories of years of relevant experience as follows: up to less than 5 years of relevant experience, from 5 years up to less than 10 years, from 10 years up to less than 15 years, and 15 or more years of relevant experience. The results of the salary comparison show the average of the salaries of each respondent's Crown prosecutors grouped by number of years of experience. In addition, for each province surveyed, the method of recognizing years of experience has been specified, be it number of years of recognized experience or years of experience after being called to the Bar.

2.2 Survey universe

The survey universe comprises all Canadian provinces and the federal government. At the request of the parties and with the agreement of the ISQ, a directed sample was established, namely Nova Scotia, New Brunswick, Ontario, the federal government, Manitoba, Alberta and British Columbia.

¹ The purpose of both methods is to position newly hired Crown prosecutors on the salary scale and provide a framework for advancing up the scale. The years-of-recognized-experience method involves analyzing each Crown prosecutor's experience to determine both the actual and equivalent experience that will be recognized for the purpose of placement in the salary scale. The years-after-the-Bar method involves calculating the years of experience after that date for the purpose of placement and progression in the salary scale, regardless of years of actual experience or the relevance of this experience.

2.3 The conceptual framework of total compensation

The concept of total compensation that guides the ISQ's work includes all contractual and statutory conditions that normally result in a monetary commitment by the employer to the benefit of employees in exchange for the execution of work over a given period of time under specified conditions.²

This definition of total compensation can be formulated in an equation that specifies the elements involved, as follows:

Total compensation per hour worked	=	$\frac{\text{Direct compensation}}{\text{Hours paid}}$	+	$\frac{\text{Indirect compensation}}{\text{Paid time off}}$
		$\frac{\text{Annual compensation}}{\text{Actual hours at work}}$		

For this conceptual framework, direct compensation includes all amounts paid directly to the employee, composed primarily of salary, but also including team leader and specialist premiums, cost of living allowances, bonuses, commissions and various reimbursements. For the purposes of this study, disbursements for overtime and other types of premiums are not included when calculating total compensation. These elements are analyzed separately.

Indirect compensation comprises mainly the amounts paid on the employee's behalf, generally to a third party, in exchange for benefits enjoyed by the employee, such as life insurance premiums, or amounts paid to satisfy a legal requirement, such as contributions to a health insurance plan. Annual compensation is then the sum of direct compensation and indirect compensation.

Hours paid means the number of regular hours of work, with the necessary adjustments for seasonal variations, such as summer schedules. Paid time off means paid periods of absence, namely vacation leave, statutory holidays, sick leave and other paid leaves. Actual hours at work are therefore calculated by subtracting paid time off from the number of annual hours paid.³

Some elements covered by the concept of total compensation as defined by the ISQ are not considered in this comparative study. A list of the elements included in the ISQ's definition of total compensation, including those analyzed by the employer costs method, is provided in Table 2.1. It should be noted that employee benefits include all forms of indirect compensation plus reimbursements for unused sick leave credits.

² See *Cadre conceptuel de la définition de la rémunération globale*, IRIR, Montréal, September 1988.

³ The analysis of hours of work focuses mainly on regular hours, paid time off and actual hours at work. Adjustments for seasonal variations (reduced work schedule) are included when calculating hours paid and, accordingly, actual hours at work.

Table 2.1
Elements and components of total compensation

	Elements considered in this comparative study (disbursements)	Elements not considered in this comparative study
Direct compensation	<ul style="list-style-type: none"> - Salary¹ - Reimbursement for unused sick leave credits 	<ul style="list-style-type: none"> - Bonuses, commissions and lump-sum disbursements - Premiums - Overtime pay - Job security²
Indirect compensation	<ul style="list-style-type: none"> - Pension plan - Salary insurance - Disability insurance - Life insurance - Health insurance - Optical appliance insurance - Dental plan - Compensation for parental leave - Governmental plans (RRQ, RAMQ, CSST, CEIC) 	<ul style="list-style-type: none"> - Other insurance plans - Services and cash gratuities - Job security²
Hours paid	<ul style="list-style-type: none"> - Regular working hours - Summer schedule 	<ul style="list-style-type: none"> - Overtime
Paid time off (duration)	<ul style="list-style-type: none"> - Vacation leaves - Statutory and floating holidays - Parental leave - Used sick leave credits - Personal leave (bereavement, marriage, union activities, etc.) 	<ul style="list-style-type: none"> - Leave for professional development - Paid rest and meal periods

¹ Salary includes the sum paid to the employee, including amounts for paid time off.

² Job security may be deemed direct compensation or indirect compensation, depending on what is taken into consideration. In this report, job security is covered in a separate descriptive study. Additional information on job security is available in the document *La sécurité d'emploi : mythes et réalités*, IRIR, Montréal, June 1994, 202 p.

2.4 Measuring total compensation

Once total compensation is properly delimited by means of a definition and an equation, a number of methods can be used to measure it. In this report, the ISQ uses only the employer costs method.

The employer costs method allows for measuring the compensation costs incurred by employers for a given financial year. Keeping in mind the ISQ's equation for total compensation, this method therefore consists in adding to the salary all disbursements made by employers, on behalf of their employees, for employee benefit plans with due regard for hours of work and paid time off.

2.5 Salaries and salary scales⁴

The salary comparison is based on annual salaries. The salaries used include cost of living allowances, if built into the salary scales, as well as team leader or specialist premiums. The salary comparison is based on the average of the salary rates paid for a given category of years of experience. Although salary disbursements are a significant factor for employers when setting compensation policy, other elements are also worth studying. In fact, the results of the salary comparison depend on employee-specific variables, such as seniority, experience or performance, all of which are used to position the employee on the salary scale.

In order to qualify the results of the salary comparison, the ISQ has provided information on the salary scales used in the provinces considered.⁵ Salary scales constitute a significant portion of an employer's salary policy. They represent the range of compensation offered for a job. Where the salaries are different, the salary policy can still be similar, since the disbursements can vary, depending on various characteristics. An analysis of salary scales can therefore further elucidate the results of a salary comparison.

In this study, two types of analysis of salary scales are provided. The first describes, for each of the surveyed respondents, how employees advance up the salary scale. The second analyzes the level of advancement of Crown prosecutors in their salary scale. It is possible that the salary data will group together Crown prosecutors from different salary scales. The average salaries and the salary-scale maximums presented will therefore be the result of an average of the maximums weighted by the number of employees in each of the various salary scales.

The salary of an employee is a function of the employee's salary scale and the personal characteristics that determine the employee's position on the salary scale. This position is calculated by the ISQ as follows:

$$\text{Position in the salary scale} = \frac{\text{Salary} - \text{Minimum}}{\text{Maximum} - \text{Minimum}} \times 100$$

⁴ The terms "salary," "maximum", etc., always refer to the average salary, the average maximum, etc. For the sake of conciseness, the ISQ has refrained from continually repeating "average".

⁵ Additional information on the comparison of salary scales is available in the document *L'analyse des échelles salariales : document d'orientation*, IRIR, Montréal, October 1994, 49 p.

The findings of a salary comparison can, in some cases, be better explained by comparing positions in the salary scale and salary-scale maximums.⁶ For example, the higher salary costs of one respondent compared with another could be attributable mainly to a higher maximum, a higher average position in the salary scales, or the combined effect of these two factors.

Comparative ratios, which are frequently used in salary management, are also provided in the appendices. These ratios represent the salary divided by the maximum.

2.6 Calculating the compensation differential between two sectors

The ISQ uses a percentage differential to express the difference in compensation between Québec Crown prosecutors and the Crown prosecutors of the other respondents. The ISQ formula for calculating this differential is as follows:

$$\text{Differential (\%)} = \frac{\text{Québec compensation} - \text{market compensation}}{\text{Québec compensation}} \times 100$$

The compensation of Québec Crown prosecutors is the denominator since it is the benchmark sector. For the other respondents, the average Crown prosecutor compensation for the four categories of experience is calculated by weighting the compensation of each category by the number of Québec Crown prosecutors. Using equivalent weighting makes it possible to compare, for each experience category, the average compensation of Québec Crown prosecutors against what is obtained when the average rates of compensation of the respondent in question are applied to the workforce structure of Québec Crown prosecutors.⁷ The compensation differential is obtained by subtracting the weighted average of the respondent's compensation from that of Québec and dividing the result by the weighted average of Québec compensation.

In principle, a differential of 0 signifies equal compensation. A negative value, for example -3%, means that Québec compensation is 3% less than that of the respondent being compared (Québec is behind), while a positive value, for example 3%, means that Québec compensation is 3% higher (Québec is ahead). Where Québec compensation is behind, the differential represents the percentage that must be added to the Québec compensation to reach the compensation of the respondent being compared. Where Québec compensation is ahead, the differential represents the percentage that must be deducted from the compensation of Québec Crown prosecutors to get the compensation of the respondent being compared.

⁶ Various factors can make it more difficult to find a link when comparing the position on the scale, the maximum and the salary. These include a large proportion of employees in the marketplace not paid in accordance with a salary scale or a large difference between the scope of the salary scale used in Québec and that used in the marketplace.

⁷ For "Crown prosecutor" jobs, disbursement data for benefits and paid time off, expressed as a percentage of the salary, are also weighted using this approach. Accordingly, the average disbursement of each respondent is calculated by weighting the disbursement for the "Crown prosecutor" position by the number of Québec Crown prosecutors.

When calculating and interpreting the compensation differential, the benchmark sector is always Québec. The results published in the ISQ reports on employee compensation are all obtained with a view to comparing various sectors against the Québec administration. It would therefore be incorrect, from a methodological point of view, to compare, for example, the compensation levels reported for two other respondents. In fact, the compensation differentials presented in this report relate strictly to the number and workforce structure of Québec Crown prosecutors.

2.7 Clarifications regarding the data and reference periods

The data on the salaries and the salary-scale minimums and maximums for Québec and the other respondents reflects the salary situation as of November 1, 2001. The data on the costs of benefits and paid time off represent the average costs. For each respondent, data on the disbursements was collected for all Crown prosecutors and attributed to the average salary of the various experience categories. The reference year for data on the cost of benefits and paid time off is 2000.

For data on the regular work week, the annual conversion factor used is 52.18 weeks. The data on workforce numbers describe the situation as of November 1, 2001, for all respondents and Québec and concern regular full-time employees.

2.8 Workload analysis

The terms of reference for this study include developing a tool for analyzing the workload of Crown prosecutors. Accordingly, the ISQ first did some exhaustive bibliographic research on workload analysis. It was found that most workload analyses have been done for primary and secondary school teachers, university instructors, and staff of health and public institutions, such as nurses, nutritionists and librarians.

The various methods for measuring workload fall somewhere along the following continuum, which ranges from simplest to most complex:

1. Listing of duties and percentage of total working time devoted to each.
2. Listing of some workload indicators.
3. Measurement of some workload indicators.
4. Measurement of time allocated to some duties.
5. Measurement of time devoted to a task in relation to file complexity.
6. Time and motion study.

In general, these workload measurement systems were not necessarily designed to help improve productivity, but rather to improve planning, human and material resources management, and work organization.

Next, the ISQ examined the workload of Crown prosecutors. To that end, it used documents received from the other provinces and the federal government. In fact, during recent years, the majority of the respondents have undertaken studies on the compensation and workload of Crown prosecutors. These documents made it possible to identify the main workload areas of concern for this type of profession.

The ISQ proposes an approach that falls midway along the continuum of the methods for measuring workload. It involves identifying and measuring certain workload indicators and identifying the duties, but not going so far as to measure the time devoted to each, which would be a difficult, if not impossible, exercise. It should be noted that when the ISQ was unable to measure workload indicators, it always took care to qualify the results reported. Even so, the ISQ does not believe that a time and motion study of Crown prosecutors would be a useful exercise or even generate interest. In fact, what really matters in this comparative analysis is to report on the complexity of the duties and all the subtle touches needed to do these duties. Lastly, where compiled workload data is not available, the ISQ asked the respondents to provide estimates. Estimated data is always identified as such in this report.

The main workload indicators of the Crown prosecutors surveyed are presented in Table 2.2. They are grouped into three main areas, namely workforce profile, profile of files and other workload indicators. These indicators formed the basis of the questions in the workload survey (see Appendix 1). A task grid was used to survey the workload indicators of the Crown prosecutors who completed the workload analysis (see Appendix 2).

Table 2.2
The main workload indicators of the Crown prosecutors surveyed

1. Workforce profile
<ul style="list-style-type: none"> ➤ Number of permanent and casual Crown prosecutors, 1990-2001 ➤ Number of Crown prosecutors, by year of experience as Crown prosecutor ➤ Number of specialized Crown prosecutors ➤ Number of managers and support staff, 1997-2001 ➤ Number of support staff per Crown prosecutor (support ratio) ➤ Number of chiefs and deputy chiefs per Crown prosecutor (coaching ratio)
2. Profile of files
<ul style="list-style-type: none"> ➤ Number of offences, by category ➤ Number of files ➤ Total number of files, 1997-2001 (refused, not involving judicial proceedings, involving judicial proceedings) ➤ Number of files per specialized team ➤ Number of layings of information ➤ Number of files appealed ➤ Number of files before judge only and before both judge and jury ➤ Number of out-of-court settlements (prior to or during the trial) ➤ Number of prosecutions on summary conviction ➤ Number of transfers (Young Offenders, section 16) ➤ Number of adjournments (postponement) ➤ Number of restraint orders and special warrants ➤ Number of ministerial requests ➤ Number of additional investigations / Number of incomplete files as of the first appearance of the accused ➤ Number of authorizations of electronic surveillance ➤ Number of search warrants ➤ Number of bail hearings ➤ Number of preliminary hearings ➤ Percentage of files invoking the Canadian Charter of Rights and Freedoms
3. Other workload indicators
<ul style="list-style-type: none"> ➤ Average time spent on file preparation ➤ Court time ➤ Number of witnesses per file ➤ Number of Crown prosecutors departures/turnover rate ➤ Absenteeism rates ➤ Number of computers per Crown prosecutor ➤ Number of Crown prosecutors with access to legal data banks/Internet/e-mail ➤ Travel time/kilometres travelled/travel time outside court time ➤ Statutes under which prosecutions are handled by Crown prosecutors ➤ Number of actions for professional liability ➤ Number of complaints filed with the Law Society ➤ Number of actions for damages ➤ Number of cases involving verbal threats or threats against physical integrity ➤ Periods during which the courts are closed, per service point ➤ Large-scale operations or trials with media coverage ➤ Major events necessitating constant availability of Crown prosecutors

2.9 Data processing and analysis

While conducting its survey in the field, the ISQ encountered a few hurdles, in that several respondents provided incomplete data. The ISQ therefore had to process the data in different ways.

For example, when collecting data on employee benefits, the ISQ was unable to obtain from the federal government the amounts of its disbursements for employee benefits. The data on the federal administration in Québec, available from the survey on total compensation, was therefore used to impute results for the federal government. This type of imputation is current and valid for statistical purposes, but it still is an estimation of the reality and not the real numbers. Other respondents also provided incomplete data on employee benefits and paid time off.

Moreover, when the ISQ was gathering data on employee benefits and paid time off, it inevitably encountered difficulties in obtaining complete information on costs, given the complexity of the information requested. This phenomenon, generally called “item non-response,” is frequently encountered in any survey, regardless of the topic being surveyed. One of the usual methods for handling item non-response involves imputing values where data is missing. Imputation can be done in a variety of ways, but is done most often by using historical data, donor data or the average data. A complete file suitable for analysis can then be produced. Although in principle there is an error margin due to this imputation, it is only rarely considered in practice for the following two reasons: the margin of error is negligible when the results relate to a large number of respondents, and it is difficult to measure it.

For the purposes of this comparative study, two major problems emerge when using imputation for handling item non-response:

- The lack of data sources on which to base the imputation. The ISQ does not have historical data on provincial public services outside Québec. It also has no data on the average costs of the various employee benefits in provinces other than Québec.
- Since each comparison market is formed of a single entity, it is more difficult to disregard the margin of error resulting from imputation.

There is no typical solution for this kind of situation. In order to avoid having to set aside the analysis and calculation of the major components of total compensation, the ISQ therefore imputed each missing element in the employee benefits. This imputation is based on the most recent costs gathered as part of the survey on total compensation in Québec for a group of respondents in “public” fields. This data covers all institutions of 200 or more employees in the “other public” sector and the Québec administration, namely the government of Québec, the federal government in Québec, federal and provincial Crown corporations in Québec, universities in Québec, municipal administrations, and local government business enterprises in Québec.⁸ However, because of the overly large number of elements to be imputed for the files from Ontario and Manitoba, total compensation could not be calculated for these two provinces. For their part, the elements of governmental benefit plans were not considered in the calculation of total compensation because of incomplete data.

The task of collecting workload data proved more arduous than expected, and the data does not allow for presenting a reliable and complete portrait of the workload of the Crown prosecutors of the various respondents. There are two possible explanations, given what transpired in the field: first, it seems that what was asked of the respondents was too burdensome, and they were unable to allocate time and staff to find and compile the data. Second, and this is the more plausible hypothesis, most of the data requested

⁸ This data is provided in Appendix 3.

did not exist in any compiled format. This is why the results received were patchy. They must therefore be qualified and cannot be used as the basis for generalizations.

With regard to the tools that allow for determining the various levels of cost of living by region, the ISQ wishes to warn the parties on how they must be used. These tools may serve as guides or indicators, but they cannot take the place of an exhaustive study of the levels of cost of living for the various regions of Canada. For this reason, the ISQ recommends that the parties use them in balance with other factors.

Compensation Framework and Policies

3.1 Mechanisms for upgrading working conditions

This Section profiles the mechanisms for upgrading the working conditions of Crown prosecutors. Also presented are, inter alia, the status of Crown prosecutors in each province, the working conditions that are negotiated between the associations of Crown prosecutors and their respective employers, and whether or not there are mediation or arbitration mechanisms for settling disputes.

In general, Crown prosecutors are not unionized, except in Manitoba. However, they are all represented by associations. The majority of the associations, with the exception of those in New Brunswick, the federal government and Alberta, negotiate certain working conditions.

Table 3.1
Mechanisms for upgrading working conditions

Provinces and federal government	Observations
Québec	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ The <i>Association des substituts du Procureur général du Québec</i> (ASPGQ) represents the Crown prosecutors. ➤ ➤ Working conditions are governed by regulations¹ applicable to the <i>Ministère de la Justice</i> and the ASPGQ. However, an agreement was recently signed by the parties on upgrading or adding the following working conditions: general terms and conditions, the right of association, professional life and participation, administrative and disciplinary practices, alternate arrangement of working hours, career planning, compensation and other financial provisions, group plans, avenues of recourse for applying the agreement, special conditions for some Crown prosecutors, and the duration of the agreement. ➤ ➤ In the event of a dispute in the application of the regulation, recourse procedures are provided.
Nova Scotia	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ The Nova Scotia Crown Attorney's Association represents the Crown prosecutors of Nova Scotia. It has signed a service contract with the Professional Institute of the Public Service of Canada for negotiations. ➤ ➤ The negotiated working conditions include classification, salary scales, advancing within the compensation structure, the criteria for and process of selecting Senior Crown Counsel, and the duration, general conditions and renewal of the agreement.² ➤ ➤ A conciliation and arbitration mechanism exists solely when the agreement is up for renewal.
New Brunswick	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ The Crown prosecutors are members of the New Brunswick Crown Attorney Association. ➤ ➤ The employer determines salary rates and working conditions.

Table 3.1 (continued)
Mechanisms for upgrading working conditions

Provinces and federal government	Observations
Ontario	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ Working conditions and salary are covered by a master agreement³ between the Management Board of Cabinet, which represents the employer, and the Ontario Crown Attorney's Association (OCAA) and the Association of Law Officers of the Crown (ALOC), who represent the attorneys and Crown prosecutors employed by the Government of Ontario. ➤ ➤ The parties negotiate certain working conditions, such as salary, premiums, advancing up the salary scales, the level of merit increases, reimbursements for meals and travel, group insurance plans, paid leaves and unpaid leaves, job security, postings and transfers between associations, professional committees, arbitration, development activities, and preparation time for trial. However, the compensation structures, the retirement plan, classification and guarantees of employment level are not negotiated. ➤ ➤ In the event of dispute, a master agreement provides an arbitration mechanism. ➤ ➤ Should discussion on renewing the agreement become deadlocked, mediation and arbitration mechanisms are provided.
Federal government	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ The employer determines salary rates and working conditions. ➤ ➤ The employer grants Crown prosecutors parity with unionized attorneys, as a minimum. ➤ ➤ An association representing all federal Crown prosecutors has been created recently.
Manitoba	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are unionized. ➤ ➤ The Crown prosecutors are represented by the Manitoba Association of Crown Attorneys, which represents all attorneys employed by the Government of Manitoba. ➤ ➤ The negotiated working conditions include the interpretation, duration and application of the agreement, the rights of management, compensation, recruitment, performance evaluation, resignations, code of conduct, disciplinary measures, grievance and arbitration procedures, hours of work, vacation, parental, maternity and adoption leaves, benefits, education leaves and statutory holidays, sick leaves, compensatory leave, family leave, absences, leave for association activities, layoffs, terminations of employment, probation, additional compensation, Crown prosecutor and management committees, general terms and conditions governing allowances and reimbursements, legal liability, dental and medical insurance plans, long-term disability plan, and employment status.⁴ ➤ ➤ An arbitration mechanism for working conditions is provided.

Table 3.1 (continued)
Mechanisms for upgrading working conditions

Provinces and federal government	Observations
Alberta	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ The Crown prosecutors are members of the Alberta Crown Attorney Association. ➤ ➤ The employer determines salary rates and working conditions.
British Columbia	<ul style="list-style-type: none"> ➤ ➤ Crown prosecutors are not unionized. ➤ ➤ The working conditions and salary are covered in an agreement⁵ between the Public Service Employee Relations Commission and the British Columbia Crown Counsel Association. ➤ ➤ The parties negotiate some working conditions, such as the duration, application and renewal of the agreement, management rights, association membership dues and activities, disciplinary measures, classification and compensation, parental, adoption and maternity leaves, allowances, additional leaves, paid leaves, file preparation time, part-time and casual Crown prosecutors, posting of positions, professional dues, professional development allowances, annual conference, parity committee, benefits, arbitration and parking. ➤ ➤ The agreement provides an arbitration mechanism for handling grievances. ➤ ➤ Should discussion on renewing the agreement become deadlocked, the disputed issues can be submitted to a panel comprised of an Association representative, an employer representative, and a third member appointed by these two representatives.

¹ *Règlement sur les substituts du procureur général* [Regulations governing Crown Prosecutors]*.

² First agreement between: The Province of Nova Scotia as represented by the Nova Scotia Public Service Commission and the Nova Scotia Crown Attorney's Association.

³ Memorandum of agreement between: The Crown in Right of Ontario and the Association of Law Officers of the Crown and the Ontario Crown Attorney's Association.

⁴ Agreement between the Government of the Province of Manitoba and the Manitoba Association of Crown Attorneys.

⁵ Agreement between the Government of the Province of British Columbia and the British Columbia Crown Counsel Association.

3.2 Criteria for salary increases

Most of the provinces essentially use the same criteria for salary increases. The detailed findings are provided in Appendix 4.

Briefly, Nova Scotia, New Brunswick, Ontario and the federal government base their salary increments on comparisons with various markets, cost of living statistics, increases granted to other groups of government employees, and increases forecasted by private salary consultants. Manitoba and British Columbia use the same criteria, with the exception of data from private salary consultants. Alberta uses increases granted to other groups of government employees and comparisons with various markets, principally the Crown prosecutor market in Canada.

* Translations of Québec names and titles are provided in square brackets as a reading aid only.

In Québec, the determination of salary increases is based on increases granted to other groups of government employees. Any decision of the Treasury Board must be approved by the Cabinet. However, mechanisms for determining salary levels based on tools, such as this survey, have been introduced in the last round of bargaining.

3.3 Types of advances in the salary scale

Québec

Since January 2001, Crown prosecutors in Québec have had a compensation structure comprised of a normal zone and a merit zone.¹ The salary scale applies from January 1st to December 31st every year. The normal zone has a single salary scale comprised of 41 steps. Advancement in the normal zone depends on the performance evaluation. Between the first and 18th step, Crown prosecutors whose performance rating is “A” move up five steps annually, and those whose performance rating is “B” move up four steps. At the 18th step, Crown prosecutors whose performance rating is “A” advance four steps, and those whose performance rating is “B” advance three steps. Crown prosecutors whose performance rating is “C” do not advance.

Beginning with the 19th step and as far as the 41st step, Crown prosecutors whose performance rating is “A” advance three steps annually, and those whose performance rating is “B” advance two steps. Crown prosecutors whose performance rating is “C” do not advance.

In practice, Crown prosecutors whose performance is satisfactory should therefore reach the top of the salary scale after fifteen years of service.

The merit zone is comprised of a minimum and a maximum. The regulations state that 30% of Crown prosecutors can be in the merit zone. To reach the merit zone, Crown prosecutors must obtain an “A” rating in a year in which there is an opening in the merit zone. Crown prosecutors whose compensation is in the merit zone and whose performance rating is “A” see their salary increased by the salary scale percentage increase plus a 1.5% increase, without exceeding the merit maximum. Those whose performance rating is “B” receive a lump-sum payment equal to salary scale percentage increase. Crown prosecutors whose performance rating is “C” do not get any increase on January 1.

Performance evaluations are done no later than December 1st every year. In addition, only 33.3% of Crown prosecutors are eligible for an “A” performance rating. Salary adjustments come into effect on January 1 every year.

The public prosecution service in Québec uses the concept of year of recognized experience when determining a Crown prosecutor’s entry position and advancement in the salary scale. Accordingly, every year of experience as Crown prosecutor or defence counsel in criminal law equals one year of recognized experience. Experience in an area outside criminal law is assessed by a committee for the purposes of placement in the salary scale.

¹ See the salary scale in Appendix 5.

Nova Scotia

The compensation structure for Crown prosecutors employed by Nova Scotia has three classification levels: Crown Attorney, Senior Crown Attorney and Senior Crown Counsel.² The salary scale is effective from April 1st to March 31st of the following year. Each classification level has a number of steps that match the number of years of experience. Each step has 3 salary levels that correspond with a performance level, which are: fully satisfactory, superior performance and exceptional performance.

Crown prosecutors advance up the salary scale in line with their level of recognized experience. The “Crown Attorney” level, which is the junior level, has six steps, namely an entry step for less than one year of recognized experience, plus five steps for the corresponding year of recognized experience. The “Senior Crown Attorney” level has 9 steps for the corresponding years of recognized experience, covering from six to 14 years of recognized experience. Advancing from “Crown Attorney” to “Senior Crown Attorney” happens automatically.

The “Senior Crown Counsel” level is accessible only to a limited number of Crown prosecutors, namely 20% of permanent Crown prosecutors. All access is by competition only, and 10 years of experience are required as a minimum, of which six years must be with the Public Prosecution Service of Nova Scotia. The Crown prosecutor must also have regularly presented exceptional performance in trials and appeals, along with the corresponding skills, or have attained a status of specialist or expert in a field of specialization. What is more, the Crown prosecutor must have, on both a regular and self-directed basis, conducted highly demanding, difficult, complex and sensitive prosecutions.

Crown prosecutors advance in the salary scale on an annual basis, on their anniversary date of employment. If, in a given year, they do not achieve a “fully satisfactory” performance (unsatisfactory performance or one that calls for professional upgrading), they do not get any salary increase.

When determining the entry position in the salary scale and later advancement, the Public Prosecution service of Nova Scotia uses the concept of year of recognized experience, unlike the other provinces which base advancement in the salary scales on the number of years after being called to the Bar. For example, every year of experience as Crown prosecutor or defence counsel in criminal law equals one year of recognized experience. Every year of experience as attorney in fields other than criminal law is recognized as a half-year of experience for the purposes of placement in the salary scale.

New Brunswick

The compensation structure for Crown prosecutors employed by New Brunswick has four classification levels.³ The salary scale is effective from April 1st to March 31st of the following year. Level I, which is the entry level for junior lawyers, has 29 steps. After 4 years of experience, a Crown prosecutor moves automatically to Level II and advances in this level until 9 years of experience have been attained. Level II has 34 steps. After 9 years of experience, Crown prosecutors move automatically to Level III and advance as far as step 19, which is as high as they can go. The remaining four steps in Level III serve as bonuses for rewarding Crown prosecutors whose performance exceeds expectations.

² See the salary scale in Appendix 6.

³ See the salary scale in Appendix 7.

Level IV is the expert level. Only a limited number of Crown prosecutors have access to it, although there are no clearly defined directives on the number of Crown prosecutors who can be at this level. Access to this level is reserved for Crown prosecutors with at least 15 years of experience and who have been recognized by their peers as being experts in their field of competency. The highest one can go in Level IV is the 15th step. The four remaining steps in this level serve as bonuses for rewarding Crown prosecutors whose performance exceeds expectations. In addition, steps 20, 21, 22 and 23 of Level III and steps 16, 17, 18 and 19 of Level IV are used for remunerating Crown prosecutors with regional management responsibilities.

Crown prosecutors advance up the salary scale on an annual basis, on April 1st of every year. While in Levels I and II, Crown prosecutors advance three steps if their performance meets expectations and four to six steps if their performance exceeds expectations. While in Level III, Crown prosecutors advance two steps if their performance meets expectations and three to five steps if their performance exceeds expectations. Where employees in Levels I or II are super performers, it is possible for them to obtain two increases in a given year: the first one on April 1st, as described above, and another, which is equal to three additional steps, on October 1st of the same year.

To determine the entry position and advancement in the salary scale, the Public Prosecution Service in New Brunswick uses the concept of years of experience after being called to the Bar. Accordingly, the initial rate of compensation is determined on a case by case basis, depending on the number of years since being called to the Bar and the position in the salary scale of other Crown prosecutors employed by the Public Prosecution Service with comparable experience.

Ontario

The compensation structure for Crown prosecutors employed by Ontario has four classification levels: Crown Counsel 1, Crown Counsel 2, Crown Counsel 3 and Crown Counsel 4.⁴ The salary scale is effective from January 1, 2001, to today. It is currently being renegotiated.

Crown Counsel 1, which is the entry level, has 8 steps, namely an entry step for those with less than one year of experience, plus 8 steps for each six months of experience after being called to the Bar. Advancing up the steps depends on presenting satisfactory performance. Crown prosecutors can therefore reach the highest “Crown Counsel 1” step four years after being called to the Bar. One moves automatically from “Crown Counsel 1” to “Crown Counsel 2”. Crown Counsel 2, which applies to self-directed employees, does not have any steps, but only a minimum and a maximum. The level of annual increase depends on merit. The percentage of increase can therefore vary from one Crown prosecutor to the next. It takes an average 16 to 18 years to reach the highest step on the Crown Counsel 2 salary scale.

Crown Counsel 3 is reserved for deserving Crown prosecutors who have attained a degree of expertise in their field of specialization and whose performance regularly exceeds expectations significantly. Only 20% of the Ministry of Justice’s entire judicial workforce (attorneys, Crown prosecutors and advisers) can be at this level. Appointment to Crown Counsel 3 is made by a committee, and the decision is subject to appeal. No level of minimum experience is specified for reaching Crown Counsel 3. Advancement within level 3 depends on performance.

⁴ See the salary scale in Appendix 8.

Crown Counsel 4 is reserved for Crown prosecutors who continuously present exceptional skills. These employees represent or advise the Crown in files with a critical impact on the administration of justice, the reputation of the Ministry and the interests of the province. Only 10% of all attorneys, Crown prosecutors and advisers employed by the Ministry of Justice can be at the “Crown Counsel 4” level. Appointments to this level are made by a deputy minister, whose decision is final and without appeal. No level of minimum experience is specified for reaching Crown Counsel 4. Advancement within level 4 depends on performance.

To determine the entry position for the “Crown Counsel 1” and “Crown Counsel 2” levels, Ontario uses the concept of year of experience after being called to the Bar. Once positioned, Crown prosecutors in the “Crown Counsel 1” level advance by steps, and those in the other levels advance on the basis of merit.

Federal government

The compensation structure for federal Crown prosecutors has five classification levels, namely LA-1, LA-2A, LA-2B, LA-3A, LA-3B.⁵ The compensation structure in the federal administration has two separate salary scales: one for the Toronto region and another for the rest of the country. The current salary scales have been in use since April 1, 2000. Each level has a minimum and normal maximum. Level LA-1 is the entry level for junior lawyers. Level LA-2A requires a minimum of 4 years of experience in federal and criminal prosecution files, and incumbents have considerable empowerment. Level LA-2B is the first tier of specialist. Crown prosecutors in this level must have in-depth knowledge of a field of legal specialization, advanced experience, and be recognized as specialists by the judicial community. Crown prosecutors in level LA-3A are among the few rare specialists who are given minimal directives on applying their knowledge. Crown prosecutors in level LA-3B are deemed legal advisors or senior attorneys who have demonstrated exceptional achievements.

Moving from one level to the next is not automatic and happens only through competition. Crown prosecutors advance within the salary scale on an annual basis, on April 1st every year, depending on their performance. For all levels (LA-1, LA-2A, LA-2B, LA-3A, LA-3B), Crown prosecutors advance up to 3% in their salary scale for satisfactory performance, up to 5% for fully satisfactory performance, up to 7% for superior performance, and up to 10% for exceptional performance, up to the normal maximum. Crown prosecutors who have attained the normal maximum and who have obtained a “superior” or “exceptional” performance rating receive the difference in excess of the normal maximum in the form of a lump-sum payment, which must be merited every year. An employee whose performance rating is “satisfactory” cannot advance above a salary corresponding to 96% of the normal maximum of the salary scale. The salaries of Crown prosecutors whose performance is unsatisfactory do not change.

Crown prosecutors in level LA-1 can, at the discretion of the agency head, be evaluated each quarter and obtain a salary increase for the corresponding period, based on the same criteria described above. When hired, new employees can obtain a salary higher than the minimum of the classification, but not higher than the maximum of the classification.

⁵See the salary scale in Appendix 9.

Manitoba

The compensation structure for Crown prosecutors employed by Manitoba has four classification levels: Legal Counsel 1, Legal Counsel 2, Legal Counsel 3 and Legal Counsel 4.⁶ For the first three tiers, the salary scale is effective from March 24th to March 22nd of the following year. For Legal Counsel 4, two salary scales apply during the year: one is in force from March 24th to September 21st, and a second is in force from September 22nd to March 22nd of the following year.

Legal Counsel 1 is the entry level for junior lawyers, and Legal Counsel 2 is the level of self-directed employees. Both levels have six steps each. Crown prosecutors advance one or more steps in these salary scales each year, depending on their performance. Moving from Legal Counsel 1 to Legal Counsel 2 is based on merit, subject to a performance and work evaluation, and requires at least five years of experience after being called to the Bar.

Legal Counsel 3 is reserved for senior Crown prosecutors who hold an advanced degree of expertise and who have regularly demonstrated performance that clearly exceeds expectations. To reach this level, Crown prosecutors must have at least ten years of experience with the Law Society of Manitoba and be recommended by the Deputy Attorney General. These Crown prosecutors also have management and supervisory responsibilities. A maximum of fourteen Crown prosecutors can receive a \$75 premium every two weeks for management and supervisory responsibilities. Legal Counsel 3 has seven steps, and Crown prosecutors advance one or more steps up this salary scale each year, depending on their performance.

