



Department of Justice Canada

1997-98
Estimates

Part III

Expenditure Plan

The Estimates Documents

The Estimates of the Government of Canada are structured in three Parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve. The Part III documents provide additional detail on each department and its programs primarily in terms of the results expected for the money spent.

Instructions for obtaining each volume can be found on the order form enclosed with Part II.

©Minister of Supply and Services Canada 1997

Available in Canada through

Associated Bookstores and other booksellers

or by mail from

Canada Communication Group – Publishing
Ottawa, Canada K1A 0S9

Catalogue No. BT31-2/1998-III-20
ISBN 0-660-60078-1



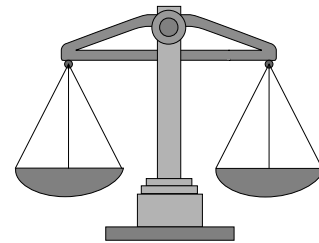
Department of Justice Canada

1997-98
Estimates

Part III

Expenditure Plan

Approved



1997-98 Estimates

Part III

Department of Justice Canada

The Mission of the Department of Justice is to:

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

The Honourable Allan Rock
Minister of Justice and
Attorney General of Canada



Preface

The Department of Justice is a single-program department within the federal justice portfolio. It is comprised of three activities: Government Client Services, Law and Policy, and Administration.

This document is a report to Parliament to indicate how resources voted by Parliament have or will be spent. As such, it contains several levels of detail to respond to the various needs of its audience. The document is designed to permit easy access to specific information that the reader may require. The Table of Contents provides a detailed guide to each section and cross-references are made throughout the document to allow the reader to find additional information on items of particular interest.

The Part III for 1997-98 is based on a revised format intended to make a clear separation between planning and performance information, and to focus on the higher level, longer term plans and performance of departments.

The information contained in this document is divided into four sections:

- The Minister's Executive Summary presents a summary of the key Departmental plans and priorities and actual results achieved;
- The Departmental Plan section provides information with respect to the funding provided in the 1997-98 Estimates and projected for the following two years and the associated initiatives and performance expectations. It should be noted that the dollar amounts displayed for 1998-99 and 1999-00 are for information purposes only and represent the funding related to the plans outlined in this document - not amounts voted by Parliament;
- The Departmental Performance section provides information with respect to both the program and financial performance for the year 1995-96; and
- The Supplementary Information section provides more detailed information, particularly on performance and plans.

The first section is preceded by an Overview of the Justice Portfolio.

It should be noted, that in accordance with Operating Budget principles, human resource consumption reported in this document is measured in terms of employee full-time equivalents (FTE). An FTE refers to the employment of one person for one full year or the equivalent thereof.



Table of Contents

Preface	ii
Portfolio Overview	II
I. Minister's Executive Summary	2
II. Departmental Plan	4
A. Summary of Departmental Plans and Priorities	4
B. Departmental Overview	5
C. Details by Business Line	14
1. Government Client Services	14
2. Law and Policy	19
3. Administration	26
III. Departmental Performance	30
A. Summary of Departmental Performance	30
B. Departmental Overview	30
C. Details by Business Line	31
1. Government Client Services	31
2. Law and Policy	36
3. Administration	38
IV. Supplementary Information	41
Appendix 1 - Organization	41
. Organization Chart	41
. Resource Requirements by Organization and Business Line/Activity for 1997-98	42
Appendix 2 - Personnel Requirements	43
. Details of Personnel Requirements by Business Line/Activity	43
. Summary by Professional Category	44
Appendix 3 - Additional Financial Information	45
. Transfer Payments by Business Line/Activity	45
. Details of Transfer Payments by Business Line/Activity	46
. Description of Cost-shared Programs	47
. Description of the Public Legal Education and Information Program	50
Appendix 4 - Other Information	51
. Acts for which the Minister of Justice has Responsibility	51
. List of Upcoming Consultation Documents and Current Publications	52
. Socio-Legal Research Areas	54
. Details of Law Reform Work	55
. Evaluations, Audits and Reviews by Business Line/Activity	56
. Location of Departmental Offices	59
Index	61



Portfolio Overview

1997-98 Expenditure Plan

Roles and Responsibilities within the Portfolio

Administration of Justice Program: The Department of Justice is responsible for the legal affairs of the government as a whole, and for offering legal services to individual departments and agencies through functions related to the Offices of the Attorney General and of the Minister of Justice.

The Attorney General protects the interests of the Crown within the framework of existing legislation. This involves providing legal advice and services to federal departments and agencies. The Department is also responsible for the regulation and conduct of litigation for all federal departments and agencies, for drafting legislative instruments and for ensuring that legislation and regulations comply with the Charter of Rights and Freedoms and with other government policy and legislation. The Attorney General also prosecutes for violations of all legislation, other than the Criminal Code, in the provinces and for violations of all federal legislation, including the Criminal Code, in the territories.

The function of the Minister of Justice relates mainly to the policy considerations underlying the substantive law that is within the Minister's direct authority. Amongst others, these considerations relate to: the implementation of policy objectives through program and other initiatives; the legal content of government bills, regulations and departmental guidelines which may affect fundamental rights and freedoms; issues relating to a fair and equitable justice system; and, the legal mechanisms used by departments and agencies to achieve the overall objectives of the government.

Included within the portfolio are independent organizations, namely:

Canadian Human Rights Commission: The Canadian Human Rights Commission combats discrimination within federal jurisdiction. The Commission administers the Canadian Human Rights Act. It is empowered to investigate complaints of discrimination, to approve settlements, to recommend the appointment of independent human rights tribunals and to end discriminatory policies and practices by means of education and research. The Commission also conducts audits of federally-regulated employers and federal departments and agencies under the Employment Equity Act

Commissioner for Federal Judicial Affairs: The Office of the Commissioner for Federal Judicial Affairs administers Part I of the Judges Act which provides for the payment of salaries, allowances and annuities to the judges of the Federal Court of Canada, the Tax Court of Canada and to the judges of the superior courts of the provinces and territories. It also provides administrative services to the Canadian Judicial Council and is responsible for the preparation of budgetary submissions of the Federal Court of Canada, the Tax Court of Canada and the Canadian Judicial Council.

Federal Court of Canada: The Federal Court of Canada, through its Trial and Appeal Divisions, provides a court of law, equity and admiralty for the better administration of the laws of Canada, and has civil and criminal jurisdiction over diverse matters such as admiralty, intellectual property, citizenship, offences under Combines legislation, and litigation brought for and against the government. The Federal Court may hear appeals against rulings of the Tax Court, and is empowered to review decisions of federal boards, commissions and tribunals such as the Immigration and Refugee Board. The Federal Court of Appeal is the penultimate source of decisions on these questions.



Human Rights Tribunal Panel: The Human Rights Tribunal Panel is a quasi-judicial body which was created under the Canadian Human Rights Act to inquire into complaints of discrimination and determine whether or not there has been a contravention of the Act. Members of the Human Rights Tribunal Panel are appointed by Order-in-Council and serve on a part-time basis. The President of the Human Rights Tribunal Panel selects from the Panel members to serve on each individually appointed tribunal. Tribunals conduct public hearings and make decisions based on the merits of the complaint and on the evidence adduced at the hearing. Support services for the tribunal operations are provided by a Registry based in Ottawa.

Offices of the Information and Privacy Commissioners of Canada

Information Commissioner: The Information Commissioner is a special ombudsman appointed by Parliament to investigate complaints that the government has denied rights under the Access to Information Act— Canada’s freedom of information legislation. Passage of the Act in 1983 gave Canadians the broad legal right to information recorded in any form and controlled by most federal government institutions. The Commissioner is independent of government and has strong investigative powers. These powers are real incentives to government institutions to adhere to the Act and respect the rights of applicants. As an ombudsman, the Commissioner may not, however, order a complaint to be resolved in a particular way. Thus, the Commissioner relies on persuasion to solve disputes, requesting a Federal Court review only if it is believed that an individual has been improperly denied access.

Privacy Commissioner: The Privacy Commissioner is a special ombudsman who reports directly to the Speakers of the Senate and House of Commons. The Commissioner is appointed under the Privacy Act to review complaints that a federal government institution has mishandled an individual’s application to see personal records, or is collecting, using, disclosing or disposing of personal information in a manner that breaches the Act. As an ombudsman, the Commissioner cannot order a government agency to comply with his recommendations. Nevertheless, if it is believed that access to personal records has been improperly denied the Commissioner may request a Federal Court review. The Commissioner may also report directly to Parliament on matters considered important or urgent.

Supreme Court of Canada: The Supreme Court is the highest court of the land and as such it is one of Canada's most important national institutions. As the final general court of appeal it is the last judicial resort for litigants, either individuals or governments. Its jurisdiction embraces both the civil law of the province of Quebec and the common law of the other nine provinces and two territories.

The Supreme Court hears cases from the provincial and territorial Courts of Appeal and from the Appeal Division of the Federal Court of Canada. In addition, the Court is required to give its opinion on any question referred to it by the federal government (or “Governor in Council”). The Court assures uniformity, consistency and correctness in articulation, development and interpretation of legal principles throughout the Canadian judicial system.

Tax Court of Canada: The Tax Court of Canada was established in 1983. It replaced the Tax Review Board, the members of which became judges. In December 1990, the legislation which provided for the Goods and Services Tax (GST) gave the Tax Court of Canada the exclusive jurisdiction to hear and determine references and appeals under the GST.



The Tax Court of Canada has exclusive jurisdiction to hear and determine references and appeals on matters arising under several statutes relating mainly to taxation and pension and social security benefits. The Court, with its headquarters in Ottawa, consists of the Chief Judge, the Associate Chief Judge and 20 other Judges, plus four Supernumerary Judges. To ensure the expeditious hearing of appeals, the Chief Judge may, with the approval of the Governor in Council, appoint Deputy Judges, of which there are currently ten.

Main Estimates of the Department and by Agency under the Minister of Justice's Portfolio

(thousands of dollars)	Main	Main	Planned [#]	Planned [#]
	Estimates 1996-97	Estimates 1997-98	1998-99	1999-00
Department of Justice	451,633	433,926	407,557	404,342
Canadian Human Rights Commission	15,717	14,175	14,200	14,200
Commissioner for Federal Judicial Affairs	215,858	224,343	231,300	238,800
Federal Court of Canada	29,771	30,074	30,200	29,700
Human Rights Tribunal Panel *	N/A	1,927	1,900	1,500
Offices of the Information and Privacy Commissioners of Canada	6,262	6,120	6,139	6,143
Supreme Court of Canada	14,496	14,435	14,400	14,600
Tax Court of Canada	10,992	10,916	10,100	10,100
Ministry Budget	\$ 744,729	\$ 735,916	\$ 715,796	\$ 719,385

* In 1996-97 and earlier, resources for the Human Rights Tribunal Panel were included in the budget of the Canadian Human Rights Commission .

The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.

Separate Main Estimates, Part III documents are produced for the Department of Justice and each Agency under the Minister of Justice's Portfolio. For explanation of the changes between Main Estimates 1996-97 and 1997-98, see the Program Expenditure Plan, Part III of the Estimates of the respective Agency.



1997-98 Estimates

Part III

Department of Justice Canada

Section I

Minister's Executive Summary

A Message from the Minister of Justice

The Department of Justice was created in 1868 to provide legal services to the Government of Canada, its departments and agencies. It also plays an important policy role in protecting the safety and rights of Canadians and providing them with an accessible, efficient and fair justice system.

While the mandate of the Department remains largely unchanged over 128 years, the challenges facing the Minister, the Department and Canadian society as a whole have changed substantially as has the Department itself. In 1868, the Department employed two barristers at law, and had a total staff of seven. Today, the Department employs close to 2,000 people, about half of whom are members of the legal profession, and we have offices throughout the nation. This is an indication of the considerable value Canadians attach to the rule of law and the protection of their rights and freedoms. Canadians have high expectations of their justice system, and rightly so.

In the past year, the Department has made significant progress in meeting those expectations, particularly in delivering on its commitment to improve the safety of Canadians.

We see this in new legislation like Bill C-68 (Gun Control) which provides for stiff four-year mandatory minimum sentences for the use of a firearm during the commission of a violent crime, and also provides for safe storage, gun registration and licensing that will give the police new capacity to trace guns used in crimes and to screen out potential abusers. We see it in new laws that address the problem of high-risk offenders by toughening the sentencing and correctional regime for those who pose a high risk of committing another violent offence. And we see it in new laws aimed at toughening the consequences for violent young offenders. This is all legislation that goes to the very heart of what Canadians expect from their government -- measures that protect their right to feel safe in their homes and communities.

But Canadians increasingly recognize that safety cannot be served by harsher sentences and higher incarceration rates alone. In the coming year, the Department will continue to pursue an effective, balanced and sustainable approach to public safety. Priorities include the development of innovative alternatives to incarceration for low-risk offenders and measures that address not only crime itself but its causes. These are complex challenges, involving a broad spectrum of issues and problems. Partnership -- among governments, non-government organizations and communities -- will be key to our efforts in this area.

The National Crime Prevention Council, established by myself and Solicitor General Herb Gray, will also continue to play a leadership role in our efforts to break the cycle leading to crime and victimization. There is a realization among Canadians that a safe society depends on literacy as much as jails and children who are cherished rather than impoverished. The Council will be there to help Canadians identify effective crime prevention strategies and to unify the efforts not only of governments but also of our many other crime prevention partners in communities across Canada.



Canadians also look to their governments to place high importance on the core values that distinguish us among nations – fairness, tolerance and equality. Canada remains a leader and key defender of human rights.

Last year, the Canadian Human Rights Act was amended to make discrimination based on sexual orientation unlawful. We also took action to toughen penalties for those who engage in hate crimes against vulnerable groups. We have introduced a bill to modernize the child support system so that the needs of children are addressed and divorced parents are treated more fairly. In the year to come, we will pursue implementation of the new system. We have also taken steps to address gender equality issues in the justice system, including restricting access to records of victims and witnesses in sexual assault cases. The Department is also establishing a system whereby all aspects of the Department's work – policies, programs, legislation and litigation – are reviewed for their implications for gender equality. This will have a major impact on our efforts to create a justice system that reflects the reality and meets the needs of Canadian women. As the Department looks toward the future, we will continue to explore how our laws and justice system can better serve all Canadians, particularly children, youth, families, seniors and those with disabilities.

And as we do so, we will continue to place a high priority on wisely using the resources entrusted to us. The Department continues to vigorously pursue ways to improve the efficiency, cost-effectiveness and quality of the services it provides, and we continue to do so in a climate where demand is increasing but resources are not.

A particularly important development at the Department is the Client Driven Services Initiative, which has resulted in collaborative, client-focused service agreements between the Department and the federal departments and agencies that use our legal services. In these agreements, priorities and levels of service are agreed upon and cost-effective legal solutions, such as dispute resolution, are promoted.

The Department is also working on improved technology like legal reference and case management systems, use of the Internet; pursuing less costly alternatives to more formal and expensive court proceedings; and better systems for managing our work more efficiently, including improved human resources management and better accountability mechanisms, to name only a few.

At the core of all these efforts is the recognition that the justice system is there to serve all Canadians and meet their evolving needs. If our justice system is to be truly effective, it must have the understanding and confidence of those it serves. Today, Canadians want to be better informed about how their justice system works and have meaningful opportunities to influence its evolution. In cooperation with our many partners, the Department of Justice will continue to work at developing a responsive, modern and cost-effective justice system that earns the trust, respect and support of Canadians.

Allan Rock,
Minister of Justice and
Attorney General of Canada



Section II

Departmental Plan

A. Summary of Departmental Plans and Priorities

The Department is committed to addressing public concerns through a well-focused policy agenda and is working to become more efficient in its handling of litigation, legislative services and other services in order to control costs while fulfilling its responsibilities. The Department will respond to issues in an effective and fiscally responsible manner. Concern over the growing costs of the justice system will continue to drive the Department's efforts to identify cost-effective responses to justice issues and to reduce the demands on the criminal justice system, in particular, without compromising personal safety and security.

In delivering its policy function, the Department must deal with rapid and dramatic societal changes. For example, the needs and demands of a Canadian population that is growing in both ethnic and demographic diversity must be addressed. It must also acknowledge the growing complexity and inter-relatedness of the issues that concern Canadians. Complex social policy problems demand comprehensive and integrated responses and ways have to be found to bring all relevant players together in the search for effective, enduring solutions. Ensuring that the justice system is fair and accessible to all Canadians remains an overriding objective of the government and the Department.

