

DEPARTMENT OF JUSTICE

Report on Plans and Priorities

2004-2005





By developing and upholding laws that affect virtually every facet of the country's political, social and economic life, the Department of Justice helps maintain a fair and democratic society while supporting the government's goals.

CONTENTS

Part I – Messages	1
Message from the Minister	1
Management Representation	3
Part II – Raison d’Être	5
Canada’s Justice System	5
Role of the Department of Justice	5
Part III – Planning Overview	7
About Our Work	7
Our Operating Environment	10
Our Strategic Response	12
Our Management Response	14
Reporting on Performance and Results	15
Part IV – Plans and Priorities by Strategic Outcome	16
Strategic Outcome 1: A Fair, Relevant, Accessible Justice System That Reflects Canadian Values	17
Strategic Outcome 2: A Safer, More Secure Society	24
Strategic Outcome 3: High-Quality Legal Services to Support the Federal Government	29
Part V – Organization and Planned Spending	39
How We Are Organized	39
Linking Business Lines to Strategic Outcomes	40
Part VI – Financial Tables	43
Part VII – Annexes	49
Annex 1 – Additional Information about the Department of Justice ..	49
Annex 2 – Legislation Administered by the Department	50
Annex 3 – Priorities and Planned Spending by Strategic Outcome and Business Line, 2004-2005	53
Annex 4 – Priorities and Planned Spending by Strategic Outcome and Business Line, 2005-2006	54
Annex 5 – Priorities and Planned Spending by Strategic Outcome and Business Line, 2006-2007	55
Annex 6 – Departmental Planned Spending	56
Annex 7 – Horizontal Initiatives with Department of Justice Participation	57
Index	61

Figures and Tables

Part III – Planning Overview

Figure 3.1	Justice across Canada	7
Figure 3.2	Planned spending 2004-2005 by type of expenditure ...	9
Figure 3.3	Planned spending 2004-2005 by business line	9
Figure 3.4	Planned FTEs 2004-2005 by business line	9
Figure 3.5	Strategic outcomes and priorities	13

Part IV – Plans and Priorities by Strategic Outcome

Table 4.1	Priorities and planned spending by strategic outcome ..	16
Figure 4.1	Programs and initiatives in support of Strategic Outcome 1 ..	18
Figure 4.2	Civil litigation caseload	30
Figure 4.3	Estimated total cost of legal services	32

Part V – Organization and Planned Spending

Table 5.1	Planned spending and FTEs by business line, 2004-2005	40
-----------	--	----

Part VI – Financial Tables

Table 4	Summary of transfer payments	43
Table 5	Details on transfer payments programs	44
Table 7	Major initiatives and programs	45
Table 8	Sources of spendable and non-spendable revenue ..	46
Table 9	External charging information	47
Table 10	Net cost of programs for the estimates year (2004-2005) ..	48

PART I – MESSAGES

Message from the Minister

The Department of Justice occupies a central position in Canada's system of government. By developing and upholding laws that affect virtually every facet of our political, social, and economic life, the Department seeks to secure a fair, just and democratic society while supporting the government's goals of strengthening the social foundations of Canadian life, building a twenty-first century economy, and ensuring Canada's standing in the world.

Most Canadians would agree that the fundamental aspects of the justice system work well. The system is under increasing pressure, however, from change in Canadian society and in the world at large. Many of the issues facing us - protecting human rights and privacy, access to justice, combatting terrorism and organized crime, protecting vulnerable groups in society from cyber-crime, hate crimes, or discrimination - need more reformist approaches, as well as action at the domestic and international levels.

The justice system will have a role in shaping these solutions, but an effective response will also require transformation within the system. Five broad themes express my vision for this transformative process:

Protecting security and promoting human rights are core government responsibilities in a world where the ultimate human right is personal security and freedom from fear. Here at home, this means safeguarding Canadians' security by continuing to make sure that our approach to anti-terrorism is comprehensive, effective and fair. Looking at the broader context for safety and security, we will pursue international cooperation, working with other countries toward the same objectives; continuing to provide leadership in fighting global crime and enhancing the international justice infrastructure; and furthering our efforts to ensure that Canada is not a safe haven for perpetrators of war crimes and crimes against humanity.

Transformation will also involve *protecting the most vulnerable and promoting human dignity*. This will be reflected in steps to protect children from exploitation and abuse, to promote child-centred family justice, and to ensure that the youth justice system continues to balance public safety and rehabilitation. Addressing all forms of violence against women is another facet of this theme; this will include measures to counter trafficking in persons domestically and internationally, through law reform and policy development, and assisting in a parliamentary review of the laws governing sex trade workers.



Irwin Cotler
Minister of Justice and
Attorney General of
Canada

The disproportionate representation of Aboriginal people in the justice system, both as victims of crime and as accused, underlines the importance of *achieving Aboriginal justice*. Reform will help ensure that Aboriginal traditions and approaches are reflected in and accepted by the mainstream justice system. Working with Aboriginal people and other partners, we will continue to pursue alternatives to litigation where appropriate in resolving disputes, as well as approaches that promote reconciliation and renewal.

Relevance and effectiveness in the twenty-first century will also depend in part on *transformative reform of the justice system*. To make sure the justice system remains relevant to Canadians, we need to reflect their values and address emerging issues in a strategic and timely way. We will launch a strategy and establish principles for reforming the criminal law to capture new realities. We will strive to improve the balance between access to justice and efficiency in the justice system while seeking a continuum of conflict resolution options. An important part of ensuring access to justice will be working with our partners on the sustainability of the legal aid system for both criminal and civil cases.

Finally, as part of the government's overall goal of *strengthening democracy*, we will work *toward participatory justice*. This will be facilitated in part by access to relevant information, and in this context we will be examining a number of key issues with a view to improving the federal access to information regime. In addition, we will seek continuing dialogue about how the justice system can best express Canadian values and aspirations. We will work closely with other levels of government, non-governmental organizations, and other Canadians to shape the debate and define the solutions. And, as responsible members of the international community, our commitment to strengthening democracy will extend to supporting democratic reform in states in transition.

The plans and priorities presented in this document will help to begin the transformation needed in the justice system to meet the challenges of the twenty-first century.



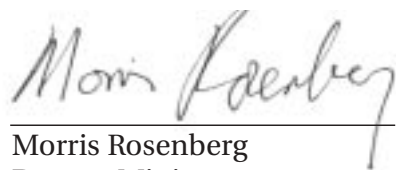
Irwin Cotler, P.C., M.P.
Minister of Justice and Attorney General of Canada

Management Representation

I submit, for tabling in Parliament, the 2004-2005 Report on Plans and Priorities for the Department of Justice. This document has been prepared in accordance with the reporting principles and disclosure requirements contained in the *Guide to the Preparation of the 2004-2005 Report on Plans and Priorities*:

- It accurately portrays the Department's plans and priorities.
- The planned spending information in this document is consistent with the directions provided in the Minister of Finance's budget and by the Treasury Board Secretariat.
- It is comprehensive and accurate.
- It is based on sound underlying departmental information and management systems.

The reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.



Morris Rosenberg
Deputy Minister

April 28, 2004

Date



Maintaining a justice system that serves everyone living in Canada is a central focus for the Department of Justice, which strives to ensure that the system remains fair, accessible and efficient as it evolves in response to social change.

PART II – RAISON D'ÊTRE

Canada's Justice System

The justice system affects us every day. It defines and prescribes the balance of rights and responsibilities we share with others. Those who administer the law attempt to balance the protection of individual rights – such as liberty and equality – with the protection of collective rights to ensure a well-ordered society. Through the rule of law, the justice system ensures that the law applies to everyone.

Within the justice system, the laws that keep us safe, regulate our economy, and guide everyday activities are developed and upheld. In addition to governing our conduct, laws can be used to support social policies that reflect Canadian values, such as benefits when we are injured on the job, health care, and loans to pursue post-secondary education. These laws, along with related policies and programs, form a framework that defines and supports the social foundation of Canadian life.

Finally, when people have disagreements or conflicts, the justice system offers ways to resolve these disputes peacefully.

Role of the Department of Justice

Society is always evolving, so the justice system must evolve too. Maintaining a system that serves everyone living in Canada is a central focus for the Department of Justice, which strives to ensure that the system remains fair, accessible and efficient as it evolves in response to social change.

The Department's responsibilities reflect the dual role of the Minister of Justice, who is also the Attorney General of Canada: while the Minister of Justice is concerned with questions of policy and their relation to the justice system, the Attorney General is the chief law officer of the Crown.¹

The Minister of Justice oversees all matters relating to the administration of justice that fall within the federal domain, including policy as it relates to criminal law, family justice, Aboriginal justice, youth justice, human rights, privacy, access to information, and official languages.² The Minister is also the government's legal adviser and must see that its business is conducted in accordance with the law.

Shared Jurisdiction

Under Canada's constitution, the justice system is divided between provincial and federal jurisdictions. Federal and provincial/territorial governments can introduce new laws or amendments to existing laws in their respective jurisdictions. In general, Parliament focuses on laws of national scope (criminal law, interprovincial trade, national defence), while provincial/territorial legislatures make laws of a more local nature (education, property, hospitals).

The federal government establishes courts to support the administration of specific federal laws (the Federal Court, the Tax Court), and ensures criminal law and procedure are consistent across the country. However, most civil and criminal cases are tried in provincial courts. The Supreme Court of Canada hears cases of national importance once other appeals have been exhausted.

1. The responsibilities of the Minister and the Attorney General are set out in the *Department of Justice Act*. The Minister/Attorney General is responsible in whole or in part for this act and 47 other acts of Parliament (see Annex 2).
2. The remaining administration-of-justice responsibilities—policing, corrections and conditional release—are the responsibility of other departments/agencies, such as the new Department of Public Safety and Emergency Preparedness.

Department of Justice Mission

- Supporting 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.
- Providing high-quality legal services and counsel to the government and to client departments and agencies.
- Promoting respect for rights and freedoms, the law and the Constitution.

The Attorney General advises federal departments and agencies on matters of law; regulates and conducts all litigation for the Crown or any federal department or agency; and defends the government when litigation is brought against it. The Attorney General is also the ultimate authority for prosecuting violations of federal law other than the *Criminal Code* in the provinces and for prosecuting all federal offences (including *Criminal Code* violations) in the territories.

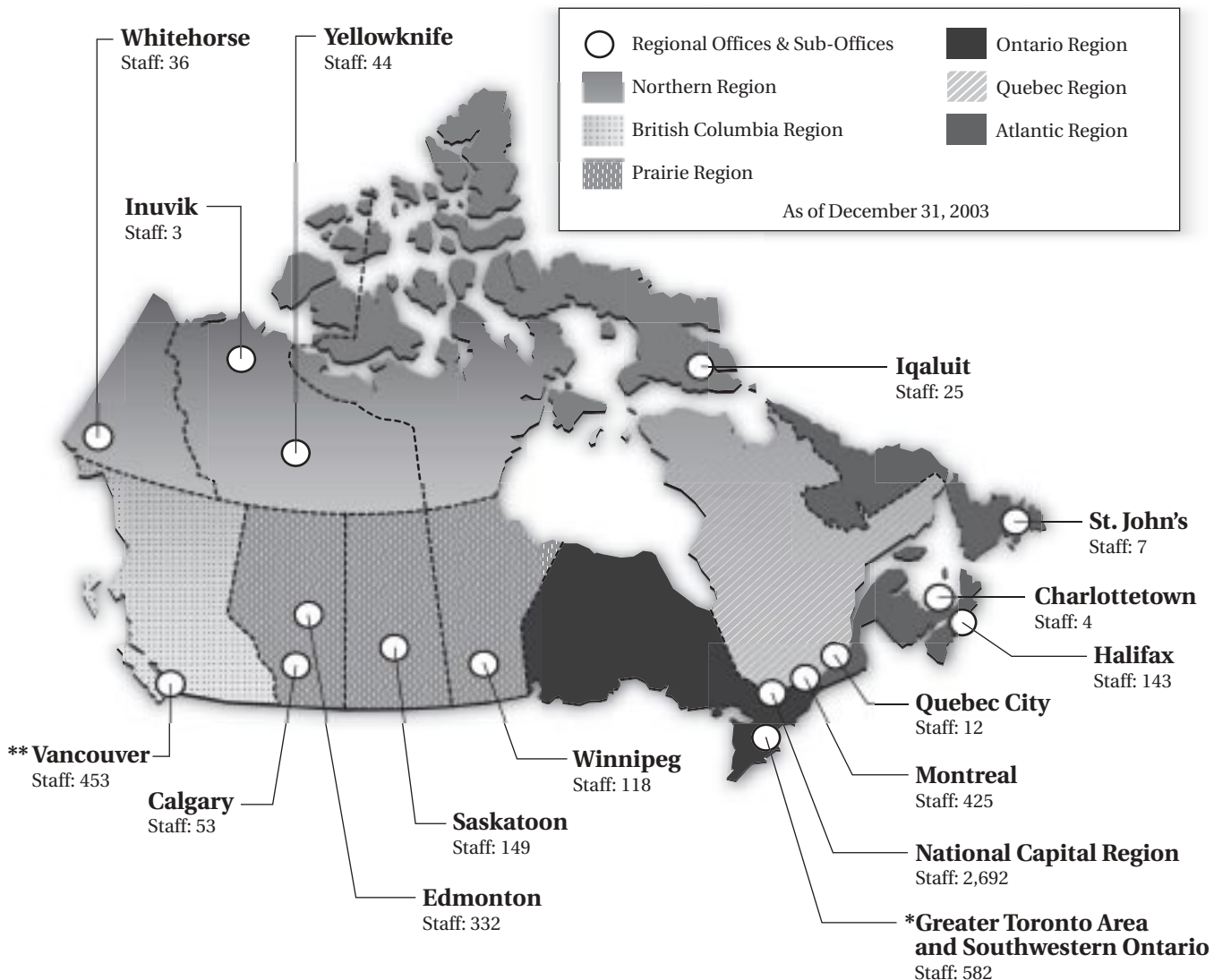
By supporting the Minister in these roles, the Department of Justice contributes to the broader goals set by the government, both by developing and implementing programs and by providing legal services: the Department provides legal services to about 50 federal departments, agencies and Crown corporations and supports virtually every federal policy priority with legal advice. Through the policies and programs it develops and the advice it provides, the Department contributes to key national goals such as protecting Canadians' safety and security and promoting Canadian interests and values on the world stage. The Department also plays a central role in every government bill drafted for Parliament's consideration, regardless of the department of origin.