Legal Counsel 4 is reserved for expert legal advisers who have exceptional skills. To reach this level, Crown prosecutors must have at least ten years of experience in Manitoba, including at least five consecutive years as Crown prosecutor and already be at the “Legal Counsel 3” level. This level has seven steps, and Crown prosecutors advance by one or more steps up this salary scale each year, depending on their performance. Only a limited number of Crown prosecutors can be at this level.

Alberta

The compensation structure for Crown prosecutors employed by Alberta has four classification levels: Legal Officer 1, Legal Officer 2, Legal Officer 3 and Legal Officer 4.⁷ The salary scale is effective from April 1st to March 31st of the following year. Legal Officer 1 is the entry level for junior lawyers. This level has four steps, one for each year of experience after being called to the Bar. Crown prosecutors automatically move up to the next higher step after every year completed. After four complete years, Crown prosecutors move automatically to Legal Officer 2. This level has four steps, one for every two years of experience after being called to the Bar. Crown prosecutors whose performance rating is “satisfactory” are entitled only to the salary increase for two years and can advance, after these two years, to the following step, repeating this cycle until they have twelve years of experience after being called to the Bar. Crown prosecutors whose performance exceeds expectations can advance more quickly up the “Legal Officer 2” salary scale. The normal maximum for Legal Officer 2 is a ceiling for Crown prosecutors whose performance is “satisfactory.”

⁶ See the salary scale in Appendix 10.

⁷ See the salary scale in Appendix 11.

The “Legal Officer 3” and “Legal Officer 4” levels are accessible only to a limited number of Crown prosecutors, based on merit. These levels are reached by competition. Also, Crown prosecutors must have, respectively, a minimum of eight and ten years of experience after being called to the Bar. The salary scales for these levels do not have steps but only a minimum and a maximum, based on merit.

To determine an employee’s entry position in and advancement up the salary scale, Alberta uses the concept of year of experience after being called to the Bar. Alberta recognizes only experience in criminal law.

British Columbia

The compensation structure for Crown prosecutors employed by British Columbia has five classification levels: Legal Counsel 1, Legal Counsel 2, Legal Counsel 3A, Legal Counsel 3B and Legal Counsel 4.⁸ The salary scale is effective from April 1st to March 31st of the following year.

Legal Counsel 1 is the entry level and has five steps, namely an entry step for Crown prosecutors with less than one year of experience and four steps for each year of experience after being called to the Bar. Advancement up the steps is automatic. Legal Counsel 2, at which level the Crown prosecutors are self-directed, also has five steps, one for each year of experience after being called to the Bar, i.e., five to nine years of recognized experience. Advancement up the steps in Legal Counsel 2 is automatic. Moving from Legal Counsel 1 to Legal Counsel 2 is also automatic. Legal Counsel 3A has four steps. Advancing up the steps depends on the Crown prosecutor’s performance. After twelve years of experience, all Crown prosecutors move automatically to Legal Counsel 3A. However, deserving Crown prosecutors, whose performance clearly exceeds expectations, can also move up to Legal Counsel 3A after at least eight years of experience after being called to the Bar. At least 55 Crown prosecutors must be at this level. To reach this level, Crown prosecutors must have accepted additional responsibilities, regularly presented exceptional skills in their interpersonal relationships with victims, witnesses and the public, and have accomplished their duties with a minimum of supervision. As attorneys, Crown prosecutors must also have led prosecution cases in a way that clearly exceeds the normal level. As managers, Crown prosecutors must have demonstrated good capacity for delegation, supervision skills and must have resolved management problems in a way that clearly exceeds the normal level.

⁸ See the salary scale in Appendix 12.

To reach Legal Counsel 3B, in addition to the criteria set for reaching Legal Counsel 3A, Crown prosecutors must present performance levels that substantially exceed the normal level in addition to regularly exercising independent judgment. They must also have regularly led highly demanding and complex prosecution cases. They must have at least eight years of experience after being called to the Bar. Only a limited number of Crown prosecutors can be at the “Legal Counsel 3B” level. This level has four steps, and advancing up the steps depends on the Crown prosecutor’s performance.

Legal Counsel 4 is reserved for Crown prosecutors who distinguish themselves exceptionally in the practice of their profession. They must be recognized as specialists or experts in their field of specialization. To reach this level, Crown prosecutors must present exceptional performance in addition to continuously exercising independent judgment. They must also have regularly led highly demanding and complex prosecution cases.

To access this level, Crown prosecutors must have at least ten years of experience after being called to the Bar. Only a limited number of Crown prosecutors can be at the “Legal Counsel 4” level. This level has five steps, and advancing up the steps depends on the Crown prosecutor’s performance.

To determine the entry position and advancement in the salary scale, British Columbia uses the concept of years of experience after being called to the Bar. Crown prosecutors move up the salary scale annually, on April 1st each year.

Comparative Analysis of Total Compensation

4.1 Salaries and salary scales

This Section analyzes salaries and salary scales.¹ As regards salaries and the aggregate Crown prosecutor market, Québec is behind by 32.6%. Crown prosecutors in Québec are also behind all the respondents except New Brunswick; the differentials range from 9% compared with Nova Scotia, to 61.3% compared with Ontario. Compared with New Brunswick, Québec is ahead by 2.2%.

In the 0 to 4 years of relevant experience category, Québec is behind the aggregate Crown prosecutors market by 50.1%. It is also behind each of the respondents taken singly, from 1.0% compared with Manitoba, to 82.3% compared with Ontario. New Brunswick has no Crown prosecutors in this category.

In the 5 to 9 years of relevant experience category, Crown prosecutors in Québec are behind the aggregate Crown prosecutors market by 34.6% and behind all provinces excepting New Brunswick; the differentials range from 13.4%, compared with Nova Scotia, to 58%, compared with Ontario. Compared with New Brunswick, Québec holds an advance of 10.9%.

In the 10 to 14 years of relevant experience category, the salaries of Crown prosecutors in Québec are behind those of all Crown prosecutors by 32.6%. Québec is also behind each of the provinces, with differentials ranging from 5.3%, compared with New Brunswick, to 50.8%, compared with Ontario.

The salaries of Crown prosecutors in Québec with 15 or more years of relevant experience are behind the aggregate Crown prosecutors market by 30.8% and behind the Crown prosecutors market in each of the provinces, with the exception of New Brunswick; the differentials range from 5.5%, compared with Nova Scotia, to 63.4%, compared with Ontario. Compared with their counterparts in New Brunswick, Crown prosecutors in Québec hold an advance of 2.1%.

For the sake of qualifying the findings of this salary comparison, information is provided on the salary scales of the respondents compared.² The analysis involves comparing the salary-scale maximums. Information is also provided on the position in the salary scale. Lastly, the comparative ratios and the salary-scale minimums shed additional light on the results of the salary comparison. This information is presented in Appendix 13.

¹ Detailed results are provided in Appendices 13 and 14.

² Section 2.1 in the chapter on methodology explains the particularities of calculating the minimums and maximums of the various salary scales when the matching is based on years of experience.

Table 4.1
Salaries and salary differentials, by level of experience, for “Crown prosecutor” jobs, by province and federal government, in 2001 [Differential = (Québec - market)/Québec]

Level of experience	Provinces and federal government									
	Québec ¹	NS ¹	NB ^{2,4}	Ontario ^{2,6}	Fed. gov. ² (excl. Toronto)	Fed. gov. ² (Toronto region)	Man. ^{2,5}	Alta. ²	BC ²	Prov. and federal gov. combined
0-4 years of relevant experience										
Amount (\$)	45,700	54,467	...	83,299	61,329	69,027	46,171	59,614	56,295	68,588
Differential (%)		-19.2	...	-82.3	-34.2	-51.0	-1.0	-30.4	-23.2	-50.1
5-9 years of relevant experience										
Amount (\$)	61,399	69,600	54,708	97,013	74,739	82,022	69,837	80,516	72,532	82,619
Differential (%)		-13.4	10.9	-58.0	-21.7	-33.6	-13.7	-31.1	-18.1	-34.6
10-14 years of relevant experience										
Amount (\$)	72,391	83,323 ³	76,206	109,161	87,873	96,873	84,304	97,575	88,273	96,017
Differential (%)		-15.1	-5.3	-50.8	-21.4	-33.8	-16.5	-34.8	-21.9	-32.6
15 or more years of relevant experience										
Amount (\$)	83,869	88,489 ³	82,113	137,075	98,486	109,650	90,202	108,055	96,620	109,702
Differential (%)		-5.5	2.1	-63.4	-17.4	-30.7	-7.6	-28.8	-15.2	-30.8
Aggregated										
Amount (\$)	74,814	81,529	75,413	120,657	89,418	99,214	82,103	97,471	87,656	99,172
Differential (%)		-9.0	2.2 ⁴	-61.3	-19.5	-32.6	-9.7	-30.3	-17.2	-32.6

¹ Provinces using years of recognized experience for positioning Crown prosecutors in the salary scale.

² Provinces using years since being called to the Bar for positioning Crown prosecutors in the salary scale.

³ It should be noted that for 14 employees at step 9 of the Senior Crown Attorney level, the respondent was unable to provide the years of recognized experience. They have been included by default in the 10 to 14 years of relevant experience category. This situation has an impact on the distribution of Crown prosecutors between the categories of 10 to 14 years and 15 or more years of recognized experiences. If the years of recognized experience were 15 or more years, the effect would be to reduce the average salaries in both the 10 to 14 years and 15 or more years of experience categories.

⁴ The overall salary differential between Québec and New Brunswick is calculated on the basis of the categories that could be compared, namely 5 to 9 years, 10 to 14 years and 15 or more years of recognized experience.

⁵ Manitoba salary data includes \$75 premiums paid every two weeks for Crown prosecutors with management and supervisory responsibilities.

⁶ Employees on long-term disability or leave without pay and Crown prosecutors whose salary exceeds the maximum or is below the minimum of their respective salary scales have been excluded from salary calculations. It should be noted that the total number of employees for the salary data provided by Ontario differs from the total number provided for the workload. The ISQ was unable to obtain an explanation of this difference from the respondent.

An analysis of the salary-scale maximums for the 0 to 4 years of experience category, reveals that Crown prosecutors in Québec are behind those in all provinces except New Brunswick; the differentials range from 4.4%, compared with Nova Scotia, to 99.0%, compared with Ontario. Compared with New Brunswick, the salary-scale maximums in Québec are ahead by 17.1%. In the comparisons with Nova Scotia and British Columbia, Québec's lower position in the salary scale (56.1%), compared with Nova Scotia (83.3%) and British Columbia (66.4%), explains why the salary differentials (respectively -19.2% and -23.2%) are greater than the differentials for maximums (respectively -4.4% and -12%). Crown prosecutors in Manitoba and Ontario are less advanced in their salary scale (respectively 41.8% and 32.2%) than Québec Crown prosecutors (56.1%), and this explains why the salary differentials are lower than the differentials for maximums (respectively -1.0% vs. -9.2% and -82.3% vs. -99.0%).

As was the case for the 0 to 4 years of experience category, in the 5 to 9 years of experience category Québec is behind most of the respondents, the only exception being New Brunswick. The differentials range from 11.3%, compared with Nova Scotia, to 104.7%, compared with Ontario. However, the salary-scale maximum in Québec is 1.1% in advance of that in New Brunswick. In the comparison with Nova Scotia, Québec's lower position in the salary scale (52.6%), compared with Nova Scotia (67.9%), explains why the salary differential (-13.4%) is greater than the differential for the salary-scale maximum (-11.3%). Crown prosecutors in New Brunswick, Ontario, the federal government excluding Toronto, and in Manitoba, Alberta and British Columbia are less advanced in their salary scale than are Crown prosecutors in Québec. This explains why Québec's Crown prosecutors' relative situation is more favourable for salaries than for salary-scale maximums.

Table 4.2

Salaries, maximums, differentials for maximums and positions in the salary scale, by level of experience, for "Crown prosecutor" jobs, by province and federal government, in 2001

Level of experience	Provinces and federal government								
	Québec ¹	NS ¹	NB ²	Ont. ²	Fed. gov. ₂ (excl. Toronto)	Fed. gov. ₂ (Toronto region)	Man. ²	Alta. ²	BC ²
0-4 years of relevant experience									
Salary (\$)	45,700	54,467	...	83,299	61,329	69,027	46,171	59,614	56,295
Maximum (\$)	54,422	56,800	45,110	108,274	73,356	85,270	59,415	70,863	60,957
Differential (%)		-4.4	17.1	-99.0	-34.8	-56.7	-9.2	-30.2	-12.0
Position in the salary scale (%)	56.1	83.3	...	32.2	45.2	55.9	41.8	30.3	66.4
5-9 years of relevant experience									
Salary (\$)	61,399	69,600	54,708	97,013	74,739	82,022	69,837	80,516	72,532
Maximum (\$)	66,499	74,000	65,754	136,135	88,569	98,811	78,498	91,918	81,359
Differential (%)		-11.3	1.1	-104.7	-33.2	-48.6	-18.0	-38.2	-22.3
Position in the salary scale (%)	52.6	67.9	46.5	12.4	42.9	57.2	46.7	41.4	42.5
10-14 years of relevant experience									
Salary (\$)	72,391	83,323	76,206	109,161	87,873	96,873	84,304	97,575	88,273
Maximum (\$)	77,739	86,089	81,354	137,794	94,620	105,060	86,137	99,445	92,144
Differential (%)		-10.7	-4.7	-77.3	-21.7	-35.1	-10.8	-27.9	-18.5
Position in the salary scale (%)	46.1	72.1	65.2	34.9	72.2	79.1	89.4	85.7	40.3
15 or more years of relevant experience									
Salary (\$)	83,869	88,489	82,113	137,075	98,486	109,650	90,202	108,055	96,620
Maximum (\$)	92,653	88,489	82,205	142,639	99,637	114,440	90,386	108,144	99,470
Differential (%)		4.5	11.3	-53.9	-7.5	-23.5	2.4	-16.7	-7.4
Position in the salary scale (%)	65.7	100.0	100.0	86.8	95.2	87.4	99.0	99.1	61.4

¹ Provinces using years of recognized experience for positioning Crown prosecutors in the salary scale.

² Provinces using years since being called to the Bar for positioning Crown prosecutors in the salary scale.

As regards the salary-scale maximums in the 10 to 14 years of experience category, Québec is behind all the other provinces, with differentials ranging from 4.7%, compared with New Brunswick, to 77.3%, compared with Ontario. Crown prosecutors in Nova Scotia, New Brunswick, Manitoba and Alberta are more advanced in their salary scale (respectively 72.1%, 65.2%, 89.4% and 85.7%) than Québec Crown prosecutors (46.1%). This explains why Québec is not as far behind these four provinces for salary-scale maximums as it is for salaries. Inversely, Crown prosecutors in Ontario are less advanced in their salary scale than Québec Crown prosecutors (34.9% vs. 46.1%). This explains why Québec is not as far behind with regard to salary as it is with regard to the salary-scale maximum.

In the 15 or more years of experience category, the salary-scale maximum of Québec Crown prosecutors is behind that of Crown prosecutors in three provinces and the federal government, with differentials ranging from 7.4%, compared with British Columbia, to 53.9%, compared with Ontario. However, the maximum of Québec Crown prosecutors is in advance of that of Crown prosecutors in three provinces, namely Nova Scotia (4.5%), New Brunswick (11.3%) and Manitoba (2.4%). Federal Crown prosecutors excluding the Toronto region, federal Crown prosecutors in the Toronto region, and Alberta Crown prosecutors are more advanced in their salary scale (respectively 95.2%, 87.4%, and 99.1%) than Québec Crown prosecutors (65.7%). This explains why Québec is not as far behind these respondents with regard to maximums as it is with regard to salaries. Similarly, the lower position of Québec Crown prosecutors on the salary scale (65.7%), compared with the positions of Nova Scotia (100.0%), New Brunswick (100.0%), Ontario (86.8%) and Manitoba (99.0%), explains why the Québec Crown prosecutors' relative situation is more favourable for salary-scale maximums than for salaries.

4.2 Employee benefits and paid time off

This section compares disbursements for employee benefits and paid time off for each of the provinces and for the federal government. To begin, it must be noted that Ontario and Manitoba did not provide data on disbursements for employee benefits and paid time off. In addition, several respondents did not provide data on disbursements for a portion of employee benefits and paid time off. However, as is noted in Table 4.3, these respondents were able to tell us if the benefit is offered or not. Lastly, it should be noted that the data used for the federal government has been taken from the results of the ISQ survey on total compensation and refers to the year 1999.³

Québec is the only respondent that reimburses unused sick leave credits. This benefit represents 0.19% of the regular rate of pay. British Columbia disburses more for compensation for parental leave (1.66%) than Québec (0.52%). For all insurance plans aggregated, the federal government and New Brunswick disburse more than Québec. Disbursements for life insurance are highest in Alberta (0.24%). As for health insurance, the federal government and New Brunswick spend more than Québec. For dental plans and optical appliance insurance, the federal government disburses more than New Brunswick, while Québec Crown prosecutors do not benefit from these plans. The federal government disburses more than Québec for salary insurance. However, Québec spends more for this benefit than New Brunswick and British Columbia. The federal government, Nova Scotia, Alberta and British Columbia spend more on pension plans than Québec.

³ Using 1999 data for benefits has little effect on the final results since benefits are expressed as a percentage of the salary, and the ISQ obtained salary data in 2001. Moreover, from year to year, benefits generally vary less than salaries. For additional explanations on the imputation of data, see Section 2.9 in the Chapter on methodology.

Table 4.3
Magnitude and frequency of various employee benefits and paid time off, employer costs method, by province and federal government, in 2000

Employee benefits and paid time off	Provinces and federal government								
	Québec	NS	NB	Ont.	Fed. gov. (LA-1 and LA-2A)	Fed. gov. (LA-2B, LA-3A and LA-3B)	Man.	Alta.	BC
Employee benefits									
Other direct compensation									
Reimbursement of sick leave	0.19	0.00 ¹	0.00 ¹	0.00 ¹	0.00 ¹	0.00	0.00 ¹	0.00 ¹	0.00 ¹
Indirect compensation									
Compensation for parental leave	0.52	0.00 ¹	0.33	X	0.27	0.30	X	0.00	1.66
Life insurance	0.00	0.04	0.21	X	0.03	0.02	X	0.24	0.05
Health insurance	0.04	X	0.76	X	0.84	0.76	0.00 ¹	X	X
Dental plan	0.00 ¹	X	0.23	X	0.95	0.88	X	X	X
Optical appliance insurance	0.00 ¹	X	0.34	X	0.38	0.35	X	X	X
Salary insurance	0.71	X	0.35	X	0.85	0.86	X	X	0.65
Long-term disability insurance	0.00 ¹	2.00	0.00 ¹	X	1.10	1.10	X	1.19	X
Total for insurance plans²	0.75	..	1.90	..	4.17	3.98	..	..	..
Pension plan	4.21	6.00	X	X	11.39	11.28	X	10.75	8.89
Paid time off									
Vacation leaves	8.62*	8.00	8.04	X	7.09	7.03	X	8.62*	9.19
Statutory and floating holidays	4.98*	4.40	4.21	X	4.21	4.21	X	4.98*	4.21
Used sick leave credits	1.51	1.15	0.75	X	1.82	1.83	X	X	1.39
Parental leave	0.03	X	0.00	X	0.00	0.00	X	X	0.01
Personal leave	0.07	X	X	X	0.19	0.08	X	X	0.16
Total of paid time off²	15.24	..	..	..	13.33	13.18	..	..	14.99

* Indicates parity between the two sectors.

X Benefit offered.

¹ Benefit not offered.

² The total may not equal the sum of the items because of rounding.

For paid time off as a whole, Québec spends more than all the other respondents (15.24%). An analysis of the various elements of paid time off reveals that with regard to vacation leaves, British Columbia disburses more (9.19%) than Québec. Alberta and Québec are at parity (8.62%), while Québec disburses more than Nova Scotia, New Brunswick and the federal government. Québec and Alberta disburse equal amounts (4.98%) for statutory and floating holidays. These disbursements are higher than those made by all the other respondents. The federal government spends more than Québec for sick leaves. However, the latter spends more than the other respondents in this regard. Lastly, the federal government and British Columbia spend more than Québec for personal leaves.

4.3 Hours of work

The regular work week⁴ of Crown prosecutors in Québec is 35 hours, as is the case for Crown prosecutors in Nova Scotia and British Columbia. The federal government has the longest regular work week, at 37.5 hours per week.

Table 4.4

Weekly hours of work, for “Crown prosecutor” jobs, by province and for the federal government, in 2001

	Provinces and federal government								
	Québec	NS	NB	Ont.	Fed. gov. (excl. Toronto)	Fed. gov. (Toronto region)	Man.	Alta.	BC
Regular work week									
Hours	35.00*	35.00*	36.25	36.25	37.50	37.50	36.25	36.25	35.00*
Actual hours at work									
Hours	29.67	30.07	31.35	..	32.49	32.51	..	30.07	29.75

* Indicates parity between sectors.

Ontario and Manitoba did not provide data on paid time off that could be used to determine actual hours at work. For Nova Scotia, New Brunswick and Alberta, some elements of paid time off used in the calculation of actual hours at work have been imputed. However, these elements represent only a minor portion of employee benefits, namely used sick leave credits, parental leave and personal leave (see Table 4.3). Chapter 2, on methodology, explains the imputation method in greater detail.

Actual hours at work are lowest in Québec, compared with all the other respondents. Québec’s paid time off, which is greater, explains why Québec’s relative situation is more favourable with regard to regular working hours than with regard to actual hours at work.

⁴ Hours of work were analyzed on the basis of the regular work week of Crown prosecutors. Overtime hours were not included in this step. Overtime is analyzed in a separate section. For this reason, the regular work week does not equal the hours actually worked.

4.4 Total compensation

This section analyzes the findings on total compensation. Since Ontario and Manitoba did not provide data on employee benefits, total compensation has not been calculated for these provinces. For the provinces that provided only partial data, the ISQ imputed data where it was missing so as to calculate total compensation. Appendix 3 presents the costs of benefits of the group of respondents on which this imputation was based.

As regards total compensation, Québec Crown prosecutors are behind the aggregate Crown prosecutors market by 33.1%, they are also behind all provinces and the federal government, excepting New Brunswick, which is itself behind Québec. For Nova Scotia, Alberta and British Columbia, the total-compensation differential is greater than the salary differential. This deterioration of Québec's relative situation when comparing salary with total compensation results from lower disbursements for employee benefits in Québec.

In the comparison with the federal government, there is no significant difference between the differentials observed for salary and total compensation. This result is explained by the inverse effect of lower disbursements for employee benefits in Québec and fewer actual hours at work in Québec.

Québec's 2.2% advance over New Brunswick for salaries grows to 5% for total compensation. This difference is explained by the fewer actual hours at work in Québec.

Table 4.5
Compensation differentials, by level of experience, for “Crown prosecutor” jobs, by province and federal government, in 2001 [Differential = (Québec - market)/Québec]

Level of experience	Provinces and federal government									
	Québec ¹	NS ¹	NB ²	Ont. ²	Fed. gov. ² (excl. Toronto)	Fed. gov. ² (Toronto region)	Man. ²	Alta. ²	BC ²	Prov. and federal gov. combined
0-4 years of relevant experience										
Salary (\$)	45,700	54,467	...	83,299	61,329	69,027	46,171	59,614	56,295	68,588
Differential (%)		-19.2	...	-82.3	-34.2	-51.0	-1.0	-30.4	-23.2	-50.1
Total compensation (\$/h)	31.21	38.61	...	..	41.92	47.05	..	43.77	41.28	46.91
Differential (%)		-23.7	...	..	-34.3	-50.8	..	-40.2	-32.3	-50.3
5-9 years of relevant experience										
Salary (\$)	61,399	69,600	54,708	97,013	74,739	82,022	69,837	80,516	72,532	82,619
Differential (%)		-13.4	10.9	-58.0	-21.7	-33.6	-13.7	-31.1	-18.1	-34.6
Total compensation (\$/h)	41.93	49.18	36.44	..	50.92	55.73	..	58.92	53.00	56.53
Differential (%)		-17.3	13.1	..	-21.4	-32.9	..	-40.5	-26.4	-34.8
10-14 years of relevant experience										
Salary (\$)	72,391	83,323	76,206	109,161	87,873	96,873	84,304	97,575	88,273	96,017
Differential (%)		-15.1	-5.3	-50.8	-21.4	-33.8	-16.5	-34.8	-21.9	-32.6
Total compensation (\$/h)	49.43	58.76	50.52	..	59.90	65.64	..	71.28	64.39	66.33
Differential (%)		-18.9	-2.2	..	-21.2	-32.8	..	-44.2	-30.3	-34.2
15 or more years of relevant experience										
Salary (\$)	83,869	88,489	82,113	137,075	98,486	109,650	90,202	108,055	96,620	109,702
Differential (%)		-5.5	2.1	-63.4	-17.4	-30.7	-7.6	-28.8	-15.2	-30.8
Total compensation (\$/h)	57.25	62.37	54.38	..	67.47	74.92	..	78.86	70.42	75.10
Differential (%)		-8.9	5.0	..	-17.9	-30.9	..	-37.7	-23.0	-31.2
Aggregated										
Salary (\$)	74,814	81,529	75,413	120,657	89,418	99,214	82,103	97,471	87,656	99,172
Differential (%)		-9.0	2.2	-61.3	-19.5	-32.6	-9.7	-30.3	-17.2	-32.6
Total compensation (\$/h)	51.08	57.51	50.00	..	61.14	67.62	..	71.20	63.94	67.99
Differential (%)		-12.6	5.0	..	-19.7	-32.4	..	-39.4	-25.2	-33.1

Ontario and Manitoba did not provide data on employee benefits.

¹ Provinces using years of recognized experience for positioning Crown prosecutors in the salary scale.

² Provinces using years since being called to the Bar for positioning Crown prosecutors in the salary scale.

Most of the workload data received from the respondents comes from their own data systems and was retrieved at different times during the reference year. It would therefore be inappropriate to use this data to compare the provinces. At the very most, the data provides an order of magnitude.

5.1 The workforce

5.1.1 An historical perspective

By analyzing the history of the size of the Crown prosecutor workforce the evolution of the resources allocated by each province for public prosecutions can be measured. Table 5.1 shows the decline in the number of Québec Crown prosecutors from 1993 to 1998 and the relative stagnation in the number of regular employees since then. The number of casual employees fluctuates widely throughout the period for which data is available.

Table 5.1

History of the permanent (P) and casual (C) Crown prosecutor workforce¹ by province and federal government, from 1990 to 2000

Year	Provinces and federal government															
	Québec ² as of July 1		Nova Scotia as of March 7		New Brunswick in 2000		Ontario as of April 1		Federal gov. as of April 1		Manitoba as of April 1		Alberta as of April 1		British Columbia as of January 1	
	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C
1990	261	..	..	..	..	..	381	..	..	..	..	..	..	..	..	..
1991	292	..	..	..	..	..	455	..	157 ^e	..	..	..	..	..	..	..
1992	224	..	..	..	..	..	459	..	..	..	..	..	..	..	201	52
1993	301	..	..	..	..	..	433	..	..	..	..	..	..	..	206	52
1994	289	..	..	..	..	..	504	..	..	..	..	..	..	..	227	56
1995	284	..	..	..	..	..	502	..	..	..	..	..	..	..	247	60
1996	283	..	..	..	..	..	522	..	..	..	..	..	..	..	259	62
1997	268	37	66	..	..	..	535	..	..	..	..	..	..	..	262	63
1998	246	21	..	..	..	..	545	..	..	..	73	...	..	..	267	64
1999	252	29	..	..	..	..	552	..	..	..	79	...	..	..	294	69
2000	251	46	68	...	43	...	641	..	314	34	85	...	139	26	326	59

¹ The number of employees has been rounded to the nearest unit.

² The data represent the number of individuals.

^e The data provided is an estimate.

In Ontario, during the same years, the permanent workforce grew continually, with significant growth spurts in 1991 (19%), 1994 (16%) and 2000 (16%). In British Columbia, from 1992 until 2000 the number of regular employees increased, with growth spurts in 1994, 1995, 1999 and 2000 (growth ranging from 9% to 11%).

5.1.2 Distribution of staff by level of experience

The distribution of staff by level of experience demonstrates where the provincial cohorts of Crown prosecutors stand in relation with each other. Table 5.2 shows the distribution of permanent Crown prosecutors in each province by years of experience category.

In general, for the majority of the respondents, namely Québec, Nova Scotia, New Brunswick, the federal government and British Columbia, the smallest permanent workforces are in the 0 to 5 years of experience category. In Québec, New Brunswick, the federal government and Manitoba, the 5 to 10 years of experience category has a permanent workforce similar to that of the 10 to 15 years of experience category. In each province, with the exception of Alberta, the largest cohort of permanent Crown prosecutors is in the 15 or more years of experience category, namely 56% in Québec, 40% in Nova Scotia, 73% in New Brunswick, 34% with the federal government, 41% in Manitoba and 37% in British Columbia. In Québec and British Columbia, the majority of casual employees are in the 0 to 5 years of experience category.

Table 5.2
Profile¹ of permanent (P) and casual (C) Crown prosecutor employees by level of experience and by province and federal government, in 2001

Level of experience	Provinces and federal government															
	Québec		Nova Scotia		New Brunswick		Ontario		Federal gov.		Manitoba		Alberta		British Columbia	
	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C
0 to 5 years of relevant experience	19	46	3	..	0	..	..	..	48	..	21	..	36	..	38	40
5 to 10 years of relevant experience	49	20	12	..	6	..	..	..	79	..	16	..	20	..	71	10
10 to 15 years of relevant experience	46	7	26	..	6	..	..	..	77	..	12	..	56	..	100	5
15 or more years of relevant experience	146	2	27	..	33	..	..	..	103	..	34	..	33	..	123	4
TOTAL	260	75	68	..	45	..	..	..	307	..	83	..	145	..	332	59

¹The numbers have been rounded to the nearest unit.

5.1.3 Specialized Crown prosecutors

In this Section the workforce of specialized Crown prosecutors in each province is profiled.¹ Québec and Manitoba did not provide any data on specialized personnel.² Based on 1997 data, Nova Scotia has some 20 specialized Crown prosecutors, including 4 handling economic crimes and 4 on the appeals teams. In addition, Nova Scotia has assigned several Crown prosecutors to special prosecutions, including 6 for the Westray Mine file and 3 for the Shelbourne School file. New Brunswick (2000 data) has a few specialized Crown prosecutors, including 1 for sexual offences, 1 for electronic surveillance, 2 for aboriginal law, and 3 for protection of children and adults.

In 2001, Ontario had over a hundred specialized Crown prosecutors, including 39 for domestic violence files and 70 for appeals. Of these 70 Crown prosecutors, 5 work entirely on appeals against summary convictions in the Toronto region.

The federal government has some specialized Crown prosecutors, but it was impossible to obtain specific numbers per specialty. Even so, we know there are specialized federal Crown prosecutors in the following areas: economic crimes, proceeds of crime, organized crime, electronic surveillance, international cooperation, narcotics and drugs, smuggling, agent supervision, constitutional law, tax evasion, citizenship and immigration, copyright, recovery of fines, as well as Crown prosecutors who work with RCMP investigators.

Alberta has some 30 permanent and casual specialized Crown prosecutors (2000 data) in the areas of youth, economic crimes, domestic violence, appeals and statute law.

British Columbia has 80 specialized Crown prosecutors (2000 data), including 18 for economic crimes, 11 for appeals, 7 for environment files, and 8 for serious crimes. The remaining specialists act as resource persons in specific areas or are Crown prosecutors who handle specific files such as the Air India file, to which 8 Crown prosecutors have been assigned on a full-time basis.

5.1.4 Coaching and support

By analyzing the workforce totals³ the resources allocated to public prosecution cases can be measured, and a coaching ratio and a support ratio for each province can be calculated. The coaching ratio is the total number of permanent managers for every 10 permanent Crown prosecutors. Likewise, the support ratio is the total number of permanent support staff (including office employees and secretaries but excluding researchers, articling students and others employees) for every 10 permanent Crown prosecutors.⁴

¹ A complete profile of specialized employees is provided in Appendix 15.

² Québec has specialized Crown prosecutors, but the respondent was unable to provide reliable data in this regard.

³ The total workforce includes all employees from each public prosecution service, including head office.

⁴ It would be possible to calculate a support ratio including researchers and other types of employees, such as IT staff, victim support staff, etc.

Alberta has the highest coaching ratio, at 2.38, followed by New Brunswick at 1.62. For the latter, however, the ratio may stem from the reduced size of the public prosecution service. Manitoba has the lowest coaching ratio, with 0.35 managers per 10 permanent Crown prosecutors.

Nova Scotia has the highest support ratio, with 8.24 support staff per 10 permanent Crown prosecutors, followed by Alberta, at 8.08. New Brunswick has the lowest support ratio, at 3.02, and the federal government has the second lowest, at 3.69.

Table 5.3

Workforce¹ profile and coaching and support ratios per 10 Crown prosecutors, by province and federal government, in 2000

Provinces and federal government	Managers						Support staff										Support ratio	
	Chief Crown pros.		Deputy Chief Crown pros.		Crown pros.		Coach. ratio	Research-ers		Office employees		Secretaries		Articling students		Other		
	P	C	P	C	P	C		P	C	P	C	P	C	P	C	P		C
Québec ²	13	...	22	...	289	...	1.21	3	...	110	...	48	...	...	...	31	...	5.47
Nova Scotia	6	...	1	...	68	...	1.03	...	...	...	...	56	...	...	...	2	0	8.24
New Brunswick	...	...	6	...	43 ³	...	1.62	...	...	13	3	...	...	...	...	..	..	3.02
Ontario	71	...	...	...	639	...	1.11	...	...	386	...	...	...	30	...	...	...	6.04
Federal government	29	...	...	...	314	34	0.92	29	..	..	..	116	..	...	...	..	..	3.69
Manitoba	1	...	2	...	85	...	0.35	...	...	43	...	...	...	...	5	..	..	5.06
Alberta	13	...	18	...	130	...	2.38	1	...	...	...	105	5	...	6	18	...	8.08
British Columbia	12	...	15	...	325	59	0.83	1	...	61	32	188	17	...	...	86 ⁴	11	7.66

¹ Numbers have been rounded to the nearest unit. Workforce totals include all employees in each public prosecution service, including head office.

² The data provided represent workforce numbers in full-time equivalents (FTE).

³ In New Brunswick, managers are Crown Attorneys with management responsibilities for a specified region.

⁴ This employee group includes victim support staff.

5.1.5 History of coaching and administrative support

By analyzing the variations in the support and coaching workforce over several years, changes in the allocation of resources and its effect on the increase or reduction of the workload of Crown prosecutors can be presented. The data show that there is relative stability among the managerial workforce in Québec. In Ontario, the managerial workforce grew significantly (39%) from 1997 to 2000, with a peak of 18.3% in 2000. With regard to office employees, they increased in number until 1999, then declined in 2000. From 1997 to 2000, the number of office employees in Ontario grew by 15%.