The Department intends to continue to pursue a balanced criminal policy agenda which will seek appropriate measures to control criminals who present a high risk of offending, while pursuing more effective approaches for low-risk offenders emphasizing diversion and alternatives to incarceration. Concerns about crime and violence in society will also be addressed through such measures as comprehensive firearms control, youth justice reform and the work of the National Crime Prevention Council. The Department will also focus on justice issues relating to families, child support, children and youth, Aboriginal people, the Canadian Human Rights Act, and information law.

On the operational side, the Department continues to face a significant increase in demand for its litigation and legal advisory services. The Department has had to reconsider the way it delivers these services in order to continue to deliver high-quality legal services as cost-effectively as possible. The Department will continue to build on recently introduced initiatives such as the Client Driven Services (CDS) Initiative and to promote the use of dispute resolution as a means of more effectively and efficiently resolving disputes in which the federal government is involved. Finally, information technology initiatives have been instituted that will facilitate the implementation of efficient and effective work processes.

In delivering its various functions, the Department will enhance its efforts to ensure recognition of, and respect for, the duality of Canada's legal system derived from the Civil Law and the Common Law.



B. Departmental Overview

1. Roles, Responsibilities and Mission

The Department of Justice was created by an Act of Parliament on May 22, 1868, eleven months after Confederation. The Department is responsible for the legal affairs of the government as a whole, and for offering legal services to individual departments and agencies through functions related to the Offices of the Attorney General and the Minister of Justice.

The Minister of Justice is concerned with matters of policy underlying the law. As such, the Minister must ensure that laws are fair and in compliance with constitutional principles. Proposed legislation and regulations must be examined to ensure that they do not infringe upon fundamental human rights and freedoms.

The Attorney General protects the interests of the Crown within the framework of existing legislation. This involves providing legal advice and services to federal departments and agencies and the regulation and conduct of litigation for all federal departments and agencies. The Attorney General is also responsible for the prosecution of all violations of federal legislation in Canada, except for Criminal Code offences in the provinces.

The duties of the Minister of Justice and the Attorney General of Canada are distinct and separate but are traditionally carried out by the same person. The Minister is the legal adviser to the Governor General and the chief legal member of the Queen's Privy Council for Canada. The Attorney General is the chief law officer of the Crown, representing the Crown in all litigation of concern to the federal government, including that of all departments and agencies of the government.

Mandate: The duties and responsibilities of the Department of Justice are set out in the Department of Justice Act under which the Department provides a full range of legal services to the Government of Canada. These services include the provision of legal advice, the preparation of legal documents, the drafting of government bills and the drafting/examination of regulations and the conduct of litigation. The Department is charged with ensuring that the administration of public affairs is carried out in accordance with the law. The Department also has the lead responsibility in the planning, development and implementation of government policies in areas related to the administration of justice and other areas as assigned by the Governor in Council.

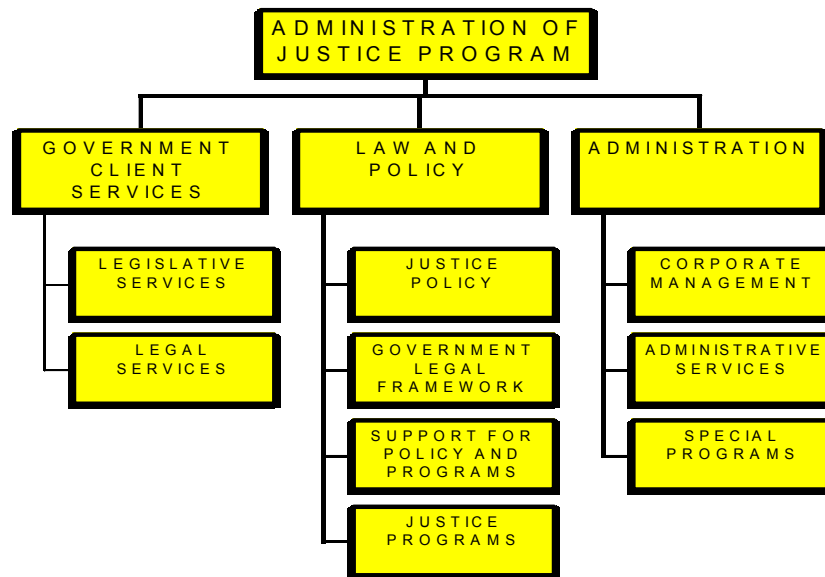
In addition to the Department of Justice Act, the principal legislation governing the work of the Department includes the Canadian Bill of Rights, the Statutory Instruments Act and the Statute Revision Act. The Canadian Bill of Rights and the Department of Justice Act impose a duty to examine all bills introduced by ministers in the House of Commons and all regulations submitted to the Clerk of the Privy Council for registration in order to ascertain whether their provisions are consistent with the purposes and provisions of the Canadian Bill of Rights and the Canadian Charter of Rights and Freedoms. In both cases, the Minister is required to report any inconsistency to the House of Commons as soon as possible. The Statutory Instruments Act requires that regulations be examined on the basis of the criteria set out in that Act. The Statute Revision Act provides for the periodic revision and consolidation of the Statutes of Canada and the regulations thereunder. Acts for which the Minister of Justice has responsibility are listed on page 51.

Program Objective: To provide the Government of Canada and federal departments and agencies with high-quality legal services, have superintendence of all matters connected with the administration of justice in Canada which are not within provincial or territorial jurisdiction and to propose policy and program initiatives in this context with a view to ensuring that Canada is a fair, just and law-abiding society with an accessible, equitable, efficient and effective system of justice.

2. Organization and Program Composition

Activity Structure: The Administration of Justice Program is composed of three activities, which represent the general business areas of the Department. The three activities and their associated sub-activities are presented in Figure 1.

Figure 1: Activity Structure



Organization Structure: The Administration of Justice Program is administered by the Deputy Minister and Deputy Attorney General who is accountable to the Minister of Justice and Attorney General of Canada for the management of the Program.

The Department's structure is aimed at serving clients better; working more closely with clients to meet budget reductions while still providing high-quality services; serving the Government and the Minister in an integrated fashion; and changing the working environment to promote a number of important values, such as teamwork, employment equity and empowerment.

There are three sectors and three branches reporting to the Deputy Minister: the Legal Operations Sector; the Policy Sector; the Civil Law and Corporate Management Sector; the Legislative Services Branch; the Information Management Branch; and the Communications and Executive Services Branch. An organization chart is presented on page 41.



The distribution of resources by organizational unit and by Business Line/Activity for 1997-98 is presented in the Supplementary Information section on page 42.

The services of the Administration of Justice Program are provided through three highly decentralized organizational components: Headquarters in Ottawa; 35 Departmental Legal Services Units (DLSUs) co-located with specific client departments and agencies; and twelve offices located across Canada (see Supplementary Information, page 59).

The Department has six portfolios within the Legal Operations Sector. The Department's three principal clients, Revenue Canada, Citizenship and Immigration and the Department of Indian and Northern Affairs, are each served through the Tax Law Services, Citizenship and Immigration, and Aboriginal Affairs portfolios. The Department's other clients are clustered under the Regulatory Group, the Business Group and the Central Agency Group portfolios.

In recognition of the increasingly important role of regional offices in providing full service operations to client departments, one of the objectives of the Department's reorganization was to increase the responsibility of the regional offices. This has been accomplished through a move to fewer and larger regions to reflect the regional structures of many of the Department's clients.

Four regions (Atlantic, Ontario, British Columbia and Yukon, and Prairies and Northwest Territories) report to the Associate Deputy Minister, Legal Operations, while the Quebec Region reports to the Associate Deputy Minister, Civil Law and Corporate Management. This division in the reporting relationship reflects the difference between the civil law system in Quebec and the common law systems in the other provinces and territories. The major part of the workload at regional offices relates to civil litigation, tax litigation and federal prosecutions matters but an increasing proportion of resources is being devoted to providing legal advisory services to clients as they decentralize their operations. The offices of Yellowknife, Iqaluit, Inuvik and Whitehorse also prosecute offences under the Criminal Code in the Territories. Regional managers are accountable for service delivery and dealings with clients at the regional level.

3. Corporate Objectives and Priorities

The Department of Justice has three distinct roles within the Government of Canada. The roles are those of a service department providing an extensive range of legal services to client departments, a policy department responsible for the development of broad criminal and social policies, and a central agency role ensuring the consistent development, interpretation and application of law.

The Department is continuing to focus on the delivery of high quality, cost-effective services to clients, within a modernized legal framework. Policy development remains a priority for the Department. In collaboration with federal and provincial counterparts, the Department will be developing a comprehensive approach to introduce changes to the criminal justice system to make it more effective. The Department will also ensure that the framework for personal rights and freedoms is strong.

For each business line, extensive environmental scanning has produced a set of clearly defined goals and various strategies for achieving these goals. Appropriate performance measures have been identified as a means of assessing the Department's progress towards achievement of the specific goals (see pages 19, 25, and 29).

The following provides a summary of the Department's goals by business line for 1996-97 to 1999-00.

Government Client Services: Faced with declining resources and increasing demands, the Department's challenge is to continue to provide quality legal services. The Department's Client Driven Services (CDS) Initiative will continue to be the primary means of addressing this challenge. In partnership with its clients, service agreements are expected to be finalized for all client department and agencies in 1997-98.

As a means of identifying more innovative and cost-effective approaches to service delivery, the Department's efforts include the piloting of cost-recovery models, examination of alternative service delivery mechanisms (Crown agents vs. in-house counsel), and development and implementation of a litigation strategy which will place emphasis on the early stages of the criminal process in order to concentrate the resources of the justice system on more complex and serious cases. The Department will continue its commitment to explore the use of out-of-court dispute resolution mechanisms.

Law and Policy: The Department's efforts to ensure that Canadian law and institutions keep pace with rapid economic, social and technological change and strive for greater equality of Canadians have been reflected in the policy directions listed on page 21.

Specific initiatives will include implementing the government's child support reforms and continuing to provide legal, strategic and policy advice on measures to help Aboriginal groups take greater responsibility over the administration of justice in their communities. Additional measures designed to achieve fairness and equity in the justice system will include reviewing the human rights system and legislation, developing mechanisms to ensure that legislation and policies are consistent with the principles of gender equality, supporting the efforts of the judiciary to implement social context training, and applying a diversity perspective and analysis to justice policies.

Supporting the efforts of regulatory departments to streamline their regulatory process and developing a compliance strategy will promote effective and efficient use of regulatory mechanisms. Other initiatives include examining the effectiveness of court procedures, reviewing access to information and privacy legislation and practices, enhancing the compatibility of federal laws with the civil law system, and negotiating and implementing private international law conventions and other international instruments. The Department will also continue to support the establishment of a modern law commission to review the justice system and make recommendations on legal reform.

In addition to a youth justice initiative and a decriminalization review aimed at making more appropriate use of the criminal justice system, the Department will also introduce a small number of highly-targeted measures to deal with violent, high-risk offenders balanced by a strong emphasis on crime prevention and increased use of cost-effective, non-carceral alternatives for low-risk, non-violent offenders. Implementation of the government's Firearms Control Program will also continue.

Recognizing that complex social policy problems cannot be solved by the justice system alone, the Department is working in partnership with other systems to develop effective, enduring responses to crime and violence and build a safe society. The health care, educational, social welfare and economic systems have an important role to play, as do other levels of government, non-governmental organizations, communities, families and individuals.



Administration: Having a representative, motivated and productive workforce is one Departmental goal. The key to achievement of this goal is the development of an integrated approach to human resources management. The Department will put mechanisms in place that will facilitate consultation and multi-disciplinary teams, and encourage innovation and risk taking. The Department will foster a culture that reflects the values of teamwork, respect for others, fairness in decision-making, empowerment and horizontal problem solving. In order to ensure that the Department benefits from the perspectives and experiences of a diverse workforce, human resources planning activities will take into account employment equity objectives in light of current economic and demographic factors (e.g., Canada's aging workforce).

Re-engineering exercises in the Department are expected to result in further re-structuring and realignment of work processes. The Department recognizes the role of information and technology in creating an environment which fosters efficiency and innovative management approaches. The Department's plans include the completion of several custom applications such as electronic timekeeping and case management systems. In 1997-98, the Department will be consolidating its headquarters offices into the East Memorial Building and St. Andrews Tower from its seven existing locations.

4. Operating Context

A variety of economic, demographic and social forces are currently creating pressures for change in the justice system.

Social Justice Issues: National objectives directed toward ensuring social justice for Canadians, and especially women, children and youth, Aboriginal people, persons with disabilities, and minority groups will continue to demand particular attention in all the Department's policy and program development activities.

Demographic Factors: Canada's aging population is bringing issues such as age discrimination, rights to medical treatment, euthanasia, assisted suicide, and the rights of disabled persons to prominence. Canada's increasing ethnic and cultural diversity is creating more opportunities for urban tensions, and heightening the demand for a justice system that accommodates everyone. Continuing changes in the role and functioning of Canadian families, such as high divorce and remarriage rates and non-traditional families seeking acceptance, require integrated responses to be developed. There is also a need to adapt the justice system to the effects of globalization on population, immigration and economic markets.

Public Expectations: The justice system is the subject of increased scrutiny, criticism and expectations by the Canadian public. There is a consistently high level of public concern about crime and in particular violent crime. Society is changing rapidly. Overall, the Canadian public is more informed, and better educated. Consequently, the public is demanding more accessible, efficient, cost-effective and transparent political and decision-making processes with greater public involvement. The demand for improved service delivery with less duplication reflects the expanding needs and expectations of client departments and agencies.

Cooperation with Partners: Cooperation, collaboration and partnership with provinces and territories and other partners in the justice system (i.e. non-governmental organizations) are essential in order to respond to the underlying causes of societal problems. The various levels of government are demonstrating a willingness to deal with issues collectively and to assess the appropriate role for government, especially in an era of restraint. Within the federal government the reality of fiscal restraint has reinforced the need to cooperate and strive for creative, effective, multi-disciplinary and system-wide approaches to pressing social justice policy issues.



Diminishing Resources/Increasing Demands: The Department continues to face the dual challenge of responding to increased demands for its services from its client departments, while addressing the fiscal realities of reduced resource levels. Fiscal restraint will continue to require new approaches to the planning, development and delivery of the Department's program.

Globalization: Domestic policy issues, such as immigration and access to information and privacy issues, are increasingly moving into the international arena, creating pressure for national governments to reconcile global changes and realities to national and local needs.

5. Resource Plan and Financial Tables

Figure 2: Spending Authorities

A. Authorities for 1997-98 - Part II of the Estimates

Financial Requirements by Authority			
Vote	(thousands of dollars)	1997-98 Main Estimates	1996-97 Main Estimates
Justice			
1	Operating Expenditures	159,051	172,261
5	Grants and Contributions	256,283	261,170
(S)	Minister of Justice - Salary and Motor Car Allowance	49	49
(S)	Contributions to Employee Benefit Plans	18,543	18,153
Total Department		433,926	451,633

Votes - Wording and Amounts		
Vote	(dollars)	1997-98 Main Estimates
Department		
1	Justice - Operating Expenditures	159,051,000
5	Justice - The Grants listed in the Estimates and contributions	256,282,862



Figure 3: Departmental Overview

(thousands of dollars)	Main	Main	Planned [#]	Planned [#]
	Estimates 1996-97	Estimates 1997-98	1998-99	1999-00
Gross Estimates	451,633	433,926	407,557	404,342
Revenue to the Vote				
Total Main Estimates	451,633	433,926	407,557	404,342
Revenue credited to the Consolidated Revenue Fund	10,738	11,458	11,458	11,458
Estimated Cost of Services provided by other Departments	26,607	24,548	24,548	24,548
Net Cost of the Department	467,502	447,016	420,647	417,432

[#] The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.

Figure 4: Appropriated Planned Spending

(thousands of dollars)	Main	Main	Planned [#]	Planned [#]
	Estimates 1996-97	Estimates 1997-98	1998-99	1999-00
Administration	29,610	33,382	30,714	30,791
Government Client Services	142,915	128,148	122,811	120,613
Law and Policy	279,108	272,396	254,032	252,938
Total Department	451,633	433,926	407,557	404,342

[#] The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.