PART III – PLANNING OVERVIEW

About Our Work

Justice is a mid-size department, with about 5,000 employees. Roughly half the Department's staff are lawyers; the other half includes professionals in fields such as research, social sciences, program development and management, communications, and administration. About half our employees work in the National Capital Region; the remainder work in regional offices and sub-offices across the country (see Figure 3.1).

Figure 3.1
Justice Across Canada



* Employees of the Department's Ontario Regional Office work in Toronto, Newmarket, Brampton, Milton, Kitchener and London.

** One employee of the British Columbia Regional Office works in Kelowna.

The Department's day-to-day work falls into four main areas:

1. **Legal advice** – providing legal advice to federal departments and agencies.
2. **Litigation** – upholding federal laws and prosecuting violations of them.
3. **Legislation** – drafting and reviewing bills and regulations in French and English, reflecting both common law and civil law as appropriate.
4. **Policy** – developing policy and supporting programs in areas such as youth justice, Aboriginal justice, family justice, criminal law, privacy, human rights, and official languages.

This work is carried out through three business lines:

1. **Government Client Services** provides legal counsel to government, conducts prosecutions, represents the government in court, and drafts legislation.¹
2. **Law and Policy** develops and implements policy, related programs and legislation.
3. **Administration** supports the Department's work and ensures transparency and accountability.²

The Department's programs and services are funded through operating expenditures and grants and contributions. Some of the operating expenditures incurred to deliver legal services and advice are recovered from client departments and agencies. The Department expects that operating expenditures – including those recovered from clients – will account for about 60% of its total spending in 2004-2005. The remaining 40% will be spent on grants and contributions to support policy objectives in areas such as youth justice, legal aid and family justice (Figure 3.2).

Grants and contributions to provinces, territories and community-based organizations – to support the delivery or testing of new approaches to justice-related programs and services – account for most of the spending in the Law and Policy business line. The Law and Policy business line accounts for 43% of the Department's total planned spending but just 8% of total planned full-time equivalents (FTEs). The Government Client Services business line – including expenditures and staff funded by Justice and by clients – accounts for 49% of the Department's total planned spending but 80% of total planned FTEs (Figures 3.3 and 3.4).

1. The federal departments, agencies and Crown corporations to which Justice provides legal services are referred to as its 'clients', and its legal advice is subject to solicitor-client privilege. However, the Attorney General and officers of the Department of Justice act as counsel to the federal Crown, not to a particular department or agency. As such, they must always be conscious of the government-wide concerns that may arise in litigation and of the government-wide implications of judicial decisions. The Attorney General's responsibilities also go beyond those owed by a solicitor to a client: he or she must remain vigilant in advising client departments/agencies not to abuse power, infringe fundamental rights and freedoms, depart from principles of due process, or act unfairly in resolving differences between citizens and the Crown.
2. The business lines are discussed in greater detail in Part V, Organization and Planned Spending, and in Annexes 3, 4 and 5.

Figure 3.2
Planned Spending 2004-2005
 by type of expenditure

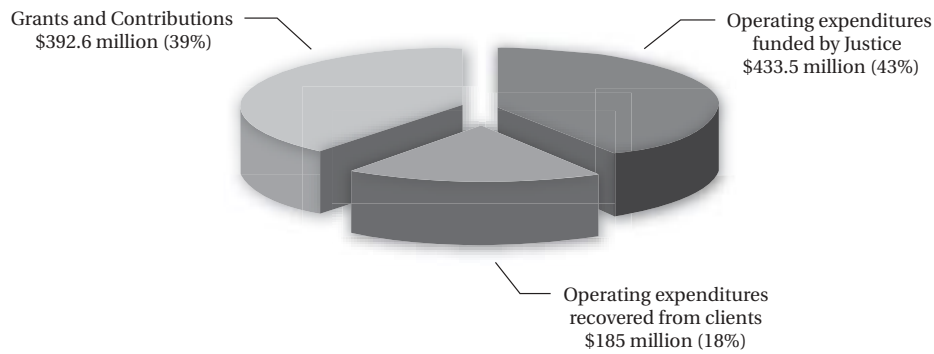


Figure 3.3
Planned Spending 2004-2005
 by business line

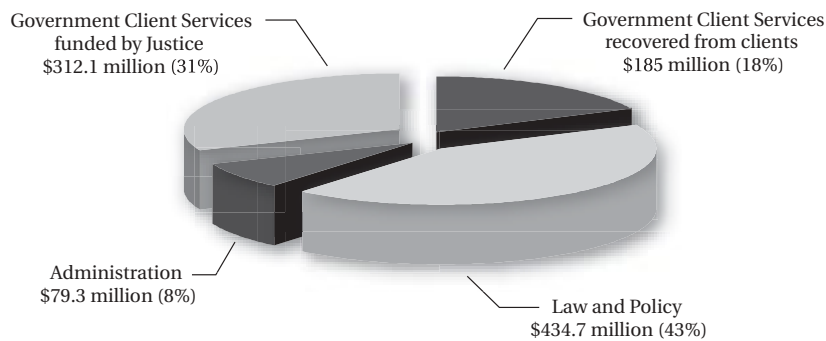
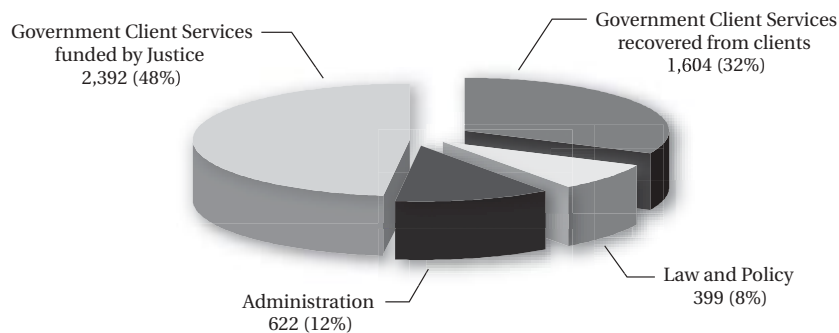


Figure 3.4
Planned FTEs 2004-2005
 by business line



Our Operating Environment

The current context for planning the Department's work and setting priorities is shaped by four general factors:

- the changing needs of Canadian society;
- the need for government departments to be efficient, accountable and transparent in their use of public funds;
- globalization and interdependence; and
- the scope, volume and complexity of our work.

Changing needs of Canadian society

Changing Canadian values: The *Canadian Charter of Rights and Freedoms* enshrined our commitment to human rights, equality, and non-discrimination. Within this framework, the justice system strives to reflect Canadians' changing values, attitudes and expectations.

Safety and security: The terrorist attacks of September 11, 2001, brought to the fore the vulnerability of all countries, including Canada. National security and public safety have emerged as high priorities. The government introduced security measures that balance the need to protect society from such attacks with respect for rights and freedoms.

Efficiency and accountability

Ongoing expenditure review: Like all federal organizations, the Department of Justice has a responsibility to strive for greater transparency and financial accountability in setting priorities, allocating resources and reporting on results. Ensuring that spending reflects these priorities and that tax dollars are invested with care to achieve results for Canadians will be a major concern of management over the planning period.

Globalization and interdependence

Globalization: Justice-related issues are seldom contained by national borders. Terrorism, organized crime, cyber-crime, people smuggling and human rights violations are global issues, and we depend on the international community to achieve common goals. Globalization also influences our clients' need for legal advice: international trade now has a much more complex legal dimension, while integration of the North American economy has implications for both trade and national security – all with the potential to require legal intervention.

Federal-provincial-territorial relations: The administration of justice depends for effectiveness on close cooperation with provinces and territories, both in policy development and in allocating the cost of providing services to Canadians – youth justice services, legal aid, public legal education and information, and other programs to improve or maintain access to the justice system.

Collaboration: Relationships with others in the justice system, including non-governmental and community-based organizations, continue to generate innovative, cost-effective ways of delivering services that improve access to the justice system and keep it relevant and responsive in a diverse society. Similarly, relationships with other federal departments and agencies in areas such as safety and security and Aboriginal justice help achieve national policy objectives.³ At the same time, managing relationships creates pressures of its own, as partners have diverse responsibilities and priorities.

Scope, volume and complexity of work

Increasing scope: Our programs and services touch most of the issues of greatest importance to Canadians – national security, human rights, privacy, immigration, family justice, relations with Aboriginal peoples – either as a direct result of our policy mandate or through the legal services we provide to client departments. We must maintain a broad perspective to provide effective legal services across the country and in virtually every area of government business.

Increasing volume of litigation: Federal litigation has increased markedly in scale and cost, in part because of Canadians' growing tendency to turn to the courts to claim individual and collective rights in the Charter era. The Department is currently handling close to 45,000 civil litigation cases in various areas of law. Some are class-action suits involving hundreds of individuals across the country, millions of pages of evidence, and millions of dollars in contingent liabilities.

Increasing complexity: Complexity has become a challenge in litigation (especially in areas such as taxation, drug prosecutions, proceeds of crime, extradition, immigration and Aboriginal issues) and in policy and legislative development, as rapid advances in science and technology demand parallel evolution in policy and law. Most issues facing government have a legal dimension, and many require responses informed by interdepartmental, federal/provincial or international considerations. Many issues involve multiple departments and agencies across the federal government; in areas such as public security, anti-terrorism, and combatting organized crime and money laundering, Department of Justice priorities affect those of other organizations and vice versa. As a result, clients are asking for advice that includes legal risk management and instrument choice, as well as legal advice on policy issues. Justice officers often provide the links and expertise that hold these efforts together.

3. Annex 7 sets out the main horizontal initiatives in which the Department of Justice participates.

Planning challenges: Litigation against the government can arise from any quarter. Court decisions may force the government to respond rapidly with legislation to amend a law found unconstitutional. Unforeseen events may demand new laws or legal measures. We must constantly anticipate and manage legal risks and respond flexibly as circumstances change, often reallocating resources quickly to meet new priorities or to deal with the ebb and flow of litigation.

Our Strategic Response

The work of the Department of Justice helps deliver three long-term strategic outcomes for Canadians:⁴

1. A fair, relevant, accessible justice system that reflects Canadian values.
2. A safer, more secure society.
3. High-quality legal services to support the federal government.

1. A fair, relevant, accessible justice system that reflects Canadian values

Canadians expect their justice system to provide an independent and impartial forum for resolving disputes. That system, and the services provided within it, must therefore be fair, accessible and relevant to those who need them. Current priorities include:

- promoting access to and efficiencies in the justice system;
- protecting children, youth and vulnerable people under the law and within the justice system; and
- addressing the needs of Aboriginal people in the justice system.