In Manitoba, the number of managers remained stable while support staff increased by 14% between 1998 and 2000. In British Columbia, the managerial workforce remained relatively stable, apart from an increase of 15% in Deputy Chief Crown prosecutors from 1999 to 2000. However, the number of secretaries and permanent office employees increased by 20% from 1997 to 2000, with a peak of 13% in 1999.

Table 5.4
History of permanent (P) and casual (C) managers, researchers and support staff, and variation in number of permanent (P) staff by province and federal government, from 1997 to 2000

Provinces and government federal	Year	Number of Chief Crown prosecutors			Number of Deputy Chief Crown prosecutors			Number of researchers			Number of secretaries			Number of office employees		
		P	C	V (%)	P	C	V (%)	P	C	V (%)	P	C	V (%)	P	C	V (%)
		Québec	1997	12.0	19.0	2.0	1.0
	1998	11.0	...	-8.3	17.0	...	-10.5	2.0	1.0	0.0	..	..	..	..	..	..
	1999	11.0	...	0.0	18.0	...	5.9	2.0	1.0	0.0	..	..	..	..	..	..
	2000	13.0	...	18.2	21.0	...	16.7	2.0	1.0	0.0	48.0	..	..	110.0	..	..
Nova Scotia	1997	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1998	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1999	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	2000	6.0	...	...	1.0	...	...	...	...	...	56.0	...	...	...	...	...
New Brunswick	1997	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1998	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1999	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	2000	...	...	...	6.0	...	...	...	...	...	...	...	...	13.0	3.0	...
Ontario	1997	51.0	...	...	...	...	...	...	...	...	337.0	...	...	...	...	...
	1998	56.0	...	9.8	...	...	...	...	...	...	364.0	...	8.0	...	...	...
	1999	60.0	...	7.1	...	...	...	...	...	...	406.0	...	11.5	...	...	...
	2000	71.0	...	18.3	...	...	...	...	...	...	386.0	...	-4.9	...	...	...
Federal gov.	1997	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1998	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1999	29.0	..	..	..	..	..	29.0	..	..	116.0	..	..	..	..	..
	2000	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Manitoba	1997	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1998	1.0	...	0.0	2.0	...	0.0	...	...	...	...	...	...	37.5	...	..
	1999	1.0	...	0.0	2.0	...	0.0	...	...	...	...	...	...	39.8	...	6.1
	2000	1.0	...	0.0	2.0	...	0.0	...	...	...	...	...	...	42.8	...	7.5
Alberta	1997	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1998	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	1999	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	2000	13.0	...	...	18.0	...	...	1.0	...	...	105.1	5.0	...	...	...	...
British Columbia	1997	12.0	...	...	12.8	...	...	1.6	...	...	156.7	13.8	...	51.2	26.6	...
	1998	12.0	...	0.0	12.8	...	0.0	1.6	...	0.0	162.3	14.3	3.6	53.0	27.6	3.5
	1999	12.0	...	0.0	13.4	...	4.7	1.6	...	0.0	183.4	16.2	13.0	59.9	31.2	13.0
	2000	12.0	...	0.0	15.4	...	14.9	1.0	...	-37.5	188.0	16.6	2.5	61.4	32.0	2.5

5.2 Files

The progression of files through the judicial process presents the only comprehensible profile of these files. The judicial process begins with the commission and investigation of an offence. New offences are first sorted (refusal of complaint, files not involving judicial proceedings, files involving judicial proceedings, and decision to proceed by summary conviction or indictable offence). Once the offences are sorted, a number of files are opened with one or more layings of information. In this section, the elements of the files based on this logical progression are presented.

5.2.1 Profile of crime

To begin, we note that the workload of Crown prosecutors in each province depends on the level of crime, i.e. the inputs into the judicial system. The following table shows the number of actual legal proceedings as collated by Statistics Canada based on the Uniform Crime Reporting – Incident-based Survey. Actual legal proceedings stem from incidents which are reported to or known by the police and for which the police have determined that an actual criminal incident took place.

Table 5.5
Actual legal proceedings by type of offence, in 2000

Type of offence	Provinces and federal government							
	Québec	NS	NB	Ontario	Federal gov.	Manitoba	Alberta	BC
All offences	465,908	74,149	53,295	790,041	...	129,414	274,838	485,641
Criminal Code	444,342	71,243	49,320	749,233	...	123,084	264,423	457,302
Violent crimes	52,911	9,319	7,089	103,540	...	18,805	31,830	50,819
➤ Homicide	133	12	7	142	...	25	49	77
➤ Attempted murder	289	16	4	266	...	21	35	90
➤ Manslaughter	13	3	2	11	...	5	9	8
➤ Robbery	7,642	521	166	8,396	...	1,845	2,532	4,877
Other violent crimes	44,834	8,767	6,910	94,725	...	16,909	29,205	45,767
➤ Sexual assault	3,424	750	771	8,825	...	1,365	2,497	3,727
➤ Assault	37,442	7,580	5,646	79,913	...	14,930	25,071	40,616
➤ Other	3,968	437	493	5,987	...	614	1,637	1,424
Crimes against property	269,124	33,652	21,760	394,786	...	57,008	133,447	258,410
➤ Break and enter	79,984	7,673	5,209	85,408	...	14,184	26,781	51,839
➤ Motor vehicle theft	42,458	2,864	1,556	48,284	...	11,797	14,893	29,266
➤ Theft	126,441	18,730	11,972	219,392	...	27,638	75,663	160,802
➤ Possession of stolen goods	2,664	1,412	443	11,310	...	932	4,306	4,794
➤ Fraud	17,577	2,973	2,580	30,392	...	2,457	11,804	11,709
Other crimes	122,307	28,272	20,471	250,907	...	47,271	99,146	148,073
➤ Prostitution	865	161	22	1,675	...	273	782	973
➤ Gaming and betting	28	20	8	81	...	7	19	53
➤ Offensive weapon	1,150	502	346	6,279	...	1,063	1,622	3,261
Other Criminal Code offences	120,264	27,589	20,095	242,872	...	45,928	96,723	143,786
Other federal statutes	21,566	2,906	3,975	40,808	...	6,330	10,415	28,339

Source: Statistics Canada, CANSIM II, Table 252-0001 and publication 85-205-XIB. Last modified February 21, 2002.

To get a valid interprovincial comparison of the number of actual legal proceedings, the total number of actual legal proceedings must be divided by the population of each of the provinces. The results of this calculation are presented in Appendix 16.

5.2.2 Volume of files

The number of actual legal proceedings determined from the Uniform Crime Reporting – Incident-based Survey represents the primary input into the public prosecution system. Each province processes these inputs in accordance with its own organization of work and the particularities of its judicial system. This process results in a certain number of offences.

In Québec, New Brunswick and British Columbia, Crown prosecutors have the responsibility for authorizing the laying of an information against a person being held for an offence. The Crown prosecutor must evaluate if the evidence is sufficient and if prosecution would be in the public interest. In the other provinces, the decision for authorizing the laying of an information falls to the police officer or the police force's attorneys. Because of this difference in the judicial process, Crown prosecutors in Québec, New Brunswick and British Columbia can refuse certain complaints, whereas in others provinces, once the information is laid by police officers, it is taken over by a Crown prosecutor and follows its course through the judicial system. In any event, this authorization is a complex and labour-intensive task for Crown prosecutors in the provinces where this is part of their duties, as it often requires many hours of research and meetings with witnesses, particularly in files involving, for example, crimes against the person, fraud and proceeds-of-crime offences.

Another peculiarity of the Québec judicial system is the possible use of alternative measures to avoid having certain offences processed by the judicial system. Some files involving minor offences follow this track. The survey did not allow for verifying the presence of alternative measures in the other provinces studied, excepting British Columbia, which has similar measures.⁵ Lastly, Québec is the only province that diverts some Criminal Code offences to the municipal courts for processing, namely summary conviction proceedings.

Once the laying of an information is authorized, a file is opened, containing a number of counts of laying of information. The number of counts of laying of information or indictments is determined by the Crown prosecutor, who may select only the most significant charges, who may opt for a single trial for several accused persons, etc.

The workload of Crown prosecutors therefore depends on the number of files that enter the system, but this is not the only indicator to be considered. It also depends on the number of layings of information or indictments that make up the files. Even so, the best measure of the workload of a file is still the nature of the crime committed.

The ISQ found it particularly laborious during this survey to collect data on the number of files, indictments and charges. The data provided lacks uniformity, since the data depends on how the work is organized in each province, and especially on the step of the judicial process at which the data is recorded. The ISQ received data on cases, files, charges, indictments, charges filed, charges allowed, and offences per indictment. It was not possible to come up with a satisfactory definition for the indicators measured for each province. This data must therefore be used with discernment. Moreover, any comparison between the provinces based on this data is therefore impossible. The data in Appendix 17 is provided, however, for information purposes only and without prejudice. It is also important to mention

⁵ However, in Chapter 7, in the section on not processing certain criminal offences through the judicial system, all the provinces, with the exception of Manitoba and Ontario, said that their Crown prosecutors handled this kind of task. This leads us to believe that alternative measures exist in these provinces.

that while these indicators represent valid workload measurements, they do not reflect the complexity of the files. In fact, by way of example, a Crown prosecutor may work an entire year on one complex criminal file while another Crown prosecutor may resolve several criminal files every week. This aspect of the workload is analyzed in the following section.

The history of the number of criminal files handled by Crown prosecutors in each province, based on the data we received, is shown in Table 5.6. The only provinces that provided comparable data are Québec and British Columbia.

Table 5.6
History of files [(complaints refused, files not involving judicial proceedings, files involving judicial proceedings, summary convictions, indictable offences and indictable offences (absolute jurisdiction)] by jurisdiction (exclusive to Crown prosecutors, municipal courts and police force Crown prosecutors) and by province, from 1997 to 2000

Province	Year	Files involving judicial proceedings																	
		Complaints refused			Files not involving judicial proceedings			Summary convictions			Indictable offences			Indictable offences (absolute jurisdiction)			Total		
		CP	MC	PF	CP	MC	PF	Crown prosec.	MC	PF	CP	MC	PF	CP	MC	PF	CP	MC	PF
Québec	1997	16,000 ^e	..	...	6,472	..	...	..	..	...	..	..	...	..	..	...	90,941	31,253	...
	1998	15,300 ^e	..	...	5,600	..	...	..	..	...	..	..	...	..	..	...	87,225	29,863	...
	1999	15,350 ^e	..	...	5,086	..	...	..	..	...	..	..	...	..	..	...	87,965	29,897	...
	2000	15,000 ^e	..	...	4,886	..	...	..	..	...	..	..	...	..	..	...	86,809	29,914	...
British Columbia	1997	12,653	...	...	4,989	...	...	67,951	...	...	9,178	...	...	..	...	...	88,108	...	...
	1998	13,220	...	...	4,973	...	...	66,167	...	...	8,936	...	...	..	...	...	84,917	...	...
	1999	14,207	...	...	4,927	...	...	70,369	...	...	9,504	...	...	..	...	...	87,955	...	...
	2000	12,694	...	...	4,901	...	...	63,697	...	...	8,604	...	...	..	...	...	85,169	...	...

CP Crown prosecutors (public prosecution service).

MC Municipal courts.

PF Police force attorneys.

e The data provided is an estimate.

The data shows some stability in the number of complaints refused in Québec and British Columbia from 1997 to 2000. In British Columbia, the number of files not involving judicial proceedings remained stable during the same years, while in Québec their number dropped by 25%. The total number of files involving judicial proceedings remained stable in Québec from 1997 to 2000 for both the public prosecution service and municipal courts. In British Columbia, the number of files involving judicial proceedings also remained stable.

5.2.3 File complexity

The volume of files represents only one facet of workload. In order to obtain an accurate profile of workload, one must also consider the complexity of cases. Some specialties are by nature more complex than others. Without reaching conclusions on their complexity, some specialized files were surveyed. The findings, by type of speciality, files appealed and other elements that add complexity are provided in Appendix 18.⁶ The data is for 2000. The results are sketchy.

Among the comparable elements, specialized files on young offenders could be presented, which number 15,983 in Québec, 4,414 in New Brunswick and 8,413 in British Columbia. The number of trials with a jury are 101 in Québec and 88 in Alberta. With regard to files appealed, Québec had 377, Alberta had 384, and British Columbia had 270.

Among the other elements that add complexity, comparative data is provided on the number of trials. New Brunswick had 348 trials with a judge only, whereas Alberta had 640. Crown prosecutors in Québec had 242 trials with a jury, New Brunswick had 73 and Alberta had 83. The young offenders transfers are estimated at 32 in Québec in 2000, whereas Alberta had 12 for the same year. The other data on the complexity of cases is too limited for analysis purposes.

5.3 Additional workload indicators

In this section additional data is presented that can be used to obtain a more complete analysis of the workload of Crown prosecutors. It should be noted that some respondents provided only partial data. Only those indicators having substantial data will be analyzed. These additional indicators are presented in Table 5.7.

5.3.1 Computer tools

Accessibility to computer tools for work purposes is seen as a variable with a significant impact on the workload of Crown prosecutors. In general, each Crown prosecutor in the provinces we surveyed has access to a computer, the Internet, e-mail and legal data banks. Québec did not provide any data in this regard.

⁶ According to the respondent for Québec, the statistics it has on sexual crimes are not reliable and cannot be used for the purposes of this study.

Table 5.7

Additional indicators of the workload of Crown prosecutors by province and federal government, in 2000

Additional workload indicator	Provinces and federal government							
	Québec	Nova Scotia	New Brunswick	Ontario	Federal gov.	Manitoba	Alberta	British Columbia
Preparation time	1 day/week	..	..	..	..	..	1 day/week	..
Court time per Crown prosecutor	..	21 hrs/wk	..	..	..	..	11.5 hrs/wk ¹	..
Average number of witnesses per file	1.7 ²	4-7	..	..	..	5	3.6 ^e	..
Computer tools								
➤ Number of computers per Crown prosecutor	..	1 for 1	1 for 1	1 for 1	1 for 1	1 for 1	1 for 1	1 for 1
➤ % of Crown prosecutors with Internet access	..	100%	100%	100%	100%	100%	100%	100%
➤ % of Crown prosecutors with e-mail access	..	100%	100%	100%	100%	100%	100%	100%
➤ % of Crown prosecutors with access to legal data banks	..	100%	100%	100%	100%	100%	100%	100%
➤ Legal data banks available:								
. QUICKLAW		✓	✓	✓	✓	✓		
. SOQUIJ					✓			
. Crime					✓			
. Fric					✓			
. Canada Law Reporting						✓		
Travel								
➤ Number of km travelled in personal vehicle	451,357	..	..	..	..	..	..	..
➤ Number of km travelled in a rented vehicle	..	..	..	..	..	..	..	..
➤ Number of overnight stays per Crown prosecutor annually	6.7 ³	..	..	..	..	9	..	..
➤ Number of expense claims per year	1,924	..	..	..	..	472	..	..
➤ Total amount (\$) of annual expense claims	\$652,600	..	..	..	..	\$167,389	..	..
Professional liability								
➤ Number of complaints filed with the Law Society against Crown prosecutors	..	..	..	6 ^e	..	..	..	..
➤ Number of actions for damages	14	..	..	6 ^e	..	..	3	5 ^e
➤ Average amount of complaints filed against Crown prosecutors	\$2,061,400	..	..	..	..	..	\$1 million	..
Protection								
➤ Existence of a protection policy for Crown prosecutors	No	..	Yes	No	..	No	No	No
➤ Number of threats made to Crown prosecutors in 2000	30 (in 2001) ^e	..	..	..	..	..	..	..

¹ This is an average for the cities of Calgary and Edmonton.² For Criminal Code files only.³ For Crown prosecutors who submitted expense claims.^e The data provided is an estimate.

The profile of the number of legal data banks available to Crown prosecutors varies noticeably from one province to the next. Federal government Crown prosecutors have access to a large number of legal data banks (QUICKLAW, SOQUIJ, Crime, Fric). In Manitoba, the available legal data banks are QUICKLAW and Canada Law Reporting, while in Nova Scotia, New Brunswick and Ontario, Crown prosecutors have access to only one data bank (QUICKLAW).

5.3.2 Professional liability

Professional liability refers to the number of complaints filed with Law Societies against Crown prosecutors and the number of actions for damages. The results show that, in Ontario, six complaints were filed with the Law Society against Crown prosecutors, and six actions for damages were filed. Comparatively, British Columbia reported five actions filed for damages, Manitoba reported three, with amounts of \$1 million, while Québec reported 14 actions, with an average amount of \$2,061,400.

5.3.3 Protection

Protection for Crown prosecutors, as a form of logistical support, is another factor that can influence workload. In Québec, New Brunswick, Ontario and British Columbia, and with the federal government, protection measures are evaluated on a case by case basis. However, in Ontario, a protection policy for Crown prosecutors is being prepared.

The results show that for preventing and managing situations necessitating the protection of Crown prosecutors, some provinces, such as New Brunswick and British Columbia, and the federal government, have adopted security measures. More explicitly, at the federal level, security and surveillance measures are set up with the RCMP, such as alarm systems, electronic surveillance and bodyguards. In British Columbia, surveillance security measures include alarm systems, cellular phones, bodyguards and bullet proof vests. Lastly, it is worth noting that during 2001, Crown prosecutors in Québec had to deal with approximately 30 threats.

5.3.4 Major events

Major events, large-scale policing operations and events scrutinized by the media create an additional workload for Crown prosecutors, as these events require constant availability. Most provinces have experienced some such event in the last ten years. In Québec, the Summit of the Americas and the *Printemps 2001* Operation (against organized crime) took place. In Nova Scotia, the Westray Mine and the Shelbourne School issues were high-profile cases. With the federal government, the terrorist attacks of September 11, 2001, and the Summit of the Americas were major events. The Pan-American Games and the fight against street gangs monopolized the attention of Crown prosecutors in Manitoba. Lastly, in British Columbia, the Asia-Pacific Summit, the Commonwealth Games and the Air India plane crash were the major files.

5.3.5 Seasonal variations

Seasonal variations in Court activity, owing to fluctuations in the number of files handled, directly affect the workload of Crown prosecutors. In Québec, the seasonal variations do not result in the Courts being closed. The Courts stay open, regardless of the time of year, although there is a noticeable slowdown during the Christmas season and in July and August. The situation is similar in Manitoba, with the exception of the Court of Queen's Bench, which closes its doors for two weeks at Christmas and in July and August. In British Columbia, court activity slows during the Christmas season and in the summer.

5.3.6 Absenteeism and turnover

The rates of absenteeism and turnover are significant indicators of workload. They indirectly reflect the level of fulfilment that Crown prosecutors get from their work. Three rates were surveyed, namely frequency of absenteeism, seriousness of absenteeism and turnover.

We calculated frequency of absenteeism as follows:

Number of absences per year
Number of core employees (FTE)

We calculated seriousness of absenteeism as follows:

Number of days lost per year
Number of working days X number of core employees (FTE)

We calculated the turnover rate as follows:

Number of departures
Number of core employees of a given year + number of core employees of the previous year
2

Only Québec provided detailed data. This data is shown in Table 5.8. The frequency of absenteeism data shows that the number of absences grew from 0.48% in 1995 to a peak of 2.33% in 1999, and dropped somewhat to 2.25% in 2000. The seriousness of absenteeism, which indicates the duration of the absences, also followed the same trend, growing from 0.43% in 1995 to 2.64% in 1999, and dropping to 2.13% in 2000. Also, a constant increase in the turnover rate is observed between 1995 and 2000, going from 1.05% to 4.77%, with a slight drop down to 3.21% in 1999.

Fragmentary data was also obtained from the federal government, where, in 2000, seriousness of absenteeism was at 5.00%,⁷ and the turnover rate was 3.90%.⁸ Their method for calculating the turnover rate is not provided, however, which makes any comparison between the federal government and Québec difficult. Lastly, Alberta provided the number of departures of Crown prosecutors, namely 11 in 1998 and five in 1999. For its part, British Columbia saw 21 Crown prosecutors leave in 2001.

Table 5.8
History of absenteeism and turnover rates for Québec, from 1995 to 2000

Year	Québec		
	Absenteeism rate (frequency)	Absenteeism rate (seriousness)	Turnover rate
➤ 1995	0.48%	0.43%	1.05%
➤ 1996	1.60%	1.41%	2.47%
➤ 1997	1.62%	1.62%	4.36%
➤ 1998	2.26%	2.63%	4.67%
➤ 1999	2.33%	2.64%	3.21%
➤ 2000	2.25%	2.13%	4.77%

The profile of the documented reasons for the departure of Crown prosecutors from the public prosecution service is shown in Table 5.9. In Québec, the main documented reasons for departure are resignations and promotions, both accounting for 33.3% of the departures. With the federal government, resignations account for half of the departures, while in British Columbia they account for 62.5%. Among their stated reasons for leaving the federal government, Crown prosecutors also mention poor prospects for advancement, poor working conditions and excessive workload.

⁷ The data provided is an estimate.

⁸ The data provided is an estimate.

Table 5.9
Recorded reasons for resignation, by province and federal government

Reasons given for resignation	Provinces and federal government							
	Québec	Nova Scotia	New Brunswick	Ontario	Federal gov.	Manitoba	Alberta	British Columbia
Stated reasons								
➤ Resignation	33.3%	..	..	..	50% ^e	..	..	62.5%
➤ Promotion	33.3%	..	..	..	..	..	..	..
➤ Transfer	..	..	..	..	19% ^e	..	..	..
➤ Retirement	12.9%	..	..	..	..	..	..	7.5%
➤ Termination of employment	..	..	..	..	19% ^e	..	..	30.0%
➤ Death	9.4%	..	..	..	..	..	..	..
➤ Lay-off	11.0%	..	..	..	..	..	..	..
➤ Other	..	..	..	..	..	..	..	..
TOTAL	100%	..	..	..	100%	..	..	100%

^eThe data provided is an estimate.

5.3.7 Statutes under which prosecutions are handled by Crown prosecutors

Crown prosecutors launch prosecution files under a number of statutes. Appendix 19 lists the statutes for which Crown prosecutors in each province proceed with prosecutions. The level of accuracy of the data we received varies with the respondent. Québec and British Columbia provided a complete list of statutes under which their Crown prosecutors work. Alberta provided no data, and the other provinces and the federal government provided only partial data. In general, the provinces prosecute pursuant to the main criminal statutes, including the *Criminal Code*, the *Young Offenders Act*, the *Witness Protection Program Act*, the *DNA Identification Act*, the *Firearms Act*, the *Corrections and Conditional Release Act*, and the *Proceeds of Crime (Money Laundering) Act*. It should be noted that Ontario and British Columbia do not launch prosecution files pursuant to the *Controlled Drugs and Substances Act*. In fact, prosecution files pursuant to this statute in these provinces are handled by federal Crown prosecutors. In addition, the Crown prosecutors in all provinces are subject to the *Canadian Charter of Rights and Freedoms*, which directly influences their workload.

For most respondents, Crown prosecutors handle prosecution files pursuant to the federal *Fisheries Act*. In addition, in half of the provinces (and excluding the federal government), Crown prosecutors prosecute pursuant to provincials laws related to youth protection, highway safety and motor vehicles, and offences involving alcoholic beverages and tobacco.

Federal Crown prosecutors working in the Far North assume the same responsibilities as provincial Crown prosecutors when prosecuting files under criminal law. However, the profile of laws enforced by the other federal Crown prosecutors is noticeably different from the profile for the provinces. Federal Crown prosecutors concentrate their activities on prosecution files pursuant to equally varied laws, including, for example, the *Customs and Excise Act*, the *Citizenship and Immigration Act*, the *Environmental Protection Act*, the *Copyright Act*, the *Extradition Act*, and so forth.

In this Section we analyze some of the elements and advantages related to the work of Crown prosecutors, such as available training and professional development, the provision of equipment and services, job security clauses, overtime and premiums, allowances and specific compensation policies. We based our analysis on the data collected through the questionnaires and on the information in the collective agreements and other documents provided to us by the respondents. The ISQ expresses its reservations, however, on the quality and accuracy of the data we received.

6.1 Training and professional development

All the surveyed respondents provide their Crown prosecutors with training and professional development activities. However, New Brunswick and Manitoba provided no details on these activities. The detailed results are provided in Appendix 20.

Québec, Nova Scotia and Alberta offer legal training and refresher courses on an annual basis. In Québec, these activities cover 3 days of intensive sessions every 18 months, while in Nova Scotia and Alberta, two conferences are offered annually. In Alberta, each conference lasts three days; Nova Scotia did not say how long its conferences last.

New Brunswick, Ontario, the federal government and British Columbia all offer legal training, but they provided no details on the type or frequency of the training sessions. Ontario and the federal government also offer training in management and computer and information systems. Québec offers training in management and computer and information systems on request.

Some provinces have set a minimum annual number of hours of training for each Crown prosecutor. Every year, Alberta offers at least 32 hours of training per Crown prosecutor, while in Québec, each Crown prosecutor gets 23 hours of training annually.

Lastly, the amounts devoted to training are \$290,502 in Québec, \$75,000 in Nova Scotia, \$1.8 million in Ontario and \$200,000 in Alberta. As for the federal government, it is committed to providing 1.5% of its total Crown prosecutors payroll for training. Each Crown prosecutor is therefore likely to receive at least five days of training. In British Columbia, each Crown prosecutor is given an annual allowance of \$400 for books, software, membership in professional associations and courses or conferences related to their duties. An additional \$100 is given to each Crown prosecutor for professional development.

6.2 Provision of equipment and services

This element comprises the additional benefits that are part of the working conditions, namely vehicle use, a parking spot or a parking allowance, and work uniforms. The complete survey results are provided in Appendix 21.

Manitoba provides a ministerial vehicle for trials, where necessary. Ontario offers no kilometre-based reimbursement, and the other provinces did not provide any information in this regard.

As for uniforms, Québec, Nova Scotia, the federal government and Manitoba provide robes. Québec estimates it spends \$18,000 annually on robes. Ontario does not provide uniforms or clothing allowances. The other provinces did not provide any information in this regard.

Québec pays a parking allowance. Last year it spent \$82,964 on this. The federal government refunds 50% of parking costs for Crown prosecutors at level LA-2B and higher. In Manitoba, parking is paid when Crown prosecutors must attend court. Ontario does not offer any parking allowance, and the other provinces did not provide any information in this regard.

Lastly, Québec purchases copies of the *Criminal Code* and other laws and legal documents for Crown prosecutors. Québec estimates that it spends \$26,000 annually on this.

6.3 Job security clauses

Of the eight respondents surveyed, half do not have job security clauses.¹ Among the latter, Alberta and British Columbia have no such measure since Crown prosecutors are considered management employees who cannot join a union. In Nova Scotia, there are no job security measures. However, the respondents noted that in 1997, during a time of job cuts, ad hoc measures to encourage departures were put forward. In Manitoba, some clauses of the collective agreement protect Crown prosecutors in the event of layoffs. In such cases, they receive 30 days notice, their names are kept on a bring-forward list for 12 months, and they receive severance pay equal to one week of salary for each year of continuous service.

In Québec, Article 27 of the *Règlement sur les substituts du procureur général* [Regulations governing Crown Prosecutors] states, without specifics, that Crown prosecutors who have completed their probation period may not be dismissed except in accordance with the *Civil Service Act*. In a letter of understanding based on recent discussions, the ASPGQ and the *ministère de la Justice* have agreed to define in detail a job security package more suited to Crown prosecutors.

In New Brunswick, a general clause that applies to all employees of the government of New Brunswick serves as a job security clause. It states that in the event of outsourcing or privatization of services, the government guarantees that certain employee benefits will be maintained when employees are transferred to other employers.

¹ The detailed results of our survey of job security clauses are provided in Appendix 22.

In the federal government, permanent Crown prosecutors at classification levels LA-1 and LA-2A are protected by a job security clause in the event of termination of employment owing to the abolition of positions, organizational restructuring or workforce adjustments. Crown prosecutors must be given six months notice that their position is being eliminated. Laid-off Crown prosecutors have priority when new positions are staffed. The salary level is guaranteed even if the position held is at a lower classification level than the abolished position.

Ontario has a job security clause for Crown prosecutors. It takes effect when permanent Crown prosecutors are dismissed. In such cases, Crown prosecutors are given nine months notice that their position is being abolished. Several options are also open to them: voluntary resignation or retirement with nine-months severance pay; severance pay of one (1) week of salary per year of service; severance pay provided by law; pre-retirement arrangements; alternative work measures; bumping; redeployment list; bring-forward list. Their salary level is guaranteed unless the new position is lower than CC2.

6.4 Overtime

None of the surveyed respondents reported having an official overtime policy. However, they acknowledge that Crown prosecutors do overtime on a regular basis. Some provinces estimated the overtime performed by their Crown prosecutors. Crown prosecutors in Ontario put in the largest number of overtime hours annually, at approximately 1,040 hours per Crown prosecutor, followed by Alberta with 520 hours and Nova Scotia with 400 hours. The complete results are provided in Appendix 23.

Some provinces have policies for compensating overtime performed by Crown prosecutors. In Nova Scotia and the federal government, one week of additional vacation is granted to compensate overtime. In British Columbia, this measure will be coming into force on April 1, 2002. At present, and since April 2001, the number of days of compensation is three.

In Québec, hours worked on Saturday and authorized by the chief Crown prosecutor are paid at double time. In New Brunswick, Crown prosecutors are entitled to one day of leave, not convertible into cash or accruable, for every day they must be on duty at Court on weekends. In Manitoba, a clause of the collective agreement states that under specific circumstances Crown prosecutors who have worked several hours in addition to their regular working hours may, with the approval of their immediate supervisor, be compensated for some of the hours worked.²

² Agreement between the Province of Manitoba and the Manitoba Association of Crown Attorneys 2000-2003, art. 13.02.

6.5 Premiums, allowances and specific compensation policies

Premiums, allowances and specific compensation policies of all kinds were among the elements surveyed for this study. Section 5 of the questionnaire on employee benefits, entitled “Other forms of compensation”, included a series of questions on premiums and corresponding disbursements. The data gathered proved to be incomplete. In fact, few details were provided, and we obtained virtually no data on disbursements. For want of data, this Section presents only what information was obtained on premiums, allowances and specific compensation policies.

Québec

In Québec, the *Règlement sur les substituts du procureur général* mentions the existence of an always-on-call premium. During the twelve months prior to August 31, it is paid to Crown prosecutors who provide a work service deemed irregular, namely being always on call, especially outside regular working hours. This premium requires the written authorization of the deputy minister and is paid in a single lump-sum payment. For January 1, 2002, the total amount paid for this premium may not exceed 0.5% of the total Crown prosecutor payroll as of August 31, 2001, and, beginning January 1, 2003, 1% of the total payroll of Crown prosecutors as of the preceding August 31.³

Additional compensation may be paid to a Crown prosecutor who assumes additional or special responsibilities, such as before an investigative commission, or who is released from current duties and seconded to a specific duty with increased professional responsibilities and particular working conditions. This additional compensation requires the written authorization of the deputy minister. This compensation is added to but not considered part of the annual salary and may not exceed \$3,600⁴ in a given year.⁵

A premium is also offered to Crown prosecutors called upon to temporarily replace a Chief Crown Prosecutor or be an acting Chief Crown prosecutor. Without exception, that acting period cannot exceed 12 months.⁶ The premium is prorated based on the duration of the temporary replacement or the acting position, using the following annual amounts:

➤ from January 1, 1999, to December 31, 1999:	\$3,412
➤ from January 1, 2000, to December 31, 2000:	\$3,497
➤ from January 1, 2001, to December 31, 2001:	\$3,584
➤ beginning January 1, 2002:	\$3,674

³ *Règlement sur les substituts du procureur général*, art. 171.

⁴ This premium is not included in the salary data provided by the respondent.

⁵ *Règlement sur les substituts du Procureur général*, art. 169.

⁶ *Règlement sur les substituts du Procureur général*, art. 160 to 163.

It may also be noted that Crown prosecutors receive a premium if they perform their duties in a sector deemed isolated under the *Règlement sur les substituts du procureur général*.⁷

Québec also offers a retention premium. Crown prosecutors whose substantive position is at Sept-Îles or Port-Cartier receive a retention allowance equal to 8% of their salary.⁸

Lastly, Québec offers its Crown prosecutors an on-call allowance. Crown prosecutors who are on call, at the express request of the deputy minister, receive one hour of pay at the hourly rate provided in article 7-1.03⁹ for every eight hours of being on call.¹⁰

Nova Scotia

Nova Scotia provided no information on premiums, allowances or compensation policies in the questionnaire on employee benefits.

New Brunswick

In the questionnaire on employee benefits, under section 5.16, the respondent indicated the existence of re-earnable increments. These are ad hoc lump-sum payments equal to pay scale increments, authorized at the discretion of the agency head. These increments cannot be greater than the equivalent of four steps on the pay scale.¹¹ Employees whose compensation is at the permitted maximum may receive re-earnable increments on their anniversaries, provided that the discretionary maximum is not exceeded. This authorization is granted to Crown prosecutors with an extraordinary achievement evaluation under the performance management system.

Ontario

Ontario provided no information to us on premiums, allowances, or compensation policies.

Federal government

No isolation premium is reported in the questionnaire on employee benefits. However, there is an isolation premium for Crown prosecutors who work in the Far North (e.g., Yellowknife, Whitehorse). In addition, Crown prosecutors are entitled to a cost-of-living allowance, a fuel and utilities allowance, and an environment allowance to compensate for the higher cost of living and the isolation. The rates are established based on grids that take these factors into account. Complete details are available in the Treasury Board's *Isolated Post Directive*.

⁷ *Règlement sur les substituts du procureur général*, art. 144 to 146.

⁸ *Règlement sur les substituts du procureur général*, art. 147.

⁹ The Crown prosecutor's hourly rate is obtained by dividing the salary by 1826.3.

¹⁰ *Règlement sur les substituts du procureur général*, art. 148.

¹¹ *Management and Non-union Human Resources Policies*, art. 18.

Manitoba

In Manitoba, a premium called “Bail program duties” valued at \$400 per week, is paid to Crown prosecutors who voluntarily agree to work in addition to their regular hours of work. The volunteers agree to work seven days per week once every twelve weeks. In addition, they are on call from 5:00 p.m. to 11:00 p.m., Monday to Friday during the week in question. During the weekend they must attend court from 9:00 a.m. until noon and must be reachable by telephone from 10:00 a.m. to 11:00 p.m. A dozen Crown prosecutors are required for the twelve weeks of the service cycle.

It may also be noted that the documentation from Manitoba mentions isolation premiums, but no details have been provided as to the amount or the rules governing it.

Alberta

In Alberta, the respondents indicated that there is no isolation premium. However, in the documentation provided with the salary data, mention is made of a “Northern Allowance.” That would lead us to believe that there is an isolation premium.

In the section of the questionnaire on Christmas or end-of-year gratuities, the respondents from Alberta mentioned an “achievement bonus.” This bonus rewards performance and individual or team contribution. The main elements of the program are as follows:

- A specified amount is released every year in which the government meets its debt reduction objectives.
- When ministry objectives are attained, from 3.5% to 7% of the total payroll is used for bonuses.
- The criteria for bonuses are set by each ministry.
- Half of the bonus allocation is shared equally among the employees with a satisfactory performance and those who are the most deserving.