Figure 5: Net Cost of the Program by Business Line/Activity

(thousands of dollars)

1997-98 Main Estimates

Business Lines / Activities	Operating	Grants and Contributions	Gross Total	Statutory Payments	Gross Expenditures	Total Main Estimates
Administration	30,862	-	30,862	2,520	33,382	33,382
Government Client Services	113,724	-	113,724	14,424	128,148	128,148
Law and Policy	14,465	256,283	270,748	1,648	272,396	272,396
	<u>159,051</u>	<u>256,283</u>	<u>415,334</u>	<u>18,592</u>	<u>433,926</u>	<u>433,926</u>
Other Revenues and Expenditures						
Revenue credited to the Consolidated Fund						11,458
Estimated Cost of services by other Departments						<u>24,548</u>
Net Cost of the Program						<u>447,016</u>

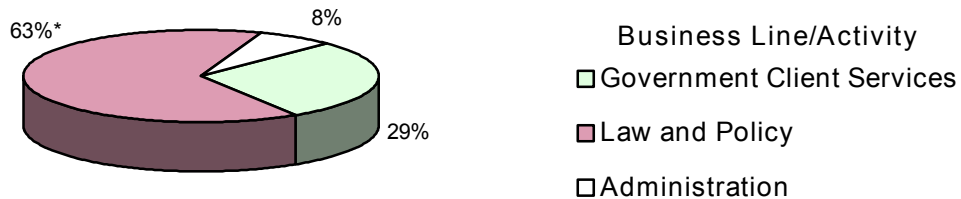


Figure 6: Business Lines/ Activities by Subactivities

	Main Estimates 1996-97	Main Estimates 1997-98	Planned [#] 1998-99	Planned [#] 1999-00
(thousands of dollars)	\$	\$	\$	\$
Administration				
Administrative Services	11,012	12,418	11,426	11,454
Corporate Management	17,312	19,529	17,967	18,013
Special Programs	1,286	1,435	1,321	1,324
Administration	29,610	33,382	30,714	30,791
Government Client Services				
Legislative Services	8,046	7,176	6,877	6,754
Legal Services	134,869	120,972	115,934	113,859
Government Client Services	142,915	128,148	122,811	120,613
Law & Policy Services				
Justice Policy	7,434	6,687	5,830	5,634
Government Legal Framework	1,995	1,789	1,560	1,507
Support for Policy & Programs	11,459	10,589	6,951	6,178
Justice Programs	258,220	253,331	239,691	239,619
Law & Policy Services	279,108	272,396	254,032	252,938
Total for the Department	451,633	433,926	407,557	404,342

[#] The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.

Figure 7: 1997-98 Gross Expenditures by Business Line/Activity



*includes 91.8% for transfer payments



C. Details by Business Line

1. Government Client Services

Objective: To respond to the requirements of the Government of Canada, its departments and agencies, for quality legal or legislative services, in the most effective and cost-efficient manner in compliance with the law and governmental policy.

Description: The Government Client Services Activity encompasses a range of services, including legislative drafting, legal advice and opinions, legal advice on policy development, and monitoring and representation in the enforcement of federal law and in litigation matters involving the federal government. Through this Activity, the Department provides consistency across the government and its departments and agencies, both in the National Capital Region and in regional offices of the government across Canada, in legal advice, opinions, legal policy, sanctions and sentencing in both civil and criminal law matters. The Government Client Services Activity is divided into the following two sub-activities:

Legislative Services - This sub-activity supports the federal legislative process by providing legislative drafting services designed to ensure that government bills and regulations in English and French are of high quality, comply with the Charter of Rights and Freedoms, the Canadian Bill of Rights and the Statutory Instruments Act, and that publication practices comply with the requirements of the Publication of Statutes Act and the Statute Revision Act.

Legal Services - This sub-activity provides the Government of Canada and federal departments and agencies with litigation and legal advisory services in order to ensure consistent compliance with the law and government policy across the executive branch of government and effective representation of the Crown in the enforcement of federal laws and in litigation involving the Crown. It also involves the provision of legal technical assistance to developing countries and the newly emerging democracies of eastern Europe.

Operating Context and Change Management Issues

Along with the general factors affecting the operation of the Department, the operating environment for this activity poses several particular challenges:

Increasingly Litigious Nature of Canadian Society: Canadians in general, and the Department's government clients in particular, have become involved in more litigation in the post-Charter years. For example, Revenue Canada, the Department's largest client department in terms of dedicated resources, has experienced the following increases in work:

- 26% increase from 1994 to 1995 in number of Tax Court appeals;
- 25% increase from 1994-95 to 1995-96 in requests for advice on Unemployment Insurance/Canada Pension Plan files; and
- 66% increase from 1991 to 1995 in informal procedure cases filed in the Tax Court of Canada.



Higher Client Expectations: Client departments expect timely, high quality and fully integrated legal services in all areas of their operations.

Government Initiatives to Commercialize, Decentralize, Devolve Services and to Establish Alternative Service Delivery Mechanisms: The Department needs to improve planning of services and resources in partnership with clients, position itself as the legal service provider of choice and ensure that sufficient resources are available to respond to their needs and to the changing environment.

The Department is responding to these challenges by redesigning the way it does business. Most importantly, the Department is striving to work more efficiently with a client focus whether in the National Capital Region or in Departmental regional offices across Canada. It is designing and implementing systems to help better plan and monitor resource utilization and to provide this information to clients. Alternative ways of providing legal services to clients, whether by reorganization of offices, reprofiling of staff, or changing the mix of government and private sector legal advisors, are also being examined.

The Department, in conjunction with central agencies and client departments and agencies, is also re-examining its statutory mandate in order to determine which functions are crucial to the government and which may be optional.

The Department will also continue to seek cost-effective responses to justice issues and to reduce the demands on the criminal justice system without compromising personal safety and security. At the same time, the Department is maintaining an emphasis on its values of service excellence, independence and objectivity of legal advice, integrity, teamwork, and mutual respect and support.

Goal: Delivery of Quality, Cost-effective Services to Clients

The Department is committed to the cost effective delivery of services to clients. To this end and based on partnerships with clients, the establishment of service standards, ongoing communication and consultation and on transparency and accountability, the Department's activities will focus on the promotion of innovative practices and procedures for administering the justice system, such as dispute resolution mechanisms, and on the development and implementation of a joint three-year strategic planning and resource allocation framework .

Key Initiatives

In pursuit of the above goal, the Department will be undertaking the following key initiatives.

a) Client Driven Services: The Client Driven Services (CDS) Initiative continues to be the primary vehicle of the Department for delivering high-quality and cost-effective service to client departments and agencies. CDS was introduced to promote partnership with clients and to



rationalize and prioritize demand for legal services. The Department works with client departments to assist them in altering practices, procedures and policies that needlessly inflate the demand for legal services.

In partnership with its client departments, the Department has been developing service agreements that provide a management framework to allocate resources based on a Joint Planning and Resource Allocation Process over a three-year cycle. Service agreements have proven to be a useful tool in developing closer partnerships and an accountability framework with client departments. The agreements identify priorities and allocate resources in line with workload. They also allow for improvements in accountability and performance measurement through increased client participation. The majority of client departments now have an agreement in place and the Department expects to complete service agreements with all the federal departments and agencies that are its clients during the next fiscal year.

Over the next three years, the Department will continue the joint planning effort with client departments, with a new focus on identifying innovative approaches, policies and procedures that will make the provision of legal services more cost-effective.

Results Expectations

- Continued negotiation, signing and renewal of client service agreements
- Greater client department satisfaction with nature, cost and levels of legal services

b) Dispute Resolution (DR): The Department will continue to promote the increased use of dispute resolution mechanisms, such as negotiation, mediation and arbitration, as alternatives to litigation with a view to promoting less expensive and more expeditious resolutions wherever this is appropriate. The Dispute Resolution Project plans to expand the use of DR pilot projects. Emphasis will also be placed on the development of courses and training in DR techniques for Departmental personnel and personnel in other federal departments. Guidelines and training and promotional materials will be developed for lawyers and the public.

Results Expectations

- Greater governmental/public awareness of DR techniques
- Trends toward alternatives to litigation

c) Crown Agents: The Department has completed studies in a number of regions to determine when it is more efficient and effective to deliver services by in-house counsel rather than by appointing private practitioners as legal agents for the Crown. In a number of pilot projects in specific areas, the Department has realized economies by bringing the work of agents in-house. Over the next three years, work done by agents will be monitored with a view to achieving greater savings and more efficient service delivery. The Department will be aided in this by an improved information tracking system for agents' work and by new guidelines and instructions for legal agents that were developed in 1996-97.

Results Expectations

- Better monitoring, supervision and support for Crown agents
- Reduction in the use of Crown agents where appropriate

d) Drug Prosecution Fund: The Department has negotiated with Health Canada and the Treasury Board Secretariat funding of almost \$20 million in 1996-97, \$19.5 million in 1997-1998 and \$18.5 million in 1998-1999 for drug prosecutions. The purpose of the transfer is to maintain and improve the quality of drug prosecution services and to reduce resource needs over the three years. Performance measurements and other tools are being developed to allow Justice



officials to manage the forecasted demand for resources. A key tool will be the use of dedicated agent supervision units tasked with coordinating the work of legal agents providing drug prosecution services. Over the next three years, the Department will be monitoring work volumes and resource utilization with a view to achieving efficiencies and an optimal mix of resources.

Results Expectations

- More cost-efficient drug prosecution on a national basis
- Reduced funding needs

e) **Litigation Strategy:** The Department is developing a National Criminal Litigation Strategy which involves a restructuring of federal prosecution services to alter the focus of the criminal justice system. Emphasis will be placed on the early stages of the criminal process and on non-litigious solutions for less serious cases, concentrating the resources of the justice system on the more serious and complex cases. Pilot projects are also planned to explore the feasibility of transferring responsibility for some prosecutions to the provinces where it is deemed efficient and cost-effective to do so.

The aim is to aggressively prosecute serious cases, to use innovative approaches for minor offences, to clear current court backlogs, and to save time and money in administering federal prosecutions. Over the next three years, the Department will be pursuing improved results in the prosecution of serious offences, the use of innovative approaches to prosecution, the establishment of specialized teams of experts and the expeditious disposition of routine cases.

Results Expectations

- Revised guidelines for federal prosecution services emphasizing cost savings and results orientation
- Reduction of court backlogs
- Increased turnover rate in prosecutions handled/settled by Justice counsel/agents

f) **Cost-Recovery:** The Department is committed to identifying innovative and cost-efficient approaches to delivering services. To this end, three pilot cost-recovery projects have been established (Canadian Heritage, Treasury Board Canada, and Industry Canada). These projects will span the following two years and will allow the Department and clients to assess the feasibility and cost-benefits of planning and delivering legal services on a cost-recovery basis. Funding options, together with a selection of models for the costing, valuation, and billing of legal services will be developed.

Results Expectations

- Development of costing and billing models for legal services to various clients
- Better information on the level and cost of legal services provided to the clients in the pilot projects

g) **Debt/Fine Collection:** The Department co-chairs an interdepartmental project developing mechanisms to improve the management and collection of the government's accounts receivable. The project involves, among other things, the development of a legal framework to remove legislative barriers to the effective recovery of debts and to facilitate the management and collection of accounts receivable.

In addition, the Department is pursuing the recovery of substantial amounts of outstanding federal fines and forfeited bails, as well as the recovery of amounts awarded in civil litigation.



Priorities for the next three years are to identify outstanding fines and debt, means of collection, incentives for collection and ways to ensure collection. In the area of tax revenue, the Department will work in collaboration with the new Canada Border and Revenue Agency.

Results Expectations

- Adoption of new administrative/legislative techniques
- Increase in amounts of taxes/fines/penalties collected or disbursed

h) **Legislative Services:** The Department provides a wide range of drafting, revision and publication services to the Government of Canada in connection with public statutes, bills and regulations.

The Department will continue to ensure that statutes and regulations are of high quality and are consistent with the provisions of the Canadian Charter of Rights and Freedoms, the Canadian Bill of Rights, the Statutory Instruments Act and the Civil Code. These services ensure access to Canadian statutes through the updating and consolidation of federal statutes and regulations in accordance with the Statute Revision Act and their publication in accordance with the Publication of Statutes Act

The Department will continue its commercialization of electronic legislative data. Three issues per year are planned for a CD-ROM of the consolidated Statutes of Canada and the consolidated Regulations of Canada. These products will be marketed to the public through the Canada Communications Group. In addition, access to consolidated statutes and regulations can be gained via the Department's Internet site.

In the context of POLAJ (Program for the Integration of Both Official Languages in the Administration of Justice) and in co-operation with Canadian Heritage, the Department will continue to provide funding to the six associations of French-speaking jurists and the federation that groups them together so that they can improve access to justice in French outside Quebec.

Results Expectations

- Provision of legislative drafting services designed to ensure that bills, statutes and regulations prepared in English and French are of excellent quality and are consistent with the provisions of relevant federal legislation
- In accordance with service standards, continue to meet the demands imposed by Cabinet and federal departments and agencies for the drafting of government bills and government motions to amend those bills and the drafting/examination of regulations;
- Publication of Part III of the Canada Gazette, the Table of Public Statutes, the Table of Acts and Responsible Ministers, the Annual Statutes of Canada, and consolidated statutes and regulations.

i) **Legal Technical Assistance:** The Department is increasingly being asked to provide legal technical assistance to developing countries or to the newly emerging democracies of eastern Europe. The Department is currently involved in projects in Haiti, francophone Africa, South Africa, Ukraine, and the Czech and Slovak republics. The subject matter of the assistance varies from the training of judges and magistrates; to reform of the civil code; to enforcement of maintenance orders. These initiatives are being pursued in collaboration with the Canadian International Development Agency, which provides funding, while the Department contributes in the form of staff resources and overhead.



Results Expectations

- Efficient delivery of technical legal assistance
- Contribution to the creation of democratic institutions and/or tools for good governance in recipient countries
- Improved capability in Canada to undertake projects in this field

Performance Measures for the Government Client Services Business Line/Activity
<ul style="list-style-type: none"> • Responsiveness to client priorities and other needs • Optimal use of available resources through the Joint Planning Process and the Resource Allocation Framework • Client satisfaction with the quality, nature/type, cost and level of services provided

Figure 8: Activity Resource Summary

(thousands of dollars)	Main Estimates 1996-97	Main Estimates 1997-98	Planned [#] 1998-99	Planned [#] 1999-00
	\$	\$	\$	\$
Activity / Subactivities				
Government Client Services				
Legislative	8,046	7,176	6,877	6,754
Legal Operations	134,869	120,972	115,934	113,859
Government Client Services	142,915	128,148	122,811	120,613

[#] The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.

2. Law and Policy

Objective: To ensure a responsive, fair, efficient and accessible national system of justice by managing the development, testing, promotion and implementation of justice policy in respect of criminal law, and family and youth law and to ensure fair, effective and responsible public administration by managing the government legal framework in respect of administrative law, constitutional law, international law, human rights law, information law and Aboriginal justice.

Description: The Department provides a range of services relating to the planning, coordination, development, promotion and implementation of justice-related policies. These operations are listed under the Law and Policy Activity which includes the following four sub-activities:

Justice Policy - This sub-activity is aimed at bringing about beneficial and equitable changes in the laws for which the Minister has primary responsibility, and related federal statutes and international instruments. It also supports the development of socio-legal policies to ensure that Canadian criminal law, family law, social policy, and the system of justice meet the changing needs of Canadian society.

Government Legal Framework - This sub-activity involves the development of policies to promote a fair, effective and accountable public administration. This includes the provision of advice on policy issues and the development and implementation of legal and social policy reforms.

Support for Policy and Programs - This sub-activity includes all operations performed in direct support of the planning, coordination, management and testing of policy priorities. Socio-legal research and public consultation are used to support the legislative and policy development process. Discretionary grants and contributions are also made to support the development and implementation of policies, programs (cost-shared), and legislation. The Public Legal Education and Information Program, described on page 50, provides the Canadian public with access to justice through information and education on law and justice.

Justice Programs - The programs within this sub-activity are intended to support a fair and accessible Canadian justice system by providing financial assistance to provincial and territorial governments, national voluntary organizations and community-based agencies. Included are four major cost-shared agreements with the provinces and territories. The programs funded under these agreements encourage cooperation among the players in the justice system; support the maintenance of basic standards; and improve the delivery of justice services to the public. More detailed information on these agreements is presented in the Supplementary Information section on page 47.