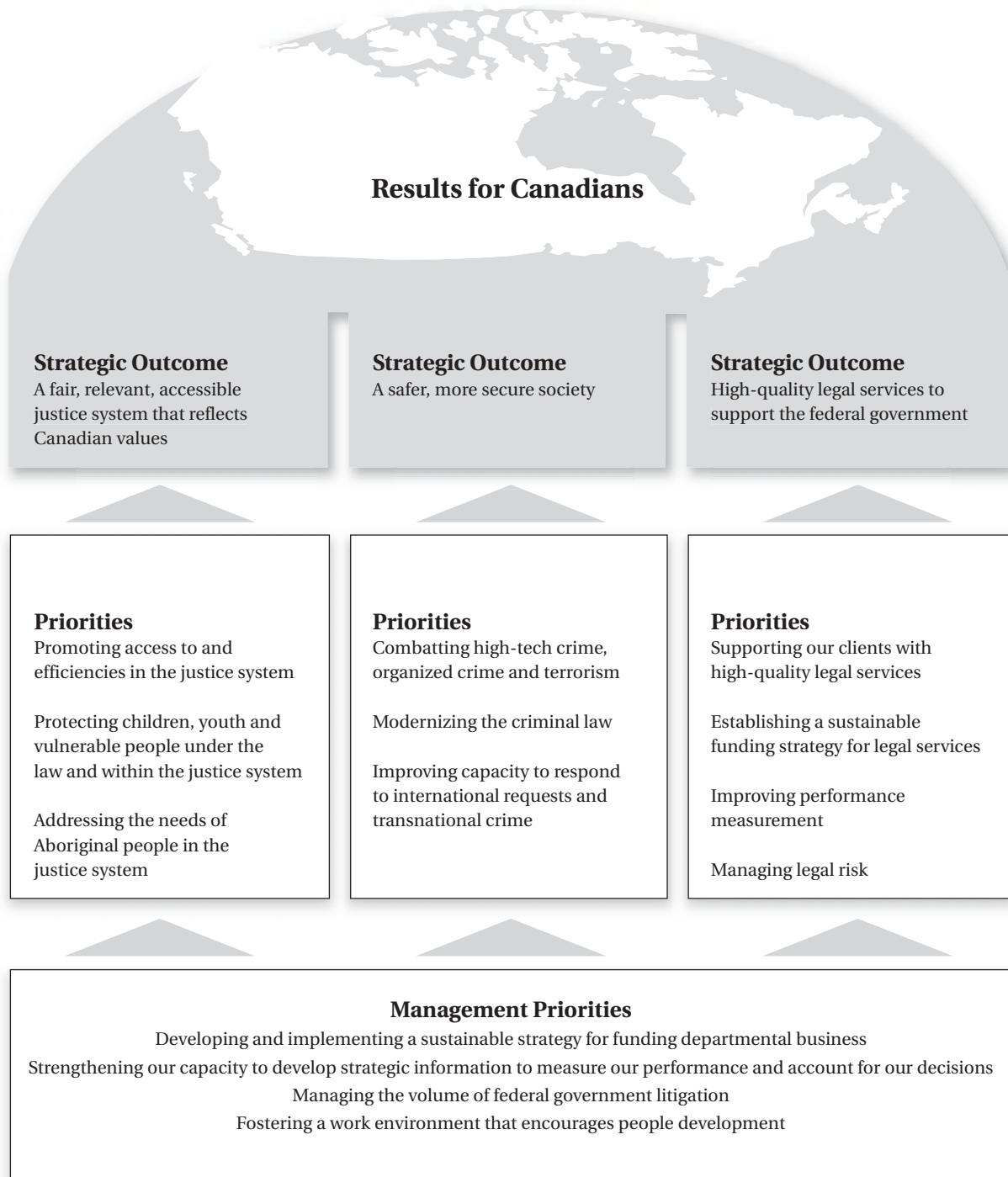
2. A safer, more secure society

As a safe, secure place to live, raise a family, work or run a business, Canada has a quality of life that supports continued economic development and creates a competitive advantage in the global economy. In cooperation with other government and non-government organizations, we work to preserve this quality of life. Current priorities include:

- combatting high-tech crime, organized crime and terrorism;
- modernizing the criminal law; and
- improving our capacity to respond to international requests and transnational crime.

4. Our two previous reports on plans and priorities relied extensively on our Strategic Plan 2001-2005. This RPP and the Strategic Plan can be read as complementary. The links between the two are discussed further in Part V, Organization and Planned Spending.

Figure 3.5
Strategic Outcomes and Priorities



Note: Terms such as *outcome* and *result* are defined and explained in the Treasury Board Secretariat's Lexicon for Results-Based Management and Accountability. *Priorities* are the specific areas of planning for results that the Department has chosen to focus on during the current RPP planning period.

For more on these strategic outcomes and priorities, see Part IV, Plans and Priorities by Strategic Outcome.

3. High-quality legal services to support the federal government

To develop effective laws and programs, federal departments and agencies need sound legal support. It is therefore important to build and sustain our capacity to meet clients' changing needs and work with them to advance their priorities. Current priorities include:

- supporting our clients with high-quality legal services;
- establishing a sustainable strategy for funding legal services delivery;
- improving performance measurement; and
- managing legal risk.

Our Management Response

Delivering our strategic outcomes requires continuing attention to the way we organize and manage our business. We must be organized for operational efficiency and effectiveness, and our programs and services must be sustainable and affordable. To this end, the Department recently underwent two reviews, both launched to follow through on the 2003 Budget commitment to periodic examination of non-statutory programs.

The first review, conducted by the Department, examined the definition and interpretation of our mandate, activities, programs, business lines, common services, and service delivery mechanisms. The review's purpose was to achieve organizational sustainability and ensure that the Department's mandate and structure are aligned to deliver necessary services and programs effectively.

The second review, by the Treasury Board Secretariat, looked for opportunities to manage resources better, transform programs to maximize results, and demonstrate accountability to Canadians. This review looked at issues of mandate, program and service delivery and management capacity, and governance.

In light of these reviews, the Department's management priorities for this planning period focus on these key areas:

- developing and implementing a sustainable strategy for funding departmental business;
- strengthening our capacity to develop strategic information to measure our performance and account for our decisions;
- managing the volume of federal government litigation; and
- fostering a work environment that encourages people development.

Reporting on Performance and Results

The 2004-2005 Report on Plans and Priorities represents a renewed approach to reporting, in response to advice received from the Treasury Board Secretariat and others on the Department's previous reports. In particular, the structure of this report reflects our thinking about how the work we do benefits Canadians and how departmental activities contribute to delivering those results. As far as possible, we have shown the alignment between strategic outcomes, priorities, and resources.

We have also strived for transparency in talking about where we will be able to measure performance and where our understanding of what and how to measure still needs to be developed. This is especially challenging in areas of our work where 'success' is not easily defined or may lie far in the future. The interdependent nature of many of the issues we deal with also raises questions about how best to judge progress and pinpoint the Department's contribution to a successful outcome.

For example, a safer, more secure society is a long-term outcome; progress toward it depends on the efforts of many sectors of society. With so many factors influencing the outcome, the contribution of a single department to achieving the goal is difficult to identify and quantify. It is also inherently difficult to measure the long-term benefits to society of keeping some young offenders out of jail through programs designed to restore them to productive participation in society. Similarly, prosecuting organized crime and terrorist groups is important, but it also presents difficulties in measuring success and quantifying the Department's contribution.

A working group on proactive management of the law is developing additional tools to measure our performance in delivering legal services to support the federal government. This issue will command significant attention over the planning period as we establish what to measure, put appropriate measurement practices and systems in place, and collect baseline data against which to assess future performance.

Table 4.1 Priorities and planned spending by strategic outcome

Strategic Outcomes	Priorities ¹	Planned Spending (\$ millions)		
		2004-2005	2005-2006	2006-2007
<i>A fair, relevant, accessible justice system that reflects Canadian values</i>	Promoting access to and efficiencies in the justice system	155.3	152.5	108.7
	Protecting children, youth and vulnerable people under the law and within the justice system	246.7	243.2	242.5
	Addressing the needs of Aboriginal people in the justice system	14.9	14.8	14.7
	Other	15.9	14.5	14.5
Sub-total		432.8	425.0	380.4
<i>A safer, more secure society</i>	Combatting high-tech crime, organized crime and terrorism	32.5	32.5	32.6
	Modernizing the criminal law	3.0	2.2	2.2
	Improving capacity to respond to international requests and transnational crime	7.5	7.5	7.5
	Other - Drug and regulatory prosecutions	52.1	52.2	52.2
	Other - Federal Prosecution Service administration and other	13.1	13.0	13.0
Sub-total		108.2	107.4	107.5
	Shared priority: Supporting our clients with high-quality legal services			
<i>High-quality legal services to support the federal government²</i>	Legislative Services	23.6	23.6	23.6
	Civil Litigation and Public Law	15.5	15.4	13.1
	Tax Law Portfolio	51.1	51.0	51.0
	Citizenship and Immigration Portfolio	29.4	29.5	29.5
	Aboriginal Affairs Portfolio	85.5	85.2	85.3
	Business and Regulatory Law Portfolio	141.9	140.9	140.9
	Central Agencies Portfolio	13.4	13.4	13.4
	Administration Portfolio ³	32.9	28.2	30.8
	Other	1.5	1.5	1.4
Sub-total⁴		394.8	388.7	389.0
Planned Spending across all Strategic Outcomes		935.8	921.1	876.9
<i>Enablers⁵</i>	Departmental Management and Support	23.2	20.7	24.1
	Corporate Services and Communications	52.1	50.6	50.6
Sub-total		75.3	71.3	74.7
TOTAL PLANNED SPENDING		1,011.1	992.4	951.6

1. All priorities are 'ongoing'.
2. Information for this chart was compiled on the basis of the Department's reporting framework for legal services delivery in place before December 12, 2003, when changes in government structure were announced.
3. The Administration Portfolio provides administrative services to regional offices, Civil Litigation and Public Law.
4. Justice recovers part of the cost of delivering legal services from client departments and agencies. Over the planning horizon, almost half the planned spending on legal services delivery is expected to be recovered from clients. A detailed breakdown of planned recoveries is presented in Annexes 3, 4 and 5.

	2004-2005	2005-2006	2006-2007
Funded by Justice	209.8	203.7	204.0
Recovered from clients	185.0	185.0	185.0
Sub-total	394.8	388.7	389.0
Recoveries as a percentage of sub-total	47%	48%	48%

5. Enablers support the achievement of all three strategic outcomes.

PART IV – PLANS AND PRIORITIES BY STRATEGIC OUTCOME

The Department's work focuses on achieving three outcomes for Canadians:

- a fair, relevant, accessible justice system that reflects Canadian values;
- a safer, more secure society; and
- high-quality legal services to support the federal government.

Strategic Outcome 1

A Fair, Relevant, Accessible Justice System That Reflects Canadian Values

Planned Spending

2004-2005	\$432.8 million
2005-2006	\$425.0 million
2006-2007	\$380.4 million

Canadians rely on the justice system to provide an independent and impartial forum for resolving disputes. To serve Canadians in all our diversity, the system must be accessible, fair and relevant. The Department works with others in the justice system to make sure it reflects our shared values by treating everyone equitably and respecting their rights.

How we deliver this strategic outcome

Two major transfers to the provinces and territories – for youth justice services and legal aid – contribute to achieving this strategic outcome. Smaller funding arrangements support public legal education and information, family justice programs, and Aboriginal justice programs. The Department also funds innovative projects aimed at responding to the needs of victims of crime; reducing the problem and effects of family violence; and improving the administration of justice and access to the justice system, including access in both official languages.

Current priorities

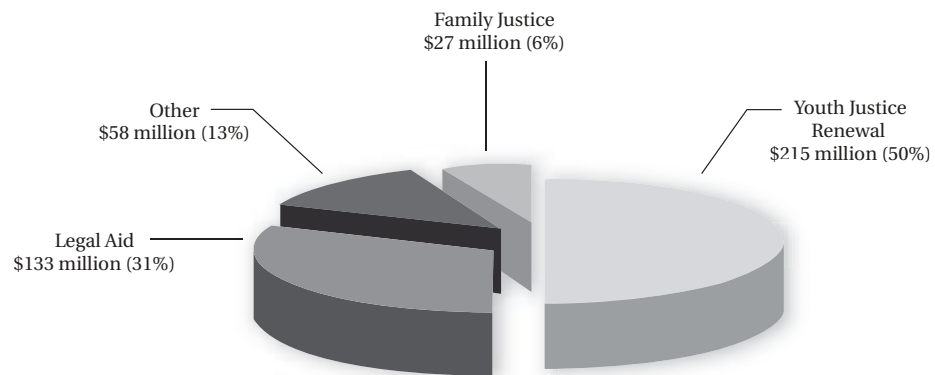
The three priorities contributing to this strategic outcome reflect where most of the Department's program and policy funds will be spent in this planning period:

1. Promoting access to and efficiencies in the justice system.
2. Protecting children, youth and vulnerable people under the law and within the justice system.
3. Addressing the needs of Aboriginal people in the justice system.

Programs, services and initiatives supporting this strategic outcome ¹

1. <http://www.justice.gc.ca/en/ps/index.html>

Figure 4.1
**Programs and initiatives in support of a fair, relevant
 and accessible justice system that reflects Canadian values, 2004-2005**



'Other' includes Official Languages (\$12 million), Aboriginal Justice Strategy (\$10 million), Aboriginal Courtwork program (\$6 million), Victims of Crime (\$5 million), other initiatives, internal management and support.

Planned Spending

2004-2005	\$155.3 million
2005-2006	\$152.5 million
2006-2007	\$108.7 million

Priority 1

Promoting access to and efficiencies in the justice system

Canada is a large and diverse country, and the factors influencing the efficient administration of justice vary from region to region. In addition, justice system participants sometimes see their roles and responsibilities as separate from or independent of those of other participants, making it difficult to promote a system that functions well in a concerted, collaborative way. Moreover, the issues in this area are often broad and complex, such as those surrounding the provision of legal aid; as a result, they require sustained commitment and cooperation on the part of federal, provincial and territorial participants.