British Columbia

In British Columbia, the respondents indicated that there are isolation premiums and lump-sum payments, but they provided no additional details.

Crown Prosecutor Duties

In this Chapter we provide a comparative analysis of the tasks of Crown prosecutors employed by the provinces and the federal government. The Chapter has two sections. In the first section the comparative data of the general duties associated with judicial proceedings or related procedures are analysed. In the second section the tasks of Crown prosecutors handling specialized files are compared. It should be noted that Ontario did not provide data on the tasks of its Crown prosecutors.

7.1 General duties associated with judicial proceedings or related procedures

7.1.1 Evaluation of evidence and authorization of complaint

In general, Crown prosecutors in all the provinces, regardless of their number of years of experience, evaluate evidence and authorize complaints.¹ However, in Nova Scotia, New Brunswick and Manitoba, requests to issue a search warrant are not part of Crown prosecutors' tasks. In Nova Scotia, Manitoba and Alberta, decisions on the method to be used for bringing the accused before the court (summons, promise to appear or arrest warrant) are not made by Crown prosecutors. In Alberta, the selection and writing of counts of indictment are handled by Crown prosecutors with at least five years of experience. In Nova Scotia, Crown prosecutors do not authorize the laying of an information, they do not inform the investigator and the victim of the reasons for refusal to institute proceedings and they do not select or write the count of indictments. Federal Crown prosecutors working in the Far North do not authorize the laying of information and do not decide on the method to be used for bringing the accused before the court (summons, promise to appear or arrest warrant).²

7.1.2 Non-judicial treatment

In all the provinces, the application of non-judicial treatment programs for certain criminal offences is part of the duties of Crown prosecutors, regardless of their number of years of experience. Only Crown prosecutors in Manitoba do not do this task.

7.1.3 Release inquiry

Crown prosecutors in all the provinces, regardless of their experience, perform the following tasks: decide if appropriate to object to the release; select and summon witnesses; suggest imposition of conditions of release, request an adjournment of the inquiry with sureties or proceed with the release inquiry; and prepare and make representations at the hearing for the review of the release and detention orders. However, in Québec, Manitoba and Alberta, Crown prosecutors with at least five years of experience assess the appropriateness of having the court decision reviewed by a higher court. Lastly, Crown prosecutors in Nova Scotia, Manitoba and Alberta and federal Crown prosecutors in the Far North do not verify and ensure the solvency of the bail where the judge orders bail.

¹ For the complete results, see Appendix 24.

² So as to gather additional information, the ISQ surveyed the general duties of federal Crown prosecutors working in Québec and in the Northern territories of Yukon and Nunavut. The complete results are provided in Appendix 26.

7.1.4 Disclosure of evidence

In all the provinces, all Crown prosecutors, regardless of their number of years of experience, have as part of their duties the disclosure of all available and relevant evidence to the defence counsel.

7.1.5 Preliminary inquiry

In general, Crown prosecutors in all the provinces, regardless of their number of years of experience, perform the tasks related to the preliminary inquiry. However, in Québec, decisions on the possibilities of preferring an indictment, stays of proceedings, and follow-up on requests for transfer of district are made by Crown prosecutors with at least five years of experience. The situation is the same for federal Crown prosecutors as regards these two last tasks. In Manitoba, Crown prosecutors do not decide what follow-up is to be given to requests for transfer of district. In Alberta, the examination of the possibility of preferring an indictment and decisions on stays of proceedings are not made by Crown prosecutors. Lastly, in New Brunswick, Crown prosecutors do not summon the necessary witnesses.

7.1.6 Pre-hearing conference and Pro Forma steps

In all the provinces, the tasks related to the pre-hearing conference and the Pro Forma steps (which are probably named otherwise outside Québec) are part of the general duties of Crown prosecutors, regardless of their number of years of experience.

7.1.7 Trial

In general, Crown prosecutors in all the provinces, regardless of their number of years of experience, perform trial tasks. However, in Québec, the tasks performed by Crown prosecutors who have at least five years of experience include the selection of jury members; stating the case in a manner that will enable the judge and jury to understand and follow the presentation of evidence; assessing the appropriateness of making representations, in the case of a guilty verdict, to have the offender declared dangerous or long-term; and, in the case of an acquittal, deciding whether or not to appeal the case. In Québec, these tasks are performed by the specialized team for jury trials. In Manitoba and British Columbia, assessing the appropriateness of and deciding on appealing a case are included in the tasks of Crown prosecutors who have at least five years of experience. In Alberta and British Columbia, assessing the appropriateness of making representations, in the case of a guilty verdict, to have the offender declared dangerous or long-term, is performed by Crown prosecutors who have at least five years of experience. Lastly, in Alberta, the filing of the indictment is not part of Crown prosecutors' tasks.

7.1.8 Extraordinary remedies

Excepting Québec and British Columbia, which entrust these tasks to Crown prosecutors who have at least five years of experience, all Crown prosecutors, regardless of their number of years of experience institute proceedings and present arguments before the Superior Court to contest, annul or amend a decision by a trial judge, and write the relevant applications, conduct the necessary research and satisfy the court at the hearing. In Manitoba, the task of instituting proceedings and presenting arguments before the Superior Court to contest, annul or amend a decision by a trial judge is entrusted to Crown prosecutors who have at least five years of experience.

7.1.9 Specific procedures concerning breach of conditional sentence

In all the provinces, the tasks of evaluating the evidence, instituting judicial proceedings and arguing the case in court and the tasks of preparing and requesting the issue of an order to revoke a firearm permit and/or to prohibit possession are part of the general duties of Crown prosecutors, regardless of their number of years of experience.

7.1.10 Specific procedures concerning orders for payment of a fine

For three of the six respondents, the tasks of evaluating reports from the collector of fines and instituting proceedings are part of the general duties of Crown prosecutors, regardless of their number of years of experience. Crown prosecutors in Nova Scotia, Manitoba and British Columbia do not do this task.

7.1.11 Specific procedures concerning a verdict of not criminally responsible on account of mental disorder

In all provinces, except Alberta, where these tasks are entrusted to Crown prosecutors who have at least five years of experience, the tasks of transmitting documents to the appropriate administrative tribunal and arguing the case before the tribunal are part of the general duties of Crown prosecutors, regardless of their number of years of experience.

7.1.12 Specific procedures concerning an application for judicial review for reduction in the number of years before eligibility for parole

In Nova Scotia, New Brunswick and Manitoba, the specific procedures concerning an application for judicial review for reducing the number of years before eligibility for parole are entrusted to all Crown prosecutors, regardless of their number of years of experience. In Québec, these tasks are performed by Crown prosecutors with at least five years of experience, whereas in Alberta and British Columbia, they are entrusted to Crown prosecutors with at least 10 years of experience.

7.1.13 Specific procedures concerning extradition

In Québec and Manitoba, specific procedures concerning extradition are performed by Crown prosecutors with at least five years of experience. In New Brunswick and Alberta they are entrusted to Crown prosecutors with, respectively, 10 years and 15 or more years of experience. Crown prosecutors in Nova Scotia assess the appropriateness of presenting a request for extradition and undertake the required procedures, regardless of their years of experience. However, Crown prosecutors in Nova Scotia and British Columbia and federal Crown prosecutors do not perform the following tasks: in the case of kidnapping of a child, attempt to negotiate the return of the child through consular affairs, concurrently with the extradition procedures; and, when a request is received from another country concerning a resident of the province, evaluate this request on the basis of principles and transmit the evaluation to the federal Crown prosecutor responsible for the file. As for the tasks of assessing the appropriateness of presenting a request for extradition, undertaking the required procedures, and presenting the request for extradition, they are performed by federal Crown prosecutors, regardless of their number of years of experience and by Crown prosecutors in British Columbia with at least 15 years of experience.

7.1.14 Specific procedures concerning informers as witnesses

In Québec, New Brunswick, Manitoba and British Columbia, the majority of specific procedures concerning informers as witnesses are performed by Crown prosecutors with at least 10 years of experience, whereas in Alberta, Crown prosecutors do not do these tasks. In Nova Scotia, all Crown prosecutors can assess the advisability of using an informer as a witness, but the other tasks are not part of their duties. In the federal government, the tasks of assessing the advisability of using an informer as a witness and assessing the informer's credibility are performed by all Crown prosecutors, regardless of their experience. However, the tasks of negotiating and signing an agreement with an informer are reserved for Crown prosecutors with at least 15 years of experience.

7.1.15 Specific procedures concerning examination for mental disorder

In all the provinces, the task of ensuring that the required material is obtained and available before the examination for a mental disorder is performed by all Crown prosecutors, regardless of their number of years of experience.

7.1.16 Specific procedures concerning DNA procedures

In all the provinces, but not with the federal government, the task of advising police officers with regard to the conditions for carrying out DNA procedures is performed by all Crown prosecutors, regardless of their number of years of experience.

7.1.17 Supervisory and administrative tasks

In Québec, Manitoba and British Columbia, Crown prosecutors must have at least five years of experience before they may supervise the activities of other Crown prosecutors (plan, distribute and coordinate the team's work) and exercise administrative responsibilities. In New Brunswick and the federal government, Crown prosecutors must have at least 10 years of experience to perform these tasks, whereas in Alberta, a minimum of 15 years is necessary. In the majority of provinces, Crown prosecutors can participate in committees responsible for developing recommendations on legal and administrative procedures and protocols, regardless of their experience.

7.1.18 Consulting tasks in a given field of specialization

In Québec and the federal government, Crown prosecutors must have at least 10 years of experience before they can serve as resource person and expert adviser or sit on a committee in a given field of specialization, whereas in Nova Scotia a minimum of five years of experience is necessary. With regard to the other provinces, Crown prosecutors can perform these tasks, regardless of their number of years of experience. In New Brunswick, Crown prosecutors serving as resource persons must have at least 10 years of experience, whereas those who sit on a committee in their field of specialization must have at least 5 years of relevant experience. In Québec and New Brunswick, teaching courses, giving lectures and publishing articles in a given field of specialization is reserved for Crown prosecutors with a minimum of 10 years of experience, whereas these tasks are open to all Crown prosecutors in the other provinces.

7.2 Tasks associated with specialized files

In this section, the tasks of Crown prosecutors as regards specialized files are analysed.³ Using a grid of tasks, the ISQ sought to discover if the tasks associated with specialized files are performed by specialists or by generalists and how many years of experience each group must have to do so. Specialists and generalists are defined as follows:

Specialist: Crown prosecutors who spend most or all of their time on specialized files, whether or not they are part of specialized teams.

Generalist: Crown prosecutors who are occasionally required to handle specialized files, in whole or in part. This category excludes Crown prosecutors who spend most of their time on specialized files or who are part of specialized teams.

For each province and for the federal government, each task is analyzed by the type of Crown prosecutor (generalist or specialist) that performs the task and by the number of years of experience required to perform it. It should be noted that, when the information provided by the respondents was validated, some results in this section seemed to contradict the information provided in the chapter on workload. In hindsight, it seems that the notions of generalist and specialist created confusion among the respondents. Even so, the ISQ is presenting all the results received, even if they are incomplete or contradictory.

7.2.1 Youth

In Nova Scotia and New Brunswick, youth files are handled by all the generalists, regardless of their experience. In British Columbia, Manitoba and Alberta, youth files are defended equally by generalists and specialists, regardless of their experience, with the exception of the task of assessing the appropriateness of requesting a transfer to ordinary court, which is done by Crown prosecutors with at least five years of relevant experience. However, in Manitoba, Crown prosecutors do not assume the tasks that involve discussing the orientation of the file with the provincial director and re-evaluating the orientation of the file following the decision of the provincial director of youth protection. In Alberta, the task of advising the educational and institutional authorities is not handled by Crown prosecutors. In Québec, almost all the tasks of youth files are handled by specialists, regardless of their level of experience. Federal Crown prosecutors do not handle youth files, with the exception of those working in the Far North.⁴

7.2.2 Files concerning sexual assault and physical abuse of children

In Manitoba, Alberta and British Columbia, the majority of the tasks associated with sexual assault files and physical abuse of children files are performed equally by specialists and generalists, regardless of their level of experience. In Nova Scotia and New Brunswick, these tasks are performed by generalists. For its part, Québec has set up specialized teams of Crown prosecutors with at least five years of experience to manage these files. Even so, in Québec some generalists handle this kind of file, regardless of their years of experience. However, certain tasks such as applying the multisector agreement concerning victims of child sexual assault and physical abuse, meeting with medical personnel, social workers and any other professionals in the case of serious physical abuse, and participating in the training of police officers, are handled exclusively by Crown prosecutors with at least five years of experience. As for federal Crown prosecutors, they do not handle sexual assault files, with the exception of those working in the Far North.

³ For the complete results, see Appendix 25.

⁴ So as to gather additional information, the ISQ surveyed the tasks of specialized files handled by federal Crown prosecutors working in Québec and in the northern territories of Yukon and Nunavut. The complete results are provided in Appendix 27.

7.2.3 Files concerning conjugal violence

In general, in Alberta and in British Columbia, both specialists and generalists, regardless of their level of experience, perform the tasks associated with files concerning domestic violence. In Québec, only generalists, regardless of their experience, perform these tasks. In Nova Scotia and the federal government, Crown prosecutors do not perform tasks related to domestic violence files (excepting federal Crown prosecutors working in the Far North), whereas in Manitoba, generalists and specialists at every level of experience do not participate in the training of police officers.

7.2.4 Electronic surveillance files

In Manitoba and the federal government, both specialists and generalists at every level of experience perform the tasks related to electronic surveillance. In New Brunswick and Alberta, specialists and generalists must have at least 10 years of experience. In Nova Scotia and British Columbia, electronic surveillance is handled by specialists with at least five years of experience, while in Québec, Crown prosecutors must have at least 10 years of experience.

7.2.5 International legal cooperation

Crown prosecutors in Nova Scotia and Manitoba are not involved in international cooperation files. In the other provinces, but not in the federal government, international cooperation files are handled by specialists with at least five years of experience in Québec and British Columbia, at least 10 years of experience in Alberta, and 15 or more years of experience in New Brunswick. All federal generalists, regardless of their experience, handle international legal cooperation files, excepting federal Crown prosecutors working in the Far North.

7.2.6 Support to Crown prosecutors and authorities

In Nova Scotia, New Brunswick, Alberta and British Columbia, the tasks of assisting less experienced Crown prosecutors with technical questions, providing information and legal opinions, and supporting and advising Crown prosecutors concerning prosecution files are handed equally by specialists and generalists, regardless of their experience. However, in Québec and Manitoba and in the federal government, these tasks are performed by generalists and specialists with at least 15 years of experience.

The tasks of designing pedagogical material, developing guidelines and texts for the application of legislative reforms, summarizing decisions on jurisprudence, collaborating in the preparation of notes, memoranda and applications, and examining pleadings and related documents are performed by specialists and generalists of every level of experience, as much in Nova Scotia and New Brunswick as in the federal government and Manitoba. In Québec and Alberta, these tasks are performed by specialists with five or more years of experience. In British Columbia, these tasks are performed equally by specialists and generalists with a minimum of five years of experience.

In Nova Scotia and New Brunswick, the task of advising individuals responsible for the application of legislation as well as authorities of various government departments, and ensuring their training is performed by specialists and generalists with at least 10 years of experience, whereas in the federal government, Manitoba and British Columbia, all Crown prosecutors, whether specialists or generalists and regardless of their experience, perform these tasks. In Québec and Alberta these tasks are performed by specialists with, respectively, at least five years of experience and at least 10 years of experience.

In New Brunswick, Manitoba and British Columbia, the task of participating in interdepartmental working groups and ensuring liaison with interdepartmental, departmental or government organizations is handled by all Crown prosecutors, whether specialists or generalists and regardless of their experience. In Alberta and Québec, these tasks are performed by specialists and generalists with at least 10 years of experience.

For all the respondents, the tasks concerning extremely complex and important cases and major legal issues that call into question the justice system, the reputation of the department and the interests of the provinces are handled by specialists and/or generalists with at least 10 years of experience.

In Nova Scotia, the federal government and Manitoba, the preparation and production of legal opinions for the Attorney General and the public prosecution service is done by all Crown prosecutors, whether specialists or generalists and regardless of their experience. In New Brunswick and British Columbia, these tasks are done by specialists and generalists with at least 10 years of experience. In Alberta, specialists with 10 years of experience perform these tasks, whereas in Québec, these tasks are done by specialists with at least five years of experience.

In all provinces and in the federal government, bail forfeiture is done by specialists and/or generalists, regardless of their experience.

In Québec and the federal government, the task of ensuring the application of the Agreement respecting information on penitentiary sentences with the Correctional Services of Canada is done by generalists regardless of their experience. In British Columbia, this task is done by generalists and specialists regardless of their experience, whereas in New Brunswick the task is performed by Crown prosecutors with at least 10 years of experience. In Nova Scotia, Manitoba and Alberta, the application of the Agreement with Correctional Services Canada is not part of the duties of Crown prosecutors.

In Nova Scotia, Manitoba and British Columbia, both generalists and specialists, regardless of their experience, participate in committees responsible for developing recommendations on legal and administrative procedures and protocols. In New Brunswick and the federal government, generalists and specialists with at least 10 years of experience handle these tasks, whereas in Québec, generalists with at least five years of experience do so.

In the majority of the provinces and in the federal government, the tasks of drafting public statutes and regulations of the province and assisting government departments in developing their policies are not part of the duties of Crown prosecutors. However, Québec entrusts these tasks to specialists with at least 15 years of experience, whereas Manitoba entrusts them to generalists and specialists, regardless of their experience.

7.2.7 Appeals

In general, in Québec and Nova Scotia, the majority of the tasks concerning appeals are performed by specialists. In Québec, these specialists have at least five years of experience, whereas in Nova Scotia they have at least 10 years of experience. However, in Québec, generalists can handle some appeal-related tasks, such as: debating the various applications as regards release or admission of new evidence, preparing and filing a memorandum of appeal, presenting and arguing the appeal before the appeal court, and drafting memoranda and preparing arguments for the files under appeal.

Generalists in Alberta, regardless of their level of experience, can handle appeal-related tasks. However, the specialists in this province who handle appeals have at least 10 years of experience. In New Brunswick, the task of advising Crown prosecutors on legal and strategic questions concerning appeal files is performed by specialists or generalists with at least five years of experience, whereas the other tasks of files under appeal are handled equally by generalists and specialists, regardless of their level of experience.

In the federal government, the decision to appeal a case, the role of advising Crown prosecutors on legal and strategic questions, participation in the training of Crown prosecutors by writing texts or giving lectures, the drafting of memoranda and preparing arguments for the files under appeal are all tasks performed by generalists or specialists with at least 10 years of experience.

In Manitoba, the decision to appeal a case, debating the various applications concerning release or the admission of new evidence, and participation in the training of Crown prosecutors by writing texts or giving lectures, are all tasks done by generalists or specialists with at least five years of experience.

Lastly, in British Columbia, the decision to appeal a case, debating the various applications concerning release or the admission of new evidence, preparing and filing a memorandum of appeal, arguing the appeal, presenting the arguments before the Appeal Court, and advising Crown prosecutors are all tasks performed by generalists or specialists with at least five years of experience.

7.2.8 Jury trials

In all the provinces excepting Québec, where Crown prosecutors must have at least five years of experience, the offering of evidence in trials by judge and jury is done equally by generalists and specialists, regardless of their level of experience. However, in Québec, Manitoba and Alberta, the authorization and follow-up on murder files until the conclusion of proceedings are tasks performed by generalists or specialists with at least five years of experience.

7.2.9 Files concerning economic crimes

In all the provinces excepting Québec, files concerning economic crimes are handled equally by generalists and specialists, regardless of their level of experience. In Québec, in general these tasks are entrusted to generalists or specialists with at least five years of experience.

7.2.10 Files concerning organized crime

Files concerning organized crime are entrusted to specialist Crown prosecutors with at least five years of experience in Québec and Nova Scotia, and 10 or more years in Alberta and British Columbia. In New Brunswick, these files are handled equally by generalists and specialists, regardless of their level of experience, whereas in Manitoba, they are assumed by generalists or specialists with at least five years of experience. In the federal government, the task of advising police officers and investigators assigned to combating organized crime is performed by generalists and specialists, regardless of their level of experience. However, the task of providing professional development and training to police services and Crown prosecutors is done by generalists or specialists with at least five years of experience.

7.2.11 Files concerning proceeds of crime

Files concerning proceeds of crime are entrusted to specialist Crown prosecutors with at least five years of experience in Québec and 10 or more years of experience in Alberta and British Columbia. Crown prosecutors in Nova Scotia do not handle these files, as they are assumed by federal Crown prosecutors. In New Brunswick, these files are led by generalists and specialists, regardless of their level of experience.

In the federal government, the tasks of advising police officers and investigators, assisting police officers in writing affidavits, writing and presenting appropriate procedures, and verifying with the administrator of the property seized or subject to a restraint order that the order and the resulting costs are respected, are performed by generalists and specialists, regardless of their level of experience. The tasks of disposing of forfeited property and collecting amounts owing are not part of the duties of federal Crown prosecutors.

In Manitoba, the tasks of advising police officers and investigators, and assisting them in writing affidavits are done by generalists and specialists, regardless of their level of experience. The task of writing and presenting appropriate procedures is done by generalists or specialists with at least five years of experience. The other tasks related to files concerning proceeds of crime are not part of the duties of Crown prosecutors in Manitoba.

7.2.12 Files concerning penal law

In Manitoba, Alberta and British Columbia, the majority of tasks associated with penal law files are done by generalists and specialists, regardless of their level of experience. In Nova Scotia, these tasks are not part of the duties of Crown prosecutors. Lastly, in Québec and British Columbia, the development of penal legislation is part of the duties of Crown prosecutors with at least 10 years of experience.

7.2.13 Advisory service

In all the provinces, with the exception of Québec, the advisory service is provided by generalists and specialists, regardless of their level of experience. In Québec, these tasks are performed by specialist Crown prosecutors with at least 10 years of experience. In Alberta, the advisory service is not available 24 hours a day.

7.2.14 Other specialties

New Brunswick noted it had specialists in the following areas: protection of children and adults (Family Courts), aboriginal law, and special prosecution files concerning conflicts of interest, significant business crimes, and provincial statutes.

In Québec, some specialized tasks were mentioned in addition to those already listed: the examination of requests for DNA samples for retroactive situations, follow-up on the Poitras Commission (review of police reports submitted pursuant to section 288 of the *Police Act*) and participation on Crown prosecutor recruitment and selection juries. These tasks are performed by Crown prosecutors with five or more years of experience.

In Alberta, some tasks round out the regular tasks of Crown prosecutors, including the mentoring of young Crown prosecutors, which is done by Crown prosecutors with at least five years of experience, seminar presentations and the proposal of new directions for public prosecutions, which are done by generalists and specialists, regardless of their level of experience.

Tools for Comparing Cost of Living

The purpose of this Chapter is to introduce a few tools generally used for comparing the cost of living of individuals. Without being specifically applied to the case of Crown prosecutors, this description rounds out the analysis undertaken in the previous chapters by shedding light on it from a different angle. In fact, by comparing the cost of living in the main Canadian cities, the results of the comparative analysis of compensation can be kept in perspective.

The concept of cost of living refers to the sum of two components: a non-tax component, which is all spending, before taxes, on goods and services, and a tax component, which includes all taxes and other tax-related contributions that households must pay. In order to compare the cost of living in various cities, it is necessary to establish a shared set of social and economic characteristics for households, namely size of household and household income. In fact, a family's situation and level of household income can change its consumer profile as much as its tax burden. Once a shared profile is established, it is possible to make a comparison for a given point in time and construct a cost of living index.

The Consumer Price Index is not a cost of living index, although people often tend to call it that. In fact, the CPI serves as an indicator of variations in consumer prices. It is calculated by comparing, over a given period of time, the price of a predetermined basket of goods that consumers purchased during a given period. The index therefore reflects only the absolute movement of prices over time.

In this chapter, we compare the main components of the cost of living. Accordingly, in the first section, we analyze spending on goods and services. This spending includes housing, consumable items and transportation, plus a set of other significant expenditures (e.g., health, education, etc.). In Section 2 we analyze the observed variances in taxation between the various provinces. In Section 3 we describe an overall index of cost of living. Our analysis of this overall index will be limited, however, to a few Canadian cities (Montréal being the reference point) and two household profiles.

It is important to keep in mind that the ISQ has not undertaken thorough analysis or exhaustive documentary research on cost of living. Instead, the ISQ has compiled data and tracked down studies that deal with this issue and presented its findings in this chapter in the form of tools that the parties could use to take better stock of their reality.

8.1 Spending on goods and services

Spending on goods and services constitutes the non-tax component of the cost of living. This spending includes, on the one hand, frequent expenditures such as housing costs (rent, insurance, public utilities, interest, etc.), transportation (vehicle and public transit) and consumable items (food, clothing, personal services, etc.). This spending also includes significant expenditures that a household may encounter at certain steps or points in its life for items such as child care, higher education, and health (dentist, medication, etc.).

The following tables provide data that gives a sense of the comparative, cross-Canada cost of housing and all goods and services consumed by households. The most recent data that could be found was used.

8.1.1 Housing

The following two tables on housing provide, in index form, a good idea of the differences in costs recorded at various metropolitan regions in Québec and elsewhere in Canada. For all regions the data is from the Canada Mortgage and Housing Corporation (CMHC) and dates back to 2000. Table 8.1 shows the average rent for a three-bedroom apartment, and Table 8.2 shows the average price of a new house.

Table 8.1

Average rent index for a three-bedroom apartment, in 2000, for specified metropolitan regions in Canada (Montréal = 100)

(a higher index indicates a higher rent)

Metropolitan regions in Québec	Index	\$ CAN
Trois-Rivières	73.8	449
Chicoutimi-Jonquière	76.8	464
Sherbrooke	86.5	526
Québec	97.0	590
Hull	99.7	606
Montréal	100.0	608
Other metropolitan regions in Canada		
Regina	99.7	606
Victoria	103.0	626
Calgary	116.3	707
Winnipeg	119.7	728
Halifax	129.9	790
Thunder Bay	131.9	802
Kitchener	133.2	810
London	133.7	813
Hamilton	142.1	864
Vancouver	167.8	1,020
Ottawa	172.0	1,046
Toronto	190.1	1,156

Source: Canada Mortgage and Housing Corporation.

By setting the base index equal to 100 for Montréal, we can see from Table 8.1 that the cost of renting a three-bedroom apartment is generally lower in Québec than in the other metropolitan regions in the country. The cost is higher mainly in Ontario, as the metropolitan regions in this province present the highest indexes. Toronto and Ottawa are the most expensive cities for paying rent. Vancouver also has a high index, indicating high rents.

All the metropolitan regions in Québec other than Montréal (which is our reference point) have an index below 100. Hull is close, however, with an index of 99.7.

Table 8.2

Average (or median) price index for a new house, in 2000, for specified metropolitan regions in Canada (Montréal = 100)

(a higher index indicates a more expensive house)

Metropolitan regions in Québec	Index	\$ CAN
Chicoutimi-Jonquière	62.8	106,196
Sherbrooke	65.9	111,537
Trois-Rivières	69.4	117,470
Hull	72.2	122,172
Québec	77.7	131,535
Montréal	100.0	169,233
Other metropolitan regions in Canada		
Regina	92.7	156,962
Halifax	101.1	171,045
Winnipeg	103.7	175,492
Thunder Bay	104.7	177,104
London	119.4	202,054
Kitchener	123.1	208,348
Ottawa	132.0	223,357
Calgary	133.5	225,996
Hamilton	140.9	238,368
Toronto	175.8	297,550
Victoria	189.5	320,728
Vancouver	248.0	419,625

Source: Canada Mortgage and Housing Corporation and National Association of Realtors

In Table 8.2, the base index is also set at 100 for Montréal. The table shows that the average price of a new house, in 2000, is clearly lower in Québec (with the exception of Montréal) than it is in the other metropolitan regions in Canada. The index for metropolitan regions in Québec is below 80, except for Montréal, which is our reference point. The highest recorded indexes are for the metropolitan regions in British Columbia, Ontario and Alberta, which indicates their high cost of new housing. The indexes associated with the metropolitan regions in the other provinces are closer to the index for Montréal.

8.1.2 Goods and services

Each year Statistics Canada publishes a comparative index of retail prices by city. Called an all-items index, it allows for making overall comparisons of inter-city retail prices for eleven cities in Canada in the ten provinces. It covers a selected number of goods and services for a specified period of time. It was in 1999 that housing was included for the first time.

The data used in this comparative study of retail prices comes mainly from the price collections used for the monthly release of the Consumer Price Index (CPI). This index differs from the CPI because it is being used to compare the price of a basket of goods in several cities at one point in time, whereas the CPI is used to compare the price of the same basket of goods for one city over a period of time.

It should be noted that the retail prices used by Statistics Canada are those that consumers have to pay; sales and excise taxes are therefore included. Accordingly, the comparative rates of provincial sales taxes applicable in the various cities at the time of the comparison can account for a good portion of the differences in the prices of items or groups of taxable items from city to city.

Moreover, when calculating the inter-city index for housing, Statistics Canada uses the rental equivalence approach. According to this agency, “This approach assumes that in the long run, changes in the rental market accurately reflect the changes in costs faced by homeowners. As well, it has the advantage of measuring the consumption aspects of shelter and excluding from it its investment aspect. Thus, the shelter component of the inter-city price index program approximates across cities the differences in the cost of consuming a flow of shelter services provided for both renters and homeowners.”¹

In Table 8.3, the comparative indexes of retail prices by city are shown for October 1999. This is the most recent data available.² The combined city average serves as a baseline for the indexes.

It can be seen that the highest all-items indexes are those for Toronto and Ottawa. Vancouver, Halifax and St. John’s have indexes slightly greater than 100, whereas those of other Canadian cities are below this threshold. Montréal, however, is the city closest to the baseline, with an index of 98.

It is interesting to note that the indexes for household operations and furnishings, and those for clothing and footwear generally vary little from one city to the next. The first ranges from 96 to 103, and the second ranges from 93 to 101. Also, the index for alcoholic beverages and tobacco products varies widely from one city to the next; its associated weight (3.5%) attenuates, however, the impact on the all-items indexes.

It is interesting to note that for the shelter subgroup (weight of 27.2%), Toronto has a particularly high index. This city also has high indexes, well above the majority of the other cities, for transportation, and recreation, education and reading. Its index for food, however, ranks the lowest.

Ottawa too has a high shelter index (indeed, these two Ontario cities are the only ones with an index for this component greater than 100, six other cities have indexes around 90). The price paid by households in Ottawa for food, health and personal care, and recreation, education and reading are also relatively high. The cost of transportation in Ottawa, however, is close to the combined city average. In Vancouver, the food and transportation indexes have the most effect on raising the all-items index. Spending on shelter, with an index of 99³, have an opposing effect, however. This is the case as well for spending on health and personal care and recreation, education and reading.

¹ Statistics Canada, Catalogue no. 62-001-XPB, *The consumer price index*, notes to Table 11.

² Statistics Canada expects to publish 2000 data in 2002. The data would be in Catalogue no. 62-001-XPB.

³ This seems to contradict the data in Table 8.2, according to which Vancouver is the most expensive city for new houses. However, this observation is probably explained by the method adopted by Statistics Canada, namely the rental equivalence approach, which measures the consumption aspects of shelter and excludes the investment aspect.

Table 8.3
Inter-city indexes of retail price differentials, as of October 1999, for selected groups of consumer goods and services, combined city average=100

Selected components and sub-groups	Canada CPI weights ¹	St. John's	Charlottetown	Halifax	Saint John	Montréal	Ottawa	Toronto	Winnipeg	Regina	Edmonton	Vancouver
All items		101	97	101	96	98	104	106	95	96	94	102
Food	17.8	108	104	102	103	99	104	98	98	100	101	106
Food purchased from stores		113	107	106	107	98	107	100	97	99	102	106
Meat, poultry and fish		113	109	109	108	99	108	98	99	99	98	105
Dairy products and eggs		123	111	111	109	94	113	106	90	89	94	102
Bakery and other cereal products		96	104	100	100	100	97	97	104	106	103	112
Fruit and vegetables		127	111	111	114	101	107	98	94	96	109	107
Other food purchased from stores ²		103	102	96	103	97	107	99	100	104	103	106
Food purchased from restaurants		97	97	95	93	102	97	96	100	104	98	107
Shelter	27.2	91	90	97	88	94	107	113	90	91	89	99
Household operations and furnishings	10.7	99	98	102	97	100	103	103	96	96	96	103
Household operations		98	95	102	94	100	103	104	94	94	97	105
Household furnishings		102	104	101	102	101	101	101	100	99	94	99
Clothing and footwear	6.3	101	93	101	100	100	101	101	100	99	95	101
Transportation	18.6	105	95	98	96	100	99	105	93	96	90	104
Private transportation		105	93	96	95	100	98	104	93	98	91	106
Purchase of automotive vehicles		101	105	102	101	100	102	101	100	99	93	101
Gasoline		114	88	105	100	108	98	100	98	102	90	93
Other private transportation		102	82	84	84	94	92	111	82	95	88	121
Public transportation		104	104	106	101	100	106	113	94	84	89	92
Health and personal care	4.6	103	100	105	103	105	106	100	96	90	98	98
Health care		103	104	108	106	106	113	101	92	92	100	95
Personal care supplies and equipment		113	110	106	111	98	105	100	101	97	95	105
Personal care services		84	74	95	86	113	86	98	99	75	95	98
Recreation, education and reading	11.3	104	102	107	101	93	109	109	96	97	97	97
Alcoholic beverages and tobacco products	3.5	126	107	106	104	98	97	95	109	113	107	119
Alcoholic beverages		102	104	102	95	103	101	102	87	91	95	108
Tobacco products and smokers' supplies		156	112	111	116	92	93	85	137	142	122	134

¹ The weights shown are rounded 1996 basket weights at December 1997 prices for Canada. They are provided for illustration only; the weights actually used are combined city weights with adjustments for price change since December 1997.

² Includes the following sub-groups: sugar and syrups, confectionery items, margarine, other edible fat and oil items, coffee, tea, condiments, spices and vinegars, soup, infant and junior foods, pre-cooked frozen food preparations, non-alcoholic beverages and all other food preparations.

Source: Statistics Canada, Catalogue no. 62-001 XPB – Table 11.

Montréal's situation, which compares favourably against the combined city average (all-items index of 98) is explained mainly by its shelter index (94) and its recreation, education and reading index (93). Spending on health and personal care in Montréal costs more, however, than the combined city average. For the other subgroups of spending, Montréal's indexes stray little or not at all from the combined city average index.

Edmonton has the lowest all-items index, at 94. This is explained mainly by the low cost of shelter and transportation which, owing to their strong weighting (27.2% and 18.6% respectively), put significant downward pressure on the all-items index. Moreover, it is in Edmonton where transportation and household operations and furnishings are the least expensive, whereas the indexes for the shelter and recreation, education and reading subgroups are among the lowest of the cities compared. The food and alcoholic beverages and tobacco products subgroups have the only indexes over 100.

8.2 Taxation

Taxation is a significant component of the cost of living. In this Section, we briefly review the individual income taxes of Québec residents. Tables comparing taxation in various other Canadian provinces are provided in an appendix. The other elements of taxation, such as municipal taxes, sales taxes and governmental plans are not taken into consideration here.