Operating Context and Change Management Issues

In today's changing environment, the Department must continually evaluate how it conducts its business and adopt new approaches and processes as needed. In the next three to five years, the Department will be working to strengthen its capacity to not only respond effectively to short-term pressures but also to develop proactive, long-term responses to broad policy issues that cut across sectors and have implications for many or all aspects of the national justice system. In this way, the Department can most usefully contribute to the government's broad social policy agenda and deliver specific justice goals within that broader context. In order to do this, the Department will focus on forging the necessary policy linkages and restructuring policies, programs and services as needed to achieve better outcomes.

The Department will also make efforts to develop increased synergy between policy and operations by encouraging operational input into the identification and resolution of policy issues and increasing operational participation in supporting and implementing policy directions. This will bolster its strategic planning and priority-setting capacity and ensure the alignment of litigation strategies and policy directions in order to effectively deliver its responsibilities and advance justice goals.

Greater use of team approaches will ensure that issues are dealt with in a multi-disciplinary fashion. Inter-departmental co-ordination and collaboration will be strengthened through existing



fora (e.g. working groups, committees at various levels) and where appropriate through innovative approaches to broad, cross-cutting issues (e.g. Crime Prevention Secretariat).

The shared responsibility of the administration of justice and the desire for a more integrated justice system will require greater involvement of other levels of government throughout the policy development process particularly in view of their role in the delivery of many programs and services. There are also many non-governmental stakeholders that have a significant role to play and the Department will continue its efforts to ensure that its consultative and communication processes are effective. The Department will also forge an effective working relationship with the new Law Commission of Canada which will provide the government with independent advice from all sectors of Canadian society on modernizing the law and making the legal system more efficient.

The following policy directions will guide the Department's contribution to the government's broad social policy agenda:

Policy Directions:

- Better integration of justice policies as part of the government's broad policy agenda in order to deal with complex issues in a comprehensive way.
- Working towards an integrated justice system that is cost-effective, citizen-centred and community-focused.
- Implementing a balanced approach to criminal justice while maintaining public safety as a priority.
- Working towards a more equitable and accessible justice system that is responsive to the needs of a diverse population.
- Strengthening public confidence and trust in the justice system.
- Providing international leadership within the justice sphere through coherent policy and operational approaches to advance justice goals.

Key Initiatives

In pursuit of the above policy directions, work will be undertaken in the following areas.

a) Crime Prevention: The National Crime Strategy will continue to focus on crime prevention through social development, with children and youth as the two highest priorities. Multi-disciplinary partnerships will be developed to test approaches that enhance the safety and security of Canadians. Public education will promote effective crime prevention by engaging the public in understanding the elements of a sustainable criminal justice system and the role of individual and communities in maintaining a safe society.



b) **Firearms Control Measures:** In 1997-98, the Department will seek Preliminary Project and Funding Approval for this project. Over the period 1997-1999, the Firearms Centre will undertake the phased implementation of the licensing, authorizations and registration components of the Canadian Firearms Registration System, as well as the training of more than 50,000 police/enforcement officers, 3,000 customs officers and crown attorneys and the preparation of information packages for the judiciary.

c) **Youth Justice:** The custody rate for youth in Canada is higher than for adults and much higher than for youth in a number of other countries (approximately \$250 million is expended each year locking up young offenders for non-violent offences). Nonetheless, there is continued public fear over increased youth criminality and resultant pressure to “toughen” the youth justice system. The Department will continue to deal with youth justice issues on several fronts including participating in the Federal-Provincial-Territorial Task Force which has examined a broad range of issues dealing with youth justice, acting upon the recommendations contained in the Task Force’s report, and responding to the Report of the Parliamentary Committee currently reviewing the youth justice system.

d) **Restorative Justice:** There is a need to provide alternatives to the high social and financial costs of incarceration and to consider other ways of dealing with offenders who have not committed serious, violent crimes. The Department of Justice is looking at innovative means of federal/provincial collaboration, especially in the possible integration of programs and facilities, improved community services and new approaches to charging and sentencing, including the development of alternative measures and sanctions for low-risk offenders. These approaches are aimed at developing a criminal justice system that is effective, less costly in human and monetary terms and therefore more sustainable in the long run.

e) **Law Commission of Canada:** The Department will ensure Canadians have an effective mechanism to review and make recommendations on appropriate law reform by supporting the design and establishment of a modern law commission with a cost effective structure and a multi-disciplinary approach. It will also set up mechanisms to ensure a cooperative relationship with the Law Commission and develop and promote dialogue with stakeholders with an interest in law reform.

f) **Aboriginal Justice:** To address the needs of Aboriginal groups, and in partnership with the Department of Indian and Northern Affairs, the Solicitor General, Aboriginal communities and the provinces and territories, the Department will put in place an Aboriginal Justice Strategy. The strategy will provide guidelines on justice issues to federal personnel negotiating self-government accords with Aboriginal groups. It will include shared funding agreements for implementation of alternative justice structures in up to 30 on-reserve and 12 off-reserve communities. It will develop and support the operation of a volunteer network of both Aboriginal and non-Aboriginal experts on Aboriginal justice issues to support the long term implementation of alternative justice structures.

g) **Child Support:** In partnership with the Departments of Human Resources Development, Revenue and Status of Women, the Department is taking a lead role in the development and implementation of the Government’s comprehensive child support strategy. The implementation of the initiative will provide greater economic security for children of divorced parents, and make the economic results of divorce fairer and more predictable for parents.



The Department has set up a Child Support Team responsible for developing, implementing, monitoring and communicating legislative changes to Canada's child support system, including the introduction of federal guidelines to establish fairer and more consistent child support payments and stronger enforcement procedures to help provincial and territorial enforcement agencies ensure that family support obligations are being met. The Team will also manage the provision of financial assistance to the provinces and territories to assist them in dealing with the expected increase in applications to vary a child support order as a result of the legislative changes, and to improve their enforcement programs.

h) **Integrated Justice System:** The Department is addressing the need to better integrate and rationalize the justice system and encourage co-operation across and within jurisdictions to enhance its effectiveness. Proposed initiatives include working with partners to bring principles of prevention and restraint to civil justice systems.

i) **Decriminalization/Appropriate Use of Criminal Law:** The Department will continue to examine what works and what needs to be reviewed in order to make more appropriate use of the criminal justice system. Proposed initiatives include a review of the offences in the Criminal Code to determine which offences are obsolete, reviewing maximum sentences and presumptive sentences, developing a compliance framework for regulatory matters, and examining federal prosecution policies with a view to streamlining the system.

j) **Effective Use of the Court System:** Court procedures will be reviewed to provide for more effectiveness of results and costs. Proposed actions in this area include criminal procedure reform (e.g. streamlining of preliminary inquiry, rationalization of appellate mechanisms, etc.), application of dispute resolution policies and expertise to family and criminal law and its promotion through program funding, and promotion of civil justice reform.

k) **Families, Children and Youth:** The Department is working to develop an integrated policy, principles and a framework for the treatment of families, children and youth within the justice system. Individual initiatives will focus on the development of an Integrated Family Law Initiative with the provinces and territories, linking this initiative to the current implementation of the Child Support Initiative; development of Unified Family Courts; reviewing the criminal law treatment of children as victims and witnesses to reduce barriers to effective protection; developing improved responses to violence within the family, particularly as directed at women and children, including working with provinces to improve prosecution of offenders; and, enhancing our ability to respond to the particular needs of Aboriginal children and youth both as victims and perpetrators of crime.

l) **Human Rights Reform:** In response to requests from equality-seeking groups the Department is reviewing the duty to accommodate under the Canadian Human Rights Act and looking at how the human rights system as a whole could be changed to better address widespread issues rather than individual complaint cases. The Department will also explore the integration of the domestic and international human rights agenda.

m) **Information Law Reform:** In a dynamic information society, the development of a comprehensive legal framework for government information is as important to the economic development of the country as it is to the health of its democracy. The Department will review the Access to Information and Privacy legislation to enhance access to government information and to meet the challenges of the new electronic environment. The review will include a study on the possibility of extending privacy protection to the private sector.

n) Gender Equality: Ensuring that the needs of women in the justice system and the Department of Justice are taken into account in all the Department's substantive work, practices and policies is an important part of the Department's workplan. Action in this area will include the development and implementation of a systematic process and tools for gender equality analysis and providing substantive analytical support in gender equality analysis.

o) Diversity and Equality: Ensuring that the needs of our diverse population (and especially its most vulnerable members) are taken into account in the justice system and the Department remains a high priority. Initiatives in this area will include the development of a diversity analysis tool; reviewing the Criminal Code and prosecution policies with respect to their impact on the ethnocultural population; application of diversity analysis to all our substantive work, policies and practices.

p) Canadian Unity: In partnership with other departments and central agencies, the Department will continue to provide legal, strategic and policy advice on Canadian Unity and federal-provincial relations.

q) Judicial Issues: Key issues which are to be addressed include the resolution of outstanding issues on independence, compensation, discipline, appointments, social context education and accountability. The Department will also work with the provinces and judges on making more effective use of the courts.

r) International Strategy: A growing number of Canada's domestic policy goals are interwoven with international policies. Domestic goals cannot be achieved without international co-operation since, in many cases, domestic work has international components. For instance, the Department will be exploring ways to facilitate the enforcement of Canadian judgments abroad and will continue to seek international co-operation to advance Canadian interests in the criminal law field (e.g. "cybercrime", smuggling of firearms, etc.). The Department will also assist in the provision of models for the provision of technical legal assistance to strengthen the institutions of governance in emerging democracies.

s) Regulatory Process: The Department will work to provide the appropriate legal framework and policy assistance to support regulatory departments in streamlining their regulatory process and will develop a regulatory compliance framework to promote effective and efficient use of regulatory mechanisms.

t) Legislative Initiatives: Some legislative initiatives that were introduced in Parliament in 1996 and are expected to be brought into force in the near future include:

- Bill C-17: Deals with almost 150 amendments aiming at modernizing and updating the Criminal Code;
- Bill C-25: Amendments designed to reform and modernize procedures surrounding the examination, registration and publication of regulations;
- Bill C-27: Amendments to the Criminal Code dealing with stalking, female genital mutilation, juvenile prostitution, and sex tourism;
- Bill C-41: Proposed legislation to improve Canada's child support system. Legislation will be supported by Child support guidelines which are scheduled to come into effect in May 1997.
- Bill C-45: An Act to amend the Criminal Code with regard to judicial review of parole ineligibility (Section 745, now known as Section 745.6); and



- Bill C-46: Amendments to the Criminal Code with regard to the production of personal records in sexual offence proceedings.
- Bill C-55: Proposes new measures to deal with high-risk offenders which are aimed at strengthening the sentencing and correctional regime for those who present a high risk of violent re-offending along with non-legislative measures to deal with non-violent offenders who pose a low risk of re-offending.

Performance measures are now being developed for the Law and Policy Activity. Subject to ongoing work in this area, the following are the criteria that are emerging:

Performance Measures for the Law and Policy Business Line/Activity
<ul style="list-style-type: none"> • Increased financial security for children after divorce and greater predictability and fairness of outcome for divorcing parents • Reduction in the overrepresentation of Aboriginal people in the prison population • Progress in achieving fairness and equity in the justice system • Reduced cost of legal operations and processes attributable to federal courts and tribunals and to federal justice initiatives • Less burdensome regulatory framework and process, and more efficient, fair and effective enforcement of regulatory laws • Extent to which the legal framework addresses information issues brought on by new information technologies • Enhanced public safety and perception of safety and reduced incidence of violent crime involving firearms • Effective and efficient alternatives to deal with minor offences and low-risk offenders • Extent to which procedural reforms have resulted in increased efficiency and effectiveness of the criminal process • Containment of criminal justice costs



Figure 9: Activity Resource Summary

	Main Estimates 1996-97	Main Estimates 1997-98	Planned [#] 1998-99	Planned [#] 1999-00
(thousands of dollars)	\$	\$	\$	\$
Activity / Subactivities				
Law & Policy Services				
Justice Policy	7,434	6,687	5,830	5,634
Government Legal Framework	1,995	1,789	1,560	1,507
Support for Policy & Programs	11,459	10,589	6,951	6,178
Justice Programs	258,220	253,331	239,691	239,619
Law & Policy Services	279,108	272,396	254,032	252,938

[#] The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.

3. Administration

Objective: To ensure effective strategic management of the Administration of Justice Program by establishing corporate management and administrative frameworks and services that ensure the optimal internal management of the Department and its resources.

Description: The Administration Activity encompasses the complete range of corporate management and administrative services required to support the Department's program delivery and internal administration. The Administration Activity is divided into the following three sub-activities:

Corporate Management - This sub-activity includes the provision of legal advice on the Department's corporate policies, all aspects of the Department's communications (both internal and external), legal training activities, information technology, finance and human resources management.

Administrative Services - This sub-activity relates to the provision of common administrative and support services to the Department such as contracting, facilities management, security, records services, etc.

Special Programs - This sub-activity includes the development and administration of special programs to assist provincial and territorial authorities with the enforcement of provisions of the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act (FOAEA), as well as the Contraventions Act.

Operating Context and Change Management Issues

The largest factor affecting this Business Line is the reduction of the Departmental budget, and the related challenge to improve operations with decreasing resources. As a result, the use of resources will be rationalized and restructured in order to optimize them. The Department will continue to examine and consider issues of decentralization and fiscal constraint.



The Department has recognized the role of information and technology in not only facilitating the implementation of efficient and effective work processes but also in creating an environment which fosters innovative management approaches. The Department is in the process of implementing timekeeping, case and resource management systems. Once operational, these systems will provide invaluable data for both the Department and its clients, particularly with respect to the joint planning of service agreements.

With increased work demands and reorganizational decisions, there is a need to find innovative means to ensure that the workplace fosters a change in culture with regards to the management of people.

Goal: Representative, Motivated and Productive Workforce in an Optimal Workplace Environment

The Department is committed to providing a representative, balanced, and vibrant work environment that encourages its employees to make informed and effective contributions to the organization. This includes providing managers and employees with modern information technology tools and office configurations that promote work processes and practices which contribute to achieving the Department's vision.

Key Initiatives

In pursuit of the above goal, the Department will be undertaking work in the following key areas.

I. Ensuring a Representative, Motivated and Productive Workforce:

a) A Workforce That Meets Future Needs

The Department is committed to maintaining a workforce that meets the future needs of the government and will foster a work environment that is accommodating and flexible, for example, by continued monitoring and implementation of new approaches to alternative working arrangements.

b) A Culture Of Teamwork & Empowerment

The Department will put mechanisms in place that will facilitate consultation and multi-disciplinary teams, and encourage innovation and risk taking. The Department will foster a culture that reflects the values of teamwork, respect for others, fairness in decision-making, empowerment and horizontal problem solving by:



- developing transparent selection tools and criteria to support cultural change;
- developing appropriate tools and training to support cultural change; and
- implementing a staffing system allowing ease of movement.

c) Managerial Accountability To Sustain A Representative Workforce

The Department will promote managerial accountability to sustain a representative workforce by developing, implementing and monitoring Employment Equity Action plans which identify specific activities to eliminate barriers. These include the review of training needs in the area of diversity and the establishment of equity targets.

d) Efficient Use Of Human Resources

Given the increased pressures for legal services to the Government, there will be an on-going need to realign employees' assignments, to effectively respond to the business directions and policy or program initiatives. The right mix of resources will be required to respond to these pressures in a timely fashion.

II. Creating an Optimal Workplace Environment:

a) Technological Infrastructure, Applications and Communications

i) Increase ability to access and share information across the Department

Specific applications which will be completed in 1997-1998 include: Recorded Information Management System enhancement and expansion; Library system enhancement and expansion; and the Bulletin Board System. The Department will also introduce measures to improve the security on the networks throughout 1997-1999. These will ensure the reliability, integrity and accessibility of Departmental information.

ii) Productivity gains for clients

The implementation of standardized applications in 1997-1998 (Case View, Litigation Support, Internet access and an Electronic Forms catalogue), will improve management efficiency and result in productivity gains.

iii) Increased Departmental ability to manage resources

The introduction of on-line analytical processing capabilities in specific applications such as the Crown Agent Reporting System, the Departmental timekeeping system, a Human Resources Management System and, by 1998-1999, a management information system, will provide basic business intelligence tools to allow the Department to optimize the management of its resources.

b) Re-engineering

i) Integrated Competency Based Human Resources Management Framework

The Department is developing and implementing a Competency Based Human Resources Management Framework. The Framework proposes integrated human resources processes which are simple, fair, transparent, affordable, streamlined and automated. An implementation team will be



established in 1997-98 to review all human resources processes such as the LA (lawyer category) compensation plan, competencies in key areas of work and the classification structure of lawyers.

c) Headquarters Office Consolidation Project

Guiding principles for this major project have been developed in consultation with employees. Emphasis has been placed on shared environments to better support teamwork, cross-functional communications and an open style of management. The consolidation will occur in 1997-1998.