Access to the justice system

The Department provides funding support to provinces and territories for several programs that improve access to the justice system.

The largest of these (in dollar terms) is legal aid, which is available to people involved in serious criminal matters who are economically disadvantaged and to young people in matters related to the *Youth Criminal Justice Act*.³ We also work closely with provinces and territories to develop policy in this field.

Overview of Recent
 Activities and
 Achievements²

2. <http://www.justice.gc.ca/en/dept/pub/ach/2003/achieve2003.html>

3. In the territories, the Department provides funding support for both criminal and civil legal aid (as well as for Aboriginal Courtwork services and public legal education and information) through Access to Justice Services Agreements.

Another means of making the justice system more accessible is to ensure that all Canadians have access to it in the official language of their choice where provided for by law.

Access to the justice system depends in part on people's knowledge of their rights and responsibilities. The Department funds organizations in each province and territory to provide public legal education and information to help Canadians understand their justice-related rights and responsibilities and new developments in the justice system (for example, guidelines for calculating child support, the rights of crime victims, community resources to deal with family violence, programs related to youth justice).

**Access to the justice system:
How we're working on this priority**

- The Department is implementing three-year agreements (2003-2004 to 2005-2006) that give the provinces ongoing funding for criminal legal aid and immigration and refugee legal aid and additional funding to help them improve access to criminal legal aid services, particularly at the front end of the criminal justice system. The agreements also provide for improved management of federal court-ordered counsel in federal prosecutions. We will also be conducting research and pilot projects to test innovative service delivery methods for civil legal aid. Results of this work will lead to longer-term strategies for criminal and immigration and refugee legal aid in 2006-2007 and beyond.
- Through its Access to Justice in Both Official Languages Support Fund, the Department will support projects that contribute to improving access to justice in both official languages for the next four years (2004-2005 to 2007-2008). In addition, the Department will implement its strategic plan, developed in 2003-2004, to reach out to official language minority communities and consult with these communities to take their needs into account in developing policies and programs and offering services.

Efficiencies in the justice system

As criminal cases grow in number and complexity, so do costs and delays. Canadians often become aware of the situation through news reports of charges being stayed or dismissed because of delays in proceeding to trial, which can undermine confidence in the criminal justice system. We therefore strive to improve efficiency in the justice system without compromising its essential fairness and accessibility.

Learning from mega cases

Analysis of the lessons learned and best practices developed in managing mega cases – including charging practices, prosecution strategy, and number and type of staff assigned to such cases – will support efforts to improve efficiency and effectiveness in the justice system.

Efficiencies in the justice system: How we're working on this priority

In cooperation with the provinces, the judiciary and the bar, the Department is actively involved in a national effort to improve access to justice and efficiency in the criminal justice system, focusing on

- early consideration/resolution of cases;
- the management of cases going to trial;
- how mega-trials are dealt with (trials that place extraordinary demands on system resources because of their size or complexity);
- the growth in the number and percentage of people remanded into custody while awaiting trial; and
- the impact of impaired driving prosecutions on the criminal justice system.

Initial steps on this priority were taken in December 2003, and work will continue through 2004-2005.

Measuring progress on this priority

Strategic outcome: A fair, relevant, accessible justice system that reflects Canadian values

Priority: Promoting access to and efficiencies in the justice system

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • More legal aid services provided to economically disadvantaged persons in serious criminal matters • Innovative approaches implemented to address unmet need for criminal legal aid • Increased understanding of the justice system among Canadian public 	<ul style="list-style-type: none"> • Number of people provided with criminal legal aid services • Innovative projects/research studies inform development of longer-term legal aid strategy • Number of Canadians who report they had access to clear information about relevant aspects of the justice system
<ul style="list-style-type: none"> • Justice system is accessible to Canadians in both official languages where provided for by law 	<ul style="list-style-type: none"> • Nature of services and products offered in the minority language • Degree of consideration of communities' needs in implementing departmental policies, programs and services • Level of consultation with official language minority communities in developing Justice policies and programs
<ul style="list-style-type: none"> • <i>Criminal Code</i> is amended to reflect needs and values of Canadians 	<ul style="list-style-type: none"> • Number and nature of amendments to the <i>Criminal Code</i> and extent of acceptance by justice system partners

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Accessible justice system • Improved legal aid services 	<ul style="list-style-type: none"> • Proportion of Canadians who have confidence in the justice system

Priority 2***Protecting children, youth and vulnerable people under the law and within the justice system***

In efforts to protect children, youth and vulnerable people under the law and within the justice system, a significant challenge is that crimes against children, youth and vulnerable people tend to be hidden – they often go undetected and unreported. The same factors that put children and youth at risk of becoming victims also make it more likely that they will come into conflict with the law or the social welfare system at some point in their lives.

Protecting children from all forms of exploitation continues to be a high priority, both domestically and internationally. Children and youth who are victims of exploitation or other crimes may also find themselves in conflict with the law at some point; strategies are needed to protect their rights whatever their situation. In addition, vulnerable persons, such as those with mental disabilities, who become involved in the justice system as accused, victims or witnesses may need protection.

Planned Spending

2004-2005	\$246.7 million
2005-2006	\$243.2 million
2006-2007	\$242.5 million

**Children, youth and vulnerable people:
How we're working on this priority**

- Over the planning period the Department will develop options for legislative reform to combat child pornography, enable children to participate in the justice system as victims or witnesses without further trauma, and ensure their evidence is received.
- To protect the Charter rights of youth in conflict with the law, we will consult broadly on proposed amendments to the *Youth Criminal Justice Act* in the first year of the planning period.
- The Department will address the sexual exploitation of children and youth on the Internet and combat commercial sexual exploitation of children domestically and internationally. We will collaborate in international efforts to combat trafficking in persons. We will explore the role of the criminal law in addressing prostitution of children and youth.
- The Department will develop options for legislative reform and non-legislative approaches for persons who are permanently unfit to stand trial, have limited cognitive capacity because of fetal alcohol syndrome, or are unfit at the time of sentencing. Consultations are under way, and a research paper will be prepared to guide further policy development and consultations.
- We will continue to ensure that all policy and proposed legislative reforms take into account the impact on victims of crime and, where possible, encourage the participation of victims in the criminal justice system. The victims of crime initiative will be evaluated in the first year of the planning period, with a report to the Treasury Board in the fall of 2004.

Measuring progress on this priority

Strategic outcome: A fair, relevant, accessible justice system that reflects Canadian values
Priority: Protecting children, youth and vulnerable people under the law and within the justice system

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • More effective legal framework for the investigation and prosecution of cases involving the exploitation of children and vulnerable groups 	<ul style="list-style-type: none"> • Number and types of legislative or other enhancements made and extent to which they are used • Number of Charter challenges • Outcome of Charter challenges

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Reduced victimization of children and vulnerable groups • Reduced revictimization of children and vulnerable groups by the justice system 	<ul style="list-style-type: none"> • Number of offences committed against children and vulnerable groups • Number of reports of victims and members of vulnerable groups being revictimized by the justice system

Planned Spending

2004-2005	\$14.9 million
2005-2006	\$14.8 million
2006-2007	\$14.7 million

Objectives of the Aboriginal Justice Strategy

- To support Aboriginal communities as they take greater responsibility for the administration of justice.
- To help reduce crime and incarceration rates in the communities that administer justice programs.
- To improve Canada's justice system to make it more responsive to the justice needs and aspirations of Aboriginal people.⁴

Priority 3

Addressing the needs of Aboriginal people in the justice system

Addressing the needs of Aboriginal people presents numerous challenges, in that the relationship with our institutions, including the justice system, is shaped by an historical context. Furthermore, Aboriginal people are not a homogeneous group with a single set of interests and concerns. Finally, the socio-economic circumstances of many Aboriginal Canadians present challenges in promoting a fairer and more effective justice system.

The Government of Canada places a high priority on improving the interaction between Aboriginal people and the justice system. When Aboriginal people come into contact with the justice system as victims or accused, their needs – related to their culture, economic position and social circumstances – must be taken into account to make the system fairer and more effective for them.

Departmental activities in support of this priority include the Aboriginal Justice Strategy and a grants and contributions program for community agencies working with Aboriginal people involved in the criminal justice system. In addition, several other programs address needs and concerns specific to Aboriginal people through their policy development, funding priorities, or client target groups; these programs include Legal Aid, the Aboriginal Courtwork Program, the Crown Witness Coordinators in the northern territories, the Policy Centre for Victim Issues, and the Youth Justice policy unit.

4. <http://www.justice.gc.ca/en/ps/ajln/strat.html>

**Addressing the needs of Aboriginal people in the justice system:
How we're working on this priority**

- The **Aboriginal Courtwork Program** provides funding to support Aboriginal people who come into conflict with the law, to help them obtain fair, equitable and culturally sensitive treatment in the criminal justice system. In this planning period, the program will work closely with provincial and territorial counterparts and service delivery agencies to measure and monitor program effectiveness through a jointly developed performance measurement strategy. An evaluation of program-delivery processes is planned for 2005-2006.
- The **Aboriginal Justice Learning Network**, one of the five components of the Aboriginal Justice Strategy, will be restructured during the planning period. The goal is to increase two-way communication between Aboriginal communities and those who work in the justice system – such as judges, lawyers and police – to improve the administration of justice for Aboriginal people.
- **Aboriginal Youth Cities Projects** in Winnipeg and Thunder Bay (a component of the Youth Justice Renewal Initiative), carried out in collaboration with provincial and community organizations, will aim to reduce the percentage of Aboriginal youth entering the criminal justice system.

Measuring progress on this priority

Strategic outcome: A fair, relevant, accessible justice system that reflects Canadian values
Priority: Addressing the needs of Aboriginal people in the justice system

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Increased awareness among justice system practitioners of Aboriginal justice issues • The justice system is more responsive to the needs of Aboriginal people 	<ul style="list-style-type: none"> • Number of justice system practitioners who report awareness of Aboriginal justice issues • Level of use of community-based Aboriginal justice programs

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Reduced victimization, crime and incarceration among Aboriginal communities 	<ul style="list-style-type: none"> • Number and nature of offences committed in Aboriginal communities • Number of Aboriginal offenders receiving custodial sentences by type of offence

Northern Initiatives

With the overall goal of providing effective, relevant, culturally sensitive criminal prosecutions in small northern communities, the Department will continue to promote greater cooperation between prosecutors and community justice committees and agencies and to encourage greater use of alternatives to prosecution and custodial sentences.

Under the Youth Justice Policy, we will identify community resources for youth in each territory to promote awareness and full use of the options provided for under the *Youth Criminal Justice Act*. Where these resources exist, police and prosecutors can make greater use of diversion and non-custodial sentence options for youth offenders; the research will also identify gaps in the availability of resources that help keep youth out of jail in northern communities.

Planned Spending

2004-2005	\$108.2 million
2005-2006	\$107.4 million
2006-2007	\$107.5 million

Strategic Outcome 2

A Safer, More Secure Society

This strategic outcome is one that the Department of Justice shares with other federal departments and agencies (in particular the new Department of Public Safety and Emergency Preparedness), as well as provincial, territorial and municipal governments and community organizations. Our work therefore involves extensive cooperation with others in law enforcement, national security, public safety and crime prevention.⁵

How we deliver this strategic outcome

The Department works to make Canada a safer and more secure place by developing and upholding the law. To *develop* the law, we track emerging crime issues, consult with provincial, territorial and international partners and with Canadians, and recommend criminal law reform where necessary.

To *uphold* the law, the Department prosecutes certain types of offences.⁶ Law enforcement and prosecutions under the *Criminal Code* are generally provincial responsibilities, but the Attorney General of Canada, through the Federal Prosecution Service, has a significant role in relation to criminal prosecutions, including money laundering and drug prosecutions, and regulatory prosecutions related to income tax, the competition law provisions on telemarketing, customs, and immigration. The Attorney General also prosecutes *Criminal Code* offences in the North.

One growing area of activity is Canada's international obligations. Under the *Extradition Act* the Minister of Justice makes extradition requests to other countries; in addition, when Canada receives a request, the Minister must decide, after a judicial determination on the merits of the request, whether to surrender the fugitive. The Department takes part in negotiating extradition and mutual legal assistance treaties on behalf of the Minister and, under those treaties, provides counsel to assist foreign states appearing before Canadian courts.

Current priorities

Three key priorities will contribute to this strategic outcome over the planning period:

1. Combatting high-tech crime, organized crime and terrorism.
2. Modernizing the criminal law.
3. Improving our capacity to respond to international requests and transnational crime.

5. The National Crime Prevention Centre was part of the Department of Justice until December 2003.

6. The Department also upholds federal statutes by intervening in court cases involving Charter challenges or constitutional issues or by responding to other forms of legal action.