Québec residents must pay to the governments of Canada and Québec an income tax based on a table of progressively tiered rates. Residents are taxed on income from all sources. They are, however, entitled to various personal exemptions (dependants, various tax shelters, foreign tax credits, etc.).

The data in Table 8.4 come from a study conducted by Pricewaterhouse Coopers and *Investissement Québec*. It shows what would be, at various income levels, the income tax in 2001 of a resident of Québec who has only employment income. Two scenarios are presented. The first is that of a single person living alone. The second is of a married worker with two dependent children aged 6 and 11 years and a spouse with no income. The calculations were conducted using the simplified taxation tables. The Québec refundable tax credit for sales tax and the federal refundable tax credit for GST have been taken into account. These calculations do not take into account family allowances paid by the government of Québec, federal tax provisions for children, or Québec's provincial drug prescription plan.

Table 8.4
Individual income taxes in 2001¹ – residents of Québec (in dollars)

Single person living alone					Couple with two dependent children age 6 and 11 years with a single income			
Gross salary	Provincial tax	Federal tax	Total	Average rate (%)	Provincial tax	Federal tax	Total	Average rate (%)
15,000	306	619	925	6.17	...	...	...	...
30,000	3,270	2,677	5,948	19.83	...	1,549	1,549	5.16
50,000	7,751	6,361	14,112	28.22	4,165	5,541	9,705	19.41
75,000	13,811	11,404	25,215	33.62	10,975	10,584	21,558	28.74
100,000	19,936	16,832	36,768	36.77	17,130	16,011	33,141	33.14
150,000	32,186	28,939	61,125	40.75	29,380	28,119	57,498	38.33

¹ In 2001, the top marginal tax rate for a resident of Québec is 48.72%.

Source: Pricewaterhouse Coopers and *Investissement Québec*

Two tables from Samson Bélair, Deloitte and Touche are presented in Appendix 28. The first table compares federal and provincial income tax for individuals in 2001 for various levels of income and for residents of various provinces and territories and non-residents. The amounts are expressed in dollars. The second table in this appendix presents, for each of the provinces and territories, and for non-residents, the top marginal tax rates (in %) for various types de revenue: capital gains, dividends and other income, which include, inter alia, salaries and interest.

The data in Appendix 29 is from KPMG, a consulting firm, and provides information on the top marginal tax rates and the various tax rates applied in each tax bracket. The tax rates for each of the 10 provinces and the federal tax rate are provided. The rates are those used in 2002, but the table was compiled using information available as of June 15, 2001. Some changes may have been made to the table since then. In the specific case of Québec, it is important to note that an abatement for provincial taxes must be taken into consideration in the federal tax rate.

Comparisons of tax burdens have their limits. They do not always allow for pointing out the fact that higher tax burdens in one jurisdiction may well be used to fund more developed public services, while the same services must be purchased from the private market in other jurisdictions. For example, and in comparison with the other provinces, we note the Québec Prescription Drug Insurance Plan and the subsidized day-care program (childcare at \$5). Some other household spending can also vary widely from one province to the next depending on the level of public funding granted. We could also mention university tuition costs, which, in Québec, are among the lowest in the country.

In an even broader perspective and going beyond the Canadian borders, a comparison with the current situation in the United States well illustrates these limits. In the United States, the public sector is generally less developed than it is in Canada, and this translates into a lighter tax burden. However, the majority of American workers must purchase private insurance to protect themselves from the expenses of health services.

8.3 Cost of living

A complete comparison of the cost of living must include both the costs of all goods and services, and the costs of taxation. In this way one can obtain a complete picture of the relative cost-of-living situation of each household in various jurisdictions. This is what the ISQ attempts to do in this Section.

At the request of the Economic Accounts and Studies Branch of the *Institut de la statistique du Québec*, the firm Runzheimer Canada Inc. prepared, in 2001, data comparing the cost of living borne by two different types of household in several cities in Canada and the United States. For their report, the cost of living was defined as the sum of a household's taxes and spending on goods and services.

The cost of living of the households in each of the cities was evaluated by using the same social and economic characteristics for each household, such as income, type and size of the residence, number, type and use of motor vehicles, and the consumer profile of goods and services. The methodology made it possible to assess and compare the variances in the cost of living, keeping in mind, on the one hand, different prices for goods and services and, on the other, different tax burdens. The socio-economic profiles of the two household types studied are:

- Household with two adults and an annual family income of \$50,000 (CAN).
- Household with two adults and two children under age 6, with a family income de \$50,000 (CAN).

Both households are owners of a six-room single-family dwelling of 1,500 square feet, including three bedrooms, a bathroom and a wash-up room. Each household also own two vehicles, a 1998 Lumina used to travel 22,500 km annually, and a 1997 Cavalier used to travel 9,600 km annually.

The spending profile of the households covers a wide range of goods and services. The taxes on this spending are excluded as they are included in the tax component of the cost of living calculation. The characteristics of the various spending categories are as follows:

- Shelter: the study takes into consideration the date of purchase of the house as well as the interest rates prevailing at the time of the purchase. Spending on shelter includes mortgage interest (but excluding principal repayment), insurance premiums, upkeep and renovations, and public utilities (electricity and fuel).
- Transportation: the cost of public transportation to get to work and vehicle use (for work and pleasure), including financing costs, gasoline, plate registrations, repairs, ongoing maintenance, and amortization.
- Consumable goods and services: food (from stores and from restaurants), home supplies and services, clothing and shoes, and personal services, recreation and entertainment.
- Other spending: spending on health (dentist, medication, etc.), child care and other fees.

With regard to the tax burden, it includes:

- All federal and provincial income taxes paid by individuals.
- Payroll taxes, namely contributions to the Québec pension plan, the Canada Pension Plan and federal employment insurance.
- Property taxes and other local taxes, including costs of certain municipal services and school taxes.
- All consumption taxes at all levels: retail taxes, public utility taxes, insurance taxes, gasoline taxes, and so forth.

Only the results for Canadian cities are shown in Tables 8.5 and 8.6. Montréal serves as the reference point and therefore has an index of 100. Table 8.5 has data on the cost of living for all tax and non-tax components for the household composed of two adults with an annual family income of \$50,000, and Table 8.6 shows the results for a family of two adults and two children under age 6, with an annual family income de \$50,000.

Table 8.5

Cost-of-living index for all tax and non-tax components, two adults, annual income of \$50,000, in 2001

(Montréal = 100)

City	Index	\$
Toronto	119.9	59,804
Vancouver	117.0	58,376
Ottawa	101.4	50,604
Montréal	100.0	49,890
Calgary	99.3	49,548
Québec	93.2	46,504
Moncton	91.9	45,841

Source: Runzheimer Canada, 2001

Table 8.5 shows that, in the case of a household with two adults with an annual family income of \$50,000, the cost of living in Toronto and Vancouver is definitely higher than in Montréal. For the same household, the cost of living in Ottawa or Calgary is virtually the same as in Montréal, while the cost of living in the City of Québec and Moncton have indexes well below 100.

The ranking changes slightly when the calculation of the cost of living is applied to the family with two adults and two children under age six, with an annual family income of \$50,000. As can be seen in Table 8.6, Toronto and Vancouver are again the most expensive cities to live in. They are, moreover, the only cities with an index above 100, which is the index for Montréal and the base index. The other cities all have a cost of living below that of Montréal, with indexes below 100. Québec and Moncton stand out, however, since their respective indexes are closer to 90 than 100.

Table 8.6
Cost-of-living index for all tax and non-tax components, family of two adults and two children under age 6, with an annual family income of \$50,000, in 2001
 (Montréal = 100)

City	Index	\$
Toronto	118.8	59,364
Vancouver	117.6	58,772
Montréal	100.0	49,956
Ottawa	98.1	48,991
Calgary	97.0	48,463
Québec	92.8	46,352
Moncton	91.2	45,562

Source: Runzheimer Canada, 2001

The approach used by Runzheimer Canada could be broadened to include other household profiles, such as, for example, a single person or a family with income of \$100,000, or a household that rents instead of owns its place of shelter. The results with these scenarios would definitely differ from those provided here, since both the consumer profile and the tax component would be different.

It may be noted that the Québec *ministère des Finances* prepared, as part of its 1998-1999 budget, an analysis based on the data from the same firm.⁴ That analysis included eleven different household profiles and compared them across various Canadian and American urban agglomerations. The data used for that analysis was dated August 1997. Some of the findings of that analysis are provided in Appendix 30. The findings are for only the Canadian cities considered in the analysis (Montréal, Toronto and Vancouver) and middle-income and high-income households.

⁴ Gouvernement du Québec, ministère des Finances, *Budget 1998-1999, La fiscalité des particuliers et le coût de la vie.*

APPENDIX 1

QUESTIONNAIRE ON THE WORKLOAD OF CROWN PROSECUTORS

IDENTIFICATION OF RESPONDENTS

Name of principal respondent : _____
Official function : _____
Telephone : _____
Fax : _____
E-mail : _____

Name of principal respondent : _____
Official function : _____
Telephone : _____
Fax : _____
E-mail : _____

INSTRUCTIONS

- ▶ Where no data have been compiled, please provide estimates.
- ▶ Where it is not possible to provide estimates, please provide all relevant information available.

DEFINITIONS

- Permanent (P) :** Employee who, at the time of hiring or upon completion of a trial period, is assured of stable employment, that is, a job whose termination date is not predetermined. The employee may be hired on a full-time or part-time basis.
- Casual (C) :** Employee hired on a full-time or part-time basis for a limited period, generally with an agreement stipulating that the employment contract will terminate at the end of that period. A casual employee is hired to carry out special projects, to respond to an increase in workload or to replace an absent employee. A casual employee does not obtain permanent status and generally does not accumulate seniority.
- F.T.E. :** Signifies "full-time equivalent." It is a way of presenting the workforce for a given year by taking into account the number of days worked by each employee. Thus, two employees who work full time for 6 months during a year represent one full-time equivalent.
- Reference period :** Annual period for which data are provided. The reference period must correspond, as far as possible, to the 2000 calendar year or, if that is not possible, to the last complete fiscal year.

- Recognized experience :** For employees who have spent their entire careers as Crown prosecutors, the expression "recognized experience" represents their years of experience as Crown prosecutors since their hiring date. For employees who have acquired experience other than as Crown prosecutors, their recognized experience is calculated as the sum of their years of recognized experience prior to their hiring date and their years of experience as Crown prosecutors since their hiring date.
- Specialty :** This concerns employees who spend most or all of their time on specialized files, whether or not they are part of specialized teams. It excludes those Crown prosecutors who are occasionally required to handle, in whole or in part, files pertaining to various specialties.
- Manager :** Employee who, at different levels, participates in operational and budgetary planning, the establishment of objectives and the control and assignment of mandates. The manager has the authority necessary to make decisions that bind the employer and represents the employer in its dealings with the employees.
- Researcher :** This category includes all employees who provide direct support to the Crown prosecutors. In most cases, these are technical or professional employees who have completed studies in the legal field and who can carry out legal research and conduct certain legal transactions. Other terms used to describe these employees are "law clerk," "paralegal," and "paralegal staff." This category of employees excludes articling students, who are considered as belonging to a separate and distinct category.
- Support staff :** Junior positions whose duties involve the preparation, compiling, transcription, retention and distribution of documents and data. These positions also include information duties and the operation of office machinery.
- Others :** This category includes all employees who are not directly involved in legal activities but who provide administrative support to the activities of the public prosecution service, for example, employees providing accounting, computer or financial services or those occupying any other type of job.
- Region :** Corresponds to the administrative regions or any other regional divisions used in each province for the management or compilation of statistics on the public prosecution service.
- Service point :** Corresponds to the smallest unit, within a given physical location, that provides public prosecution services.
- File :** Any document, whether paper or virtual, bearing an identification code, that is submitted or handled by the public prosecution service.
- Offence :** Is based on substantiated complaints, that is, events for which the police, after investigation, judge that an offence has been committed. Several offences may have been committed during a given event. Only the most serious offence is recorded.
- Absence :** Absence is defined according to the following reasons for absence from work : illness or incapacity, caring for children or aged parents, other personal or family obligations, long-term absence for reasons of illness or incapacity during which the employee continues to receive partial or total compensation from the employer. Absence excludes maternity leave, vacations and statutory holidays.

I Workforce profile

Question 1

For each type of information, please indicate the number of permanent and casual Crown prosecutors, expressed as full-time equivalents (F.T.E.s), for the 2000 calendar year.

Reference period : from ___ / ___ / ___ to ___ / ___ / ___
D M Y D M Y

For the historical data, please mention the reference period for each year.

Type of information	Reference period	Number of perm. empl.	Number of casuals
Historical data			
1990	From ___ / ___ / ___ to ___ / ___ / ___		
1991	From ___ / ___ / ___ to ___ / ___ / ___		
1992	From ___ / ___ / ___ to ___ / ___ / ___		
1993	From ___ / ___ / ___ to ___ / ___ / ___		
1994	From ___ / ___ / ___ to ___ / ___ / ___		
1995	From ___ / ___ / ___ to ___ / ___ / ___		
1996	From ___ / ___ / ___ to ___ / ___ / ___		
1997	From ___ / ___ / ___ to ___ / ___ / ___		
1998	From ___ / ___ / ___ to ___ / ___ / ___		
1999	From ___ / ___ / ___ to ___ / ___ / ___		
2000	From ___ / ___ / ___ to ___ / ___ / ___		
Recognized experience			
0 to 5 years			
5 to 10 years			
10 to 15 years			
15 or more years			
TOTAL			
Specialty			
Offences against the person			
Domestic violence			
Sexual offences			
Young offenders			
Economic crimes			
Proceeds of crime			
Organized crime			
Electronic surveillance			
International cooperation			
Consultation services			
Appeals			
Narcotics and drugs			
Jury trial			
Homicide			
Crimes against children			
Pimping and prostitution			
Statutory (besides Criminal Code and Controlled Drugs and Substances Act)			
Others			
Specify :			
TOTAL			

Question 2

Please indicate the total number of permanent and casual managers (chief Crown prosecutors, deputy chief Crown prosecutors), Crown prosecutors, researchers, support staff (secretaries, office employees), and articling students, expressed as F.T.E.s, per service point, for the 2000 calendar year.

Please also include head-office staff. Attach an additional sheet if necessary.

Service point	Managers				Crown pros.		Researchers		Support staff				Articling students		Others			
	Chief Crown pros.		Deputy chief Crown pros.		P	C	P	C	Office empl.		Secretaries		P	C	P	C		
	P	C	P	C					P	C	P	C					P	C
TOTAL																		

Question 3

Please indicate the total number of permanent and casual chief Crown prosecutors, deputy chief Crown prosecutors, secretaries and office employees, expressed as F.T.E.s, from 1997 to 2000.

Please mention the reference period for each year.

Year	Reference period	Number of chief Crown pros.		Number of deputy chief Crown pros.		Number of researchers		Number of secretaries		Number of office employees	
		P	C	P	C	P	C	P	C	P	C
1997	From ___/___/___/ to ___/___/___/										
1998	From ___/___/___/ to ___/___/___/										
1999	From ___/___/___/ to ___/___/___/										
2000	From ___/___/___/ to ___/___/___/										

II Profile of files

Question 4

Please indicate the total number of offences under the Criminal Code, the Controlled Drugs and Substances Act and other federal and provincial statutes, per region, for the 2000 calendar year.

Reference period : from ___/___/___ to ___/___/___
D M Y D M Y

Attach an additional sheet if necessary.

Regions	Number of Crown prosecutors		Number of offences
	P	C	

Question 5

Please indicate the total number of offences under the Criminal Code, the Controlled Drugs and Substances Act and other federal and provincial statutes, by type of offence, for the 2000 calendar year.

Type of offence	Number of offences
OFFENCES AGAINST THE PERSON	
> Homicide	
> Criminal negligence and other offences causing death	
> Attempt or conspiracy to commit murder	
> Assault	
> Sexual assault	
> Other sexual offences	
> Abduction or forcible confinement	
> Robbery or extortion	
> Criminal harassment	
> Threats	
> Other offences against the person	
PROPERTY CRIMES	
> Arson	
> Break and enter	
> Motor vehicle theft	
> Theft over \$5 000	
> Theft \$5 000 and under	
> Possession of stolen goods	
> Fraud	
> Mischief	
OTHER CRIMINAL CODE OFFENCES	
> Prostitution	
> Offences related to firearms and other weapons	
> Offences against the administration of law and justice	
> Acts against public morals or disorderly conduct	
> Indecent or harassing telephone calls	
> Others	
OFFENCES RELATED TO THE PROCEEDS OF CRIME	
OFFENCES – OPERATION OF MOTOR VEHICLES	
> Impaired driving	
> Hit-and-run	
> Other offences related to the operation of motor vehicles	
CRIMINAL CODE – TOTAL	
OFFENCES RELATED TO CONTROLLED DRUGS AND SUBSTANCES	
OFFENCES UNDER OTHER FEDERAL STATUTES	
OFFENCES UNDER PROVINCIAL STATUTES	
TOTAL	

Question 6

Please indicate the total number of files handled by the public prosecution service, including complaints refused, files not involving judicial proceedings and files involving judicial proceedings, from 1997 to 2000.

What proportion of those files were handled by municipal courts (Quebec only) and by the police (other provinces) from 1997 to 2000?

Reference period : from ____ / ____ / ____ to ____ / ____ / ____
D M Y D M Y

Jurisdiction	Complaints refused				Files not involving judicial proceedings				Files involving judicial proceedings			
	1997	1998	1999	2000	1997	1998	1999	2000	1997	1998	1999	2000
Crown prosecutors												
Municipal courts (Quebec only)												
Police (other provinces)												
TOTAL												

Among the files involving judicial proceedings, how many were filed as summary convictions, indictable offences and indictable offences (absolute jurisdiction) from 1997 to 2000?

Jurisdiction	Summary convictions				Indictable offences				Indictable offences (absolute jurisdiction)			
	1997	1998	1999	2000	1997	1998	1999	2000	1997	1998	1999	2000
Crown prosecutors												
Municipal courts (Quebec only)												
Police (other provinces)												
TOTAL												

Question 7

Please indicate the total number of counts of indictment for the 2000 calendar year. _____

Reference period : from ____ / ____ / ____ to ____ / ____ / ____
D M Y D M Y

Question 8

Please indicate the total number of files handled per service point for the 2000 calendar year.
 (Attach an additional sheet if necessary.)

Service point	Number of files
TOTAL	

Question 9

Please indicate, for each element in the table, the number of files handled for the 2000 calendar year.

Reference period : from ____ / ____ / ____ to ____ / ____ / ____
D M Y D M Y

Type of file	Number
SPECIALTY FILES	
> Offences against the person	
> Domestic violence	
> Sexual offences	
> Young offenders	
> Economic crimes	
> Proceeds of crime	
> Organized crime	
> Electronic surveillance	
> International cooperation	
> Consultation services	
> Appeals	
> Narcotics and drugs	
> Jury trial	
> Statutory (besides Criminal Code and Controlled Drugs and Substances Act)	
> Others	
TOTAL	
FILES APPEALED	
> Superior Court	
> Court of appeal	
> Supreme Court	
TOTAL	
OTHER ELEMENTS	
Number of trials	
> Judge only	
> Judge and jury	
Laying of information	
Settlements by plea bargaining	
Prosecutions on summary conviction	
Transfers (young offenders)	
Adjournments	
Restraint orders and special warrants	
Ministerial requests	
Additional investigation (Qc) / Incomplete files (Can)	
Authorization of electronic surveillance	
Search warrants	
Bail hearings	
Preliminary hearings	
Percentage of files invoking the Charter of Rights and Freedoms	

III Other workload indicators

Question 10 - File preparation time

Is there an official standard for the amount of time spent on file preparation? Yes No

What is that standard, or if none exists, what is the average time spent on file preparation?

Question 11 – Court time

What was the average court time per Crown prosecutor in the 2000 calendar year? _____

Reference period : from / / to / /
D M Y D M Y

Question 12 – Number of witnesses per file

What was the average number of witnesses per file in the 2000 calendar year? _____

Reference period : from / / to / /
D M Y D M Y

In your province, is there a limit to the number of police witnesses that can be summoned?

Yes No Please explain :

Question 13 - Absenteism and staff turnover

How many Crown prosecutors were hired and how many left from 1990 to 2000?

Please indicate the number of absences of at least one day and the number of days (or hours) of absence among Crown prosecutors from 1990 to 2000.

Reference period : from / / to / /
D M Y D M Y

Year	Number of hirings		Number of departures		Nb. of absences of at least one day	Nb. of hours/days of absence
	Perm. empl.	Casuals	Perm. empl.	Casuals		
1990						
1991						
1992						
1993						
1994						
1995						
1996						
1997						
1998						
1999						
2000						

What were the reasons why Crown prosecutors left from 1990 to 2001?

Resignation _____ % Promotion _____ % Transfer _____ % Retirement _____ %
 Layoff _____ % Death _____ % Dismissal _____ % Others _____ %

What were the reasons most often given for resignations?

Internal reasons	%
Poor relationship with immediate supervisor	
Limited possibilities for advancement	
Dissatisfaction with the type of duties	
Poor working conditions	
Excessive workload	
Inadequate salary	
Other	
External reasons	
Desire for new challenges	
Personal reasons (health, relocation, etc.)	
New career orientation	
Other	
TOTAL	

Question 14 - Computers

What is the total number of computers available to Crown prosecutors? _____

Reference period : from _____ / _____ / _____ to _____ / _____ / _____
D M Y D M Y

What percentage of Crown prosecutors have access to :

- > Internet : _____ %
- > E-mail : _____ %
- > Legal data banks : _____ %

Which data banks are accessible? _____

Question 15 – Job-related travel

What was the total distance in kilometres covered by Crown prosecutors using their own vehicles in the 2000 calendar year? _____

What was the total distance in kilometres covered by Crown prosecutors using rental vehicles in the 2000 calendar year? _____

What was the average number of overnight stays per Crown prosecutor in the 2000 calendar year? _____

How many travel expense claims were made in the 2000 calendar year? _____

What was the total amount of travel expenses reimbursed, including transportation, lodging and meals in the 2000 calendar year? _____

Question 16 - Jurisdiction of Crown prosecutors

Please list the statutes under which prosecutions are handled by Crown prosecutors in your province.

Federal statutes		Provincial statutes

Question 17 - Professional responsibility

How many complaints against Crown prosecutors were made to the Law Society in the 2000 calendar year? _____

How many actions for damages were brought against Crown prosecutors in the calendar year 2000? _____

Reference period : from / / to / /
D M Y D M Y

What is the average amount for complaints made against Crown prosecutors? _____

Question 18 - Assistance

Is there a policy providing for assistance to Crown prosecutors who have been the victims of verbal threats and threats to their physical integrity?

Yes No

What are its principal provisions?
Please provide a copy of the policy.

How many threats were made against Crown prosecutors in the 2000 calendar year? _____

Reference period : from ___/___/___ to ___/___/___
 D M Y D M Y

Question 19 – Major events

In the last ten years in your province, have there been events of sufficient importance to require an increase in the Crown prosecutors' workload (e.g. Olympic Games, economic summit, etc)?

In the last ten years in your province, have there been police operations of sufficient importance and/or with sufficient media coverage to require an increase in the Crown prosecutors' workload?

Question 20 – Seasonal variations

Please indicate the periods during which the courts are closed, per service point.

Attach and additional sheet if necessary.

Service points	Opening date	Closing date

APPENDIX 2

IDENTIFICATION OF RESPONDENTS

Name of principal respondent : _____
Official function : _____
Telephone : _____
Fax : _____
E-mail : _____

Name of other respondent : _____
Official function : _____
Telephone : _____
Fax : _____
E-mail : _____

DIRECTIVES

► For each duty listed, please indicate the number of years of experience a Crown prosecutor requires to perform that duty. If no Crown prosecutors perform a given duty, indicate "None." If all the Crown prosecutors, regardless of their experience, perform a given duty, indicate "All."

► In an effort to facilitate the respondent's task, the proposed list of duties is not exhaustive. For example, in the section on specialized files, we have presented only the duties specific to those areas, without repeating the general duties of Crown prosecutors, such as conducting research on points of law and jurisprudence, arguing cases, meeting with victims and witnesses, etc. However, if the proposed list does not include duties of particular importance that are performed by the Crown prosecutors in your province, **please add those duties** at the end of the questionnaire. Before adding a duty, please ensure that it is significant and that it is not implicitly included in another more general duty already listed.

► In the "Duties associated with specialized files" section, please indicate the number of years of experience a Crown prosecutor requires to perform each duty according to whether the Crown prosecutor is considered a generalist (G) or a specialist (S).

DÉFINITIONS

Specialist (S) : Crown prosecutors who spend most or all of their time on specialized files, whether or not they are part of specialized teams.

Generalist (G) : Crown prosecutors who are occasionally required to handle specialized files, in whole or in part. This category excludes those Crown prosecutors who spend most of their time on specialized files or who are part of specialized teams.

LIST OF DUTIES OF A CROWN PROSECUTOR

	None	Level 1 0-4 yrs.	Level 2 5-9 yrs.	Level 3 10-14 yrs.	Level 4 15 yrs. +	All
General duties associated with judicial proceedings or related procedures						
► Evaluation of evidence and authorization of complaint						
➤ Advise police officers and assist them in writing all informations or warrants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Study reports and charges submitted by the police, evaluate available evidence related to the offence, ensure evidence is complete and subsequently request additional investigations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Request the issue of a search warrant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Meet the victims, witnesses and experts and evaluate their testimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Examine exhibits and visit the crime scene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Assess the appropriateness of laying charges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Authorize the laying of an information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Inform the investigator and the victim of the reasons for refusal to institute proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Choose and write counts of indictment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Decide on the prosecution method (summary offence or indictable offence)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Decide on the method of bringing the accused before the court (summons, promise to appear or arrest warrant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Determine the witness list	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Conduct research on relevant points of law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Withdraw the information laid by the peace officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Non-judicial treatment						
➤ Apply the program of non-judicial treatment of certain criminal offences committed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Release inquiry						
➤ Decide if appropriate to object to the release	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Select and summon witnesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Suggest imposition of conditions of release, request an adjournment of the inquiry with sureties or proceed with the release inquiry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Assess the appropriateness of having the court decision reviewed by a higher court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ When the judge orders bail, verify and ensure the solvency of the bail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prepare and make representations at the hearing for the review of the release and detention orders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Disclosure of evidence						
➤ Disclose all available and relevant evidence to the defence counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Preliminary inquiry						
➤ Examine the possibility of preferring an indictment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prepare the hearing of the inquiry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Decide on the stay of proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Meet the witnesses and victims, provide support and explain the proceedings to them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None	Level 1 0-4 yrs.	Level 2 5-9 yrs.	Level 3 10-14 yrs.	Level 4 15 yrs. +	All
➤ Consult the investigators and experts and review their testimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Summon the necessary witnesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Proceed with the preliminary inquiry or consent to s. 549 c.c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Consent to a reoption	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Decide as to follow-up on requests for transfer of district	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Pre-hearing conference						
➤ Prepare the pre-hearing conference	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Meet with defence counsel to negotiate certain admissions or a guilty plea and sentence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Proceed with the pre-hearing conference	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Pro forma steps						
➤ Proceed with admissions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Establish availability dates for trial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Disclose the evidence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Register guilty pleas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Trial						
➤ Prepare the trial and conduct research on relevant points of law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prefer the indictment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Decide whether to withdraw the charges prior to the plea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Debate various preliminary motions on merits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Choose the jury members (challenge, excuse, stand-by)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ State the case in a manner that will enable the judge and jury to understand and follow the presentation of evidence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Present evidence and respond to objections of the defence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Assess the relevance and legality of rebuttal evidence and present it	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Present an oral argument	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ In the case of a guilty verdict, assess the appropriateness of making representations to have the offender declared dangerous or long-term	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Evaluate the sentence deemed appropriate and make representations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Request the issue of appropriate orders (D.N.A, forfeiture, restitution, firearms, etc.: s. 109 c.c.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ In the case of an acquittal, analyze the judgment and the evidence and assess the appropriateness of appealing the case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Conduct research on relevant points of law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duties associated with specific procedures						
► Extraordinary remedies						
➤ Institute proceedings and present arguments before the Superior Court to contest, annul or amend a decision by a trial judge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Write the relevant applications, conduct the necessary research and satisfy the court at the hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None	Level 1 0-4 yrs.	Level 2 5-9 yrs.	Level 3 10-14 yrs.	Level 4 15 yrs. +	All
► Concerning breach of conditional sentence						
➤ Evaluate the evidence and, if necessary, institute judicial proceedings and argue the case in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prepare and request the issue of an order to revoke a firearm permit and/or to prohibit possession	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning an order for payment of a fine						
➤ Evaluate the reports from the collector of fines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Assess the appropriateness of instituting proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning a verdict of not criminally responsible on account of mental disorder						
➤ Transmit the appropriate documents to the administrative tribunal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Argue the case before the tribunal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning an application for judicial review for reduction in the number of years before eligibility for parole (s. 745 c.c.)						
➤ Request the designation of an investigator to retrace the witnesses and the victim's family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Carry out the preliminary steps for the hearing of the application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ If appropriate, request assessment of the applicant by a psychiatrist or an additional investigation on the applicant's attitude while serving his sentence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Make request to require written testimony of witnesses, victims or their families	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ If appropriate, contest the step provided for under section 745.61 of the c.c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Proceed with the hearing of the application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning extradition						
➤ Assess the appropriateness of presenting a request for extradition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prepare the required procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Present the extradition request	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ In the case of kidnapping of a child, attempt to negotiate the return of the child through consular affairs, concurrently with the extradition procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ When a request is received from another country concerning a resident of your province, evaluate this request on the basis of principles and transmit the evaluation to the federal Crown prosecutor responsible for the file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning informers as witnesses						
➤ Assess the advisability of using an informer as a witness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Meet the informer to assess his credibility and determine whether he meets the criteria	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Negotiate and sign an agreement with the informer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Collaborate in the drafting of the annual report on the use of informers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning examination for mental disorder						
➤ Ensure that the required material is obtained and available before the assessment examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning DNA procedures						
➤ Advise police officers with regard to the conditions for carrying out DNA procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None	Level 1	Level 2	Level 3	Level 4	All
		0-4 yrs.	5-9 yrs.	10-14 yrs.	15 yrs. +	
Supervisory and administrative duties						
> Supervise the activities of other Crown prosecutors (plan, distribute and coordinate the team's work)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Exercise administrative responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Participate in committees responsible for developing recommendations on legal and administrative procedures and protocols	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consulting duties in a given field of specialization						
> Serve as resource person and expert adviser in a given field of specialization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Serve on a committee in a given field of specialization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Teach courses, give lectures and publish articles in a given field of specialization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None		Level 1		Level 2		Level 3		Level 4		All	
	G	S	G	S	G	S	G	S	G	S	G	S
Duties associated with specialized files												
► Youth												
➤ Decide on the orientation of the young offender's file by authorizing judicial proceedings or by recommending the use of alternative measures in accordance with youth protection provisions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Discuss the orientation of the file with the provincial director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Reevaluate the orientation of the file following the decision of the provincial director of youth protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ On occasion meet, discuss with and question experts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Assess the appropriateness of requesting a transfer to ordinary court (s. 16 and 16.101 Young Offenders Act)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ At the disposition stage, take cognizance of the pre-disposition report and obtain the testimony of the report's author	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Meet with the parents to discuss the decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Advise the educational and institutional authorities concerning police intervention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ During the review of dispositions, examine the progress report on the adolescent, make the necessary representations and satisfy the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning sexual assault and physical abuse of children												
➤ Meet the victims personally to determine their ability to testify, the quality of their testimony and the advisability of instituting proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ View the videotape of the victim's testimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Apply the multisector agreement (intervention protocol) concerning victims of child sexual assault and physical abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Meet and prepare experts and arrange for their testimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ In the case of serious physical abuse, meet medical personnel, social workers and any other professionals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Refer victims to support services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Participate in the training of police officers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Concerning conjugal violence												
➤ Participate in the training of police officers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ See to the victims' safety, the family's needs and family relationships	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Facilitate contact between the victim and various community and social-services organizations and groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Electronic surveillance												
➤ Advise police officers on the appropriateness of making an application for electronic interception of communication	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Verify the peace officer's affidavit to ensure that it meets Criminal Code requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Verify the application and the proposed order to be presented and authorize and present the application to the judge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Advise police officers during the interception of communication	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None		Level 1		Level 2		Level 3		Level 4		All	
	G	S	G	S	G	S	G	S	G	S	G	S
► International legal cooperation												
➤ Prepare and present to the court the various procedures provided for by law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Verify the existence of a treaty between Canada and the country whose police force intends to request assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Support to Crown prosecutors and authorities												
➤ Assist less experienced Crown prosecutors with technical questions, provide information and legal opinions, and support and advise Crown prosecutors concerning prosecution files	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Design pedagogical material, develop guidelines and texts for the application of legislative reforms, summarize decisions on jurisprudence, collaborate in the preparation of notes, memoranda and applications and examine pleadings and related documents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Advise individuals responsible for the application of legislation as well as authorities of various government departments, and ensure their training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Participate in interdepartmental working groups and ensure liaison with interdepartmental, departmental or government organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Handle extremely complex and important cases, that is, major legal issues that call into question the justice system, the reputation of the department and the interests of the provinces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prepare and produce oral and written legal opinions for the Attorney General and the public prosecution service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Request the forfeiture of sureties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Ensure the application of the Agreement respecting information on penitentiary sentences with the Correctional Service of Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Participate in committees responsible for developing recommendations on legal and administrative procedures and protocols	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Draft all public statutes and regulations of the province and assist government departments in developing their policies by drafting legislative proposals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Appeals												
➤ Decide whether a case should be appealed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Debate the various applications, in particular as regards release or admission of new evidence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Prepare and file a memorandum of appeal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Present and argue the appeal before the appeal court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Advise Crown prosecutors on legal and strategic questions concerning trial court files as well as cases appealed to the appeal court or the Supreme Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Participate in the training of Crown prosecutors by writing texts or giving lectures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Draft memoranda and prepare arguments for the files under appeal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Keep a register of the files under appeal and report on them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Jury trials												
➤ Offer evidence in trials by judge and jury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ Authorize an follow up on murder files until the conclusion of proceedings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None		Level 1		Level 2		Level 3		Level 4		All	
	G	S	G	S	G	S	G	S	G	S	G	S
► Economic crimes												
> Study documentary evidence, statements and accounting evidence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Distinguish between the civil and criminal aspects of a fraudulent representation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Prepare the notices required under the Canada Evidence Act	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Ensure that the professional privilege of other professionals (accountants, notaries) is respected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Determine whether the crime committed can be linked to s. 462.3 of the Criminal Code, which permits the forfeiture of any property obtained if it is proved that that property is proceeds of crime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Organized crime												
> Advise all police officers or investigators assigned to combatting organized crime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Keep up-to-date registers, evidentiary plans and other analytical and supporting documents that may be created to enable the Crown prosecutor to authorize and lay informations against individuals under investigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Provide professional development and training to police services and Crown prosecutors across the network	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Proceeds of crime												
> During the investigation, advise all police officers or investigators assigned to deal with the proceeds of crime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Assist police officers in writing affidavits in support of applications for warrants or restraint orders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Write and present appropriate procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Verify, with the administrator of the property seized or subject to a restraint order, that the order and the resulting costs are respected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Ensure that forfeited property is disposed of in the most cost-effective manner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> During the proceedings, collect and pay the amounts due	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Penal												
> Advise client departments and all other persons responsible for the application of laws	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Provide training to persons responsible for the application of laws	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Participate in the development of penal legislation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
► Advisory service												
> Advise police officers on all legal questions arising in the course of an investigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Advise and assist police officers in the writing of informations and warrants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
> Ensure the continuous availability of the advisory service (24 hours a day)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

LIST OF DUTIES OF A CROWN PROSECUTOR

	None		Level 1		Level 2		Level 3		Level 4		All	
			0-5 yrs.		5-10 yrs.		10-15 yrs.		15 yrs. +			
	G	S	G	S	G	S	G	S	G	S	G	S
► Other duties (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appendix 3

Magnitude of various employee benefits and paid time off¹, by Québec public sector disbursement categories, in 2000

Employee benefits

Other direct compensation

Reimbursement of unused sick leave credits	1.74
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Indirect compensation

Compensation for parental leave	0.20
Life insurance	0.17
Health insurance	0.52
Dental plan	1.04
Optical appliance insurance	0.54
Salary insurance	1.52
Long-term disability insurance	0.94
Pension plan	6.19

Paid time off

Vacation leave	8.15
Statutory and floating holidays	4.86
Sick leave	2.90
Parental leave	0.03
Personal leave	0.49

¹ The cost percentages represent an average of the costs for the respondents who offer the benefit.