Performance Measures for the Administration Business Line/Activity
<ul style="list-style-type: none"> • Extent to which human resources initiatives ensure a representative workforce that meets Departmental needs • Level of employee satisfaction with work environment (e.g. employment equity, alternative work arrangements) • Effectiveness of the information technology strategies in meeting operational and management requirements • Level of employee satisfaction with their physical workplace

Figure 10: Activity Resource Summary

(thousands of dollars)	Main	Main	Planned [#]	Planned [#]
	Estimates	Estimates		
	1996-97	1997-98	1998-99	1999-00
	\$	\$	\$	\$
Activity / Subactivities				
Administration				
Administrative Services	11,012	12,418	11,426	11,454
Corporate Management	17,312	19,529	17,967	18,013
Special Program	1,286	1,435	1,321	1,324
Administration	29,610	33,382	30,714	30,791

[#] The Program Review II reduction of the Justice portfolio (1998-99 and 1999-00) was allocated entirely to the Department of Justice reference level. This allocation is considered provisional and will be readjusted at a later date.

Section III

Departmental Performance

A. Summary of Departmental Performance

The Department met heavy demands for its services in 1995-96. It continued to handle a high volume of litigation, including numerous cases that were complex and high profile in nature. Legislative highlights include the Firearms Act, which received Royal Assent on December 5, 1995, and Bill C-9 supporting the creation of a new law commission, which was reinstated in March 1996, received Royal Assent on May 29, 1996. On the policy front, advancements were made relating to Child Support, Firearms, the Law Commission of Canada, the National Strategy on Community Safety and Crime Prevention, strategies on Aboriginal Justice and ways to deal more effectively with High-risk Offenders, and the consolidation of twenty-five grants and contributions into a single program.

The Department also made considerable progress in pursuit of the objectives of becoming more service-oriented and reducing the gap between the supply and demand for legal services. For example:

- the Department entered into service agreements with 22 of its client departments;
- Crown agents have been replaced by in-house counsel in certain centres based on studies that have shown that significant savings can be obtained;
- a dispute resolution policy has been distributed throughout the government and should reduce the cost of legal services; and
- key timekeeping and case management systems are into their pilot and implementation phases.

B. Departmental Overview

In a period of overall declining resources, the Department has made changes to allow it to respond to the ever-growing demands for its services.

Following the major reorganization in 1995, the Department undertook a re-examination of how its policy function was being delivered and is in the process of reorganizing its policy function in an effort to respond to the changes occurring both within government and in the overall policy environment. Key policy development activities are being brought together and core areas are being re-grouped and re-defined to better reflect the broad justice policy challenges that need to be addressed now and in the future. In 1995-96, the Department began exploring the merits of adopting a project management approach for policy work and a new Policy Project Planning process has been designed and is about to be implemented and adopted for all new policy initiatives.



The senior-level management committees that were set up in 1995 are playing an active role in managing the Department's overall agenda and ensuring that there is improved integration of all aspects of its work.

The Department continues to use proven tools, such as joint planning with client departments, to determine priorities and the appropriate allocation of resources. Re-engineering of work processes and changes in service delivery continue to be explored in order to achieve efficiencies and cost reductions. The Department is also developing a performance measurement framework. The framework will establish a hierarchy of performance indicators to enable managers to better plan at both the strategic and operational levels, to monitor progress and adjust plans as required, to evaluate achievement of results, and to improve reporting on the use of resources. This work will provide the basis for the Department's Performance Reporting and Accountability Structure (PRAS) document.

Figure 11: Departmental Appropriated Planned and Actual Spending

(thousands of dollars)	Actuals	Actuals	Main	Actuals
	1993-94	1994-95	Estimates	1995-96
	\$	\$	\$	\$
Business Lines / Activities				
Administration	49,040	47,718	40,961	50,459
Government Client Services	135,868	130,042	122,857	121,284
Law & Policy Services	277,168	297,528	284,114	287,733
Total	462,076	475,288	447,932	459,476

C. Details by Business Line

1. Government Client Services

The Department's performance summary for operations and specific initiatives within the Government Client Services Activity is set out under the headings below.

a) Client Driven Services (CDS)

This initiative, begun in 1994, involves consultations with client departments and agencies to establish a joint management framework for the planning and resourcing of legal services to be provided by the Department, based on a three-year planning cycle. These consultations lead to the establishment of service agreements that seek to achieve quality cost-efficient, responsive and innovative service delivery. Of the 34 departments or portfolios approached to date for the purpose of drafting service agreements, 22 had signed agreements by the end of 1995-96. As of October 1996, the total number of agreements negotiated since the inception of CDS had reached 33. In each case, these agreements incorporate service standards and the Department has undertaken to monitor and report on the level of service provided.

To obtain quantitative information on the nature, levels and cost of the legal services that the Department provides to individual clients, a Personnel Utilization Profile (PUP) survey was conducted. The exercise involved detailed questionnaires and responses from all sectors of the Department.



Results Expected, 95-96

- Continued consultations and service agreements with client departments and agencies
- Joint establishment of service priorities
- Review of ways to achieve efficiencies and cost reductions
- Planning the level of service demanded
- Providing adequate funding for the service
- Completion of first PUP survey and analysis of data
- Quantitative information on nature/level/cost of legal services provided to clients

Results Achieved, 95-96

- Signing of client service agreements 22 clients
- Successful completion of first PUP survey
- Data on nature/level/cost of services
- Planning documents for key clients covering needs, priorities, resources

b) Dispute Resolution (DR)

The Department continues to promote and support the increased use of DR as a means of more effectively and efficiently resolving disputes in which the federal government is involved. In 1995-96, the Dispute Resolution Project produced a DR Reference Guide and published a policy on DR. The policy has been distributed at the federal level as well as to provincial/territorial governments and non-governmental organizations. The Department also compiled and released a directory of third party neutrals from across the country who provide DR services.

DR pilot projects have been set up regionally. For example, the Departmental regional office in Ontario has launched its DR pilot project which will handle 50 civil and commercial cases through DR.

Results Expected, 95-96

- Development of a Departmental policy to encourage and guide the increased use of DR
- Compilation of a directory of third party neutrals who provide DR services
- Production of dispute resolution materials/training courses

Results Achieved, 95-96

- Release of a Departmental policy on the use of DR
- Implementation of Departmental and Treasury Board directives on the use of DR clauses in government contracts
- Development and delivery of training courses on DR
- Pilot projects established in some regional offices and client departments
- Production of a directory of third party neutrals from across the country
- Work initiated on various legislative options to promote the use of DR and a system established to screen legislative initiatives in order to identify opportunities to apply DR.

c) Cost-Recovery

In 1995-96, the Department supported, in conjunction with Treasury Board Secretariat, the startup of a Cost Recovery Pilot Project involving three clients, namely, Canadian Heritage, Treasury Board Secretariat and Industry Canada. Preliminary analysis and reconciliation of data sources has begun. The pilot project will operate through to 1998, at which point an independent evaluation will be used to assess the net benefits of this approach. The objective is to examine



the effects of billing client departments for legal services on the supply of and demand for legal services and the use of resources.

Results Expected, 95-96

- Project groundwork undertaken and management framework established
- Project plan initiated

Results Achieved, 95-96

- Steering Committee established and draft project plan prepared
- Work begun on standardized timekeeping system for use in the project and the Department generally; timekeeping system installed in pilot units
- Work begun on the pricing algorithm to be used in recovery of costs

d) Crown Agents

Traditionally, the Department has employed Crown agents to conduct litigation, notably drug prosecutions, on behalf of the Attorney General of Canada in areas outside the National Capital Region or where considerations of staff availability or distance have made it difficult to provide the service from regional offices. In addition, agents who are private practitioners are employed for civil matters in cases where specialized expertise is required that is not readily or sufficiently available in-house.

The use of Crown agents as an instrument of service delivery has grown significantly over the last fifteen years (post Charter), due to increasing caseload pressure and special projects such as the privatization or commercialization of Crown entities. As a result, costs for agents escalated from approximately \$13 million in 1983-84 to approximately \$47 million in 1992-93.

To address this issue, the Department commissioned a study in 1993-94 to identify cities where it would be cost-effective to replace Crown agents in private practice with Departmental counsel. Pilot projects were initiated in Toronto, Calgary and Vancouver. In addition, the number of agent appointments has been decreased by increasing the size of the geographical area and the scope of federal statutes for which each agent is appointed. Guidelines for agents have been revised and mandatory training has been instituted to improve service quality and accountability.

Results Expected, 95-96

- Reduction in number of Crown agents
- Better quality of agent work and increased accountability
- Decreased agents' billings and efficiencies in court appearance time
- Reduced time spent by Regional Offices on agent supervision and instruction
- Development of training materials and courses

Results Achieved, 95-96

- Reduction of Crown agent costs from \$43.5 million in 1994-95, to \$39.2 million in 1995-96
- Implementation of three-year pilot projects to repatriate drug prosecution work from agents
- Development of new terms and conditions for appointment, a training program, manual and guidelines for Crown agents
- Establishment of a process of appointment based on judicial district rather than electoral boundaries
- Consolidation of agents' work within districts
- Development of centres of expertise on the civil side to increase the capability to provide specialized services in house



e) Litigation Workload

The Department's litigation services represent the Attorney General of Canada in all litigation either for or against the Crown or any federal department or agency, in respect of any matter within the authority or jurisdiction of Canada. This also includes the provision of advice on issues relating to or that may become the subject of litigation. Departmental litigation and legal specialists also represent the interests of the Government of Canada and its departments and agencies before a variety of domestic and international fora, including boards, tribunals, trade panels and commissions of inquiry.

The following provides some examples of the Department's litigation workload. The cases illustrate the magnitude, difficulty and resource requirements of the work, not merely the value of the case from the standpoint of legal precedents.

- In Leipert v. R., a prosecution of a drug offence, the Attorney General of Canada has recently argued before the Supreme Court of Canada that "crimestoppers" tips must be protected from disclosure in criminal trials. The Attorney General of Canada's submissions on this important issue were aimed at preserving "crimestoppers" as a necessary tool in the fight against crime. The Court heard argument in the case in late November and reserved judgment.
- In Vancouver, the Department instigated a prosecution involving 16 accused in a massive case, R. v. Burden, in which approximately \$15 million of real property, ships and other chattels is restrained and is presumed to be proceeds of drug trade. Individuals and the corporations controlled by them have pleaded guilty. Sentencing is scheduled for the beginning of 1997. All the properties are now in the process of forfeiture.
- The appeal to the Supreme Court of Canada in Delgamuukw v. The Queen et al. ("Gitksan") is another illustration of the increasingly complex legal issues being dealt with by the litigation counsel across Canada. The plaintiffs are essentially claiming ownership and jurisdiction over 22,000 square miles of territory in British Columbia. A key issue before the Supreme Court of Canada involves the plaintiffs' claim to self-government over the entire territory. The outcome of this case will have fundamental and far-reaching impact on the status and future of Aboriginal comprehensive land claims, particularly in British Columbia.
- In The Queen v. Royal Bank, the issue is whether Her Majesty's deemed trust under s. 227(5) of the Income Tax Act for unremitted source deductions has priority as against a lender's Bank Act security over a debtor's inventory. An adverse judgment would have significant impact on Revenue Canada's ability to collect unremitted source deductions. This appeal to the Supreme Court of Canada represents the increasing number of cases involving bankruptcy, priorities, debtors' and creditors' rights and conflicts between provincial and federal legislation. This type of litigation will continue to increase until many of the key issues are dealt with and resolved by the Courts.
- The case of Michelin Tire v. Her Majesty is an appeal from the Canadian International Trade Tribunal to the Federal Court. The issue involves the first interpretation and application of GARR (General Anti-Avoidance Rules) under either the Excise Tax Act or the Income Tax Act. This appeal is one example of the varied and new issues arising in the fiscal area.



Updates to Cases described in the 1996-97 Main Estimates, Part III:

- In the case known as Luen Hop, a massive heroin importation and trafficking case, an 18-month joint forces investigation involving three Toronto area police forces culminated in the arrest of 52 persons in September 1994. More than 5 kilograms of high-grade heroin were seized. The trial will begin on February 24, 1997 in the General Division of the Ontario Court and is expected to last 6 months.
- In R. v. Duchek, the largest cultivation/trafficking case discovered in Saskatchewan, the Ducheks were charged with cultivation, trafficking, possession for the purpose of trafficking, and possession of the proceeds of trafficking, specifically with the cultivation of approximately 11,000 marijuana plants and the distribution of more than 6,000 plants. The total value of the cultivation operation was approximately \$9 million. Numerous Charter applications were made and dismissed. The accused then pleaded guilty and the sentencing hearing will take place on January 20 and 21, 1997.
- R. v. M.R. Cloughley involved alleged sexual assaults against students whom the accused taught between 1959 and 1987 in six different communities in the Northwest Territories. After 42 witnesses had been heard, the accused pleaded guilty to the 9 principal charges and was sentenced to 10 years in prison.
- R. v. Donald Marshall Jr. involved the prosecution of a member of the Mi'kmaq First Nation of Nova Scotia with a number of unlicensed commercial eel fishing violations. Mr. Marshall did not dispute the allegations against him, but the key legal point involved his claim of the right to fish commercially under the Treaties of 1760 and 1761. The accused was found guilty. He appealed the case which will be heard on February 10 and 11, 1997.
- In the case known as "Compote" (because of the code name of the police operation), more than 500 charges were laid against some 40 individuals, including 3 lawyers. Seven full-time equivalents (FTEs) were assigned to this case, in which the police investigation lasted 4 years. The operation uncovered both the existence of several conspiracies to import narcotics and the methods used to launder millions of dollars derived from narcotics trafficking. Because of an order granting separate trials, 2 lengthy jury trials were held and 5 accused were found guilty. Appeals in these cases are now pending. In addition, other accused pleaded guilty in March 1996 and December 1996. Of the 41 accused, 6 are still awaiting trial by jury which is scheduled to begin on February 3, 1997 and is expected to last 7 months. This case involves the laundering of some \$35 million (200 charges) and 3 conspiracies to import narcotics.

f) Legislative Services

The Department provides a broad range of legislative services to all client departments. These include the provision of legal advice relating to the drafting, editing and publishing of government legislation and regulations, ensuring quality, compliance with the Charter of Rights and Freedoms, the Canadian Bill of Rights, the Statutory Instruments Act and in recognition of the provisions of the Civil Code. Outputs include: the publication of Part III of the Canada Gazette, the Table of Public Statutes, the Table of Acts and Responsible Ministers, the Annual Statutes of Canada, certification of bills and regulations, and publication of consolidations of statutes and regulations.

Workload indicators developed over the years (see Figure 12 and Figure 13) provide data on past performance regarding some of these outputs.



Figure 12: Public Acts Passed per Calendar Year (excludes Appropriation Acts Prior to 1995)

	1993	1994	1995	1996 ¹
Number of Acts	47	48	49	30

¹ January 1, 1996 to December 1, 1996

Figure 13: Regulations and Orders in Council Examined and Proclamations and Commissions Drafted Annually

	1993	1994	1995	1996
Regulations Examined	1,214	1,047	969	812 ¹
Orders in Council (approximate)	1,883	2,002	2,380	1,984 ²
Proclamations and Commissions Drafted	25	32	19	20 ³

¹ January 1, 1996 to December 1, 1996

² January 1, 1996 to December 12, 1996

³ January 1, 1996 to December 10, 1996.

The Department has developed a comprehensive and timely on-line database of current federal Statutes and Regulations. In 1995, electronic access to the consolidated Statutes of Canada was provided using the Internet and through CD-ROM technology. Consolidated regulations in electronic format were produced in 1996.

The average turn-around time for files for the examination of regulations is less than two months. This surpasses the three-month target as set by Cabinet.