7. <http://www.justice.gc.ca/en/dept/pub/ach/2003/achieve2003.html>

Priority 1***Combatting high-tech crime, organized crime and terrorism***

Globalization poses new challenges in preventing and responding to crime and threats to national security. Globalization of the communications industry, for instance, has raised new investigative hurdles. A lack of legal and technical solutions, or delays in the ability to use them, hampers investigations and hence efforts to prevent crime and reduce threats to national security.

At the same time, strengthening our capacity to prevent crime, combat terrorism and enhance public security may have implications for human rights and privacy. Proposals must therefore balance these objectives with concerns about human rights and privacy.

Planned Spending

2004-2005	\$32.5 million
2005-2006	\$32.5 million
2006-2007	\$32.6 million

**Combatting high-tech crime, organized crime and terrorism:
How we're working on this priority**

- To combat high-tech crime, the Department will continue to work with other departments and agencies (Public Safety and Emergency Preparedness, RCMP, Canadian Security Intelligence Service, Industry Canada, Competition Bureau, Communications Security Establishment) and consult key stakeholders (law enforcement, industry, non-governmental organizations and the public) about updating Canada's legal framework as it relates to lawful access (that is, the interception of communications and the search for and seizure of data).
- We will evaluate new laws on organized crime and assess whether further measures and approaches to target it directly are necessary. We will discuss legislative priorities with the provinces and territories early in 2004-2005.
- We will continue to implement the Intensive Prosecution Strategy to enable us to prosecute organized crime more effectively. We will work with police to encourage the early involvement of prosecutors at the investigative stage to ensure effective prosecutions. In addition we will work closely with federal and provincial partners on several initiatives to promote more effective management of large complex cases, including the management of disclosure.
- We will contribute to the government's anti-terrorism strategy and support international efforts to combat terrorism by working with other departments and agencies, governments, and international organizations; by developing additional legislative and regulatory measures as needed; by participating in the assessment of the *Anti-terrorism Act*; and by assisting with capacity-building in other countries through training and harmonization of legislative tools and ensuring that advisory and prosecution services are provided.
- We will continue to provide high-calibre, coordinated legal advice on investigations of organized crime, high-tech crime and terrorism, and develop and implement related prosecution strategies.

Measuring progress on this priority

Strategic outcome: A safer, more secure society

Priority: Combatting high-tech crime, organized crime and terrorism

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • More effective legal framework as it relates to lawful access, organized crime and terrorism, while respecting the rights of Canadians 	<ul style="list-style-type: none"> • Number and types of legislative enhancements made and extent to which they are used • Number of Charter challenges • Outcome of Charter challenges
<ul style="list-style-type: none"> • More effective investigations, disruption, and prosecutions of organized crime and terrorism offences 	<ul style="list-style-type: none"> • Number, types and outcomes of interventions directed at combatting organized crime and terrorism offences

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Deterrence and incapacitation of organized crime and terrorist entities 	<ul style="list-style-type: none"> • Increased and sustained capacity to combat organized crime and terrorist activities • Perceptions of Canadians and justice system practitioners about the effectiveness of efforts

Planned Spending

2004-2005	\$3.0 million
2005-2006	\$2.2 million
2006-2007	\$2.2 million

Priority 2

Modernizing the criminal law

The impetus to review the criminal law and its use comes from several sources. Criminal law bills have been debated at every parliamentary session since Confederation. The result is a law built piece by piece, often in response to the pressures or events of a specific time in our history. It therefore needs constant review and, where necessary, reform, in light of court decisions and the evolution of Charter jurisprudence; to take account of scientific developments related to detecting and prosecuting crimes, such as DNA identification and testing; and to reflect changing social attitudes about whether and how we should use the criminal law to influence individual and corporate behaviour.

The challenges of modernizing the criminal law are both practical and philosophical. At the practical level, many practitioners are reluctant to support a comprehensive update of the *Criminal Code* because they are familiar with the current provisions and work with them daily. At the philosophical level, modernizing the Code would likely reopen the debate on issues that have been divisive in the past and on which broad social consensus may not yet exist.

**Modernizing the criminal law:
How we're working on this priority**

- The Department will launch a multi-year strategy to ensure that the criminal law and the way it is used reflect Canadian realities and values in the twenty-first century. In 2004-2005 we will identify outdated *Criminal Code* provisions, so they can be repealed in the next omnibus reform bill, and pinpoint essential amendments that can be addressed in the short term. We will also develop a work plan and analyze resource implications for a longer-term project looking at the substantive, evidentiary and procedural aspects of law reform.

Measuring progress on this priority

Strategic outcome: A safer, more secure society

Priority: Modernizing the criminal law

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Increased understanding among Canadians on broad directions for modernizing the criminal law • <i>Criminal Code</i> is amended to reflect needs and values of Canadians 	<ul style="list-style-type: none"> • Progress toward completion of a statement of principles on the use of the criminal law and degree of acceptance • Number and nature of amendments to the <i>Criminal Code</i> and degree of acceptance by justice system partners

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • More effective criminal law, responsive to the needs and values of Canadians and consistent with the Charter 	<ul style="list-style-type: none"> • Canadians' perceptions of the extent to which the criminal law is responsive and reflects their values • Number of Charter challenges on criminal matters • Outcome of Charter challenges

Priority 3

Improving our capacity to respond to international requests and transnational crime

Because of greater mobility of goods, people and information, Canada needs to focus more attention and resources on transnational crime in order to ensure domestic safety and security.

The challenges in this area relate mainly to meeting the increasing volume of international requests arising from the greater prevalence of transnational crime. Differences between the criminal law system in Canada and in the countries making the requests also pose challenges.

Planned Spending

2004-2005	\$7.5 million
2005-2006	\$7.5 million
2006-2007	\$7.5 million

Building international capacity

In addition to combatting transnational crime and security threats, the Department supports Canada’s international role in helping other countries develop their public institutions and protect human rights in the broader sense. A multi-year project in Bangladesh, for instance, will help strengthen that country’s Ministry of Justice and Law Commission.

The Department is recognized internationally as a leading provider of specialized help with legislative drafting, law reform, and the prevention of corruption. We have worked in Ukraine, the Czech Republic, the Slovak Republic, Hungary, Afghanistan and Mali, among other countries. These activities are usually conducted with the financial support of the Canadian International Development Agency.

Enhancing our capacity to work with international partners in dealing with global crime and security threats promptly and effectively will help ensure that we can promote and protect Canadian values when international policies, standards and conventions on crime and international cooperation are being developed.

**International cooperation and transnational crime:
How we’re working on this priority**

- The Department will improve its capacity to respond to international requests and transnational crime through cooperation with international partners on cross-border offences, developing a resourcing strategy, increasing mutual understanding of legal systems, sharing best practices, and reviewing the relevant legislation with a view to recommending changes.
- To combat transnational crime more effectively and promote mutual understanding of legal systems and law enforcement tools, the Department is participating in an exchange of officials between the Federal Prosecution Service, British Columbia Region, and the U.S. Attorney’s office in Seattle, Washington. A report on this experience, including recommendations, will be prepared early in the planning period. Further exchanges and information sharing are contemplated, along with regular meetings and training sessions for enforcement agencies and prosecution services.

Measuring progress on this priority

Strategic outcome: A safer, more secure society

Priority: Improving capacity to respond to international requests and transnational crime

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Increased cooperation with international partners 	<ul style="list-style-type: none"> • Number of mutual legal assistance requests and extraditions processed
<ul style="list-style-type: none"> • Effective investigations and prosecution of transnational criminal activities 	<ul style="list-style-type: none"> • Number and nature of investigations, extraditions, arrests, charges and convictions for transnational criminal offences

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Enhanced protection from transnational crime 	<ul style="list-style-type: none"> • Perceptions of justice system practitioners about the effectiveness of efforts

Strategic Outcome 3

High-Quality Legal Services to Support the Federal Government

Legal services – in the form of legal advice, legislative drafting, and litigation – help the government achieve its priorities and deliver results for Canadians. Serving departments and agencies creates a distinct context for planning, setting priorities and measuring performance. We work with our clients to develop and advance priorities, providing legal services that are responsive, timely and effective.⁸ This strategic outcome therefore encompasses activities that enable us to deliver cutting-edge leadership and excellence in legal services to meet the government’s changing needs.

Planned Spending

2004-2005	\$394.8 million
2005-2006	\$388.7 million
2006-2007	\$389.0 million

Justice priorities reflect client priorities

- The Aboriginal Affairs Portfolio is helping its client, Indian Residential Schools Resolution Canada (IRSRC), achieve its strategic outcome of managing and resolving the legacy of the Indian residential schools system. With legal advice and support, IRSRC continues to work towards delivering its main priority: “resolving all outstanding claims as expeditiously, humanely and compassionately as possible through an expanded dispute-resolution process.”
- Legal services support Health Canada’s goal of maintaining effective and sustainable health systems and effective policies, regulations and programs that anticipate and meet future health needs.
- Legal counsel advise the Department of Finance on the legislation needed to implement Budget measures and make sure that arrangements with other orders of government for equalization and transfer payments meet legal standards, including the Charter and other constitutional provisions.

Our legal services benefit Canadians in several direct and indirect ways. First, the Department drafts all government legislation to establish the legislative framework for government policies and programs. Bills introduced in Parliament must address the subject matter in both English and French and respect the *Canadian Charter of Rights and Freedoms* and the *Canadian Bill of Rights*. As well, bills and regulations must reflect Canada’s common law and civil law traditions where appropriate. Clarity and precision in drafting bills and amendments facilitate parliamentary debate and promote transparency when the public is consulted on proposed laws.

Laws and regulations drafted, 2003-2004

- 45 government bills drafted
- 449 regulations drafted for *Canada Gazette I*
- 591 regulations drafted for *Canada Gazette II*
- 750 motions drafted to amend government bills

8. For convenience we refer to federal organizations as our ‘clients’, although in fact the Attorney General and officers of the Department of Justice act as counsel to the federal Crown, not a particular department or agency. See also note 1, page 8.

Improving service to clients through quality and service standards

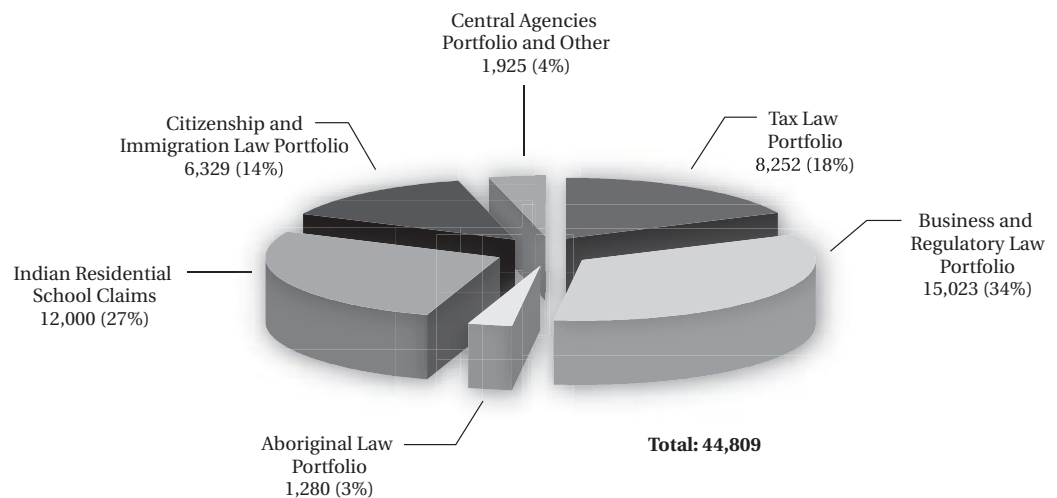
Across the Department, managers and legal practitioners are developing strategies to ensure their services meet client needs. For example, the Quebec Regional Office is developing and implementing a common service standards framework for the region. Existing standards are being identified; an action plan will be established for each division providing services to clients; and service and quality standards will be implemented for each. Clients will be advised of quality and service standards and surveyed to determine their satisfaction with the level of service.

Second, providing legal services to departments and agencies helps clients achieve results for Canadians. Justice lawyers develop an understanding of clients' business and operating environment so they can help clients fulfil their mandate and deliver their own strategic outcomes. Justice counsel often participate in clients' most senior decision-making bodies, where they contribute to policy development and help anticipate and resolve problems. Effective legal support from Justice thus helps clients realize their policy objectives.

To take just one example, several federal departments administer laws, policies and regulations designed to protect Canadians' personal security, health, and food safety. Justice lawyers advise departments and agencies on these goals. They may also be called on to represent a department in court to defend a law or policy intended to further a government priority.

Finally, legal services help protect the integrity of the legal framework by upholding the laws that define our rights, keep us safe and regulate our economy. The government is involved in litigation on a broad range of issues that may have a profound impact on policies, programs and finances.

Figure 4.2
Civil Litigation Caseload⁹
by portfolio/area as of December 31, 2003



9. The Department's current portfolio structure is described later in this section under "How we deliver this strategic outcome." Information for this chart was compiled on the basis of the portfolios in place before December 12, 2003, when changes in government structure required consequent changes in the portfolio structure.