Appendix 4
Criteria for salary increases

Provinces and federal government	Criteria for salary increases
Québec	<ul style="list-style-type: none"> ➤ Increases granted to other internal employee groups. Any decision of the Treasury Board must be approved by the Cabinet.
Nova Scotia	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Cost of living (indexed). ➤ Increases granted to other internal employee groups. ➤ Increases forecasted by private salary consultants.
New Brunswick	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Cost of living (indexed). ➤ Increases granted to other internal employee groups. ➤ Increases forecasted by private salary consultants.
Ontario	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Cost of living (indexed). ➤ Increases granted to other internal employee groups. ➤ Increases forecasted by private salary consultants.
Federal government	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Cost of living (indexed). ➤ Increases granted to other internal employee groups. ➤ increases forecasted by private salary consultants.
Manitoba	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Cost of living (indexed). ➤ Increases granted to other internal employee groups.
Alberta	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Increases granted to other internal employee groups. ➤ Comparison with other Crown prosecutors in Canada.
British Columbia	<ul style="list-style-type: none"> ➤ Comparison with various markets. ➤ Cost of living (indexed). ➤ Increases granted to other internal employee groups.

Appendix 5
Salary scales—Québec

Experience ¹	Step	Salary from January 1 to December 31, 2001
Normal zone		
➤ None	1	34,548
	2	35,384
➤ 6 months	3	36,240
	4	37,117
➤ 1 year	5	38,016
	6	38,937
➤ 1 year 6 months	7	39,879
	8	40,844
➤ 2 years	9	41,832
	10	42,846
➤ 2 years 6 months	11	43,882
	12	44,944
➤ 3 years	13	46,033
	14	47,147
➤ 3 years 6 months	15	48,288
	16	49,457
➤ 4 years	17	50,654
	18	51,881
➤ 4 years 6 months	19	53,136
	20	54,422
➤ 5 years	21	55,740
	22	56,844
➤ 6 years	23	57,969
	24	59,118
➤ 7 years	25	60,288
	26	61,482
➤ 8 years	27	62,699
	28	63,942
➤ 9 years	29	65,207
	30	66,499
➤ 10 years	31	67,816
	32	68,852
➤ 11 years	33	69,905
	34	70,974
➤ 12 years	35	72,060
	36	73,161
➤ 13 years	37	74,280
	38	75,415
➤ 14 years	39	76,569
	40	77,739
➤ 15 years	41	78,927
Merit zone		
➤ Minimum		34,548
➤ Normal maximum		78,927
➤ Merit maximum		92,653

¹ This experience scale is used only for the purposes specified in the *Directive concernant l'attribution des taux de traitement ou taux de salaire et des bonis à certains fonctionnaires* [Directive concerning the assignment of salary rates and bonuses to specified public servant positions].

Appendix 6
Salary scales—Nova Scotia

Level	Experience	Step	Salary from April 1, 2001 to March 31, 2002	Rating ¹	
➤ Crown Attorney	Less than one-year	1	42,800		
		2	46,300	.	
			48,050	..	
				49,625	...
	2 years	3	49,800		
				51,550	..
				53,125	...
	3 years	4	53,300		
				55,050	..
				56,625	...
	4 years	5	56,800		
				58,550	..
				60,125	...
	5 years	6	60,300		
				62,050	..
			63,625	...	
➤ Senior Crown Attorney	6 years	1	66,800		
				68,000	..
				69,080	...
	7 years	2	69,200		
				70,400	..
				71,480	...
	8 years	3	71,600		
				72,800	..
				73,880	...
	9 years	4	74,000		
				75,200	..
				76,280	...
	10 years	5	76,400		
				77,600	..
			78,680	...	
11 years	6	78,800			
			80,000	..	
			81,080	...	
12 years	7	81,200			
			82,400	..	
			83,480	...	
13 years	8	83,600			
			84,800	..	
			85,880	...	
14 years	9	86,000			
			87,200	..	
			88,280	...	

Appendix 6 (continued)
Salary scales—Nova Scotia

Level	Experience	Step	Salary from April 1, 2001 to March 31, 2002	Rating ¹
➤ Senior Crown Counsel	10 years (minimum)	1	78,800	.
			80,000	..
			81,080	...
	11 years	2	81,200	.
			82,400	..
			83,480	...
	12 years	3	83,600	.
			84,800	..
			85,880	...
	13 years	4	86,000	.
			87,200	..
			88,280	...
	14 years	5	88,400	.
			89,600	..
			90,680	...
	15 years	6	90,800	.
			92,000	..
			93,080	...
	16 years	7	93,200	.
			94,400	..
			95,480	...
	17 years	8	95,600	.
			96,800	..
			97,880	...

¹ Performance ratings:
. Satisfactory
.. Superior
... Excellent

Appendix 7
Salary scales—New Brunswick

Step	Salary as of April 1, 2001			
	Level 1	Level 2	Level 3	Level 4
1	32,734	45,110	66,560	72,254
2	33,176	45,682	67,236	73,216
3	33,566	46,254	68,016	74,100
4	33,904	46,722	68,848	74,932
5	34,294	47,216	69,680	75,660
6	34,762	47,788	70,382	76,622
7	35,230	48,360	71,032	77,610
8	35,646	48,906	71,968	78,390
9	35,958	49,426	72,852	79,196
10	36,426	50,024	73,632	80,080
11	36,842	50,622	74,386	81,016
12	37,284	51,168	75,374	81,848
13	37,622	51,714	76,310	82,706
14	38,064	52,390	77,116	83,590
15	38,532	53,040	77,896	84,474
16	38,948	53,560	78,754	85,280
17	39,312	54,132	79,612	86,164
18	39,806	54,782	80,522	87,022
19	40,300	55,406	81,354	87,880
20	40,716	56,056	82,186	
21	41,132	56,628	83,044	
22	41,678	57,304	83,980	
23	42,172	58,032	84,968	
24	42,588	58,682		
25	43,082	59,280		
26	43,628	60,034		
27	44,122	60,814		
28	44,642	61,438		
29	45,110	62,088		
30		62,790		
31		63,570		
32		64,246		
33		64,922		
34		65,754		

Appendix 8
Salary scales—Ontario

Level	Step	Salary as of December 31, 2000
➤ Crown Counsel 1	0	63,480
	1	65,328
	2	67,244
	3	69,234
	4	71,301
	5	73,447
	6	75,677
	7	77,992
	8	80,413
➤ Crown Counsel 2	min.	91,459
	max.	136,135
➤ Crown Counsel 3	min.	111,547
	max.	150,444
➤ Crown Counsel 4	min.	124,712
	max.	163,809
➤ Deputy Directors	min.	124,712
	max.	148,955
➤ Directors/Crown Attorneys	min.	124,712
	max.	156,932
➤ Regional/Senior Directors	min.	124,712
	max.	159,995

Appendix 9
Salary scales—Federal government

Level	Step	Salary as of April 1, 2000
All regions with the exception of Toronto		
➤ LA-1	min. max.	45,900 65,480
➤ LA-2A	min. max.	66,520 91,255
➤ LA-2B	min. max.	82,770 100,885
➤ LA-3A	min. max.	94,000 119,200
➤ LA-3B	min. max.	109,100 133,100
Toronto		
➤ LA-1	min. max.	45,900 65,480
➤ LA-2A	min. max.	65,870 105,060
➤ LA-2B	min. max.	86,940 116,110
➤ LA-3A	min. max.	99,600 129,550
➤ LA-3B	min. max.	109,100 133,100

Appendix 10
Salary scales—Manitoba

Level	Step	Salary from March 24, 2001 to March 22, 2002
➤ Legal Counsel 1	1	35,027
	2	40,115
	3	46,318
	4	50,782
	5	55,718
	6	58,385
➤ Legal Counsel 2	1	64,172
	2	67,236
	3	70,489
	4	73,818
	5	76,844
	6	80,021
➤ Legal Counsel 3	1	71,700
	2	74,612
	3	77,619
	4	80,437
	5	83,388
	6	86,546
	7	89,667
		Salary from March 24, 2001 to September 21, 2001
➤ Legal Counsel 4	1	74,612
	2	77,619
	3	80,437
	4	83,388
	5	86,546
	6	89,743
		Salary from September 22, 2001 to March 22, 2002
➤ Legal Counsel 4	1	75,350
	2	78,395
	3	81,251
	4	84,220
	5	87,416
	6	90,631
	7	93,904

Appendix 11
Salary scales—Alberta

Level	Step	Salary from April 1, 2001 to March 31, 2002
➤ Legal Officer 1	1	51,180
	2	54,600
	3	59,796
	4	65,940
➤ Legal Officer 2	5-6	71,544
	7-8	77,628
	9-10	84,228
	11-12	91,260
➤ Legal Officer 3	min.	89,376
	max.	104,412
➤ Legal Officer 4	min.	98,316
	max.	108,144

Appendix 12
Salary scales—British Columbia

Level	Step	Salary as of April 1, 2001
➤ Legal Counsel 1	1	47,062
	2	50,536
	3	54,009
	4	57,483
	5	60,957
➤ Legal Counsel 2	1	65,010
	2	69,062
	3	73,114
	4	77,169
	5	80,385
➤ Legal Counsel 3A	1	86,816
	2	88,960
	3	91,102
	4	93,246
➤ Legal Counsel 3B	1	93,247
	2	95,620
	3	97,994
	4	100,367
➤ Legal Counsel 4	1	100,368
	2	104,550
	3	108,732
	4	112,914
	5	117,096

Appendix 13

Minimums and maximums, with differentials, positions on salary scale and comparative ratios, employer costs method, by level of experience, for « Crown prosecutor » jobs, by province and federal government, in 2001
 [Differential = (Québec - market)/Québec]

« Crown prosecutor » jobs+/years of relevant expérience	Québec work- force	Prov. And federal gov. Workforce	Workforce paid using salary scale	Maximums			Minimums			
				Market	Québec	Market	Diff.	Québec	Market	Diff.
				%	\$	%	\$	%		
Nova Scotia										
Crown prosecutor (0-4 ans)	19	3	100,0	54 422	56 800	-4,4	34 548	42 800	-23,9	
Crown prosecutor (5-9 ans)	49	12	100,0	66 499	74 000	-11,3	55 740	60 300	-8,2	
Crown prosecutor (10-14 ans)	46	26	100,0	77 739	86 089	-10,7	67 816	76 489	-12,8	
Crown prosecutor (15 ans et plus)	146	27	100,0	92 653	88 489	4,5	78 927	80 133	-1,5	
Average	...	...	100,0	78 767	81 157	-3,0	66 090	70 603	-6,8
New-Brunswick										
Crown prosecutor (0-4 ans)	19	...	100,0	54 422	45 110	17,1	34 548	32 734	5,3	
Crown prosecutor (5-9 ans)	49	6	100,0	66 499	65 754	1,1	55 740	45 110	19,1	
Crown prosecutor (10-14 ans)	46	6	100,0	77 739	81 354	-4,7	67 816	66 560	1,9	
Crown prosecutor (15 ans et plus)	146	33	100,0	92 653	82 205	11,3	78 927	68 113	13,7	
Average	...	...	100,0	78 767	74 215	5,8	66 090	58 470	11,5
Ontario										
Crown prosecutor (0-4 ans)	19	108	100,0	54 422	108 274	-99,0	34 548	77 470	-124,2	
Crown prosecutor (5-9 ans)	49	127	100,0	66 499	136 135	-104,7	55 740	91 459	-64,1	
Crown prosecutor (10-14 ans)	46	144	100,0	77 739	137 794	-77,3	67 816	93 788	-38,3	
Crown prosecutor (15 ans et plus)	146	179	100,0	92 653	142 639	-53,9	78 927	100 590	-27,4	
Average	...	...	100,0	78 767	136 482	-73,3	66 090	94 406	-42,8
Fédéral (excluding Toronto)										
Crown prosecutor (0-4 ans)	19	36	100,0	54 422	73 356	-34,8	34 548	52 201	-51,1	
Crown prosecutor (5-9 ans)	49	60	100,0	66 499	88 569	-33,2	55 740	64 656	-16,0	
Crown prosecutor (10-14 ans)	46	67	100,0	77 739	94 620	-21,7	67 816	70 436	-3,9	
Crown prosecutor (15 ans et plus)	146	91	100,0	92 653	99 637	-7,5	78 927	76 837	2,6	
Average	...	...	100,0	78 767	93 078	-18,2	66 090	69 830	-5,7
Fédéral (Toronto)										
Crown prosecutor (0-4 ans)	19	12	100,0	54 422	85 270	-56,7	34 548	55 885	-61,8	
Crown prosecutor (5-9 ans)	49	19	100,0	66 499	98 811	-48,6	55 740	62 717	-12,5	
Crown prosecutor (10-14 ans)	46	10	100,0	77 739	105 060	-35,1	67 816	65 870	2,9	
Crown prosecutor (15 ans et plus)	146	12	100,0	92 653	114 440	-23,5	78 927	79 661	-0,9	
Average	...	...	100,0	78 767	105 411	-33,8	66 090	69 783	-5,6
Manitoba										
Crown prosecutor (0-4 ans)	19	21	100,0	54 422	59 415	-9,2	34 548	36 415	-5,4	
Crown prosecutor (5-9 ans)	49	16	100,0	66 499	78 498	-18,0	55 740	60 712	-8,9	
Crown prosecutor (10-14 ans)	46	12	100,0	77 739	86 137	-10,8	67 816	69 053	-1,8	
Crown prosecutor (15 ans et plus)	146	34	100,0	92 653	90 386	2,4	78 927	72 367	8,3	
Average	...	...	100,0	78 767	83 343	-5,8	66 090	65 116	1,5
Alberta										
Crown prosecutor (0-4 ans)	19	36	100,0	54 422	70 863	-30,2	34 548	55 140	-59,6	
Crown prosecutor (5-9 ans)	49	20	100,0	66 499	91 918	-38,2	55 740	72 436	-30,0	
Crown prosecutor (10-14 ans)	46	56	100,0	77 739	99 445	-27,9	67 816	82 816	-22,1	
Crown prosecutor (15 ans et plus)	146	33	100,0	92 653	108 144	-16,7	78 927	98 316	-24,6	
Average	...	...	100,0	78 767	98 332	-24,8	66 090	83 875	-26,9
British Columbia										
Crown prosecutor (0-4 ans)	19	38	100,0	54 422	60 957	-12,0	34 548	47 062	-36,2	
Crown prosecutor (5-9 ans)	49	71	100,0	66 499	81 359	-22,3	55 740	65 931	-18,3	
Crown prosecutor (10-14 ans)	46	100	100,0	77 739	92 144	-18,5	67 816	84 496	-24,6	
Crown prosecutor (15 ans et plus)	146	122	100,0	92 653	99 470	-7,4	78 927	91 193	-15,5	
Average	...	...	100,0	78 767	89 387	-13,5	66 090	78 902	-19,4
Aggregated										
Crown prosecutor (0-4 ans)	19	146	100,0	54 422	84 869	-55,9	34 548	61 110	-76,9	
Crown prosecutor (5-9 ans)	49	204	100,0	66 499	104 249	-56,8	55 740	74 666	-34,0	
Crown prosecutor (10-14 ans)	46	277	100,0	77 739	108 258	-39,3	67 816	83 416	-23,0	
Crown prosecutor (15 ans et plus)	146	352	100,0	92 653	112 545	-21,5	78 927	88 814	-12,5	
Average	...	...	100,0	78 767	106 723	-35,5	66 090	81 247	-22,9

Position on salary scale		Comparative ratios		« Crown prosecutor » jobs/ years of relevant experience
Québec	Market	Québec	Market	
%		%		
56,1	83,3	84,0	95,9	Nova Scotia
52,6	67,9	92,3	94,1	Crown prosecutor (0-4 ans)
46,1	72,1	93,1	96,9	Crown prosecutor (5-9 ans)
65,7	100,0	94,9	100,0	Crown prosecutor (10-14 ans)
56,8	83,6	92,8	97,4	Crown prosecutor (15 ans et plus)
				Average
56,1	...	84,0	...	New-Brunswick
52,6	46,5	92,3	83,2	Crown prosecutor (0-4 ans)
46,1	65,2	93,1	93,7	Crown prosecutor (5-9 ans)
65,7	100,0	94,9	99,9	Crown prosecutor (10-14 ans)
56,9	75,9	93,7	93,6	Crown prosecutor (15 ans et plus)
				Average
56,1	32,2	84,0	80,0	Ontario
52,6	12,4	92,3	71,3	Crown prosecutor (0-4 ans)
46,1	34,9	93,1	79,2	Crown prosecutor (5-9 ans)
65,7	86,8	94,9	96,1	Crown prosecutor (10-14 ans)
56,8	50,4	92,8	84,2	Crown prosecutor (15 ans et plus)
				Average
56,1	45,2	84,0	84,3	Fédéral (excluding Toronto)
52,6	42,9	92,3	84,6	Crown prosecutor (0-4 ans)
46,1	72,2	93,1	93,0	Crown prosecutor (5-9 ans)
65,7	95,2	94,9	98,9	Crown prosecutor (10-14 ans)
56,8	71,6	92,8	92,5	Crown prosecutor (15 ans et plus)
				Average
56,1	55,9	84,0	83,9	Fédéral (Toronto)
52,6	57,2	92,3	84,0	Crown prosecutor (0-4 ans)
46,1	79,1	93,1	92,2	Crown prosecutor (5-9 ans)
65,7	87,4	94,9	95,5	Crown prosecutor (10-14 ans)
56,8	74,7	92,8	90,7	Crown prosecutor (15 ans et plus)
				Average
56,1	41,8	84,0	77,7	Manitoba
52,6	46,7	92,3	89,3	Crown prosecutor (0-4 ans)
46,1	89,4	93,1	97,9	Crown prosecutor (5-9 ans)
65,7	99,0	94,9	99,8	Crown prosecutor (10-14 ans)
56,8	77,9	92,8	94,5	Crown prosecutor (15 ans et plus)
				Average
56,1	30,3	84,0	84,6	Alberta
52,6	41,4	92,3	87,6	Crown prosecutor (0-4 ans)
46,1	85,7	93,1	98,2	Crown prosecutor (5-9 ans)
65,7	99,1	94,9	99,9	Crown prosecutor (10-14 ans)
56,8	74,6	92,8	94,9	Crown prosecutor (15 ans et plus)
				Average
56,1	66,4	84,0	92,4	British Columbia
52,6	42,5	92,3	89,1	Crown prosecutor (0-4 ans)
46,1	40,3	93,1	95,9	Crown prosecutor (5-9 ans)
65,7	61,4	94,9	97,1	Crown prosecutor (10-14 ans)
56,8	52,1	92,8	94,3	Crown prosecutor (15 ans et plus)
				Average
56,1	41,5	84,0	83,3	Aggregated
52,6	33,3	92,3	81,3	Crown prosecutor (0-4 ans)
46,1	54,5	93,1	90,2	Crown prosecutor (5-9 ans)
65,7	85,5	94,9	97,7	Crown prosecutor (10-14 ans)
56,8	60,6	92,8	90,4	Crown prosecutor (15 ans et plus)
				Average

Appendix 14

Compensation and differentials, by compensation type, employer costs method, by level of experience, for "Crown prosecutor" jobs, by province and federal government, in 2001
 [Differential = (Québec - Market)/Québec]

"Crown prosecutor" jobs/ years of relevant experience	Québec work- force	Direct Compensation (C)									Indirect Compensation (D)	
		Salaries (A)			Other direct compensation (B)			Total direct compensation (A + B) = (C)			Québec	Market
		Québec	Market	Diff.	Québec	Market	Diff.	Québec	Market	Diff.		
		\$			%			\$			\$	
Nova Scotia												
Crown prosecutor (0-4 years)	19	45,700	54,467	-19.2	87	0	45,787	54,467	-19.0	2,524	6,118	
Crown prosecutor (5-9 years)	49	61,399	69,600	-13.4	117	0	61,516	69,600	-13.1	3,380	7,566	
Crown prosecutor (10-14 years)	46	72,391	83,323	-15.1	139	0	72,529	83,323	-14.9	3,978	8,878	
Crown prosecutor (15 or more years)	146	83,869	88,489	-5.5	160	0	84,030	88,489	-5.3	4,604	9,372	
Average	..	74,814	81,529	-9.0	..	..	74,958	81,529	-8.8	..	..
New Brunswick												
Crown prosecutor (0-4 years)	19	45,700	54,708	10.9	117	0	61,516	54,708	11.1	3,380	4,919	
Crown prosecutor (5-9 years)	49	61,399	76,206	-5.3	139	0	72,529	76,206	-5.1	3,978	6,442	
Crown prosecutor (10-14 years)	46	72,391	82,113	2.1	160	0	84,030	82,113	2.3	4,604	6,860	
Average	..	77,110	75,413	2.2	..	..	77,257	75,413	2.4	..	..
Ontario												
Crown prosecutor (0-4 years)	19	45,700	83,299	-82.3	..	..	..	..	..	..	..
Crown prosecutor (5-9 years)	49	61,399	97,013	-58.0	..	..	..	..	..	..	..
Crown prosecutor (10-14 years)	46	72,391	109,161	-50.8	..	..	..	..	..	..	..
Crown prosecutor (15 or more years)	146	83,869	137,075	-63.4	..	..	..	..	..	..	..
Average	..	74,814	120,657	-61.3	..	..	..	..	..	..	..
Federal (excluding Toronto)												
Crown prosecutor (0-4 years)	19	45,700	61,329	-34.2	87	0	45,787	61,329	-33.9	2,524	9,986	
Crown prosecutor (5-9 years)	49	61,399	74,739	-21.7	117	0	61,516	74,739	-21.5	3,380	11,834	
Crown prosecutor (10-14 years)	46	72,391	87,873	-21.4	139	0	72,529	87,873	-21.2	3,978	13,787	
Crown prosecutor (15 or more years)	146	83,869	98,486	-17.4	160	0	84,030	98,486	-17.2	4,604	15,601	
Average	..	74,814	89,418	-19.5	..	..	74,958	89,418	-19.3	..	..
Federal (Toronto)												
Crown prosecutor (0-4 years)	19	45,700	69,027	-51.0	87	0	45,787	69,027	-50.8	2,524	11,025	
Crown prosecutor (5-9 years)	49	61,399	82,022	-33.6	117	0	61,516	82,022	-33.3	3,380	12,779	
Crown prosecutor (10-14 years)	46	72,391	96,873	-33.8	139	0	72,529	96,873	-33.6	3,978	14,784	
Crown prosecutor (15 or more years)	146	83,869	109,650	-30.7	160	0	84,030	109,650	-30.5	4,604	17,083	
Average	..	74,814	99,214	-32.6	..	..	74,958	99,214	-32.4	..	..
Manitoba												
Crown prosecutor (0-4 years)	19	45,700	46,171	-1.0	..	..	..	..	..	..	..
Crown prosecutor (5-9 years)	49	61,399	69,837	-13.7	..	..	..	..	..	..	..
Crown prosecutor (10-14 years)	46	72,391	84,304	-16.5	..	..	..	..	..	..	..
Crown prosecutor (15 or more years)	146	83,869	90,202	-7.6	..	..	..	..	..	..	..
Average	..	74,814	82,103	-9.7	..	..	..	..	..	..	..
Alberta												
Crown prosecutor (0-4 years)	19	45,700	59,614	-30.4	87	0	45,787	59,614	-30.2	2,524	9,074	
Crown prosecutor (5-9 years)	49	61,399	80,516	-31.1	117	0	61,516	80,516	-30.9	3,380	11,937	
Crown prosecutor (10-14 years)	46	72,391	97,575	-34.8	139	0	72,529	97,575	-34.5	3,978	14,273	
Crown prosecutor (15 or more years)	146	83,869	108,055	-28.8	160	0	84,030	108,055	-28.6	4,604	15,709	
Average	..	74,814	97,471	-30.3	..	..	74,958	97,471	-30.0	..	..
British Columbia												
Crown prosecutor (0-4 years)	19	45,700	56,295	-23.2	87	0	45,787	56,295	-22.9	2,524	7,778	
Crown prosecutor (5-9 years)	49	61,399	72,532	-18.1	117	0	61,516	72,532	-17.9	3,380	9,760	
Crown prosecutor (10-14 years)	46	72,391	88,273	-21.9	139	0	72,529	88,273	-21.7	3,978	11,681	
Crown prosecutor (15 or more years)	146	83,869	96,620	-15.2	160	0	84,030	96,620	-15.0	4,604	12,699	
Average	..	74,814	87,656	-17.2	..	..	74,958	87,656	-16.9	..	..
Aggregated												
Crown prosecutor (0-4 years)	19	45,700	68,588	-50.1	87	0	45,787	68,588	-49.8	2,524	8,437	
Crown prosecutor (5-9 years)	49	61,399	82,619	-34.6	117	0	61,516	82,619	-34.3	3,380	10,103	
Crown prosecutor (10-14 years)	46	72,391	96,017	-32.6	139	0	72,529	96,017	-32.4	3,978	11,785	
Crown prosecutor (15 or more years)	146	83,869	109,702	-30.8	160	0	84,030	109,702	-30.6	4,604	12,890	
Average	..	74,814	99,172	-32.6	..	..	74,958	99,172	-32.3	..	..

Annual compensation (C+D) = (E)			Actual hours at work (hours paid - paid time off) (F)			Total compensation (G)			"Crown prosecutor" jobs/ years of relevant experience
Québec	Market	Diff.	Québec	Market	Diff.	Québec	Market	Diff.	
\$		%	Number		%	\$/hour		%	
48,311	60,585	-25.4	1,548.0	1,569.1	-1.4	31.21	38.61	-23.7	Nova Scotia
64,896	77,166	-18.9	1,548.0	1,569.1	-1.4	41.93	49.18	-17.3	Crown prosecutor (0-4 years)
76,508	92,201	-20.5	1,548.0	1,569.1	-1.4	49.43	58.76	-18.9	Crown prosecutor (5-9 years)
88,633	97,861	-10.4	1,548.0	1,569.1	-1.4	57.25	62.37	-8.9	Crown prosecutor (10-14 years)
79,068	90,235	-14.1	1,548.0	1,569.1	-1.4	51.08	57.51	-12.6	Crown prosecutor (15 or more years)
									Average
64,896	59,628	8.1	1,548.0	1,636.0	-5.7	41.93	36.44	13.1	New Brunswick
76,508	82,648	-8.0	1,548.0	1,636.0	-5.7	49.43	50.52	-2.2	Crown prosecutor (0-4 years)
88,633	88,973	-0.4	1,548.0	1,636.0	-5.7	57.25	54.38	5.0	Crown prosecutor (5-9 years)
81,493	81,799	-0.4	1,548.0	1,636.0	-5.7	52.64	50.00	5.0	Crown prosecutor (10-14 years)
									Crown prosecutor (15 or more years)
									Average
..	..	..	..	..	..	..	..	..	Ontario
..	..	..	..	..	..	..	..	..	Crown prosecutor (0-4 years)
..	..	..	..	..	..	..	..	..	Crown prosecutor (5-9 years)
..	..	..	..	..	..	..	..	..	Crown prosecutor (10-14 years)
..	..	..	..	..	..	..	..	..	Crown prosecutor (15 or more years)
									Average
48,311	71,315	-47.6	1,548.0	1,701.2	-9.9	31.21	41.92	-34.3	Federal (excluding Toronto)
64,896	86,573	-33.4	1,548.0	1,700.6	-9.9	41.93	50.92	-21.4	Crown prosecutor (0-4 years)
76,508	101,660	-32.9	1,548.0	1,697.7	-9.7	49.43	59.90	-21.2	Crown prosecutor (5-9 years)
88,633	114,087	-28.7	1,548.0	1,691.9	-9.3	57.25	67.47	-17.9	Crown prosecutor (10-14 years)
79,068	103,578	-31.0	1,548.0	1,695.2	-9.5	51.08	61.14	-19.7	Crown prosecutor (15 or more years)
									Average
48,311	80,052	-65.7	1,548.0	1,701.2	-9.9	31.21	47.05	-50.8	Federal (Toronto)
64,896	94,801	-46.1	1,548.0	1,701.2	-9.9	41.93	55.73	-32.9	Crown prosecutor (0-4 years)
76,508	111,657	-45.9	1,548.0	1,701.2	-9.9	49.43	65.64	-32.8	Crown prosecutor (5-9 years)
88,633	126,733	-43.0	1,548.0	1,693.0	-9.4	57.25	74.92	-30.9	Crown prosecutor (10-14 years)
79,068	114,636	-45.0	1,548.0	1,696.6	-9.6	51.08	67.62	-32.4	Crown prosecutor (15 or more years)
									Average
..	..	..	..	..	..	..	..	..	Manitoba
..	..	..	..	..	..	..	..	..	Crown prosecutor (0-4 years)
..	..	..	..	..	..	..	..	..	Crown prosecutor (5-9 years)
..	..	..	..	..	..	..	..	..	Crown prosecutor (10-14 years)
..	..	..	..	..	..	..	..	..	Crown prosecutor (15 or more years)
									Average
48,311	68,688	-42.2	1,548.0	1,569.3	-1.4	31.21	43.77	-40.2	Alberta
64,896	92,453	-42.5	1,548.0	1,569.3	-1.4	41.93	58.92	-40.5	Crown prosecutor (0-4 years)
76,508	111,849	-46.2	1,548.0	1,569.3	-1.4	49.43	71.28	-44.2	Crown prosecutor (5-9 years)
88,633	123,764	-39.6	1,548.0	1,569.3	-1.4	57.25	78.86	-37.7	Crown prosecutor (10-14 years)
79,068	111,730	-41.3	1,548.0	1,569.3	-1.4	51.08	71.20	-39.4	Crown prosecutor (15 or more years)
									Average
48,311	64,073	-32.6	1,548.0	1,552.5	-0.3	31.21	41.28	-32.3	British Columbia
64,896	82,291	-26.8	1,548.0	1,552.5	-0.3	41.93	53.00	-26.4	Crown prosecutor (0-4 years)
76,508	99,954	-30.6	1,548.0	1,552.5	-0.3	49.43	64.39	-30.3	Crown prosecutor (5-9 years)
88,633	109,319	-23.3	1,548.0	1,552.5	-0.3	57.25	70.42	-23.0	Crown prosecutor (10-14 years)
79,068	99,262	-25.5	1,548.0	1,552.5	-0.3	51.08	63.94	-25.2	Crown prosecutor (15 or more years)
									Average
48,311	77,026	-59.4	1,548.0	1,636.3	-5.7	31.21	46.91	-50.3	Aggregated
64,896	92,722	-42.9	1,548.0	1,637.9	-5.8	41.93	56.53	-34.8	Crown prosecutor (0-4 years)
76,508	107,803	-40.9	1,548.0	1,624.7	-5.0	49.43	66.33	-34.2	Crown prosecutor (5-9 years)
88,633	122,591	-38.3	1,548.0	1,628.8	-5.2	57.25	75.10	-31.2	Crown prosecutor (10-14 years)
79,068	111,016	-40.4	1,548.0	1,630.3	-5.3	51.08	67.99	-33.1	Crown prosecutor (15 or more years)
									Average

Appendix 15

Specialized permanent (P) and casual (C) employees by province and federal government, in 2000

Reference period	Provinces and federal government															
	Québec ¹		Nova Scotia		New Brunswick		Ontario		Federal Gov.		Manitoba		Alberta		British Columbia	
	1997	..	2000	..	2001	..	2000	..	..	2000	..	2000	..	2000
	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C
Offences against the person
Domestic violence	39	..	..	..	..	..	2	..	..	..
Sexual offences	1	..	1	..	..	..	..	..	..	..	..	..	..	..
Young offenders	2	..	..	..	..	..	..	..	..	..	6	1	1.6	..
Economic crimes	4	..	..	..	..	..	X	..	..	..	4	5	18.0	..
Proceeds of crime	X	..	..	..	..	..	1.0	..
Organized crime	X	..	..	..	..	..	1.0	..
Electronic surveillance	1	..	..	..	X	..	..	..	..	..	..	..
International cooperation	X	..	..	..	..	..	..	..
Consultation services
Appeals	4	..	..	..	70 ²	..	..	..	..	..	8	..	11.1	..
Narcotics and drugs	X	..	..	..	..	..	..	..
Jury trial
Homicide
Crimes against children
Pimping and prostitution	1.0	..
Statutory (besides <i>Criminal Code</i> and <i>Controlled Drugs and Substances Act</i>)	4	..	..	..
Others (specify):																
Westray Mine	6	..	..	..	..	..	..	..	..	..	..	..	..	..
Shelburne school	3	..	..	..	..	..	..	..	..	..	..	..	..	..
Air India	8.3	..
Auto theft	1.0	..
Criminal gangs	1.0	..
Environment	6.9	1.0
Hate crimes	1.0	..
Violence against women	1.0	..
Offenders with mental disorders	0.5	..
Alternative measures	1.2	..
Highway safety initiatives	4.0	..
Justice information system	2.0	..
Electronic legal research	1.0	..
Review Board	1.0	..