2. Law and Policy

The Department's performance summary for specific initiatives within the Law and Policy Activity is set out under the headings below.

a) Child Support

In March 1996, the government announced its intention to implement a new child support strategy. Legislation to give effect to that strategy was introduced into the House of Commons on May 30, 1996 (Bill C-41). Key elements of the strategy are:

- amending the Divorce Act to introduce child support guidelines;
- strengthening enforcement procedures to ensure family support obligations are respected;
- improving public attitudes toward family support obligations through a public awareness campaign;
- implementing a co-operative education program for justice officials, justice service providers and the general public;
- providing financial assistance to the provinces and territories to implement innovative, efficient and cost-effective services that will assist parties in obtaining child support orders;



- providing financial assistance to the provinces/territories to enhance their maintenance enforcement programs;
- implementing a program of research designed to monitor the intended and unintended impacts of the child support guidelines; and
- new rules for the taxation of child support (under authority of the Minister of Finance).

b) Firearms Control Measures

During 1995-1996, the Department of Justice (Canadian Firearms Centre) continued to support the government's "Safe Homes, Safe Streets" policy agenda by supporting the Minister of Justice during his appearances before the House of Commons' and Senate's Standing Committees on Justice to present and explain Bill C-68 (An Act respecting firearms and other weapons). The Firearms Act received Royal Assent on December 5, 1995.

The conceptual review of the licensing, registration and authorization components of the Canadian Firearms Registration System (CFRS) was also initiated during the year. Numerous consultation sessions took place with many committees and working groups, including provinces and territories, Aboriginal groups and various firearms user and interest group representatives.

c) Law Commission of Canada

In 1995-96, the Department supported the establishment of a new law reform commission for Canada, fulfilling a government commitment as stated in the January 1994 speech from the Throne. Following extensive government and public consultation on the mandate and structure of the new commission, Bill C-106, an Act respecting the Law Commission of Canada, was introduced in the House of Commons on October 6, 1995. It received second reading on October 23, 1995 and was reinstated as Bill C-9 in March 1996.

Bill C-9 received Royal Assent on May 29, 1996, but has not yet been proclaimed. The Act will be proclaimed with the announcement of the appointed commissioners. It is expected that the Law Commission will be operational in 1997-98.

d) National Strategy on Community Safety and Crime Prevention

Treasury Board approved funding of \$5.86 million over 5 years, starting in 1994-95 for the Department to implement its part of the National Strategy on Community Safety and Crime Prevention. In addition, the Department is contributing existing resources of \$5.59 million over 5 years. The Strategy, developed in partnership with other federal government departments, the provinces and the territories, provides a national focus to create safer communities for Canadians.

The results achieved in 1995-96 by the National Crime Prevention Council Secretariat, as part of its mandate to support the National Crime Prevention Council and to coordinate federal and provincial crime prevention activities include: the submission of a first Annual Report on the National Strategy; establishment of an information resource centre on crime prevention; and the release of several publications to promote crime prevention and assist governments and communities.

A review of the National Crime Prevention Council was also initiated in 1995-96 and completed in 1996-97. The results of this review, which was conducted 24 months into the term of the new



Council, will be used to determine the need for changes to the mandate and structure of the Council in its second term.

e) High-Risk Offenders

Developmental work was begun in 1995-96 to deal more adequately with people convicted of crimes who pose a high risk of committing serious personal injury when released from custody. The strategy consisted of introducing a new category of long term offender, strengthening the assessment process for dangerous offenders and broadening the Criminal Code provisions to allow for restraining orders following the release of certain high-risk offenders.

f) Aboriginal Justice Strategy

The year 1995-96 marked the culmination of the five-year Aboriginal Justice Initiative and the development of future options for consideration.

In March 1996, approval was received to embark on a new strategy, to put in place guidelines on justice issues for federal personnel negotiating self-government agreements with Aboriginal groups, cost-sharing agreements for alternative justice approaches in both on-reserve and off-reserve Aboriginal communities and to support a volunteer network of experts on Aboriginal justice issues who would support implementation of alternative structures.

g) Consolidated Grants and Contributions Fund

The Department consolidated twenty-five existing grants and contributions programs into one single program in 1995-96. The purpose of this activity was to increase strategic planning, priority setting and resource allocation with a view to maximizing discretionary funding in support of departmental policy and program development and implementation.

The Department proceeded with the implementation of the consolidated Department of Justice Grants and Contributions Fund in 1996-97 and was able to achieve the desired results. In addition, performance indicators were developed to measure the Fund's contribution to policy development and its impact on the Canadian public. A new project management information system is under development that will better inform management on the effectiveness of activities undertaken in relation to departmental priorities. This system will be fully operational in 1997-98.

h) Research Areas

In 1995-96, the Department published one edition of Justice Research Notes (JRN), a widely disseminated bulletin that provides summary information on research reports that have been prepared for the Department. Figure 17 on page 54, provides a listing of the Department's research areas and corresponding resources.

3. Administration

The Department's performance summary for specific initiatives within the Administration Activity is set out under the headings below.



a) Information Management and Technology

The Department continues to pursue gains through the use of information technology. In the last two years, the Department has seen major advances in its technology environment. The Infrastructure Standardization Initiative (ISI), initially introduced in 1994-95, was extended into 1995-96 to include legal services units within client departments. This initiative is aimed at providing all employees of the Department with fully compatible hardware and software, along with required training and technical support.

The Department has pilot-tested a time keeping system during the latter part of 1995-96 to assess both the application and the business processes required to support such a system. Implementation of a time keeping system throughout the Department will begin in the last quarter of 1996-97.

In 1995-96, the Department established a public access Internet site. This site provides the public with direct access to primary legal materials, such as the Statutes and Regulations of Canada. The site also contains information about the Department and allows access to select publications as well as information related to specific initiatives, such as the child support reforms and proposed firearms legislation (for the Internet address and other information, see Supplementary Information, page 53). Since the site's inception, the number of accesses has increased from about 80,000 to about 160,000 visits per month, two-thirds of which are to the Statutes and Regulations databases.

b) Communications Activities

In 1995-96, major undertakings for the Department included communications initiatives for Ministerial priorities related to legislation on high-risk offenders, firearms registration and regulations for gun control, changes to section 745 (now known as section 745.6) of the Criminal Code dealing with parole ineligibility, child support, child prostitution and sex tourism, criminal harassment (stalking), female genital mutilation, DNA evidence, limits to the defence of intoxication, changes to the Canadian Human Rights Act (sexual orientation), access to records in sexual offence prosecutions, the Contraventions Act, and the Regulations Act.

A broad range of public information materials was also developed for crime prevention initiatives in support of the National Strategy on Community Safety and Crime Prevention. Materials included Safer Communities: A Parliamentarian's Crime Prevention Guide, a video, Judge for Yourself, which takes viewers on a journey through the youth justice system to see the Young Offenders Act in operation. This video has sold hundreds of copies from its appearance in 1995 to the present day, and has been recognized in three different competitions for its composition, editing and production excellence.

During fiscal year 1995-96, the Department published about 100 new titles. One of the major publications was a widely-circulated booklet, "Abuse is Wrong in Any Language," written for immigrant women who are suffering from abuse in a relationship or in a family. The Department also published "Seen but Not Heard: Native People in the Inner City," a 530-page report by Carol La Prairie on the over-representation of Aboriginal people as offenders in Canadian correctional institutions. A list of some of the upcoming consultation documents and current publications produced by the Department is presented in the Supplementary Information section on page 52.



c) Human Resources

i) Conflict Resolution Coordinator: A new Conflict Resolution Coordinator has been appointed to foster a conflict and harassment-free workplace where every employee of the Department is committed to working together on the basis of mutual trust, support and respect. The Coordinator provides assistance and advice to employees and managers in the resolution of conflict and harassment. A positive working environment is promoted through training sessions in interpersonal relationships and the management of workplace conflict. Furthermore, the Coordinator plays an important leadership role within the federal administration by giving advice to other departments in the area of conflict resolution and harassment in the workplace.

ii) Senior Advisor, Gender Equality: An "Engendering Justice" study conducted in 1995, reported that there was a definite need for better coordination of the many initiatives related to gender equality within the Department. As a result, the position of Senior Advisor, Gender Equality, has been established. This new position, which reports directly to the Deputy Minister, will lead the Department's renewed gender equality initiative. The initiative was established to ensure that the needs of women in the justice system and the Department are taken into account in all of the Department's substantive work, management practices and policies. Additionally, it will promote awareness, responsibility and accountability for gender equality throughout the Department.

d) Ministerial Correspondence

The Department receives, registers and directs all correspondence addressed to the Minister or his staff and prepares routine and final replies for signature. In 1995-96 234,000 letters were received. A large part of the correspondence reflected the public's concerns and support in the areas of gun control, sexual orientation, young offenders, and section 745.6 of the Criminal Code, dealing with parole ineligibility.

e) Special Programs

The Department continues to provide support for the management of the Central Divorce Registry. In 1995-96, the Department processed 87,230 applications for divorce certificates. A \$10.00 fee imposed for each application enables the Department to offset the costs associated with the management of the Registry.

Under the Family Orders and Agreements Enforcement Assistance Act(FOAEA), tracing and interception services are provided to provincial and territorial family support services agencies. In 1993-1994, the Department processed approximately 60,000 garnishment actions amounting to \$52 million and in 1994-95, approximately 72,000 actions were processed, amounting to over \$57 million. In 1995-96, the Department maintained a volume of approximately 83,000 active garnishee summonses resulting in the collection of \$59 million.

The new Contraventions Act was developed in 1995-96 and came into force on August 1, 1996. The amendments to the Act allow the federal government to use existing provincial and territorial offences schemes to issue tickets for federal offences designated as contraventions. The Act's objective is to increase compliance with federal legislation, help lower the cost of administering justice and eliminate overlap and duplication. Ontario became the first province to enforce the Act and negotiations with all other jurisdictions are ongoing.

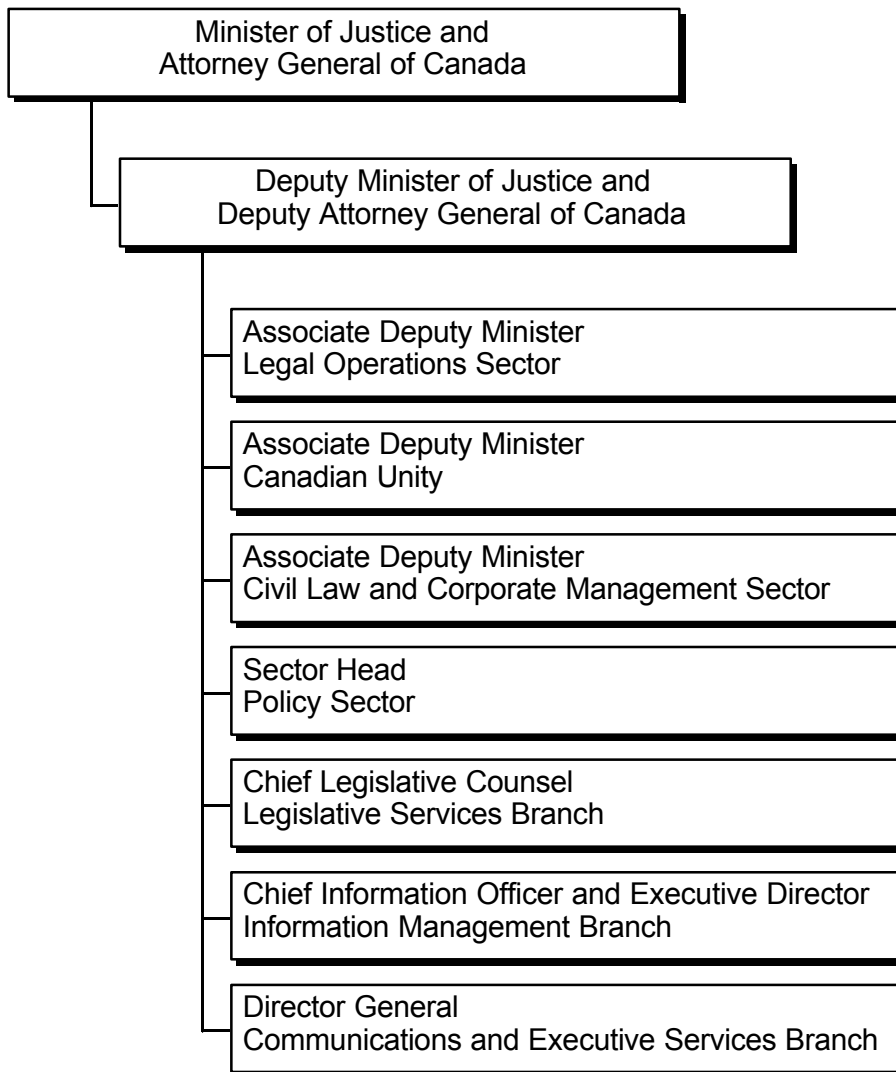


Section IV

Supplementary Information

Appendix 1 - Organization

1.1 Organization Chart



1.2 Resource Requirements by Organization and Business Line/Activity for 1997-98
(\$000)

Organizational Unit	1997-98 Main Estimates			
	Business Lines / Activities			
	Administration	Government Client Services	Law and Policy	Total
Minister's Office	1,647			1,647
Deputy Minister's Office	635			635
Civil Law and Corporate Management Sector*	28,433	11,004	1	39,438
Legal Operations Sector		109,774	543	110,317
Policy Sector			271,834	271,834
Legislative Services Branch		7,370	18	7,388
Communications and Executive Services Branch	2,667			2,667
Total	33,382	128,148	272,396	433,926

* Includes resources for the Canadian Unity Office and the Information Management Branch



Appendix 2 - Personnel Requirements

2.1 Details of Personnel Requirements by Business Line/Activity (FTEs)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Activities						
Government Client Services	1,695	1,530	1,488	N/A	N/A	N/A
Law and Policy	233	177	187	N/A	N/A	N/A
Administration	338	420	406	N/A	N/A	N/A
Total	2,266	2,127	2,081	N/A	N/A	N/A



2.2 Summary by Professional Category (FTEs)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Order-in-Council Appointments	5	4	4	N/A	N/A	N/A
Executive Group	21	19	20	N/A	N/A	N/A
Scientific and Professional	1,142	1,087	1,010	N/A	N/A	N/A
Administrative and Foreign Service	285	288	281	N/A	N/A	N/A
Technical	118	114	117	N/A	N/A	N/A
Administrative Support	660	581	606	N/A	N/A	N/A
Operational	4	5	9	N/A	N/A	N/A
Summer Students	22	21	22	N/A	N/A	N/A
Other	9	8	12	N/A	N/A	N/A
Total	2,266	2,127	2,081	N/A	N/A	N/A



Appendix 3 - Additional Financial Information

3.1 Transfer Payments by Business Line/Activity (\$000)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Grants						
Law and Policy	881	623	836	808	668	668
Total Grants	881	623	836	808	668	668
Contributions						
Law and Policy	275,207	260,766	260,334	255,475	239,315	238,695
Total Contributions	275,207	260,766	260,334	255,475	239,315	238,695
Total Grants and Contributions	276,088	261,389	261,170	256,283	239,983	239,363



3.2 Details of Transfer Payments by Business Line/Activity*

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates
Grants				
Uniform Law Conference of Canada - Administration Grant	5,400	4,830	18,170	18,170
Uniform Law Conference of Canada - Research Grant	15,165	14,543	-	-
International Commission of Jurists	15,028	-	-	-
L'institut international de droit d'expression française (IDEF)	1,350	1,500	1,500	1,140
Grants to encourage student specialization in legislative drafting	42,000	-	-	-
Legal Studies for Aboriginal People Program	454,197	270,137	225,676	210,631
Canadian Association of Chiefs of Police for the Law Amendments Committee	13,810	13,028	12,320	12,274
British Institute of International and Comparative Law (Commonwealth Legal Advisory Services - CLAS)	8,100	13,000	13,000	7,220
Hague Academy of International Law	9,760	9,190	8,620	8,620
Canadian Human Rights Foundation	29,925	28,250	26,600	26,600
National Judicial Institute	277,500	268,750	140,000	133,000
United Nations Commission on International Trade Law Symposia	8,550	-	-	-
Canadian Society for Forensic Science	-	-	40,000	40,000
Canadian Association of Provincial Court Judges	-	-	50,540	50,540
Grants to individuals, Canadian or International non-profit organizations, provinces and territories, regions or municipalities, universities, bands and tribal councils for policy or program development or implementation	-	-	300,000	300,000
Total Grants	880,785	623,228	836,426	808,195
Contributions				
Canadian Association of Provincial Court Judges	56,820	53,700	-	-
Canadian Society of Forensic Science	35,404	29,648	-	-
Consultation and Development Fund	134,524	45,933	-	-
Summer Exchange Program between Civil and Common Law Students	190,720	169,109	-	-
Contribution to encourage experimental and research work in Legal Aid	85,956	13,031	-	-
Criminal Law Reform Fund	1,396,005	919,811	-	-
Public Law Research and Education Fund	117,910	153,179	-	-
Native Courtworkers Program and Other Native Projects	4,779,235	4,769,048	4,500,000	4,500,000
Public Legal Education and Information Fund	1,627,050	1,374,525	-	-
Aboriginal Justice Initiative Fund	2,071,139	1,736,500	-	-
University of Ottawa Legislative Drafting Program	72,160	-	-	-
Family Support and Enforcement Fund	1,624,245	1,065,061	-	-
Contributions to the provinces and territories to assist in the operation of legal aid systems	90,114,196	88,310,215	85,000,000	85,000,000
Contributions to the provinces and territories in respect of agreements approved by the Governor in Council for the cost-sharing of juvenile justice services under the Young Offenders Act	155,520,660	156,016,135	152,000,000	150,000,000
Contributions to the provinces and territories for the Firearms Program	17,380,660	6,110,330	13,990,330	11,382,000
Contributions to individuals, Canadian or International non-profit organizations, provinces and territories, regionals or municipalities, universities, bands, and tribal councils for policy and program development or implementation	-	-	4,843,302	4,092,667
Contributions under the Aboriginal Justice Strategy Fund	-	-	-	500,000
Total Contributions	275,206,684	260,766,225	260,333,632	255,474,667
Total Grants and Contributions	276,087,469	261,389,453	261,170,058	256,282,862

* All the Department's grants and contributions are part of the Law and Policy activity element.