These cases cover the legal spectrum: challenges under the Charter and other parts of the Constitution, disputes about the powers of the different orders of government, cases about the distribution of government resources, litigation that raises issues of national security or poses questions affecting international relations, and legal actions dealing with pressing public policy issues such as Aboriginal rights. (Examples of specific issues before the courts are shown in the sidebar.)

The government requires the best available legal advice to argue a case, anticipate possible outcomes, assess the potential impact of an adverse outcome, and develop options to reduce the chances of an adverse outcome or to mitigate its effects.

Providing high-quality legal services presents numerous risks and challenges. We are, by definition, service providers and can rarely control the demand for our legal services. We must, however, manage this demand, in part by realigning and strengthening our internal operations to meet government's requirements, even as they evolve in response to public needs, domestic developments and world events.

Continued growth in the demand for legal services, which is a challenge across government, is felt acutely by the Department of Justice. We work closely with clients to align finite resources with the government's most immediate and important legal needs, to find the most cost-effective ways of accomplishing policy and program objectives, and – as described later in this section, under "Current priorities" – to develop a sustainable funding strategy for the delivery of legal services in the future. Developing this strategy is a key task for the planning period covered by this report.

Effective management requires us constantly to re-evaluate the quality and efficiency of our services and to apply legal risk management principles to protect the Crown's interests to the greatest degree possible. Together with our clients, we need to manage both the law and our legal practice proactively, to ensure that the government's interests are properly advanced and the rule of law is maintained.

Some issues before the courts

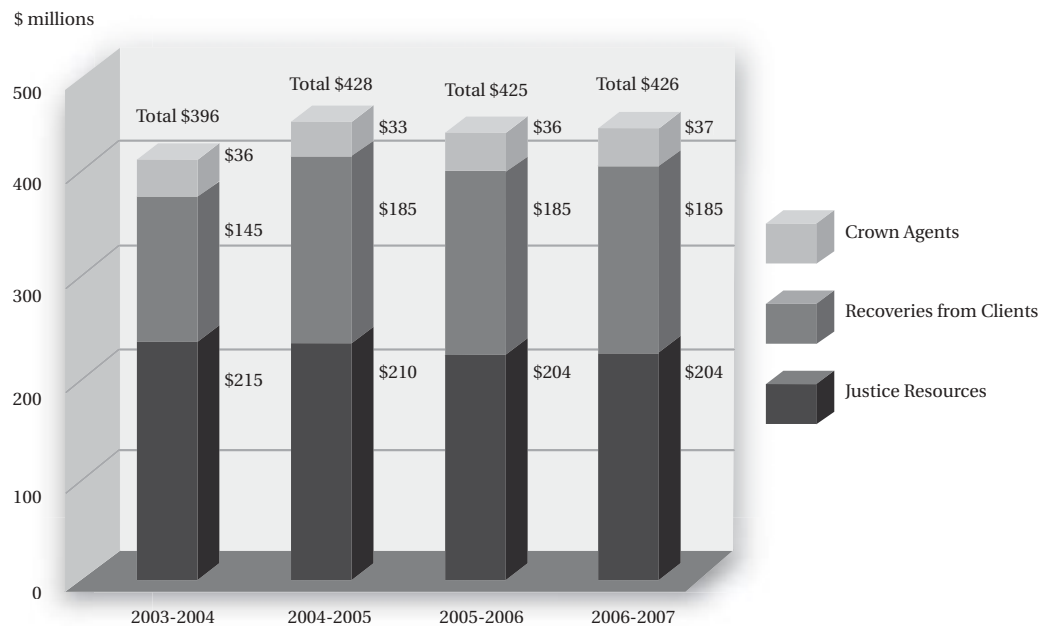
- Whether restrictions on the promotion of tobacco products can be justified as reasonable limits on freedom of expression under the Charter.
- Whether the federal government has the constitutional authority to provide parental and maternity benefits.
- The constitutionality of a bill that would extend civil marriage to gays and lesbians while protecting the religious freedom of churches, synagogues, and mosques not to perform such services.
- The proper threshold for finding that an individual has committed crimes against humanity and is therefore inadmissible to Canada.
- Whether the Crown infringed Aboriginal rights and title to an area covering the Queen Charlotte Islands.

How we deliver this strategic outcome

A significant proportion of the Department's lawyers are assigned to departmental legal services units (DLSUs), which are co-located with client departments and agencies and in six regions. The DLSUs are grouped into five portfolios, according to the type of legal practice involved: Aboriginal Affairs; Tax Law; Citizenship, Immigration and Public Safety; Central Agencies (serving the Department of Finance, the Treasury Board and the Public Service Commission, among others); and Business and Regulatory Law (serving more than 30 government clients, ranging from Health Canada to the Competition Bureau).

The Department's general policy is that legal work within our statutory mandate should be handled by departmental counsel. At times, however, operational demands necessitate using private sector counsel, who are appointed as legal agents of the Attorney General of Canada, to carry out this mandate.¹⁰

Figure 4.3
Estimated Total Cost of Legal Services
excluding Federal Prosecution Service



10. To ensure clarity, consistency and control in the use of legal agents, the Department has a framework for determining what work can or should be outsourced and a protocol and supporting practices for selecting and appointing agents. Competence and integrity remain the primary considerations in the selection process, and selection is based on the premise that the Government of Canada is entitled to receive the highest quality of legal service and advice consistent with the reasonable demands of economy, efficiency and effectiveness. Decisions to outsource legal work are made in consultation with clients, who are responsible for costs incurred. Justice counsel are responsible for supervising and monitoring legal agent activities, reviewing the reasonableness of costs claimed for services rendered, and, where appropriate, recommending that payment be made. (Figure 4.3 depicts only the costs of agents in civil cases; costs are also incurred for agents in criminal cases. The latter costs for 2003-2004 are forecast at \$28 million and are reflected elsewhere in the document as part of the total spending numbers for the Federal Prosecution Service.)

Six regions – with offices serving the North, British Columbia, the Prairies, Ontario, Quebec, and the Atlantic provinces – sustain the portfolio structure by serving clients and handling litigation. About half the Department’s staff work in the regions (see map, page 7).

The portfolio structure lets the Department concentrate its legal practice in strategic business areas, forge effective relationships with clients, and gain a better understanding of clients’ needs and priorities, while our pan-Canadian presence provides a national perspective and ensures consistency and responsiveness. By organizing this way, we gain a broad perspective on issues that arise through litigation across the country and the implications of judicial decisions for the federal government.

Several specialized branches complement the provision of legal services to clients:

- The Civil Litigation Branch supervises and coordinates civil litigation involving the federal government across the country.
- The Public Law Group provides legal advice to departments across government in several fundamental areas, such as ensuring that government legislation and policy are consistent with the Charter and arguing Canada’s position before the World Trade Organization and tribunals under the North American Free Trade Agreement. Its areas of legal specialization include access to information and privacy and administrative, constitutional, international, human rights and trade law.
- The Legislative Services Branch drafts bilingual and bijural government bills, regulations and amendments and ensures that federal statutes and regulations comply with the Charter, the Bill of Rights, and other laws.
- The Official Languages Law Group provides legal advice on language rights to departments, agencies and other federal institutions.
- Dispute Resolution Services supports departmental lawyers and their government clients by providing services such as training, systems design advice, evaluation, policy development, and intervention in difficult disputes.

Together, the portfolios, regional offices and specialized branches form a multidisciplinary team with expertise in a range of legal and policy fields. Effective collaboration between our legal and policy experts enhances the value of our legal services; when the legal and policy dimensions of our work are well integrated, lawyers can readily identify the policy implications of their cases, and they know whom to contact to ensure that the Department makes consistent and fully informed decisions. Similarly, positions taken in litigation reflect a full consideration of any policy implications a case might raise. At the same time, when policy is developed, it reflects an awareness of the implications for litigation.

Portfolio structure brings law and policy together

The Tax Law Portfolio is improving integration of law and policy in specific areas of client service by developing interdepartmental networks with the Department of Finance and the Canada Revenue Agency (CRA) in support of policy effectiveness. Intra-portfolio networks are also being developed on key areas of the law, such as the general anti-avoidance rule and international tax issues. This helps the portfolio play an effective role in all CRA business lines.

Given the service-oriented and knowledge-intensive context of our work, the quality of our work force is crucial to achieving this strategic outcome. Our success in attracting and retaining a high-quality work force is evident in the professionalism, talent and diversity of our staff, who also embody Canada's dual legal and linguistic traditions.

Current priorities

The following priorities contribute to achieving this strategic outcome:

- Supporting our clients with high-quality legal services (a priority discussed throughout this section).
- Establishing a sustainable funding strategy for legal services.
- Improving performance measurement.
- Managing legal risk.

Sustainable funding strategy

In collaboration with the Treasury Board Secretariat, the Department will continue working to establish a sustainable funding regime for the delivery of legal services to government. When legal services delivery was consolidated in the Department of Justice in the 1960s, the Department was fully funded through appropriations. Since then, the Department has provided all legal services to departments and agencies, with few exceptions. This integrated service delivery model has come under serious strain in the past decade, however, because growth in the demand for legal services has not been matched by a corresponding increase in departmental appropriations.

The 2003 Departmental Review provided an opportunity to review practices and processes with a view to establishing a standard approach to negotiating agreements with clients, forecasting and planning for client services demand, and managing legal services delivery. Work is under way to collect and analyze information to support future decisions about an appropriate and transparent funding regime for delivering legal services.

The Department will also lead a Legal Services Review in 2004 to investigate ways to further optimize the provision of legal services by the Department of Justice to federal departments and agencies. Results of the review will be presented to the Expenditure Review Committee of Cabinet.

Improving performance measurement

The Proactive Management of the Law project is an important step toward improving the Department's capacity to measure performance in the provision of legal services.¹¹ Broadly defined, proactive management of the law is about staying at the leading edge of legal developments, anticipating emerging issues, tracking trends and devising creative legal strategies to manage them. This helps us respond to legal issues coherently, efficiently and effectively, instead of reacting in an ad hoc way as issues arise in a turbulent environment.

As a first step in consolidating our ability to provide high-quality legal services, we are focusing on the management dimension of this priority. To facilitate strategic thinking, planning and decision making, this project aims to develop a common approach to measuring results, analyzing information, and reporting on performance. Our first step in measuring progress will be to identify what constitutes success in delivering legal services. The project is proceeding in three phases:

1. Awareness training for managers and staff in the Government Client Services business line took place between November 2003 and January 2004.
2. Identification of key objectives – how performance will be measured, what management information is required and available to measure performance, and what challenges and barriers will have to be overcome – is under way (January to September 2004).
3. Adoption of the plans and strategies coming out of phase 2 of the project (September 2004 to April 2005) will require implementation of the performance measurement/management strategy while ensuring that the resource implications and accountabilities for implementation are approved and communicated.

By the end of the process we aim to have clear, commonly held objectives for improving the efficiency and effectiveness of our legal services; the right performance indicators and systems in place to gather the information needed for a successful legal practice and to support decision making; and the consistent ability to measure results across the business line.

Eventually, proactive management of the law will cease to be a project and will become an integral part of the way we deliver high-quality legal services. This has already occurred with a previous project on legal risk management.

Finding the best way to measure success

Measuring our success in arguing cases before the courts presents several challenges. Cases won and lost tell only part of the story. When the Attorney General prosecutes a criminal case, for example, the goal is to act in the public interest. Defending a case in civil court can also serve several purposes, such as standing up for an important policy or public interest, clarifying the law, or advancing arguments that help shape court decisions on particular issues in a way that is favourable to the public interest.

In these cases, whether we have made the best possible arguments on behalf of the Crown is an indicator of success. The outcome of a case also indicates whether our arguments before the courts have been persuasive and helps us understand how to shape future arguments in light of current judicial interpretations of the law.

11. The Proactive Management of the Law project applies to the entire Government Client Services business line, including the Federal Prosecution Service.

What is Legal Risk Management?

A sustainable government-wide approach to identifying, avoiding, mitigating and/or managing legal risks that seeks to

- protect the interests of the Crown,
- uphold the rule of law,
- minimize overall costs,
- reduce contingent liability,
- maintain program integrity,
- avoid crises and surprises, and
- prevent a loss of public confidence in the government or in the administration of justice.

Managing legal risk

The Department's legal risk management (LRM) strategy, introduced in 2000, aims to identify and manage legal risk. LRM is now integral to departmental operations: practised with client departments, LRM offers a way to reduce conflict and minimize the costs associated with litigation, which often poses significant risks to government. Managing risk effectively contributes to a more creative, responsive and innovative legal practice, better planning of resource use, and savings in public resources.

The Department has a variety of tools and techniques in place to foster effective LRM in partnership with clients:

- scanning for legal risks, to prevent or manage them at the earliest possible stage;
- seeking alternatives to legislation or prosecution to accomplish client policy or program objectives (often referred to as 'instrument choice');
- using alternative dispute resolution where appropriate;
- closely tracking litigation that may have a high financial (or other) impact on government and helping to manage the risks as effectively as possible in collaboration with clients;
- being prepared for the outcome of significant litigation, so that even if a case is lost the client is prepared to take the next steps;
- using technology to manage the large number of documents that can be involved in complex cases;
- training and development in legal risk management for departmental and client staff;
- working with multiple departments/agencies to manage legal issues that have an impact on several of them at once; and
- spotting legal trends across government and helping clients respond to or address them.