Appendix 15 (continued)

Specialized permanent (P) and casual (C) employees by province and federal government, in 2000

Reference period	Provinces and federal government															
	Québec ¹		Nova Scotia		New Brunswick		Ontario		Federal Gov.		Manitoba		Alberta		British Columbia	
	1997	1997	2000	2000	2001	2001	2000	2000	..	..	2000	2000	2000	2000
	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C
Freedom of information	1.0	...
Dangerous offenders	1.0	...
Training of Crown prosecutors	0.6	...
Firearms	1.0	...
Contempt of court	1.0	...
Serious crimes	8.0	...
Case flow management rules	0.8	...
Special projects	2.0	...
Communications	1.0	...
Victims services	1.0	...
Aboriginal law or special legal proceedings	2	...	...	...	...	...	...	...	...	...	...	...
Smuggling	X	...	...	...	...	...	...	...
Agent supervision	X	...	...	...	...	...	...	...
Constitutional law	X	...	...	...	...	...	...	...
Tax evasion	X	...	...	...	...	...	...	...
Citizenship and immigration	X	...	...	...	...	...	...	...
Copyright	X	...	...	...	...	...	...	...
Recovery of fines	X	...	...	...	...	...	...	...
RCMP investigative teams	X	...	...	...	...	...	...	...
Protection of children and adults	3	...	...	...	...	...	...	...	...	...	...	...
TOTAL	20	..	7	..	109	..	..	..	..	..	24	6	80.0	1.0

¹ There are specialized employees, but the respondent is unable to provide reliable data in this regard.

² Of this number, five handle appeals of summary convictions in the Toronto region.

Appendix 16

Population (in thousands), number of actual legal proceedings (CC only) and actual legal proceedings per 1,000 inhabitants, by province and territory, in 2000

Provinces and territories	Population (thousands) ¹	Actual legal proceedings ²	Actual legal proceedings per 1,000 inhabitants
Québec	7,377.7	444,342	60.23
Nova Scotia	941.2	71,243	75.69
New Brunswick	755.3	49,320	65.30
Ontario	11,685.3	749,233	64.12
Manitoba	1,146.0	123,084	107.40
Alberta	3,009.2	264,423	87.87
British Columbia	4,058.8	457,302	112.67
Yukon	30.6	7,521	245.78
Northwest Territories	40.9	11,942	291.98
Nunavut	27.4	6,130	223.72

¹ Source: Statistics Canada, CANSIM II, table 051-0001. Last modified: February 21, 2002.

² Source: Statistics Canada, CANSIM II, table 252-0001 and publication 85-205-XIE. Last modified: February 21, 2002.

Appendix 17

Number of files, charges and indictments by province and federal government, in 2000

Indictments	Provinces and federal government							
	Qué. ¹	NS ²	NB ³	Ont. ⁴	Federal Gov. ⁵	Man.	Alb.	BC ⁶
Offences against the person			3,538				17,902	
➤ Homicide	50	28		81	..	..	89	69
➤ Criminal negligence and other offences causing death	4				..	..
➤ Attempt or conspiracy to commit murder	150	12			..	..	53	64
➤ Assault	17,285	4,491		57,902	..	..	14,206	18,020
➤ Sexual assault	1,071	305	392	6,108	..	..	1,273	1,748
➤ Other sexual offences	404	118		123	..	..	738	216
➤ Abduction or forcible confinement	428	110			..	..	504	27
➤ Robbery or extortion	4,817	255		6,150	..	..	1,039	1,230
➤ Criminal harassment	1,488				..	..
➤ Threats	5,775			21,878	..	..
➤ Other offences against the person	4			3,472	..	..
Property crimes			3,586	1,850			39,854	
➤ Arson	1,044	42			..	..	128	146
➤ Break and enter	26,879	1,800		18,344	..	..	3,993	3,350
➤ Motor vehicle theft	17,622				..	..		1,172
➤ Theft over \$5,000	2,026	330		8,440	..	..	11,961*	230
➤ Theft \$5,000 and under	44,596	3,020		72,820	..	..		14,638
➤ Possession of stolen goods	733	2,299			..	..	8,111	3,179
➤ Fraud	6,369	2,211	1,367	28,928	..	..	11,193	3,475
➤ Mischief	15,305	1,361			..	..	4,468	
Other criminal code offences							44,005	
➤ Prostitution	589				..	..		477
➤ Offences related to firearms and other weapons	306	943	310	14,401	..	..	3,001	991
➤ Offences against the administration of law and justice	6,360	7,426		94,589	..	..	23,252	12,897
➤ Acts against public morals or disorderly conduct	1,112	713	1,180	10,170	..	..	927	552
➤ Indecent or harassing telephone calls	959				..	..
➤ Others	919	2,039	2,886	64,400	..	..	16,825	21,218
Offences related to the proceeds of crime					..	..
Offences – operation of motor vehicles							25,695	
➤ Impaired driving	2,958	4,700	3,407	38,315	..	..	21,875	6,529
➤ Hit-and-run	983				..	..		377
➤ Other offences related to the operation of motor vehicles	334	694	20,397	8,694	..	..	3,820	2,073
Criminal Code - total	160,570	32,897	37,063	456,665	..	..	127,456	92,678
Offences related to controlled drugs and substances	2,986		1,488	38,313	..	..	7,811	
Offences under other federal statutes	70		1,145	14,847	..	..	3,236	
Offences under provincial statutes	575	11,036	7,335	1,669,867	..	..	..	9,430
TOTAL	164,201	43,933	47,031	2,179,692	37,723	..	138,503	102,108

¹ Source: *Ministère de la Sécurité publique* [Ministry of Public Safety]. Data from Uniform Crime Reporting – Incident-based Survey, extracted March 5, 2001.

² The data provided by Nova Scotia refer to "cases."

³ The data provided by New Brunswick refer to "charges disposed."

⁴ The data provided by Ontario refer to "charges received."

⁵ The data provided by the federal government refer to "charges."

⁶ The data provided by British Columbia refer to "offences cleared by charge."

* Includes all types of theft.

Appendix 18

Crown prosecutor workload indicators (specialty files, files appealed and other indicators) by province and federal government, in 2000

Crown prosecutor workload indicator	Provinces and federal government							
	Qué.	NS	NB	Ont.	Federal Gov.	Man.	Alb.	BC
Specialty files								
➤ Offences against the person	..	..	..	..	..	..	17,902	5,008
➤ Domestic violence	..	..	..	..	..	..	..	7,539
➤ Sexual offences	.. ¹	..	..	..	..	..	2,011	1,039
➤ Young offenders	15,983	..	4,414	..	..	..	..	8,413
➤ Economic crimes	..	..	..	..	..	..	..	..
➤ Proceeds of crime	..	..	..	..	..	..	..	..
➤ Organized crime	..	..	..	..	..	..	..	..
➤ Electronic surveillance	..	..	..	..	..	..	..	..
➤ International cooperation	..	..	..	..	..	..	..	..
➤ Consultation services	..	..	..	..	..	..	..	..
➤ Narcotics and drugs	10,055	..	..	..	..	..	..	..
➤ Jury trial	101	..	..	..	..	..	88	..
➤ Statutory (besides <i>Criminal Code</i> and <i>Controlled Drugs and Substances Act</i>)	96,483	..	..	..	..	..	..	2,209
➤ Others	..	..	..	..	..	..	..	54,804
TOTAL	199,652 ²	..	..	..	20,872	..	..	79,012
Files appealed								
➤ Superior Court	..	..	..	..	..	..	..	..
➤ Court of appeal	..	..	47	..	..	..	371	235
➤ Supreme Court	..	..	..	..	..	..	13	35
TOTAL	377	..	47	..	..	..	384	270
Other indicators								
➤ Trial with judge only	..	..	348	..	..	..	640	..
➤ Trial with judge and jury	242	..	73	..	..	..	83	..
➤ Laying of information	86,809	..	..	..	..	..	..	..
➤ Settlements by plea bargaining	..	..	..	..	..	..	..	..
➤ Prosecutions on summary conviction	..	..	..	..	..	..	..	..
➤ Transfers (young offenders)	32 ^e	..	..	..	..	..	12	..
➤ Adjournments	..	..	..	..	..	..	..	..
➤ Restraint orders and special warrants	..	..	..	..	..	..	..	..
➤ Ministerial requests	..	..	..	..	..	..	..	..
➤ Additional investigation (Qc) / Incomplete files (Can)	..	..	..	..	..	..	..	..
➤ Authorization of electronic surveillance	..	..	..	..	..	..	..	..
➤ Search warrants	23,511 ³	..	..	..	..	..	..	..
➤ Bail hearings	..	..	1,367	..	..	..	..	..
➤ Preliminary hearings	12,335 ^e	..	670	..	..	..	..	..
➤ Percentage of files invoking the Charter of Rights and Freedoms	..	..	..	..	..	..	..	..

¹ According to the respondent, the available data on sexual offences are not reliable and cannot be used for the purposes of this study.

² The total does not equal the sum of the indicators. We provide it as a point of additional information.

³ Includes warrants, telewarrants and seizures without a warrant.

^e The data provided is an estimate.

Appendix 19

Statutes under which prosecutions are handled by Crown prosecutors, by province and federal government, in 2000

Statutes	Provinces and federal government							
	Québec	NS	N.-B	Ont.	Federal Gov.	Man.	Alb.	BC
Federal statutes								
<i>Criminal Code</i>	✓	✓	✓	✓	✓	✓	..	✓
<i>Canadian Charter of Rights and Freedoms</i>	✓	✓	✓	✓	✓	✓	..	✓
<i>The Young Offenders Act</i>	✓	✓	✓	✓	✓	✓	..	✓
<i>Witness Protection Program Act</i>	✓	✓	✓	✓	✓	✓	..	
<i>DNA Identification Act</i>	✓						..	✓
<i>Controlled Drugs and Substances Act</i>	✓		✓		✓		..	
<i>The Firearms Act</i>	✓	✓	✓	✓	✓	✓	..	✓
<i>Corrections and Conditional Release Act</i>	✓	✓		✓		✓	..	✓
<i>Proceeds of Crime (Money Laundering) Act</i>	✓	✓	✓	✓	✓		..	✓
<i>Fisheries Act</i>	✓		✓		✓		..	✓
<i>Canada Marine Act</i>	✓				✓		..	
<i>Canadian Wildlife Act</i>	✓	✓						✓
<i>Wild Animal and Plant Protection Act</i>	✓	✓					..	✓
<i>Customs and Excise Act</i>					✓		..	
<i>Citizenship and Immigration Acts</i>					✓		..	✓
<i>Canada Labour Code</i>					✓		..	✓
<i>Environmental Protection Act</i>					✓		..	
<i>Copyright Act</i>					✓		..	
<i>Extradition Act</i>					✓		..	✓
<i>Hazardous Products Act</i>					✓		..	✓
<i>Income Tax Act</i>					✓		..	
<i>Bankruptcy and Insolvency Act</i>					✓		..	
Provincial statutes								
<i>Motor Vehicle Act</i>		✓	✓				..	✓
<i>An Act respecting offences relating to alcoholic beverages</i>	✓	✓	✓				..	✓
<i>Tobacco Act</i>	✓	✓	✓				..	✓
<i>Highway Safety Code</i>	✓	✓	✓	✓			..	
<i>Youth Protection Act</i>	✓		✓				..	✓

Appendix 20 Training and professional development

Provinces and federal government	Details
Québec	
➤ Law	Three days of intensive training are provided every 18 months.
➤ Management	Management training activities are provided on request.
➤ Time management	No
➤ Computer and information systems	Training on computer and information systems is provided on request.
➤ Training time	8,436 hours of training are allocated annually, i.e., 23 hours per Crown prosecutor.
➤ Training budget	\$290,502 is spent annually on training.
➤ Other	..
Nova Scotia	
➤ Law	Two conferences are held every year. Legal training is also provided.
➤ Management	...
➤ Time management	No
➤ Computer and information systems	No
➤ Training time	..
➤ Training budget	\$75,000 is spent annually on training.
➤ Other	..
New Brunswick	
➤ Law	Yes
➤ Management	..
➤ Time management	..
➤ Computer and information systems	..
➤ Training time	..
➤ Training budget	..
➤ Other	..
Ontario	
➤ Law	Yes
➤ Management	Yes
➤ Time management	No
➤ Computer and information systems	Yes
➤ Training time	..
➤ Training budget	\$1.8 million is spent annually on training.
➤ Other	..

Appendix 20 (continued)
Training and professional development

Provinces and federal government	Details
Federal government	
➤ Law	Yes
➤ Management	Yes
➤ Time management	Yes
➤ Computer and information systems	Yes
➤ Training time	..
➤ Training budget	The employer commits to providing 1.5% of its total payroll for training. Each employee must receive at least 5 days of training annually.
➤ Other	Seminars, conferences.
Manitoba	
➤ Law	Yes
➤ Management	..
➤ Time management	..
➤ Computer and information systems	..
➤ Training time	..
➤ Training budget	..
➤ Other	..
Alberta	
➤ Law	Three days of training are given twice a year.
➤ Management	..
➤ Time management	..
➤ Computer and information systems	..
➤ Training time	32 hours are allocated annually to each Crown prosecutor for training.
➤ Training budget	\$200,000 is spent annually on training.
➤ Other	..
British Columbia	
➤ Law	Yes
➤ Management	..
➤ Time management	..
➤ Computer and information systems	..
➤ Training time	..
➤ Training budget	Each Crown prosecutor is given an annual allowance of \$400 for books, software, membership in professional associations and courses or conferences related to their duties. An additional \$100 is given to each Crown prosecutor for professional development.
➤ Other	..

Appendix 21 Equipment and services

Provinces and federal government	Details
Québec	
> Car	No
> Uniform	Robes are provided. Cost for the current year is estimated at \$18,000. ^e
> Parking	An allowance for parking is provided. Cost for the current year is estimated at \$82,964. ^e
> Other	Laws and legal documents are provided by the employer. Cost for the current year is estimated at \$26,000. ^e
Nova Scotia	
> Car	No
> Uniform	An allowance for gowns is provided.
> Parking	..
> Other	..
New Brunswick	
> Car	..
> Uniform	..
> Parking	..
> Other	..
Ontario	
> Car	No
> Uniform	No
> Parking	No
> Other	No
Federal government	
> Car	No
> Uniform	The department pays for: one gown, three shirts, one barrister tab, unlimited cleaning.
> Parking	50% of parking is reimbursed for LA-2Bs and higher.
> Other	..
Manitoba	
> Car	A ministerial vehicle is provided for trials, where necessary.
> Uniform	If the employer deems a uniform is required, one is provided to the employee (cf. Letter of Understanding "Court attire").
> Parking	Parking is paid when the Crown prosecutor must attend Court.
> Other	..
Alberta	
> Car	..
> Uniform	..
> Parking	..
> Other	..
British Columbia	
> Car	..
> Uniform	..
> Parking	..
> Other	..

^eThe data provided is an estimate.

Appendix 22
Job security clauses

Provinces and federal
government

Existence of a job security clause

Québec > > Yes. Article 27 of the *Règlement sur les substituts du procureur général* [Regulations governing Crown Prosecutors] states: “Permanent Crown prosecutors and those who have completed the probation period may not be dismissed or removed from office except in accordance with the *Civil Service Act.*” [Translation]

Nova Scotia > > No

New Brunswick > > Yes

Ontario > > Yes

Federal government > > Yes

Manitoba > > No

However, for layoffs resulting from shortage of work, budget cuts, elimination of positions or organizational changes, Crown prosecutors are given a 30-day notice. The order of layoffs is based on seniority and merit. Laid-off employees are put on a bring-forward list for 12 months (cf. articles 24.01 to 24.06).

Laid-off Crown prosecutors receive one week of salary for each year of continuous service (cf. articles 25.02).

Alberta > > No

British Columbia > > No

Crown prosecutors in British Columbia belong to an “excluded management” group and do not have job security, unlike other public service employees. In the future cuts, the “ad hoc Crown Counsel” will be the first to go.

Appendix 22 (continued)
Job security clauses

Provinces and federal government	<i>Definition of job security</i>
Québec	➤ ➤ A letter of understanding concerning the job security package states: “For the duration of this agreement, the parties agree to discuss all problems stemming from the application of the job security package in the public service, given the distinctive nature of the status of Crown prosecutors.” [<i>Translation</i>]
Nova Scotia	➤ ➤ There is no job security clause. However, during a 1997 workforce reduction initiative, a departure incentive program was implemented. Staff was reduced based on seniority. A six-month notice was given. Every laid-off Crown prosecutor received severance pay equal to one month of salary per year of service.
New Brunswick	➤ ➤ There is a general clause that applies to all government employees affected by privatization or outsourcing.
Ontario	➤ ➤ Job security is not referred to as such. Section III of the master agreement describes the right of a Crown prosecutor to bump another Crown prosecutor with less seniority, provided the former has the experience and skills required by the position.
Federal government	➤ ➤ Crown prosecutors at level LA-1 or LA-2 whose jobs are cut are redeployed.
<i>Crown prosecutors with job security</i>	
Québec	➤ ➤ Permanent Crown prosecutors. Temporary and casual Crown prosecutors do not have job security.
New Brunswick	➤ ➤ Permanent Crown prosecutors.
Ontario	➤ ➤ Permanent Crown prosecutors.
Federal government	➤ ➤ Permanent Crown prosecutors at level LA-1 or LA-2A.
<i>Events triggering job security</i>	
New Brunswick	➤ ➤ Job cuts stemming from privatization or outsourcing.
Ontario	➤ ➤ Job cuts stemming from layoffs.
Federal government	➤ ➤ Elimination of positions, realignment of organizational structures and workforce redeployment.

Appendix 22 (continued)
Job security clauses

Provinces and federal
 government

Notice

- | | | |
|---------------------------|-----|--|
| Ontario | ➤ ➤ | Crown prosecutors whose positions are to be eliminated are given a 9-month notice. |
| Federal government | ➤ ➤ | Crown prosecutor whose positions are to be eliminated are given a 6-month notice. |

Options

- | | | |
|---------------------------|-----|--|
| New Brunswick | ➤ ➤ | Transfer. |
| Ontario | ➤ ➤ | There are several options: <ul style="list-style-type: none"> - Employee resignation or retirement: 9-month severance pay. - Severance pay of 1 week of salary per year of service. - Severance pay provided by law. - Pre-retirement arrangements. - Alternative work measures. - Bumping. - Redeployment list. - Bring-forward list. |
| Federal government | ➤ ➤ | Crown prosecutors are given priority for positions at the same level. |

Salary guarantees

- | | | |
|---------------------------|-----|---|
| New Brunswick | ➤ ➤ | Certain employee benefits are guaranteed with the new employer. |
| Ontario | ➤ ➤ | Salary level is guaranteed unless the new position is below CC2. |
| Federal government | ➤ ➤ | Salary level is guaranteed if the new position is at a lower level. |

Help for re-employment

- | | | |
|----------------|-----|---|
| Ontario | ➤ ➤ | Crown prosecutors can be on a redeployment list for the 9 months prior to dismissal or on a bring-forward list for 18 months after termination of employment. |
|----------------|-----|---|

Right to refuse an equivalent position

- | | | |
|---------------------------|-----|---|
| Federal government | ➤ ➤ | The right to refuse is limited. There must be reasonable grounds. |
|---------------------------|-----|---|

Obligations of available Crown attorneys

- | | | |
|---------------------------|-----|--|
| Federal government | ➤ ➤ | Crown prosecutors must accept a lateral move or a position at a lower level. |
|---------------------------|-----|--|

Reasons for dismissal or job loss

- | | | |
|---------------------------|-----|--|
| Federal government | ➤ ➤ | Repeated refusals to accept valid positions could result in dismissal or job loss. |
|---------------------------|-----|--|

Appendix 23
Overtime

Provinces and federal government	Overtime				
	Official policy	Number of overtime hours put in	Number of overtime hours paid	Number of overtime hours compensated	Disbursements for overtime
Québec	No	..	None	Hours worked on Saturday and authorized by the Chief Crown prosecutor are paid at double time.	None
Nova Scotia	No	About 400 hours per Crown prosecutor per year	None	One week of annual leave is granted to remunerate overtime.	None
New Brunswick	No	..	None	Crown prosecutors are entitled to one day of leave, not convertible into cash or accruable, for every day they must be on duty at Court on weekends.	None
Ontario	No	About 20 hours per week.	None	..	None
Federal government	No	..	None	One week of annual leave is granted to compensate overtime hours worked.	None
Manitoba	No	..	None	Under specific circumstances, Crown prosecutors who have worked several hours in addition to their regular working hours may, with the approval of their immediate supervisor, be paid for part of the hours worked (cf. article 13.02).	None
Alberta	No	About 10 hours per week.	None	..	None
British Columbia	No	..	None	As of April 2001, 3 days of leave are granted annually to remunerate overtime. In April 2002, five days will be granted.	None

⁶The data provided is an estimate.

Appendix 24

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by province and federal government, in 2001

General duties associated with judicial proceedings or related procedures	Provinces and federal government							
	Québec	NS	NB	Ont.	Fed. govt.*	Man.	Alta.	BC
♦ Evaluation of evidence and authorization of complaint								
➤ Advise police officers and assist them in writing all informations or warrants.	A	A	A	..	A	A	A	A
➤ Study reports and charges submitted by the police, evaluate available evidence related to the offence, ensure evidence is complete and subsequently request additional investigations.	A	A	A	..	A	A	A	A
➤ Request the issue of a search warrant.	A	N	N	..	A	N	A	A
➤ Meet the victims, witnesses and experts, and evaluate their testimony.	A	A	A	..	A	A	A	A
➤ Examine exhibits and visit the crime scene.	A	A	A	..	A	A	A	A
➤ Assess the appropriateness of laying charges.	A	A	A	..	A	A	A	A
➤ Authorize the laying of an information.	A	N	A	..	A	A	A	A
➤ Inform the investigator and the victim of the reasons for refusal to institute proceedings.	A	N	A	..	A	A	..	A
➤ Choose and write counts of indictment.	A	N	A	..	A	A	2	A
➤ Decide on the prosecution method (summary offence or indictable offence).	A	A	A	..	A	A	A	A
➤ Decide on the method of bringing the accused before the court (summons, promise to appear or arrest warrant).	A	N	A	..	A	N	N	A
➤ Determine the witness list.	A	A	A	..	A	A	A	A
➤ Conduct research on relevant points of law.	A	A	A	..	A	A	A	A
➤ Withdraw the information laid by the peace officer.	A	A	A	..	A	A	A	A
♦ Non-judicial treatment								
➤ Apply the program of non-judicial treatment of certain criminal offences committed.	A	A	A	..	A	N	A	A

Appendix 24 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by province and federal government, in 2001

General duties associated with judicial proceedings or related procedures	Provinces and federal government							
	Québec	NS	N.-B	Ont.	Fed. govt.*	Man.	Alta.	BC
◆ Release inquiry								
➤ Decide if appropriate to object to the release.	A	A	A	..	A	A	A	A
➤ Select and summon witnesses.	A	A	A	..	A	A	A	A
➤ Suggest imposition of conditions of release, request an adjournment of the inquiry with sureties or proceed with the release inquiry.	A	A	A	..	A	A	A	A
➤ Assess the appropriateness of having the court decision reviewed by a higher court.	2	A	A	..	A	2	2	A
➤ When the judge orders bail, verify and ensure the solvency of the bail.	A	N	A	..	A	N	N	A
➤ ➤ Prepare and make representations at the hearing for the review of the release and detention orders.	A	..	A	..	A	A	A	A
◆ Disclosure of evidence								
➤ Disclose all available and relevant evidence to the defence counsel.	A	A	A	..	A	A	A	A
◆ Preliminary inquiry								
➤ Examine the possibility of preferring an indictment.	3	A	A	..	2	A	N	A
➤ Prepare the hearing of the inquiry.		A	A	..	A	A	A	A
➤ Decide on the stay of proceedings.	2	A	A	..	A	A	N	A
➤ Meet the witnesses and victims, provide support and explain the proceedings to them.	A	A	A	..	A	A	A	A
➤ Consult the investigators and experts, and review their testimony.	A	A	A	..	A	A	A	A
➤ Summon the necessary witnesses.	A	A	N	..	A	A	A	A
➤ Proceed with the preliminary inquiry or consent to s. 549 c.c.	A	A	A	..	A	A	A	A
➤ Consent to a reoption.	A	..	A	..	A	A	A	A
➤ Decide as to follow-up on requests for transfer of district.	2	..	A	..	4	N	A	A

Appendix 24 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by province and federal government, in 2001

General duties associated with judicial proceedings or related procedures	Provinces and federal government							
	Québec	NS	N.-B	Ont.	Fed. govt.*	Man.	Alta.	BC
◆ Pre-hearing conference								
➤ Prepare the pre-hearing conference.	A	A	A	..	A	A	A	A
➤ Meet with defence counsel to negotiate certain admissions or a guilty plea and sentence.	A	A	A	..	A	A	A	A
➤ Proceed with the pre-hearing conference.	A	A	A	..	A	A	A	A
◆ Pro forma steps								
➤ Proceed with admissions.	A	A	A	..	A	A	A	A
➤ Establish availability dates for trial.	A	A	A	..	A	A	A	A
➤ Disclose the evidence.	A	A	A	..	A	A	A	A
➤ Register guilty pleas.	A	A	A	..	A	A	A	A
◆ Trial								
➤ Prepare the trial and conduct research on relevant points of law.	A	A	A	..	A	A	A	A
➤ Prefer the indictment.	A	A	A	..	A	A	N	A
➤ Decide whether to withdraw the charges prior to the plea.	A	A	A	..	A	A	A	A
➤ Debate various preliminary motions on merits.	A	A	A	..	A	A	A	A
➤ Choose the jury members (challenge, excuse, stand-by).	2	A	A	..	A	A	A	A
➤ State the case in a manner that will enable the judge and jury to understand, and follow the presentation of evidence.	2	A	A	..	A	A	A	A
➤ Present evidence and respond to objections of the defence.	A	A	A	..	A	A	A	A
➤ Assess the relevance and legality of rebuttal evidence and present it.	A	A	A	..	A	A	A	A
➤ Present an oral argument.	A	A	A	..	A	A	A	A
➤ In the case of a guilty verdict, assess the appropriateness of making representations to have the offender declared dangerous or long-term.	2	A	A	..	A	A	2	2

Appendix 24 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by province and federal government, in 2001

General duties associated with judicial proceedings or related procedures	Provinces and federal government							
	Québec	NS	N.-B	Ont.	Fed. govt.*	Man.	Alta.	BC
➤ Evaluate the sentence deemed appropriate and make representations.	A	A	A	..	A	A	A	..
➤ Request the issue of appropriate orders (DNA, forfeiture, restitution, firearms, etc.: s. 109 c.c.).	A	A	A	..	A	A	A	..
➤ In the case of an acquittal, analyze the judgment and the evidence, and assess the appropriateness of appealing the case.	2	A	A	..	A	2	A	2
➤ Conduct research on relevant points of law.	A	A	A	..	A	A	A	A

Duties associated with specific procedures

◆ **Extraordinary remedies**

➤ Institute proceedings and present arguments before the Superior Court to contest, annul or amend a decision by a trial judge.	2	A	A	..	A	2	A	2
➤ Write the relevant applications, conduct the necessary research and satisfy the court at the hearing.	2	A	A	..	A	A	A	2

◆ **Concerning breach of conditional sentence**

➤ Evaluate the evidence and, if necessary, institute judicial proceedings and argue the case in court.	A	A	A	..	A	A	A	A
➤ Prepare and request the issue of an order to revoke a firearm permit and/or to prohibit possession.	A	A	A	..	A	A	A	A

◆ **Concerning an order for payment of a fine**

➤ Evaluate the reports from the collector of fines.	A	N	A	..	A	N	..	N
➤ Assess the appropriateness of instituting proceedings.	A	N	A	..	A	N	..	N

◆ **Concerning a verdict of not criminally responsible on account of mental disorder**

➤ Transmit the appropriate documents to the administrative tribunal.	A	A	A	..	A	A	2	A
➤ Argue the case before the tribunal.	A	A	A	..	A	A	2	A

Appendix 24 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by province and federal government, in 2001

Duties associated with specific procedures	Provinces and federal government							
	Québec	NS	N.-B	Ont.	Fed. gov't.*	Man.	Alta.	BC
◆ Concerning an application for judicial review for reduction in the number of years before eligibility for parole (s. 745 c.c.)								
➤ Request the designation of an investigator to retrace the witnesses and the victim's family.	2	A	A	..	N	A	3	3
➤ Carry out the preliminary steps for the hearing of the application.	2	A	A	..	N	A	3	3
➤ If appropriate, request assessment of the applicant by a psychiatrist or an additional investigation on the applicant's attitude while serving his sentence.	2	A	A	..	N	A	3	3
➤ Make request to require written testimony of witnesses, victims or their families.	2	A	A	..	N	A	3	3
➤ If appropriate, contest the step provided for under section 745.61 of the c.c.	2	A	A	..	N	A	3	3
➤ Proceed with the hearing of the application.	2	A	A	..	N	A	3	3
◆ Concerning extradition								
➤ Assess the appropriateness of presenting a request for extradition.	2	A	3	..	A	2	4	2
➤ Prepare the required procedures.	2	A	3	..	A	2	4	2
➤ Present the extradition request.	2	N	3	..	A	2	4	2
➤ In the case of kidnapping of a child, attempt to negotiate the return of the child through consular affairs, concurrently with the extradition procedures.	2	N	3	..	N	2	4	N
➤ When a request is received from another country concerning a resident of your province, evaluate this request on the basis of principles and transmit the evaluation to the federal Crown prosecutor responsible for the file.	2	N	3	..	N	2	4	N
◆ Concerning informers as witnesses								
➤ Assess the advisability of using an informer as a witness.	3	A	A	..	A	3	N	3
➤ Meet the informer to assess his credibility and determine whether he meets the criteria.	3	N	3	..	A	3	N	3

Appendix 24 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by province and federal government, in 2001

Duties associated with specific procedures	Provinces and federal government							
	Québec	NS	N.-B	Ont.	Fed. gov't.*	Man.	Alta.	BC
➤ Negotiate and sign an agreement with the informer.	3	N	3	..	4	3	N	3
➤ Collaborate in the drafting of the annual report on the use of informers.	3	N	3	..	N	N	N	3
◆ Concerning examination for mental disorder								
➤ Ensure that the required material is obtained and available before the assessment examination.	A	A	A	..	A	A	A	A
◆ Concerning DNA procedures								
➤ Advise police officers with regard to the conditions for carrying out DNA procedures.	A	A	A	..	N	A	..	A
◆ Supervisory and administrative duties								
➤ Supervise the activities of other Crown prosecutors (plan, distribute and coordinate the team's work).	2	3	3	..	3	2	4	2
➤ Exercise administrative responsibilities.	2	A	3	..	3	2	4	2
➤ Participate in committees responsible for developing recommendations on legal and administrative procedures and protocols.	2	3	A	..	3	A	A	A
◆ Consulting duties in a given field of specialization								
➤ Serve as resource person and expert adviser in a given field of specialization.	3	2	3	..	3	A	A	A
➤ Serve on a committee in a given field of specialization.	3	2	2	..	3	A	A	A
➤ Teach courses, give lectures and publish articles in a given field of specialization.	3	..	3	..	A	A	A	A

* The data provided do not include Crown prosecutors working in the Far North.

N Task not conducted.

1. 0 to 5 years of relevant experience.

2. 5 to 10 years of relevant experience.

3. 10 to 15 years of relevant experience.

4. 15 or more years of relevant experience.

A All.