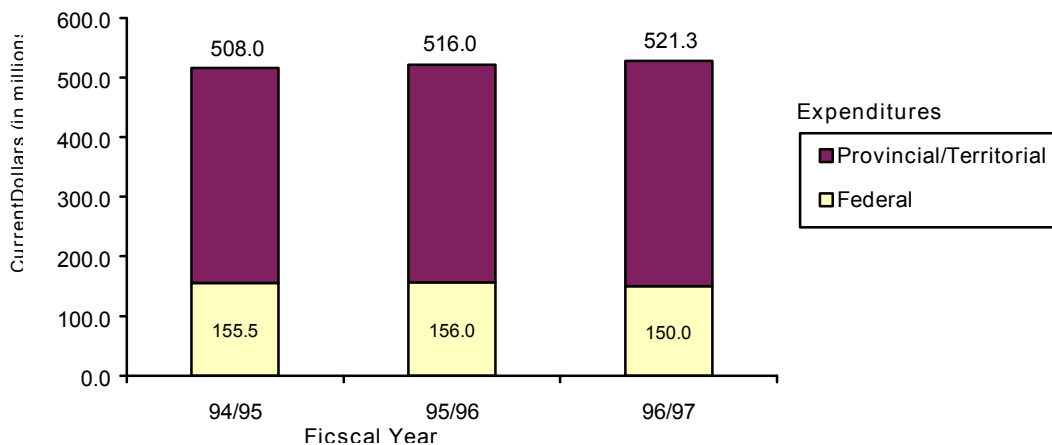


3.3 Description of Cost-shared Programs

In support of a fair and accessible Canadian justice system the Department provides financial assistance under a number of programs to provincial and territorial governments, national voluntary organizations and community based agencies. These programs encourage cooperation, information sharing and joint planning among the various players in the justice system; support the development, promotion and maintenance of basic standards in the justice system; and improve the delivery of justice services to the public. The Department administers four major cost-shared agreements with the provinces and territories:

The Juvenile Justice Services Program (\$150.0 million in 1997-98) assists provincial and territorial governments in developing sound juvenile justice programs under the Young Offenders Act through the provision of financial support. In 1996-97, interim cost-sharing agreements were established to allow continued federal funding for juvenile services while discussions towards the negotiation of new financial arrangements took place. These new financial arrangements will focus federal contributions on alternatives to the youth court system; alternatives to custody; and effective programming for serious offenders both in custody and in the community. Figure 14 sets out the total costs of eligible services under this Program and the federal contribution to these costs.

Figure 14: Total Expenditures on Juvenile Justice Services Program and Related Federal Contributions*

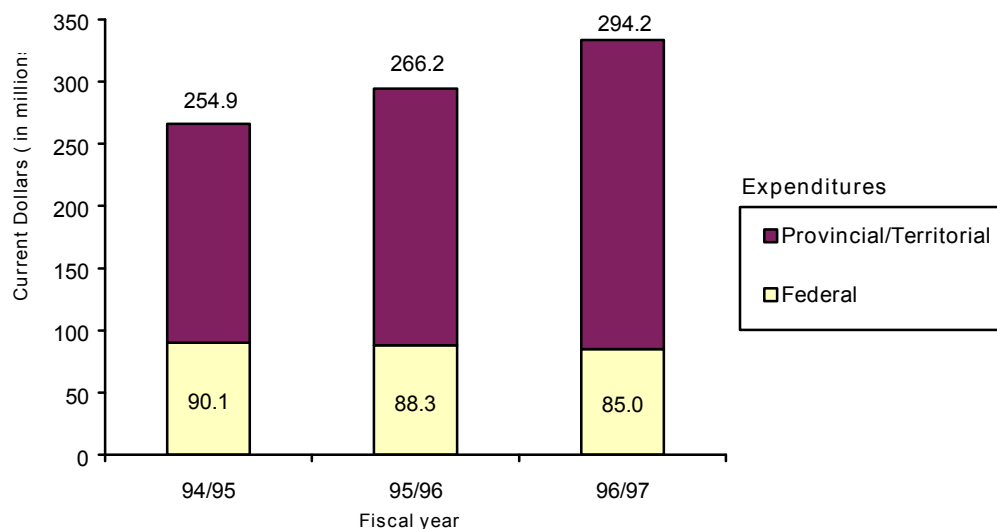


* Annual figures do not include federal payments made with respect to prior years. Expenditures for 1996-97 are estimated. All other years are actuals.



The Adult and Young Offenders Legal Aid Program (\$85.0 million in 1997-98) ensures a minimum standard of legal aid services, in criminal matters, to the economically disadvantaged when necessary to ensure a fair trial. In general, all indictable offenses and those summary conviction offenses where there is a likelihood of imprisonment or loss of livelihood upon conviction, including proceedings under the Young Offenders Act are covered. In 1995-96, the Department participated in federal/provincial/territorial discussions of Canada's system of criminal legal aid, a major objective of which was to examine minimum standards of coverage and funding. Figure 15 sets out the total national criminal legal aid expenditures shared between the federal and provincial/territorial governments and the federal contribution to those expenditures.

Figure 15: Total Expenditures on Adult and Young Offenders Legal Aid Program with Federal Contributions*



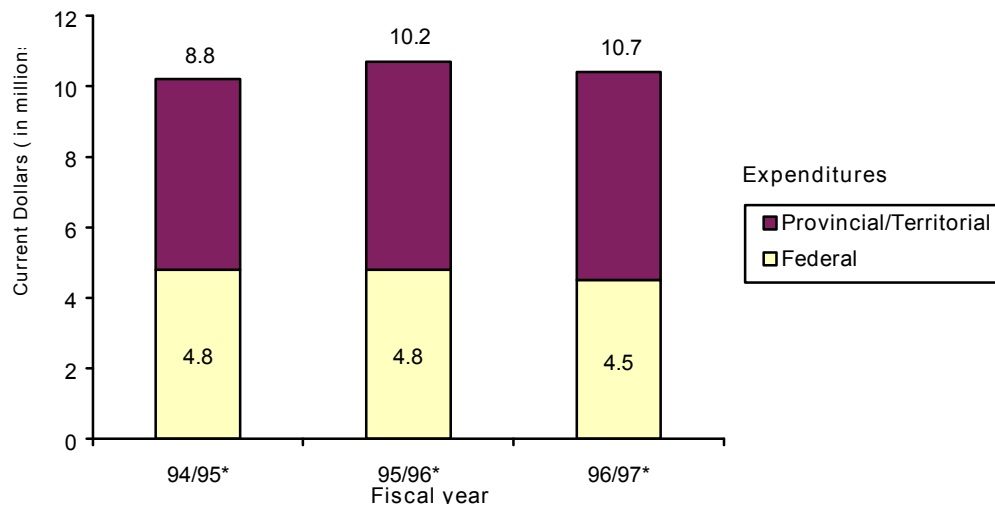
* Annual figures do not include federal payments made with respect to prior years. Expenditures for 1996-97 are estimated. All other years are actuals.

The Firearms Control Program assists provinces and territories in administering the firearms provisions in the Criminal Code. The Department will undertake the negotiation of new firearms financial agreements with the provinces and territories concerning the cost implications resulting from the implementation of the new Firearms Act.



The Native Courtworkers Program (\$4.5 million in 1997-98) helps Aboriginal persons in conflict with the law understand the criminal justice system and access services available within it. Its objectives include meeting the counselling (other than legal) and referral needs of Natives in conflict with the law thereby enhancing their access to the criminal justice system and reducing the communication barriers between Native people and those involved in the administration of the criminal justice system. In 1995-96 the Department provided financial and program support for the implementation of Native Courtworker Programs in Saskatchewan and Nova Scotia and concurrently initiated a review of the program in the broader context of Aboriginal Justice. In 1997-98, the Department is expected to commence the implementation of the recommendations of the review. Figure 16 sets out the total Native Courtworker expenditures shared between federal and provincial/territorial governments and the federal contribution to those expenditures.

Figure 16: Total Expenditures on Native Courtworkers Program and Federal Contributions



* To make the table comparable from year to year, the amounts for services to Aboriginal youth were excluded. Expenditures for 1996-97 are estimated. All other years are actuals.



3.4 Description of the Public Legal Education and Information Program

The Public Legal Education and Information Program provides the public with information on federal law and the justice system via a network of non-governmental organizations, through the Access to Justice Network (ACJNet) on the World Wide Web, by preparing legal information booklets and pamphlets in plain language, and by developing educational tools and products for youth and teachers. Through ACJNet the public can access Canadian law and justice information, ask legal information questions, and discuss law and justice issues.

The Access to Justice Network went on the World Wide Web in 1995, offering hundreds of publications and resources to the general public. ACJNet began making its databases available on the Internet, including the ACJNet Directory and the Legal Resource Centre database. Also, ACJNet provides free access to the Statutes and Regulations of the NWT, the Yukon and Ontario.

The Public Legal Education and Information Program developed, produced and distributed fifteen publications and one video in 1995-96 and 1996-97. Pamphlets for the public on Stalking, Peace Bonds and the Young Offenders Act for the public are being supplemented by teaching tools and student workbooks such as the "Three R's of Justice Education: Rights, Responsibilities and Respect" publication produced for school law and social studies courses and for English and French as a Second Language Programs.



Appendix 4 - Other Information

4.1 Acts for which the Minister of Justice has Responsibility

Access to Information Act
Annulment of Marriages (Ontario) Act
Bills of Lading Act
Canada Evidence Act
Canada Prize Act
Canada United Kingdom Civil and Commercial Judgments Convention Act
Canadian Bill of Rights
Canadian Human Rights Act
Canadian Laws Offshore Application Act
Commercial Arbitration Act
Contraventions Act
Criminal Code
Crown Liability and Proceedings Act
Department of Justice Act
Divorce Act
Escheats Act
Extradition Act
Family Orders and Agreements Enforcement Assistance Act
Federal Court Act
Firearms Act
Foreign Enlistment Act
Foreign Extraterritorial Measures Act
Fugitive Offenders Act
Garnishment, Attachment and Pension Diversion Act
Identification of Criminals Act
International Sale of Goods Contracts Convention Act
Interpretation Act
Judges Act
Law Commission of Canada Act
Marriage (Prohibited Degrees) Act
Mutual Legal Assistance in Criminal Matters Act
Narcotic Control Act
Official Languages Act
Official Secrets Act
Postal Services Interruption Relief Act
Privacy Act
Revised Statutes of Canada, 1985 Act
Security Offences Act
State Immunity Act
Statute Revision Act
Statutory Instruments Act
Supreme Court Act
Tax Court of Canada Act
United Nations Foreign Arbitral Awards Convention Act
Young Offenders Act



4.2 List of Upcoming Consultation Documents and Current Publications

Upcoming Consultation Documents:

- Extending Privacy Legislation to the Private Sector (late Spring 1997)
- The Criminal Code provisions on cruelty to animals (early Spring 1997)
- Correctional Interference with the Integrity of a Sentence: Follow-up on certain of the Arbour Inquiry Recommendations (early Spring 1997)
- Further promotion of Dispute Resolution at the Federal level (early Summer 1997)
- The Native Courtworker Program Discussion paper concerning a Revised Memorandum of Agreement (late Winter 1997)

A Selected List of Available Publications:

- The New Child Support Package
- Canada's Proposed Firearms Regulations
- The New Firearms Act: Here are the Facts
- A Guide to Proposed Firearms Regulations
- Protecting Canadians and Their Families
- Stalking is a Crime Called Criminal Harassment
- Peace Bonds
- Working Against Discrimination: the Amendments to the Canadian Human Rights Act
- Seen but Not Heard: Native People in the Inner City
- Abuse is Wrong in Any Language

Newsletters

- Justice Research Notes (Summaries of research projects in various areas of justice policy)
- Justice Echo (A quarterly publication to inform managers on legal developments)
- Insight (The newsletter of the Canadian Firearms Centre)



A Selected List of Publications Available on the Department's Internet Site:

Child Support Reforms

- Child Support: Public Discussion Papers
- The Financial Implications of Child Support Guidelines: Research Report
- The Financial Implications of Child Support Guidelines: Executive Summary of the Consultation

Crime Prevention

- Safer Communities: A Parliamentarian's Crime Prevention Guide
- National Strategy on Community Safety and Crime Prevention

Firearms Publications

- Guide to Proposed Firearm Regulations: November 1996
- The Facts on Firearms (Plain language fact sheets on a variety of topics)
- Firearms Statistics (Updated Tables, August 1996)

General Research Documents

- A Survey of the Preliminary Inquiry in Canada
- Hate-Motivated Violence
- Discovering Barriers to Legal Education: First-Generation Immigrants in Greater Vancouver
- Complaint and Redress Mechanisms Relating to Racial Discrimination in Canada and Abroad
- Multiculturalism, Representation and the Jury Selection Process in Canadian Criminal Cases
- Ethnocultural Groups and the Justice System in Canada

Miscellaneous Publications

- Canada's Court System, JUS-667, 1994
- Canada's System of Justice, JUS-645, 1993
- Canadian Charter of Rights Decisions
- Crown Counsel Policy Manual
- A Survey of Legal Issues Relating to the Security of Electronic Information
- Charting the Course: Report of the Canadian Forum on Dispute Resolution (Held in Toronto February 17-18, 1995)
- Working against Discrimination— The Facts
- The Amendment to the Canadian Human Rights Act (May 1996)
- Report on Communications between Justice Officials and the Courts— The Honourable Charles L. Dubin Q.C., LL.D. (September, 1996)

Department of Justice Conferences

- Justice on the Electronic Highway
- Symposium on Digital Technologies and Copyright

Recruitment Information

- A Legal Career with Justice
- Student Opportunities

(Internet address -- <http://canada.justice.gc.ca>)



4.3 Socio-Legal Research Areas

Figure 17: Details of Departmental Socio-Legal Research in Support of Policy Development, Programs Development and Litigation

(dollars)	Actual 1995-96	Estimates 1996-97	Estimates 1997-98
<u>Criminal Law Research and Young Offenders</u>	921,100	1,037,492	622,650
Family Violence/Violence Against Women			
Child Sexual Abuse			
Crime Prevention			
Victims			
Sexual Assault/ Gender Issues			
Youth Violence/Youth Gangs			
Mentally Disordered Offenders			
DNA Databanking			
Prostitution/Pornography			
Public Opinion Research			
Impaired Driving			
Other Criminal Law Policy Issues			
<u>Access to Justice Research</u>	531,300	326,300	358,450
Criminal Legal Aid			
Native Courtworker Program			
Public Legal Education and Information (PLEI)			
Alternative Dispute Resolution			
Equality and Diversity			
Integrated and Multidisciplinary Justice			
<u>Analysis Liaison and Litigation Support</u>	378,300	358,000	370,600
<u>Family Law Research & Child Support Research</u>	176,200	156,500	200,450
PLEI Research for Child Support			
Child Support Guidelines			
Custody and Access			
Maintenance Enforcement Statistical			
Total	2,006,900	1,878,292	1,552,150

Note: All amounts include salary and operating expenditures.