Legal risk management in practice

- The Aboriginal Affairs Portfolio and Indian and Northern Affairs Canada (INAC) developed the Aboriginal Litigation Re-engineering Initiative, aimed at resolving cases more quickly, avoiding the conflict between parties that is inherent in litigation, and hence contributing to better relations with Aboriginal peoples, stakeholders and interested members of the public. The initiative has helped build capacity to manage the caseload more strategically through investments in information technology and alternative dispute resolution. Although specific performance indicators have yet to be established, the initiative has already allowed Justice and INAC to make considerable progress in standardizing work methodologies, reusing costly legal and historical research, and developing a work force with expertise in Aboriginal law, policy and programs.

Measuring progress on this strategic outcome

Strategic outcome: High-quality legal services to support the federal government

Short- and Medium-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Client decision making reflects high-quality legal advice • Legal risk is anticipated, prevented, mitigated or managed effectively 	<ul style="list-style-type: none"> • Client perceptions of the extent to which legal advice was used • Client perceptions about the quality and timeliness of legal advice • Percentage change in size of government's contingent liabilities
<ul style="list-style-type: none"> • Government legal and financial interests are protected 	<ul style="list-style-type: none"> • Percentage of government contingent liabilities that become actual liabilities
<ul style="list-style-type: none"> • More effective use of resources 	<ul style="list-style-type: none"> • Average cost per case by type of case • Number of cases resolved through early dispute resolution

Long-term Outcomes

Results/Targets	Measures
<ul style="list-style-type: none"> • Canadians have confidence in and respect for government and the justice system • A free, democratic and law-abiding society in which the economic and social interests of Canadians are protected • Government policy and program interests are protected 	<ul style="list-style-type: none"> • Extent to which Canadians and justice system practitioners have confidence in and respect for the justice system • Performance of clients • Perceptions of national and international observers



The Department carries out its mission through three business lines: Law and Policy, Government Client Services, and Administration.

PART V – ORGANIZATION AND PLANNED SPENDING

How We Are Organized

As shown in the organization chart, the Department carries out its mission through three business lines: Law and Policy, Government Client Services, and Administration.

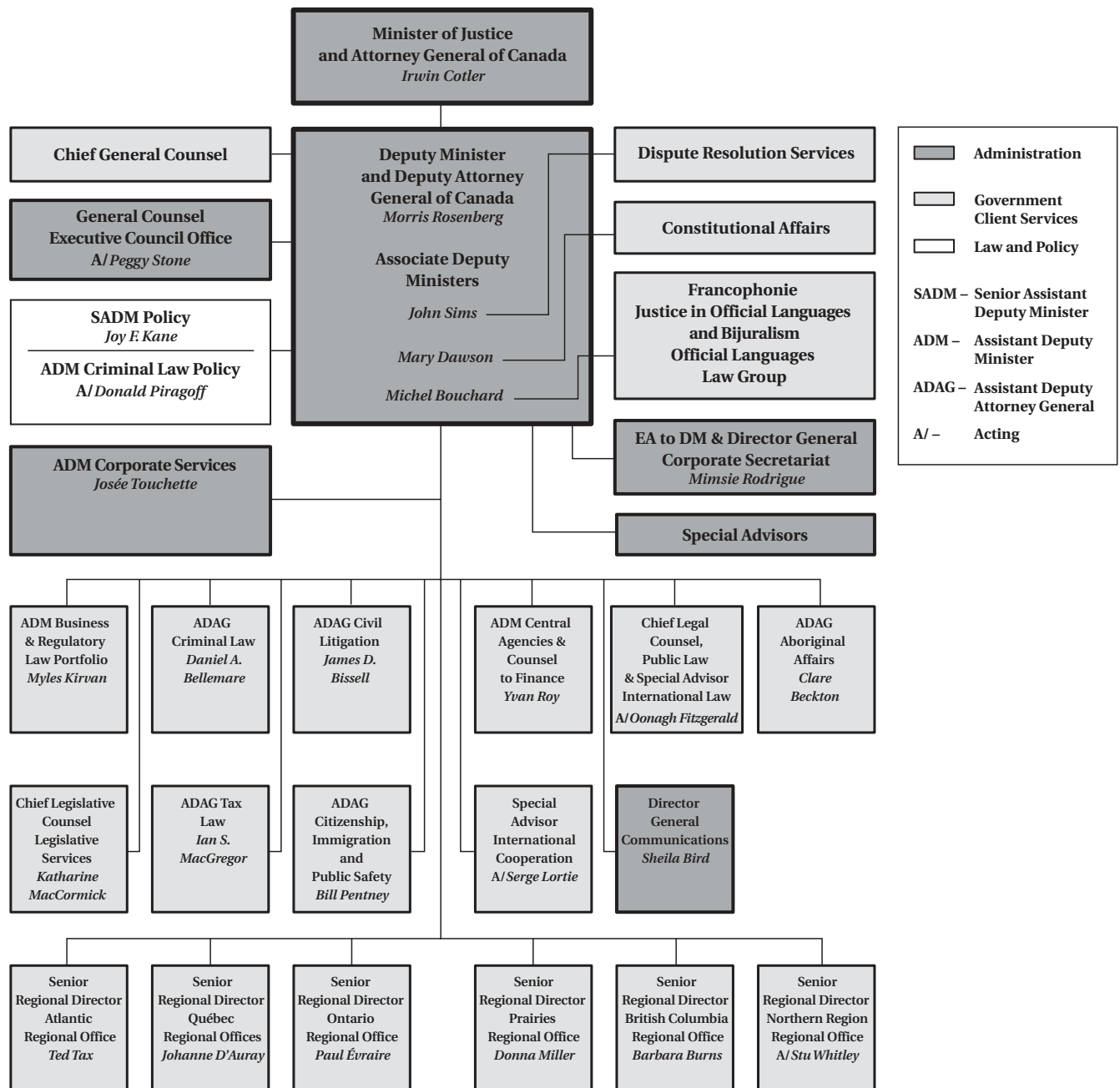


Table 5.1 Planned Spending and FTEs by Business Line, 2004-2005

Business Line	2004-2005 Net Planned Spending (\$ millions)			2004-2005 Full-Time Equivalents
	Operating Budget	Grants & Contributions	Business Line Total	
Law and Policy	42.1	392.6	434.7	399
Government Client Services	497.1	0.0	497.1	3,996
Administration	79.3	0.0	79.3	622
Total	618.5	392.6	1,011.1	5,017

Planned spending and full-time equivalents by business line are shown in Table 5.1.

For more details on the information presented in Table 5.1, see Annex 6, Departmental Planned Spending.

Linking Business Lines to Strategic Outcomes

As part of continued efforts to improve the way we assess progress and report on performance, we identified three strategic outcomes as the basis for structuring this report. These **outcomes** represent a refinement of the strategic **directions** discussed in our *Report on Plans and Priorities 2003-2004* and offer greater clarity about how our work benefits Canadians. The directions were taken from our *Strategic Plan 2001-2005*; they still guide our work, but they do not specifically express the outcomes we are trying to achieve for Canadians.

Similarly, as we move to a new approach to planning and reporting, our business lines and strategic outcomes are not fully aligned, although they are closely related.¹

1. The alignment between our business lines, results and outcomes will be refined as the Department develops a new Program Activity Architecture in collaboration with the Treasury Board Secretariat. Table 4.1 (page 15) and Annexes 3, 4 and 5 show the current relationship between strategic outcomes, business lines and resources.

- The Law and Policy business line delivers our first strategic outcome: a fair, relevant, accessible justice system that reflects Canadian values. This is one of two elements in the “Serving Canadians” component of our *2003-2004 Report on Plans and Priorities* (RPP).
- The Law and Policy and Government Client Services business lines contribute to our second strategic outcome: a safer, more secure society. This is the second element of the “Serving Canadians” direction in our last RPP. While the Department has always contributed to Canadians’ safety and security, identifying this as a specific outcome helps focus our attention on this vital government priority in the post-9/11 era.
- The Government Client Services business line delivers our third strategic outcome: high-quality legal services to support the federal government. This is similar to the “Providing high value and making choices” direction in our last RPP.
- The Administration business line supports the work of the other two business lines and helps the Department meet its responsibilities in the areas of planning, transparency, accountability, and performance reporting. Several management and operational priorities for this planning period were discussed in Part III, Planning Overview. These priorities parallel the “Capitalizing on our strengths” direction in our last RPP.

Report on Plans and Priorities 2003-2004²
Strategic Plan 2001-2005³

2. http://www.justice.gc.ca/en/dept/pub/rpp/2003_2004/index.html
3. http://www.justice.gc.ca/en/dept/pub/just/strat_plan/index.html



These funds promote activities and research in areas of interest to the Department and Canadians. These projects help the Department respond to the justice-related needs of a changing society.

PART VI – FINANCIAL TABLES

Table 4 Summary of Transfer Payments

\$ millions	Forecast Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007
GRANTS				
Law and Policy Business Line	3.7	4.1	4.6	4.6
Total Grants	3.7	4.1	4.6	4.6
Contributions				
Law and Policy Business Line	392.6	385.5	332.6	289.0
Total Contributions	392.6	385.5	332.6	289.0
Total Grants and Contributions	396.3	389.6	337.2	293.6
Fiscal Framework planned spending*	-	3.0	50.6	48.4
Total Grants and Contributions, including Fiscal Framework	396.3	392.6	387.8	342.0

* Fiscal Framework items reflect intended planned policy spending that will require approval from Cabinet and/or from the Treasury Board Secretariat, for initiatives such as Youth Justice, Child-Centred Family Justice, and Enforcement and Lawful Access.

Objective

The Department of Justice is committed to ensuring that Canada is a fair, just and law-abiding society with an accessible, equitable, efficient and effective national system of justice. The Department uses a variety of programs that involve grants and contributions to help in developing, promoting and implementing legislation, policies, programs and services and to test new approaches to improving Canada's justice system.

Expected Results

The Department's grants and contributions resources are used to develop strategic policy and legislative responses to justice issues, to help implement policies and legislation, and to promote innovation in the justice system. For example, the Department has, for many years, entered into long-term funding arrangements with provinces and territories to support its policy directions through public legal education and information, legal aid, youth justice, family justice, and Aboriginal Courtwork services. The Department also provides project-based funding through such programs as the Aboriginal Justice Strategy, victims of crime and family violence initiatives, the Youth Justice Renewal Initiative and the Justice Partnership and Innovation Program.

Among other things, these funds promote activities and research in areas of interest to the Department and Canadians. These projects help the Department respond to the justice-related needs of a changing society.

Table 5 Details on Transfer Payments Programs

\$	Forecast Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007
GRANTS				
Law and Policy Business Line				
Uniform Law Conference of Canada - Administration Grant	18,170	18,170	18,170	18,170
Institut international de droit d'expression française	1,140	1,140	1,140	1,140
Canadian Association of Chiefs of Police for the Law Amendments Committee	12,274	12,274	12,274	12,274
British Institute of International and Comparative Law	5,495	7,220	7,220	7,220
Hague Academy of International Law	6,620	8,620	8,620	8,620
Canadian Human Rights Foundation	26,600	26,600	26,600	26,600
National Judicial Institute	268,345	268,345	268,345	268,345
Canadian Society for Forensic Science	38,600	38,600	38,600	38,600
Canadian Association of Provincial Court Judges	100,000	100,000	100,000	100,000
Grants in support of the Justice Partnership and Innovation Fund	202,762	510,631	510,631	510,631
Grants in support of the Aboriginal Justice Strategy	0	100,000	75,000	50,000
Grants in support of the Child-Centred Family Justice Fund	0	50,000	50,000	50,000
Grants in support of the Youth Justice Renewal Fund	2,868,657	2,210,900	2,775,900	2,775,900
Grants to individuals, non-profit professional organizations, societies or associations, other non-profit organizations and institutions for activities in support of the Victims of Crime Initiative	150,000	500,000	500,000	500,000
Grants under the Access to Justice in both Official Languages Support Fund	0	200,000	200,000	200,000
Total Grants	3,698,663	4,052,500	4,592,500	4,567,500
CONTRIBUTIONS				
Law and Policy Business Line				
Contributions to the provinces to assist in the operation of legal aid systems	114,941,507	124,827,507	119,827,507	79,827,507
Contributions in support of Public Safety and Anti-Terrorism – Legal Aid		2,500,000	2,500,000	2,500,000
Contributions to the provinces and territories in support of youth justice services	195,702,596	188,652,100	139,245,747	139,245,747
Contributions to the provinces and territories in support of youth justice services-Intensive Rehabilitative Custody and Supervision Program	1,897,100	9,906,500	14,925,250	17,133,500
Contributions to the provinces under the Aboriginal Courtwork Program	4,729,348	4,836,363	4,836,363	4,836,363
Contributions to provinces and territories for the Canadian Firearms Program	18,000,000	0	0	0
Contributions under the Justice Partnership and Innovation Fund	2,325,121	2,729,983	2,730,679	2,731,815
Contributions under the Aboriginal Justice Strategy Fund	6,919,408	7,350,000	7,325,000	7,250,000
Contributions in support of the Child-Centred Family Justice Fund	15,159,000	16,029,500	12,194,855	12,000,027
Contributions to support the implementation of official languages requirements under the <i>Contraventions Act</i>	3,226,067	5,437,199	7,463,855	8,416,155
Contributions for Access to Justice Services to the Territories (being Legal Aid, Aboriginal Courtwork and Public Legal Education and Information Services)	4,742,593	4,856,593	4,856,593	3,356,593
Contributions in support of the Youth Justice Renewal Fund	10,694,400	9,890,500	7,613,353	5,238,353
Contributions for the Victims of Crime Initiative	1,525,000	1,425,000	1,425,000	1,425,000
Contributions to the province of British Columbia for the Air India Trial	8,900,000	0	0	0
Contributions under the Access to Justice in both Official Languages Support Fund	1,729,187	3,223,901	2,698,146	2,687,546
Contributions in support of legal aid pilot projects	1,300,000	950,000	955,000	0
Contributions in support of Federal Court-Ordered Counsel	307,683	1,400,000	1,400,000	0
Contributions in support of Federal Court-Ordered Counsel – Legal Aid Cases	516,400	250,000	250,000	0
Drug Treatment Court Funding Program	0	1,286,354	2,333,152	2,341,894
Total Contributions	392,615,410	385,551,500	332,580,500	288,990,500
Total Grants and Contributions	396,314,073	389,604,000	337,173,000	293,558,000
FISCAL FRAMEWORK PLANNED SPENDING*	0	3,000,000	50,627,000	48,418,000
Total Grants and Contributions, including Fiscal Framework	396,314,073	392,604,000	387,800,000	341,976,000