Appendix 25

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by province and federal government, in 2001

Duties associated with specialized files	Provinces and federal government																
	Québec		NS		NB		Ont.		Fed. gov.*		Man.		Alta.		BC		
	G	S	G	S	G	S	G	S	G	S	G	S	G	S	G	S	
◆ Youth																	
➤ Decide on the orientation of the young offender's file by authorizing judicial proceedings or by recommending the use of alternative measures in accordance with youth protection provisions.	..	A	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
➤ Discuss the orientation of the file with the provincial director.	..	A	A	..	A	..	..	..	..	N	N	N	N	..	..	A	A
➤ Re-evaluate the orientation of the file following the decision of the provincial director of youth protection.	..	A	A	..	..	..	..	..	..	N	N	N	N	..	..	A	A
➤ On occasion meet, discuss with and question experts.	..	A	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
➤ Assess the appropriateness of requesting a transfer to ordinary court (s. 16 and 16.101 <i>Young Offenders Act</i>).	..	A	A	..	A	..	..	..	..	N	N	2	2	2	2	2	2
➤ At the disposition stage, take cognizance of the pre-disposition report and obtain the testimony of the report's author.	..	A	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
➤ Meet with the parents to discuss the decision.	..	A	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
➤ Advise the educational and institutional authorities concerning police intervention.	..	2	A	..	A	..	..	..	..	N	N	A	A	N	N	A	A
➤ During the review of dispositions, examine the progress report on the adolescent, make the necessary representations and satisfy the court.	..	A	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
◆ Concerning sexual assault and physical abuse of children																	
➤ Meet the victims personally to determine their ability to testify, the quality of their testimony and the advisability of instituting proceedings.	A	2	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
➤ View the videotape of the victim's testimony.	A	2	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A
➤ Apply the multisector agreement (intervention protocol) concerning victims of child sexual assault and physical abuse.	2	2	A	..	A	..	..	..	..	N	N	N	N	A	A	A	A
➤ Meet and prepare experts, and arrange for their testimony.	A	2	A	..	A	..	..	..	..	N	N	A	A	A	A	A	A

Appendix 25 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by province and federal government, in 2001

Duties associated with specialized files	Provinces and federal government															
	Québec		NS		NB		Ont.		Fed. gov.*		Man.		Alta.		BC	
	G	S	G	S	G	S	G	S	G	S	G	S	G	S	G	S
➤ In the case of serious physical abuse, meet medical personnel, social workers and any other professionals.	2	2	A	..	A	..	..	..	N	N	A	A	A	A	A	A
➤ Refer victims to support services.	A	2	A	..	A	..	..	..	N	N	A	A	A	A	A	A
➤ Participate in the training of police officers.	2	2	N	N	2	..	..	..	N	N	A	A	A	A	2	2
◆ Concerning conjugal violence																
➤ Participate in the training of police officers.	A	..	N	N	2	..	..	..	N	N	A	A	A	A	2	2
➤ See to the victims' safety, the family's needs and family relationships.	A	..	N	N	N	..	..	..	N	N	N	N	A	A	A	A
➤ Facilitate contact between the victim and various community and social-services organizations and groups.	A	..	N	N	A	..	..	..	N	N	N	N	A	A	A	A
◆ Electronic surveillance																
➤ Advise police officers on the appropriateness of making an application for electronic interception of communication.	..	3	..	2	3	3	..	..	A	A	A	A	3	3	..	2
➤ Verify the peace officer's affidavit to ensure that it meets Criminal Code requirements.	..	3	..	2	3	3	..	..	A	A	A	A	3	3	..	2
➤ Verify the application and the proposed order to be presented and authorize and present the application to the judge.	..	3	..	2	3	3	..	..	A	A	A	A	3	3	..	2
➤ Advise police officers during the interception of communication.	..	3	..	2	3	3	..	..	A	A	A	A	3	3	..	2
◆ International legal cooperation																
➤ Prepare and present to the court the various procedures provided for by law.	..	2	N	N	..	4	..	..	A	..	N	N	..	3	..	2
➤ Verify the existence of a treaty between Canada and the country whose police force intends to request assistance.	..	2	N	N	..	4	..	..	A	..	N	N	..	3	..	2
◆ Support to Crown prosecutors and authorities																
➤ Assist less experienced Crown prosecutors with technical questions, provide information and legal opinions, and support and advise Crown prosecutors concerning prosecution files.	2	2	A	A	A	A	..	..	2	2	2	2	A	A	A	A

Appendix 25 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by province and federal government, in 2001

Duties associated with specialized files	Provinces and federal government															
	Québec		NS		NB		Ont.		Fed. gov.*		Man.		Alta.		BC	
	G	S	G	S	G	S	G	S	G	S	G	S	G	S	G	S
➤ Design pedagogical material, develop guidelines and texts for the application of legislative reforms, summarize decisions on jurisprudence, collaborate in the preparation of notes, memoranda and applications, and examine pleadings and related documents.	..	2	A	A	A	A	..	..	A	A	A	A	..	3	2	2
➤ Advise individuals responsible for the application of legislation as well as authorities of various government departments, and ensure their training.	..	2	3	3	3	3	..	..	A	A	A	A	..	3	A	A
➤ Participate in interdepartmental working groups and ensure liaison with interdepartmental, departmental or government organizations.	..	3	2	3	A	A	..	..	N	N	A	A	..	3	A	A
➤ Handle extremely complex and important cases, that is, major legal issues that call into question the justice system, the reputation of the department and the interests of the provinces.	..	3	3	3	3	3	..	..	3	3	3	3	..	3	2	2
➤ Prepare and produce oral and written legal opinions for the Attorney General and the public prosecution service.	..	2	A	A	3	3	..	..	A	A	A	A	..	3	3	3
➤ Request the forfeiture of sureties.	A	..	A	A	A	..	..	..	A	..	A	A	A	..	A	A
➤ Ensure the application of the Agreement respecting information on penitentiary sentences with the Correctional Services of Canada.	A	..	N	N	3	3	..	..	A	..	N	N	N	N	A	A
➤ Participate in committees responsible for developing recommendations on legal and administrative procedures and protocols.	2	..	A	A	3	3	..	..	3	3	A	A	..	..	A	A
➤ Draft all public statutes and regulations of the province, and assist government departments in developing their policies by drafting legislative proposals.	..	4	N	N	N	N	..	..	N	N	A	A	N	N	N	N
◆ Appeals																
➤ Decide whether a case should be appealed.	2	2	..	3	A	A	..	..	3	3	2	2	A	3	2	2

Appendix 25 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by province and federal government, in 2001

Duties associated with specialized files	Provinces and federal government															
	Québec		NS		NB		Ont.		Fed. gov.*		Man.		Alta.		BC	
	G	S	G	S	G	S	G	S	G	S	G	S	G	S	G	S
➤ Debate the various applications, in particular as regards release or admission of new evidence.	A	2	..	3	A	A	..	..	1	1	2	2	A	3	2	2
➤ Prepare and file a memorandum of appeal.	A	2	..	3	A	A	..	..	A	A	A	A	A	3	..	2
➤ Present and argue the appeal before the Appeal Court.	A	2	..	3	A	A	..	..	1	1	A	A	A	3	..	2
➤ Advise Crown prosecutors on legal and strategic questions concerning Trial Court files as well as cases appealed to the Appeal Court or the Supreme Court.	..	2	..	3	2	2	..	..	3	3	A	A	A	3	2	2
➤ Participate in the training of Crown prosecutors by writing texts or giving lectures.	..	2	..	3	A	A	..	..	3	3	2	2	A	3	A	A
➤ Draft memoranda and prepare arguments for the files under appeal.	A	2	..	3	A	A	..	..	3	3	A	A	A	3	A	A
➤ Keep a register of the files under appeal and report on them.	..	2	..	3	A	A	..	..	N	N	N	N	A	3	N	N
◆ Jury trials							..	..						
➤ Offer evidence in trials by judge and jury.	2	2	A	A	A	A	..	..	A	A	A	A	A	A	A	A
➤ Authorize and follow up on murder files until the conclusion of proceedings.	2	2	A	A	..	..	..	..	N	N	2	2	2	2	A	A
◆ Economic crimes							..	..						
➤ Study documentary evidence, statements and accounting evidence.	2	2	A	A	A	A	..	..	A	A	A	A	A	A	A	A
➤ Distinguish between the civil and criminal aspects of a fraudulent representation.	A	2	A	A	A	A	..	..	A	A	A	A	A	A	A	A
➤ Prepare the notices required under the <i>Canada Evidence Act</i> .	A	2	A	A	A	A	..	..	A	A	A	A	A	A	A	A
➤ Ensure that the professional privilege of other professionals (accountants, notaries) is respected.	2	2	A	A	A	A	..	..	A	A	A	A	A	A	A	A
➤ Determine whether the crime committed can be linked to s. 462.3 of the <i>Criminal Code</i> , which permits the forfeiture of any property obtained if it is proved that that property is proceeds of crime.	2	2	N	N	A	A	..	..	A	A	A	A	A	A	A	A

Appendix 25 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by province and federal government, in 2001

Duties associated with specialized files	Provinces and federal government															
	Québec		NS		NB		Ont.		Fed. gov.*		Man.		Alta.		BC	
	G	S	G	S	G	S	G	S	G	S	G	S	G	S	G	S
◆ Organized crime																
➤ Advise all police officers or investigators assigned to combating organized crime.	..	2	2	3	A	A	..	..	A	A	2	2	..	3	..	3
➤ Keep up-to-date registers, evidentiary plans and other analytical and supporting documents that may be created to enable the Crown prosecutor to authorize and lay informations against individuals under investigation.	..	2	N	N	A	A	..	..	1	1	2	2	..	3	..	3
➤ Provide professional development and training to police services and Crown prosecutors across the network.	..	2	..	3	A	A	..	..	2	2	2	2	..	3	..	3
◆ Proceeds of crime																
➤ During the investigation, advise all police officers or investigators assigned to deal with the proceeds of crime.	..	2	N	N	A	A	..	..	A	A	A	A	..	3	..	3
➤ Assist police officers in writing affidavits in support of applications for warrants or restraint orders.	..	2	N	N	A	A	..	..	A	A	A	A	..	3	..	3
➤ Write and present appropriate procedures.	..	2	N	N	A	A	..	..	A	A	2	2	..	3	..	3
➤ Verify, with the administrator of the property seized or subject to a restraint order, that the order and the resulting costs are respected.	..	2	N	N	A	A	..	..	A	A	N	N	..	3	..	3
➤ Ensure that forfeited property is disposed of in the most cost-effective manner.	..	2	N	N	A	A	..	..	N	N	N	N	..	3	..	3
➤ During the proceedings, collect and pay the amounts due.	..	2	N	N	A	A	..	..	N	N	N	N	..	3	..	3
◆ Penal																
➤ Advise client departments and all other persons responsible for the application of laws.	..	1	N	N	N	..	..	..	A	A	A	A	A	A	A	A
➤ Provide training to persons responsible for the application of laws.	2	..	N	N	A	A	..	..	2	2	N	N	A	A	A	A
➤ Participate in the development of penal legislation.	..	3	N	N	N	..	..	..	N	N	A	A	A	A	..	3

Appendix 25 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by province and federal government, in 2001

Duties associated with specialized files	Provinces and federal government																
	Québec		NS		NB		Ont.		Fed. gov.*		Man.		Alta.		BC		
	G	S	G	S	G	S	G	S	G	S	G	S	G	S	G	S	
◆ Advisory service																	
➤ Advise police officers on all legal questions arising in the course of an investigation.	..	3	A	..	A	A	..	..	A	A	A	A	A	A	A	A
➤ Advise and assist police officers in the writing of informations and warrants.	..	3	A	..	A	A	..	..	A	A	A	A	A	A	A	A
➤ Ensure the continuous availability of the advisory service (24 hours a day).	..	3	A	..	A	A	..	..	A	A	A	A	N	N	A	A
◆ Other duties																	
New Brunswick																	
➤ Protection of children and adults (Family Courts).																A	
➤ Aboriginal law (Massholl decision).																A	
➤ Special prosecution files (conflicts of interest, significant business crimes, provincial statutes).																A	
Québec																	
➤ Examine requests for DNA samples for retroactive situations.																2	
➤ Follow up on the Poitras Commission (review of police reports submitted pursuant to section 288 of the <i>Police Act</i>).																2	
➤ Participation on Crown attorney recruitment and selection juries.																2	
Alberta																	
➤ Mentor young Crown prosecutors.																2	2
➤ Propose new directions for public prosecutions.																A	A
➤ Seminar presentations.																A	A

* The data provided do not include Crown prosecutors working in the Far North.

N Task not conducted.

1. 0 to 5 years of relevant experience.

2. 5 to 10 years of relevant experience.

3. 10 to 15 years of relevant experience.

4. 15 or more years of relevant experience.

A All.

Appendix 26

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by territory, in 2001

General duties associated with judicial proceedings or related procedures	Federal Québec	Far North	
		Yukon	Nunavut
◆ Evaluation of evidence and authorization of complaint			
➤ Advise police officers and assist them in writing all informations or warrants.	A	A	N
➤ Study reports and charges submitted by the police, evaluate available evidence related to the offence, ensure evidence is complete and subsequently request additional investigations.	A	A	A
➤ Request the issue of a search warrant.	2	A	A
➤ Meet the victims, witnesses and experts, and evaluate their testimony.	A	A	A
➤ Examine exhibits and visit the crime scene.	A	A	A
➤ Assess the appropriateness of laying charges.	A	A	A
➤ Authorize the laying of an information.	A	N	N
➤ Inform the investigator and the victim of the reasons for refusal to institute proceedings.	A	A	A
➤ Choose and write counts of indictment.	A	A	A
➤ Decide on the prosecution method (summary offence or indictable offence).	A	A	A
➤ Decide on the method of bringing the accused before the court (summons, promise to appear or arrest warrant).	A	N	N
➤ Determine the witness list.	A	A	A
➤ Conduct research on relevant points of law.	A	A	A
➤ Withdraw the information laid by the peace officer.	N	A	A
◆ Non-judicial treatment			
➤ Apply the program of non-judicial treatment of certain criminal offences committed.	N	A	A
◆ Release inquiry			
➤ Decide if appropriate to object to the release.	1	A	A
➤ Select and summon witnesses.	A	A	A
➤ Suggest imposition of conditions of release, request an adjournment of the inquiry with sureties or proceed with the release inquiry.	A	A	A
➤ Assess the appropriateness of having the court decision reviewed by a higher court.	2	A	2
➤ When the judge orders bail, verify and ensure the solvency of the bail.	2	N	N
➤ Prepare and make representations at the hearing for the review of the release and detention orders.	2	A	A

Appendix 26 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by territory, in 2001

General duties associated with judicial proceedings or related procedures	Federal Québec	Far North	
		Yukon	Nunavut
◆ Disclosure of evidence			
➤ Disclose all available and relevant evidence to the defence counsel.	A	A	A
◆ Preliminary inquiry			
➤ Examine the possibility of preferring an indictment.	2	A	2
➤ Prepare the hearing of the inquiry.	A	A	A
➤ Decide on the stay of proceedings.	2	A	A
➤ Meet the witnesses and victims, provide support and explain the proceedings to them.	A	A	A
➤ Consult the investigators and experts, and review their testimony.	A	A	A
➤ Summon the necessary witnesses.	A	A	A
➤ Proceed with the preliminary inquiry or consent to s. 549 c.c.	A	A	A
➤ Consent to a reoption.	A	A	A
➤ Decide as to follow-up on requests for transfer of district.	A	A	2
◆ Pre-hearing conference			
➤ Prepare the pre-hearing conference.	A	A	A
➤ Meet with defence counsel to negotiate certain admissions or a guilty plea and sentence.	A	A	A
➤ Proceed with the pre-hearing conference.	A	A	A
◆ Pro Forma steps			
➤ Proceed with admissions.	A	A	A
➤ Establish availability dates for trial.	A	A	A
➤ Disclose the evidence.	A	A	A
➤ Register guilty pleas.	A	A	N
◆ Trial			
➤ Prepare the trial and conduct research on relevant points of law.	A	A	A
➤ Prefer the indictment.	A	A	N
➤ Decide whether to withdraw the charges prior to the plea.	A	A	A
➤ Debate various preliminary motions on merits.	A	A	A
➤ Choose the jury members (challenge, excuse, stand-by).	A	A	A
➤ State the case in a manner that will enable the judge and jury to understand, and follow the presentation of evidence.	A	A	A

Appendix 26 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by territory, in 2001

General duties associated with judicial proceedings or related procedures	Federal Québec	Far North	
		Yukon	Nunavut
➤ Present evidence and respond to objections of the defence.	A	A	A
➤ Assess the relevance and legality of rebuttal evidence, and present it.	A	A	A
➤ Present an oral argument.	A	A	A
➤ In the case of a guilty verdict, assess the appropriateness of making representations to have the offender declared dangerous or long-term.	N	A	2
➤ Evaluate the sentence deemed appropriate and make representations.	A	A	A
➤ Request the issue of appropriate orders (DNA, forfeiture, restitution, firearms, etc.: s. 109 c.c.).	A	A	A
➤ In the case of an acquittal, analyze the judgment and the evidence, and assess the appropriateness of appealing the case.	2	A	A
➤ Conduct research on relevant points of law.	A	A	A

Duties associated with specific procedures

◆ **Extraordinary remedies**

➤ Institute proceedings and present arguments before the Superior Court to contest, annul or amend a decision by a trial judge.	A	A	2
➤ Write the relevant applications, conduct the necessary research and satisfy the court at the hearing.	A	A	2

◆ **Concerning breach of conditional sentence**

➤ Evaluate the evidence and, if necessary, institute judicial proceedings and argue the case in court.	A	A	A
➤ Prepare and request the issue of an order to revoke a firearm permit and/or to prohibit possession.	A	A	A

◆ **Concerning an order for payment of a fine**

➤ Evaluate the reports from the collector of fines.	A	N	N
➤ Assess the appropriateness of instituting proceedings.	A	N	N

◆ **Concerning a verdict of not criminally responsible on account of mental disorder**

➤ Transmit the appropriate documents to the administrative tribunal.	N	A	2
➤ Argue the case before the tribunal.	N	A	2

Appendix 26 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by territory, in 2001

Duties associated with specific procedures	Federal Québec	Far North	
		Yukon	Nunavut
◆ Concerning an application for judicial review for reduction in the number of years before eligibility for parole (s. 745 c.c.)			
➤ Request the designation of an investigator to retrace the witnesses and the victim's family.	N	..	N
➤ Carry out the preliminary steps for the hearing of the application.	N	..	2
➤ If appropriate, request assessment of the applicant by a psychiatrist or an additional investigation on the applicant's attitude while serving his sentence.	N	..	2
➤ Make request to require written testimony of witnesses, victims or their families.	N	..	2
➤ If appropriate, contest the step provided for under section 745.61 of the c.c.	N	..	2
➤ Proceed with the hearing of the application.	N	..	2
◆ Concerning extradition			
➤ Assess the appropriateness of presenting a request for extradition.	2	N	N
➤ Prepare the required procedures.	2	N	N
➤ Present the extradition request.	2	N	N
➤ In the case of kidnapping of a child, attempt to negotiate the return of the child through consular affairs, concurrently with the extradition procedures.	N	N	2
➤ When a request is received from another country concerning a resident of your province, evaluate this request on the basis of principles and transmit the evaluation to the federal Crown prosecutor responsible for the file.	2	N	N
◆ Concerning informers as witnesses			
➤ Assess the advisability of using an informer as a witness.	2	A	2
➤ Meet the informer to assess his credibility and determine whether he meets the criteria.	2	A	2
➤ Negotiate and sign an agreement with the informer.	2	A	N
➤ Collaborate in the drafting of the annual report on the use of informers.	2	N	N
◆ Concerning examination for mental disorder			
➤ Ensure that the required material is obtained and available before the assessment examination.	N	A	A
◆ Concerning DNA procedures			
➤ Advise police officers with regard to the conditions for carrying out DNA procedures.	N	A	A

Appendix 26 (continued)

General duties associated with judicial proceedings or related procedures and number of years of experience a Crown prosecutor must have to perform that duty, by territory, in 2001

Duties associated with specific procedures	Federal Québec	Far North	
		Yukon	Nunavut
◆ Supervisory and administrative duties			
➤ Supervise the activities of other Crown prosecutors (plan, distribute and coordinate the team's work).	3	..	2
➤ Exercise administrative responsibilities.	2	..	2
➤ Participate in committees responsible for developing recommendations on legal and administrative procedures and protocols.	2	..	2
◆ Consulting duties in a given field of specialization			
➤ Serve as resource person and expert adviser in a given field of specialization.	3	N	N
➤ Serve on a committee in a given field of specialization.	3	N	2
➤ Teach courses, give lectures and publish articles in a given field of specialization.	A	N	N

N Task not conducted.

1. 0 to 5 years of relevant experience.

2. 5 to 10 years of relevant experience.

3. 10 to 15 years of relevant experience.

4. 15 or more years of relevant experience.

A All.

Appendix 27

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by territory, in 2001

Duties associated with specialized files	Federal		Far North			
	Québec		Yukon		Nunavut	
	G	S	G	S	G	S
◆ Youth						
➤ Decide on the orientation of the young offender's file by authorizing judicial proceedings or by recommending the use of alternative measures in accordance with youth protection provisions.	N	N	A	..	A	..
➤ Discuss the orientation of the file with the provincial director.	N	N	A	..	N	N
➤ Re-evaluate the orientation of the file following the decision of the provincial director of youth protection.	N	N	A	..	N	N
➤ On occasion meet, discuss with and question experts.	N	N	A	..	A	..
➤ Assess the appropriateness of requesting a transfer to ordinary court (s. 16 and s. 16.101 <i>Young Offenders Act</i>).	N	N	A	..	2	..
➤ At the disposition stage, take cognizance of the pre-disposition report and obtain the testimony of the report's author.	N	N	A	..	A	..
➤ Meet with the parents to discuss the decision.	N	N	A	..	A	..
➤ Advise the educational and institutional authorities concerning police intervention.	N	N	N	..	N	N
➤ During the review of dispositions, examine the progress report on the adolescent, make the necessary representations and satisfy the court.	N	N	A	..	A	..
◆ Concerning sexual assault and physical abuse of children						
➤ Meet the victims personally to determine their ability to testify, the quality of their testimony and the advisability of instituting proceedings.	N	N	A	..	A	..
➤ View the videotape of the victim's testimony.	N	N	A	..	A	..
➤ Apply the multisector agreement (intervention protocol) concerning victims of child sexual assault and physical abuse.	N	N	A	..	N	N
➤ Meet and prepare experts, and arrange for their testimony.	N	N	A	..	A	..
➤ In the case of serious physical abuse, meet medical personnel, social workers and any other professionals.	N	N	A	..	2	..
➤ Refer victims to support services.	N	N	A	..	A	..
➤ Participate in the training of police officers.	N	N	A	..	2	..
◆ Concerning conjugal violence						
➤ Participate in the training of police officers.	N	N	A	..	2	..
➤ See to the victims' safety, the family's needs and family relationships.	N	N	A	..	A	..
➤ Facilitate contact between the victim and various community and social-services organizations and groups.	N	N	A	..	A	..

Appendix 27 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by territory, in 2001

Duties associated with specialized files	Federal		Far North			
	Québec		Yukon		Nunavut	
	G	S	G	S	G	S
◆ Electronic surveillance						
➤ Advise police officers on the appropriateness of making an application for electronic interception of communication.	..	2	A	..	2	..
➤ Verify the peace officer's affidavit to ensure that it meets <i>Criminal Code</i> requirements.	..	2	A	..	2	..
➤ Verify the application and the proposed order to be presented and authorize and present the application to the judge.	..	2	A	..	2	..
➤ Advise police officers during the interception of communication.	..	2	A	..	2	..
◆ International legal cooperation						
➤ Prepare and present to the court the various procedures provided for by law.	..	2	N	..	N	N
➤ Verify the existence of a treaty between Canada and the country whose police force intends to request assistance.	..	2	N	..	N	N
◆ Support to Crown prosecutors and authorities						
➤ Assist less experienced Crown prosecutors with technical questions, provide information and legal opinions, and support and advise Crown prosecutors concerning prosecution files.	2	2	A	..	2	..
➤ Design pedagogical material, develop guidelines and texts for the application of legislative reforms, summarize decisions on jurisprudence, collaborate in the preparation of notes, memoranda and applications, and examine pleadings and related documents.	A	2	N	..	2	..
➤ Advise individuals responsible for the application of legislation as well as authorities of various government departments, and ensure their training.	A	2	A	..	N	N
➤ Participate in interdepartmental working groups and ensure liaison with interdepartmental, departmental or government organizations.	A	2	A	..	2	..
➤ Handle extremely complex and important cases, that is, major legal issues that call into question the justice system, the reputation of the department and the interests of the provinces.	3	3	N	..	2	..
➤ Prepare and produce oral and written legal opinions for the Attorney General and the public prosecution service.	A	2	A	..	N	N
➤ Request the forfeiture of sureties.	2	..	A	..	A	..
➤ Ensure the application of the Agreement respecting information on penitentiary sentences with the Correctional Services of Canada.	2	..	N	..	N	N
➤ Participate in committees responsible for developing recommendations on legal and administrative procedures and protocols.	2	..	A	..	2	..
➤ Draft all public statutes and regulations of the province, and assist government departments in developing their policies by drafting legislative proposals.	..	3	N	..	N	N

Appendix 27 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by territory, in 2001

Duties associated with specialized files	Federal		Far North			
	Québec		Yukon		Nunavut	
	G	S	G	S	G	S
◆ Appeals						
➤ Decide whether a case should be appealed.	3	3	A	..	2	..
➤ Debate the various applications, in particular as regards release or admission of new evidence.	2	..	A	..	A	..
➤ Prepare and file a memorandum of appeal.	2	..	A	..	2	..
➤ Present and argue the appeal before the Appeal Court.	2	..	A	..	2	..
➤ Advise Crown prosecutors on legal and strategic questions concerning Trial Court files as well as cases appealed to the Appeal Court or the Supreme Court.	2	2	A	..	2	..
➤ Participate in the training of Crown prosecutors by writing texts or giving lectures.	3	3	A	..	N	N
➤ Draft memoranda and prepare arguments for the files under appeal.	2	..	A	..	2	..
➤ Keep a register of the files under appeal and report on them.	4	..	A	..	N	N
◆ Jury trials						
➤ Offer evidence in trials by judge and jury.	A	..	A	..	A	..
➤ Authorize and follow up on murder files until the conclusion of proceedings.	N	N	A	..	2	..
◆ Economic crimes						
➤ Study documentary evidence, statements and accounting evidence.	A	A	A	..	2	..
➤ Distinguish between the civil and criminal aspects of a fraudulent representation.	A	A	A	..	2	..
➤ Prepare the notices required under the <i>Canada Evidence Act</i> .	A	A	A	..	A	..
➤ Ensure that the professional privilege of other professionals (accountants, notaries) is respected.	A	A	A	..	2	..
➤ Determine whether the crime committed can be linked to s. 462.3 of the <i>Criminal Code</i> , which permits the forfeiture of any property obtained if it is proved that that property is proceeds of crime.	A	A	A	..	2	..
◆ Organized crime						
➤ Advise all police officers or investigators assigned to combating organized crime.	2	2	..	..	2	..
➤ Keep up-to-date registers, evidentiary plans and other analytical and supporting documents that may be created to enable the Crown prosecutor to authorize and lay informations against individuals under investigation.	2	2	..	..	N	N
➤ Provide professional development and training to police services and Crown prosecutors across the network.	1	1	..	..	N	N

Appendix 27 (continued)

Duties associated with specialized files and number of years of experience a generalist (G) or specialist (S) must have to perform that duty, by territory, in 2001

Duties associated with specialized files	Federal		Far North			
	Québec		Yukon		Nunavut	
	G	S	G	S	G	S
◆ Proceeds of crime						
➤ During the investigation, advise all police officers or investigators assigned to deal with the proceeds of crime.	..	2	A	..	2	..
➤ Assist police officers in writing affidavits in support of applications for warrants or restraint orders.	..	2	A	..	2	..
➤ Write and present appropriate procedures.	..	2	A	..	2	..
➤ Verify, with the administrator of the property seized or subject to a restraint order, that the order and the resulting costs are respected.	..	2	A	..	2	..
➤ Ensure that forfeited property is disposed of in the most cost-effective manner.	..	2	A	..	N	N
➤ During the proceedings, collect and pay the amounts due.	..	2	A	..	N	N
◆ Penal						
➤ Advise client departments and all other persons responsible for the application of laws.	A	..	N	..	A	..
➤ Provide training to persons responsible for the application of laws.	A	..	N	..	N	N
➤ Participate in the development of penal legislation.	2	..	N	..	N	N
◆ Advisory service						
➤ Advise police officers on all legal questions arising in the course of an investigation.	A	..	A	..	N	N
➤ Advise and assist police officers in the writing of informations and warrants.	2	3	A	..	2	..
➤ Ensure the continuous availability of the advisory service (24 hours a day).	2	..	A	..	2	..

N Task not conducted.

1. 0 to 5 years of relevant experience.

2. 5 to 10 years of relevant experience.

3. 10 to 15 years of relevant experience.

4. 15 or more years of relevant experience.

A All.

Appendix 28
2001 Federal and Provincial Income Tax for Individuals

Taxable income	British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Québec	New Brunswick	Nova Scotia	Prince Edward Island	Newfoundland	Nunavut	Northwest Territories	Yukon	Non-Residents
20,000	2,890	2,724	3,394	3,341	2,794	3,858	3,233	3,212	3,248	3,345	2,920	2,920	2,791	2,981
25,000	4,055	4,024	4,769	4,731	3,904	5,376	4,517	4,550	4,538	4,673	4,080	4,080	4,109	4,165
30,000	5,220	5,324	6,144	6,076	5,014	7,064	5,801	5,860	5,828	6,025	5,240	5,240	5,277	5,349
35,000	6,784	6,879	7,874	7,912	6,506	9,007	7,558	7,662	7,542	7,888	6,770	6,770	6,817	6,910
40,000	8,409	8,479	9,649	9,822	8,068	10,988	9,399	9,510	9,332	9,796	8,365	8,365	8,423	8,538
45,000	10,034	10,079	11,424	11,732	9,630	12,969	11,240	11,357	11,122	11,704	9,960	9,960	10,029	10,166
50,000	11,659	11,679	13,199	13,642	11,192	14,950	13,081	13,205	12,912	13,612	11,555	11,555	11,635	11,794
55,000	13,284	13,279	14,974	15,552	12,779	17,028	14,922	15,052	14,746	15,520	13,150	13,150	13,241	13,422
60,000	14,909	14,879	16,749	17,462	14,433	19,172	16,763	16,914	16,605	17,465	14,745	14,745	14,847	15,050
70,000	18,788	18,418	20,888	21,729	18,541	23,742	20,929	21,120	20,933	21,968	18,427	18,427	18,554	18,809
80,000	22,958	22,018	25,088	26,069	22,882	28,363	25,181	25,395	25,370	26,533	22,197	22,197	22,402	22,657
90,000	27,178	25,618	29,288	30,409	27,223	32,984	29,433	29,829	29,807	31,097	25,967	25,967	26,258	26,505
100,000	31,448	29,218	33,488	34,749	31,564	37,605	33,685	34,263	34,244	35,661	29,737	29,737	30,114	30,353
110,000	36,018	33,118	37,988	39,389	36,205	42,477	38,369	38,996	38,981	40,525	33,942	33,942	34,415	34,645
120,000	40,588	37,018	42,488	44,029	40,846	47,348	43,053	43,730	43,718	45,389	38,147	38,147	38,715	38,937
130,000	45,158	40,918	46,988	48,669	45,487	52,220	47,737	48,464	48,455	50,253	45,352	45,352	46,557	47,521
140,000	49,728	44,818	51,488	53,309	50,128	57,091	52,421	53,197	53,192	55,118	46,557	46,557	47,317	47,521
150,000	54,298	48,718	55,988	57,949	54,769	61,963	57,105	57,931	57,929	59,982	50,762	50,762	51,618	51,813
200,000	77,148	68,218	78,488	81,149	77,973	86,320	80,525	81,600	81,614	84,303	71,787	71,787	73,121	73,273
300,000	122,848	107,218	123,488	127,549	124,383	135,035	127,365	128,937	128,984	132,945	113,837	113,837	116,128	116,193
400,000	168,548	146,218	168,488	173,949	170,793	183,750	174,205	176,274	176,354	181,586	155,887	155,887	159,135	159,113
500,000	214,248	185,218	213,488	220,349	217,202	232,465	221,045	223,611	223,724	230,228	197,937	197,937	202,142	202,033
750,000	328,498	282,718	325,988	336,349	333,226	354,253	338,145	341,953	342,149	351,833	303,062	303,062	309,660	309,333
1,000,000	442,748	380,218	438,488	452,349	449,250	476,040	455,245	460,296	460,574	473,437	408,187	408,187	417,177	416,633

TOP MARGINAL RATE (%)														
Capital gains	22.85	19.50	22.50	23.20	23.21	24.36	23.42	23.67	23.69	24.32	21.03	21.03	21.51	21.46
Dividends	32.21	24.08	29.58	33.83	31.34	33.44	32.38	31.92	31.96	31.87	28.40	28.40	29.04	28.98
Other income	45.70	39.00	45.00	46.40	46.41	48.72	46.84	47.34	47.37	48.64	42.05	42.05	43.01	42.92

- These tables cannot be used if taxable income includes Canadian dividends.
- Tax was calculated using the information available up to June 6, 2001, including budgets and draft legislation. Tax includes federal and provincial tax (including provincial surtax, where applicable), but excludes minimum tax. Where changes in tax rates are forecasted during the year, the average rates have been used.
- In 2001, all provinces are using a "Tax-on-Income" system and apply provincial tax rates to taxable income. For purposes of comparison, it is assumed that taxable income is the same for federal and provincial purposes. Tax for Yukon, Nunavut and non-residents is still calculated as a percentage of basic federal tax, and includes surtax, where applicable. Although the Northwest Territories has recently announced the adoption of "Tax-on-Income" for 2001, this should not result in a change in the tax rates.
- Low-income tax reductions and credits have been considered for provinces that have such incentives.
- In calculating tax, only the basic personal non-refundable credits, both federal and provincial, have been considered. The non-refundable credits for EI and CPP/QPP contributions, the Northern resident deduction, and refunds of GST and provincial sales taxes, have not been considered. For Québec, tax has been calculated under the General Tax System and does not consider the flat amount of \$2,515, which could reduce Québec tax by an additional \$522.
- The top marginal rates for Capital Gains are one-half of the rates for Other Income, reflecting the 50% inclusion rate for capital gains occurring after October 17, 2000.

Reminder: The maximum contributions to deferred income plans are \$13,500 for RRSP and RPP, and \$6,750 for DPSP.

Source: Samson Bélair, Deloitte and Touche

Appendix 29
2002 Federal and Provincial Income Tax for Individuals

2002
Combined Federal and Provincial Top Marginal Tax Rates for Individuals
and Federal and Provincial Tax Rates, Brackets and Surtaxes

Jurisdiction Budget Date	Top Marginal Rates			Tax Rates and Brackets	Surtax Rates and Thresholds	
	Salary and Interest %	Capital Gains %	Dividends %			
Federal	29.00	14.50	19.58	16.0% 22.0% 26.0% 29.0%	\$0 - 30,754 30,755 - 61,509 61,510 - 100,000 100,000 and over	
British Columbia March 15/01	43.70	21.85	29.71	6.05% 9.15% 11.7% 13.7% 14.7%	\$0 - 30,484 30,485 - 60,969 60,970 - 70,000 70,001 - 85,000 85,001 and over	
Alberta April 24/01	39.00	19.50	24.09	10%	All income	
Saskatchewan March 30/01	44.50	22.25	28.96	11.25% 13.25% 15.50%	\$0 - 30,000 30,001 - 60,000 60,001 and over	
Manitoba April 10/01	46.40	23.20	35.08	10.9% 15.4% 17.4%	\$0 - 30,544 30,545 - 65,000 65,001 and over	
Ontario May 9/01	46.41	23.20	31.33	6.05% 9.15% 11.16%	\$0 - 30,814 30,815 - 61,629 61,630 and over	20 % \$3,560 36 4,491
Québec March 29/01	48.21	24.11	32.82	16.0% 20.0% 24.0%	\$0 - 26,000 26,001 - 52,000 52,001 and over	
New-Brunswick March 27/01	46.84	23.42	32.39	9.68% 14.82% 16.52% 17.84%	\$0 - 30,754 30,755 - 61,509 61,509 - 100,000 100,000 and over	
Nova Scotia March 29/01	47.34	23.67	31.92	9.77% 14.95% 16.67%	\$0 - 29,590 29,591 - 59,180 59,181 and over	10 % \$10,000
P.E.I. March 29/01	47.37	23.69	31.96	9.8% 13.8% 16.7%	\$0 - 30,754 30,755 - 61,509 61,510 and over	10 % \$5,200
Newfoundland March 22/01	48.64	24.32	31.88	10.57% 16.16% 18.02%	\$0 - 29,590 29,591 - 59,180 59,181 and over	9 % \$7,032

**2002
Combined Federal and Provincial Top Marginal Tax Rates for Individuals
and Federal and Provincial Tax Rates, Brackets and Surtaxes**

Notes :

1. There has not been a federal budget in 2001, therefore no rate changes have yet been announced for 2002. The federal brackets for 2002 will be indexed for inflation once the inflation factor is determined. The inflation factor is based on the change in the average federal inflation rate over the 12-month period ending September 30 of the previous year compared to the change in the rate for the same period of the year prior to that.
2. B.C.'s brackets for 2002 will be indexed for inflation once the inflation factor is determined. B.C.'s inflation factor is based on the same formula as that used federally, but uses the B.C. inflation rate rather than the federal rate.
3. Ontario's brackets and surtax thresholds for 2002 will be indexed once the inflation factor is determined. Ontario's inflation factor is based on the same formula as that used federally, but uses the Ontario inflation rate rather than the federal rate.
4. Québec's brackets for 2002 will be indexed once the inflation factor is determined. Québec's inflation factor is based on the same formula as that used federally, but uses the Québec inflation rate rather than the federal rate.
5. N.B. and P.E.I. will both index their brackets for 2002 based on the federal inflation factor.

Source: KPMG Current as of June 15, 2001

Appendix 30

Cost of living Indexes¹ for all tax and non-tax components in three Canadian urban agglomerations, in August 1997
(Montréal = 100)²

	Montréal	Toronto	Vancouver
Middle-income households			
Couple with 2 children under age 6, \$50,000	100.0	115.4	124.3
Single person, \$50,000	100.0	106.1	112.7
High-income households			
Couple with 2 children under age 6, \$75,000	100.0	110.9	114.1
single person, \$75,000	100.0	106.7	107.0
Couple with 2 children, ages 17 and 18, \$100,000	100.0	109.0	108.6
Single person, \$100,000	100.0	106.6	104.8

¹ The index covers all income and other taxes collected by all levels of government and spending, before taxes, on goods and services.

² An index greater than 100 indicates a cost of living higher than that of Montréal.

Source: *Budget 1998-1999, La fiscalité des particuliers et le coût de la vie* [1998-1999 Budget, Income Tax for Individuals and Cost of Living], Government of Québec, ministère des Finances [Ministry of Finance]. Data prepared by Runzheimer Canada.

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