4.4 Details of Law Reform Work

(dollars)

Developmental work for new Commission \$ 375,000

Law Reform Projects

Integration and co-ordination of the role of Families	50,000
Young Offenders Task Force	338,293
Bill 27	30,000
High Risk Offenders/organized crime	110,000
Risk Management Models for Dangerous Offenders	25,000
Best Practices Manual for Alternative Measures	25,000
Client Specific Sentence Planning	85,000
Restitution	21,000
Consultations on Reform to Law re: Women	130,379
Human Rights Act	145,328

Law Reform Research

Inventory of Adult Alternative Measures Program in Canada	15,000
Review of Saskatchewan Victims of Domestic Violence Act (Phase 2)	15,000
Comparative Analysis Component of Toronto Regional Office Dispute Resolution Project	25,000
Review of the Effectiveness of the Use of Probation in Cases of Criminal Harassment and Wife Assault	25,000
Review of the Effectiveness of Youth Justice Committees	30,000
Review of the Laloche Community Development Project	15,000
Review of Sentencing Circles	40,000

Administrative Costs 500,000



4.5 Planned and Completed Evaluations, Audits and Reviews by Business Line/Activity

The effectiveness of Departmental programs, functions and operations is assessed through the conduct of internal audits, program evaluations and management reviews. These studies normally focus on organizational units or components of the Department's major activities as well as on certain specific departmental initiatives. The following provides a description of planned and completed evaluations, audits and reviews by Business Line/Activity.

Government Client Services

Planned: The Department and Revenue Canada will be conducting a joint audit of Tax Law Services in 1997-98. The main objectives of the audit will be to review the management framework in place, the appropriateness of financial, human and materiel resources, the adequacy of information systems, and trends in the demands for legal services.

An evaluation framework study relating to the enhanced management framework for the Drug Prosecution Fund and the prosecution of Proceeds of Crime cases was initiated late in 1995-96. It is anticipated that this will be completed by the end of 1996-97. An Advisory Committee from the Department of Justice and Treasury Board Secretariat has been established to oversee the study which will outline the approach to be taken in assessing the enhanced management framework. The project identifies performance measures for assessing the success and impacts of the enhanced management framework and, based on an assessment of available data, identifies further information requirements to enable future evaluation.

Completed: The Department initiated an evaluation framework study (completed in 1996-97) for the Client Driven Services Cost Recovery Pilot Project. This study determined that one was not able to evaluate the Pilot Project in the traditional sense, in part because of the lack of comparative data and the absence of a control group against which to measure any changes.

The Department completed an audit of the Criminal Law Branch. The audit made a number of recommendations for improving the management framework. Some of these recommendations addressed the need to examine the assignment of supervisory responsibility for section heads and practices regarding the assignment of work to lawyers. The audit placed a high priority on the need to establish appropriate management information systems to provide management with information required for monitoring and for decision-making. Other recommendations addressed the need for specialized training for federal prosecutors and for improved communications within the Branch and with regional offices. As well, the audit recommended that alternative methods for accomplishing administrative tasks be identified.

Law and Policy

Planned: In 1997-98 the Department will finalize evaluation frameworks and begin the development of performance indicators for the Aboriginal Justice Strategy, the Child Support Initiative and the 1995 Firearms Act. A greater focus is being placed on the development of frameworks which clarify program objectives and results for which managers are accountable.

An empowerment evaluation approach will be used with respect to the Aboriginal Justice Strategy which will provide for the involvement of Aboriginal communities in defining and measuring anticipated results. A Tripartite Steering Committee composed of representatives from the provincial, federal and Aboriginal governments will direct the evaluation process. In addition, the



Department will consider implementing a participatory evaluation approach to support its work in setting up the new Territory of Nunavut.

The enhanced Firearms Control Initiative represents a major government priority. The initiative is complex and cuts across traditional vertical organizational structures. Similarly, the proposed evaluation activities are complex and cut across three organizations. The evaluation framework of the 1995 Firearms Act will evolve over several years as the project components come on stream and the regulations are developed. It is anticipated that there will be separate evaluation frameworks for the Department, the RCMP and Revenue Canada and an overall framework for the inter-departmental evaluation which will be the responsibility of the Department.

In a similar manner, the development of the evaluation framework for the Child Support Initiative will evolve within the context of the management accountability framework and follow-up on some of the issues raised in the Child Development Initiative. During 1997-98 the evaluation activities will be directed at assisting program managers in the development and implementation of performance indicators for ongoing monitoring of performance.

In 1997-98 an evaluation framework will be developed for the Justice component of the renewed Family Violence Initiative. The Department will also participate in the interdepartmental evaluation activities related to this initiative.

Finally, in 1997-98 the Department will begin a evaluation of the National Strategy on Community Safety and Crime Prevention to assess the results and the impact of the strategy.

Completed: The Department completed an evaluation report on the impact of the 1977 Firearms legislation. This report, which was publicly disseminated, focuses on the effectiveness of the 1977 changes to the Criminal Code specifically designed to address the problems of firearms deaths and injuries as well as crimes involving firearms. By the end of 1996-97 a further process evaluation concentrating on the implementation of the 1991 firearms legislation will be completed.

The evaluation of the Department's contribution to the interdepartmental Child Development Initiative (Brighter Futures) was commenced in 1995-96 and completed in 1996-97. The initiative was designed to prevent and reduce conditions of risk among children. The Department undertook policy development activities related to young offenders, maintenance enforcement and child pornography under this initiative. The lessons learned with respect to the management of interdepartmental initiatives will be especially useful in the upcoming special initiatives for child poverty.

In 1995-96, the Department developed performance indicators for the evaluation and ongoing monitoring of the National Strategy on Community Safety and Crime Prevention. In fulfillment of a requirement of Treasury Board Secretariat a mid-term evaluation of the National Strategy on Community Safety and Crime Prevention was completed in October, 1996. This mid-term assessment focused on the implementation and co-ordination of the Strategy in identifying areas requiring particular attention to enhance the success of the initiative. The mid-term evaluation found that, in general, the implementation of the strategy was on track and that ongoing vigilance was required in monitoring performance in a systematic manner to ensure the strategy stays its course.

As noted earlier, a review of the National Crime Prevention Council was also initiated in 1995-96 and completed in 1996-97.



The Department initiated evaluation framework studies in several high profile areas including Aboriginal justice, child support and the 1995 Firearms Act. The Department has placed an emphasis on establishing accountability frameworks in high priority areas to ensure that these initiatives are successfully managed and evaluated in future years.

The Department contributed to the ongoing monitoring and reporting on the Justice components of Canada's Drug Strategy and the National Strategy for Persons with Disabilities.

Finally, the Department prepared performance indicators to assess the impacts of the Terms and Conditions for Grants and Contributions (consolidated fund) approved by Treasury Board. These indicators will be used for the ongoing monitoring of the consolidated fund.

Administration

Planned: Continued evaluation support for client satisfaction studies will be provided.

Completed: The Department completed audits of the Case Management System, Phase I and Year-end Spending, and continued its "systems under development audit" of a Human Resources Management System (HRMS).

The audit of the Case Management System - Phase I included a number of specific recommendations regarding the system, such as: improving the speed of the system, making options more consistent with Windows applications; making error messages more explicit; and including safeguards for making changes to closed files. The audit also included more general recommendations such as the need to: prepare detailed cost estimates and implementation targets; define roles and responsibilities for owners and custodians of the system; and issue project status reports to interested parties.

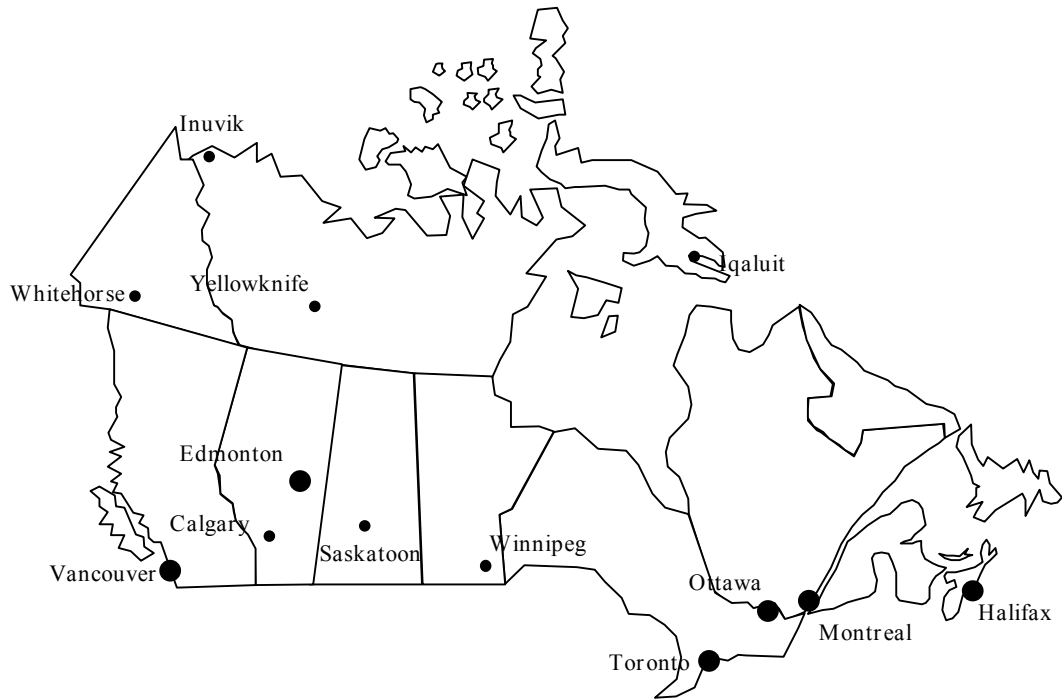
In response to a Treasury Board request, the Department completed an audit of Year-end Spending. The audit covered the last quarter of the 1994-95 fiscal year as well as April 1995. The audit determined that all operating and maintenance (O&M) payments sampled were in compliance with contracts, purchase orders and call-ups against standing offers and that the Grants and Contributions payments (G&C) sampled were in compliance with the terms and conditions of the respective agreements. The audit also determined that all O&M and G&C expenditures were proper and justifiable based on program or operational requirements and were in compliance with the Financial Administration Act.

With respect to the systems under development audit of the HRMS, recommendations were made regarding the authorities and accountabilities of key players in the systems development process as well as the management of resources associated with these systems.

Evaluation advice and support in assessing client satisfaction were provided on an ongoing basis to a number of initiatives, i.e. gender equality, policy sector administrative support services, review of executive subcommittees and contracts and material management.



4.6 Location of Departmental Offices



Index

—A—

Aboriginal, 4, 7, 8, 9, 19, 22, 23, 25, 30, 37, 38, 39, 49, 56, 58
 Aboriginal Justice Strategy, 38
 Native Courtworker Program, 49, 52, 54
Aboriginal Justice Strategy, 22, 38, 56
Access to Justice, 18, 54
Activities, 13
 Administration, ii, 9, 26, 38, 58
 Government Client Services, ii, 8, 14, 31, 56
 Law and Policy, ii, 8, 19, 36, 56
Activity Structure, 6
Acts, 51
 Canada Evidence Act, 51
 Canadian Human Rights Act, 3, 4, 39, 51, 52, 53
 Contraventions Act, 40, 51
 Department of Justice Act, 5, 51
 Divorce Act, 51
 Extradition Act, 51
 Family Orders and Agreements Enforcement Assistance Act, 40, 51
 Financial Administration Act, 58
 Firearms Act, 51
 Garnishment, Attachment and Pension Diversion Act, 51
 Judges Act, 51
 Law Commission of Canada Act, 51
 Official Languages Act, 51
 Official Secrets Act, 51
 Privacy Act, 51
 Statutory Instruments Act, 5, 35, 51
 Tax Court of Canada Act, 51
 Young Offenders Act, 39, 47, 48, 51
Administration, ii, 6, 7, 9, 18, 26, 29, 38, 58
Administration of Justice Program, II, 6, 7, 26
Administrative Services, II, 26
Attorney General of Canada, i, 5, 6, 33, 34

—B—

Bill(s)
 Bill C-106, 37
 Bill C-17, 24
 Bill C-25, 24
 Bill C-27, 24
 Bill C-41, 24, 36
 Bill C-45, 24
 Bill C-46, 25
 Bill C-55, 25

Bill C-68, 37

Bill C-9, 30, 37

Brighter Futures, 57

—C—

Canadian Bill of Rights, 5, 14, 18, 35, 51
Canadian Charter of Rights and Freedom, 5, 18
Canadian Human Rights Commission, II, IV
Child Support, 3, 4, 22, 23, 24, 30, 36, 37, 39, 52, 53, 54, 56, 57, 58
Civil Code, 18, 35
Civil Law, III, 6, 7, 8
Client Driven Services, 3, 4, 8, 15, 31, 56
Commissioner for Federal Judicial Affairs, II
Common Law, III, 7
Community Safety, 30, 37, 39, 53, 57
Constitution, i
Contraventions, 26, 39, 40, 51
Contributions, 38, 47, 48, 49, 58
Corporate Management, 6, 7, 26
Crime Prevention, 2, 4, 8, 21, 30, 37, 39, 53, 54, 57
Crime Prevention Council, 4, 37
Criminal Code, II, 5, 7, 23, 24, 25, 38, 39, 40, 48, 51, 52, 57
Criminal Law, 14, 19, 20, 23, 24, 54, 56

—D—

Departmental Legal Services Units (DLSUs), 7
Dispute Resolution, 4, 8, 16, 23, 30, 32, 53, 54
DNA, 39, 54
Drug, 16, 17, 33, 56, 58
Drug Prosecution Fund, 16, 56

—E—

Extradition, 51

—F—

Family And Youth, 19
Family Violence, 54, 57
Federal Court, II, III, 25, 51
Federal Court of Appeal, II
Firearms, 2, 4, 8, 22, 24, 25, 30, 37, 39, 48, 51, 52, 53, 56, 57, 58

—G—

Gender Equality, 3, 8, 18, 24, 40, 54, 58
Government Client Services, ii, 8, 14, 19, 31, 56
Government Legal Framework, 20
Grants, 38, 58

—H—

High-risk Offenders, 2, 30, 38, 39
Human Resources, 9, 22, 26, 28, 29, 40, 58



Human Rights Tribunal Panel, III
— I —
Immigration, II, 7, 9
Impaired Driving, 54
Information Commissioner, III
International Law, 8
— J —
Judicial Affairs, II
Judicial Review, 24
Justice Policy, 20
Justice Programs, 20, 47, 50
Juvenile Justice Services Program, 47
— L —
Law and Policy, ii, 8, 19, 25, 36, 56
Law Commission, 8, 21, 22, 30, 37, 51
Legal Aid, 48, 54
Legal Services, i, II, 4, 5, 6, 7, 14, 15, 16, 17, 28, 30, 31, 32, 33, 39, 56
Legislative Services, 4, 6, 14, 18, 35
— M —
Mandate, 5, 15, 37, 38
Mission, i, 5
Multiculturalism, 53
— N —
National Crime Prevention Council, 2, 4, 37, 57
National Strategy on Community Safety and Crime Prevention, 30, 37, 39, 53, 57
Native, 39, 49, 52, 54
Native Courtworker Program, 49, 52, 54
— O —
Offices of the Information and Privacy Commissioners of Canada, III
Operating Budget, ii
Organization Structure, 6
— P —
Personnel Requirements, 43
Persons with Disabilities, 9, 58
Preface, ii
Privacy Commissioner, III
Proceeds of Crime, 56
Program Objective, 6, 56
Public Legal Education and Information, 54
— R —
Regional Offices, 7, 32, 33, 56, 59
Reorganization, 6, 30
Research, II, 20, 37, 38, 52, 53, 54
Resource Summaries, 19, 26, 29
— S —
Service Standards, 15
Sexual Abuse, 54
Sexual Assault, 35, 54
Social Justice, 9
Special Programs, 26, 40
Spending Authorities, 10
Supreme Court, III, 34, 51
Supreme Court of Canada, III
— T —
Tax Court of Canada, II, III, IV, 14, 51
Transfer Payments, 45, 46
— U —
United Nations, 51
— V —
Violence, 4, 8, 23, 53, 54, 57
— W —
Women, 3, 9, 22, 23, 24, 39, 40, 54
— Y —
Young Offenders, 22, 39, 40, 47, 48, 51, 54, 57
Youth, 3, 4, 8, 9, 19, 21, 22, 23, 39, 49, 54