* Fiscal Framework items reflect intended planned policy spending on initiatives that will require approval from Cabinet and/or from the Treasury Board Secretariat, including Youth Justice, Child-Centred Family Justice, and Enforcement and Lawful Access.

Table 7 Major initiatives and programs

Strategic Outcome 1

A fair, relevant, accessible justice system that reflects Canadian values

The following initiatives and programs, administered by the Department of Justice and/or other federal organizations, help provide a fair justice system that respects the diverse needs of our society and is accessible to all Canadians, regardless of social or financial status.

Program/ Initiative	Objective	Resources ¹ (\$ millions)			Lead Organization
		2004-2005	2005-2006	2006-2007	
Youth Justice Renewal	Implement <i>Youth Criminal Justice Act</i> to assist young Canadians in conflict with the law	215.2	212.7	212.6	Department of Justice
Legal Aid Program	Provide legal aid to economically disadvantaged Canadians in need of legal help	132.7	127.7	83.3	Department of Justice
Family Justice	Protect families and children	26.8	25.9	25.3	Department of Justice
Aboriginal Justice Strategy	Help Aboriginal people assume greater responsibility for administration of justice in their communities and contribute to reducing crime and victimization among Aboriginal people	9.8	9.8	9.7	Department of Justice
Official Languages ²	Provide justice-related services to Canadians in both official languages across the country	11.7	13.2	14.2	Department of Justice
Victims of Crime	Increase victims' confidence in justice system, through consultations, policy development, legislative reform and public legal education	4.7	4.6	4.6	Department of Justice

Note: More information about activities, results and timelines for these initiatives and programs is presented in the relevant sections of Part IV.

1. Planned spending does not include corporate services overhead expenditures.

2. Includes planned expenditures for the Contraventions Program.

Strategic Outcome 2

A safer, more secure society

The following initiatives and programs, administered by the Department of Justice and/or by other federal organizations, contribute to making Canada a safer, more secure society.

Program/Initiative	Objective	Resources ¹ (\$ millions)			Lead Organization
		2004-2005	2005-2006	2006-2007	
Public Safety and Anti-Terrorism	Build personal and economic safety for Canadians by detecting, deterring and prosecuting terrorist activities	15.7	15.7	15.7	Public Safety and Emergency Preparedness (formerly Solicitor General)
International Cooperation and Transnational Crime	Improve capacity to respond to international requests and transnational crime	7.5	7.5	7.5	Public Safety and Emergency Preparedness

Note: More information about activities, results and timelines for these initiatives and programs is presented in the relevant sections of Part IV.

1. Planned spending does not include corporate services overhead expenditures.

Table 8 Sources of Respendable and Non-Respendable Revenue

Non-Respendable Revenue (\$ millions)	Forecast Revenue 2003-2004	Planned Revenue 2004-2005	Planned Revenue 2005-2006	Planned Revenue 2006-2007
Government Client Services Business Line				
Fines and Forfeitures	0.4	0.4	0.4	0.4
Administration Business Line				
Central Registry of Divorce Proceedings	0.7	0.8	0.7	0.7
Miscellaneous Revenues	1.1	1.1	1.1	1.1
Law and Policy Business Line				
Family Order and Agreements Enforcement Assistance Program	5.1	5.1	5.1	5.1
Total Non-Respendable Revenue	7.3	7.4	7.3	7.3

Table 9 External Charging Information

The Department receives applications from provincial and territorial authorities under Part II of the *Family Orders and Agreement Enforcement and Assistance Act* to intercept federal payments (such as employment insurance benefits, income tax refunds, and Canada Pension Plan payments) in order to satisfy family support orders. The Department collects a fee of \$190 for each request (which covers the entire 5-year period of the garnishment) to cover the administrative costs of responding to these requests. The fee is collected in annual installments of \$38 for each garnishment action. A projected 47,000 applications will be processed in fiscal year 2003-2004.

The Department also maintains a Central Registry of Divorce Proceedings, aimed at preventing duplication of divorce proceedings in courts across Canada. Courts handling divorce proceedings complete and submit a form; this information is recorded in a database. Divorce files are then checked to detect any duplication of proceedings. If no duplication is found, a Clearance Certificate is issued, allowing the proceeding to continue. A fee of \$10 is charged for each form. The courts are compensated \$3 for each form, once the proceeding is cleared. An estimated 79,000 divorce proceedings forms will be received in fiscal year 2003-2004.

As a result of the Department's Child-Centred Family Justice initiative, there may be changes in the operation of these programs that will require a review of fee amounts.

Name of Fee Activity	Type of Fee	Fee-Setting Authority	Forecast Revenue 2003-2004 (\$ 000)	Estimated full cost of providing service (\$ 000)	Consultation and Analysis	Service Standard	Performance Results
Interception	Regulatory Service	<i>Family Orders and Agreement Enforcement and Assistance Act</i>	14,437 ¹	Not available	Ongoing discussions with provincial and territorial authorities on services provided by Department; ongoing discussions with other federal government partners	Applications are processed and response sent to provincial and territorial authorities within 40 days of receipt	Support payments are made promptly to individuals entitled to them
Central Registry of Divorce Proceedings	Regulatory Service	<i>Divorce Act</i>	504	714 ²	Ongoing discussions with courts across Canada	Certificate of Clearance issued within 3 weeks of data being recorded in the system	Clients receive a clearance status upon their divorce

1. This amount represents the forecast for total fees owing for fiscal year 2003-2004.

2. The full cost includes compensation to courts and applications from individuals made under legal aid support provisions; an estimated \$714,000 will be collected in fees. Courts will be compensated an estimated \$210,000, resulting in net revenues of \$504,000.

Table 10 Net Cost of Program for the Estimates Year (2004-2005)

\$ millions	Total
Net Planned Spending (Gross Budgetary and Non-Budgetary Main Estimates plus Adjustments)	1,011.1
Plus: Services Received without Charges	
Accommodation provided by Public Works and Government Services Canada	39.8
Contributions covering employees' share of insurance premiums and expenditures paid by Treasury Board Secretariat	19.8
Workers' Compensation coverage provided by Social Development Canada	0.1
	59.7
Less: Cost Recovery	(185.0)
Less: Non-Respendable Revenue	(7.4)
2004-2005 Net Cost of Program	878.4

PART VII – ANNEXES

Annex 1 – Additional Information about the Department of Justice

Contacts for Further Information

Sheila Bird, Director General, Communications Branch, East Memorial Building, 284 Wellington Street, Ottawa, Ontario, K1A 0H8.
Telephone: (613) 957-4221; Fax: (613) 941-2329.

Media Inquiries: Communications Branch, Telephone: (613) 957-4207;
Fax: (613) 954-0811.

Public Inquiries: Communications Branch, Telephone: (613) 957-4222;
TDD/TTY: (613) 992-4556; Fax: (613) 954-0811.

Information Online

For more information about the management terms used in this document, please consult the Treasury Board Secretariat's **Lexicon for Results-Based Management and Accountability**:
http://www.tbs-sct.gc.ca/eval/pubs/rmaf-cgrr/rmaf-cgrr05_e.asp

For more information about the Department of Justice, please consult the following electronic publications:

About the Department of Justice

<http://www.justice.gc.ca/en/dept/pub/about/index.html>

Department of Justice Evaluation Reports

<http://www.justice.gc.ca/en/ps/eval/list.html>

Department of Justice Internal Audit Reports

http://www.justice.gc.ca/en/dept/pub/audit_reports/index.html

Departmental Performance Report, 2002-2003

<http://www.justice.gc.ca/en/dept/pub/dpr/index.html>

Overview of Recent Activities and Achievements, August 2003

<http://www.justice.gc.ca/en/dept/pub/ach/2003/achieve2003.html>

Report on Plans and Priorities, 2002-2003

http://www.justice.gc.ca/en/dept/pub/rpp/2003_2004/index.html

Research and Statistics

<http://www.justice.gc.ca/en/ps/rs/rep/100-e.html>

Strategic Plan, 2001-2005

http://www.justice.gc.ca/en/dept/pub/just/strat_plan/index.htm

Sustainable Development Strategy, 2004-2006

http://www.justice.gc.ca/en/dept/pub/sds/04_06/index.html

The Department of Justice produces many other publications and reports on a variety of subjects. For a complete listing, please visit the Publications page on our Internet site: http://www.justice.gc.ca/en/dept/pub/subject_index.html

Annex 2 – Legislation Administered by the Department

The Department of Justice exists by virtue of the *Department of Justice Act*, first passed in 1868. The Act establishes the Department's role and sets out the powers, duties and functions of the Minister of Justice and the Attorney General of Canada.

In addition to this general enabling statute, the Minister and the Department have responsibilities under a number of other laws. These range from fairly routine matters, such as tabling the annual report of an agency in Parliament, to broader responsibilities, such as the obligation to review all government bills and regulations for compliance with the *Canadian Charter of Rights and Freedoms*, the *Canadian Bill of Rights* and the *Statutory Instruments Act*. The laws for which the Minister has sole or shared responsibility to Parliament are listed below.¹

Access to Information Act, R.S. 1985, c. A-1 (responsibility shared with the President of the Treasury Board²).

Annulment of Marriages Act (Ontario), R.S.C. 1970, c. A-14.

Anti-Terrorism Act, S.C. 2001, c. 41.

Bills of Lading Act, R.S. 1985, c. B-5 (responsibility shared with the Minister of Transport).

Canada Evidence Act, R.S. 1985, c. C-5.

Canada-United Kingdom Civil and Commercial Judgments Convention Act, R.S. 1985, c. C-30.

Canada Prize Act, R.S.C. 1970, c. P-24.

Canadian Bill of Rights, S.C. 1960, c. 44; reprinted in R.S.C. 1985, Appendix III.

Canadian Human Rights Act, R.S. 1985, c. H-6.

Commercial Arbitration Act, R.S. 1985, c. 17 (2nd Supp.).

Courts Administration Service Act, S.C. 2002, c. 8.

Contraventions Act, S.C. 1992, c. 47.

Criminal Code, R.S. 1985, c. C-46 (responsibility shared with the Solicitor General of Canada,³ and the Minister of Agriculture and Agri-Food (s. 204)).

Crown Liability and Proceedings Act, R.S. 1985, c. C-50.

Department of Justice Act, R.S. 1985, c. J-2.

Divorce Act, R.S. 1985, c. 3 (2nd Supp.).

Escheats Act, R.S. 1985, c. E-13.

Extradition Act, S.C. 1999, c. 18.⁴

1. This list, prepared in February 2004, is an unofficial version for information only. The *Canada Gazette*, Part III, should be consulted for a formal list.
2. Responsibility shared with the President of the Treasury Board in the following manner: Minister of Justice (for purposes of paragraph (b) of the definition of "head" in section 3, subsection 4(2), paragraphs 77(1) (f) and (g) and subsection 77(2)); and the President of the Treasury Board (for all other purposes of the Act) (SI/83-108).
3. The portfolio of the Solicitor General of Canada was replaced by the portfolio of Public Safety and Emergency Preparedness on December 12, 2003. The legislation has not yet been amended to reflect this.
4. Section 84 of the new *Extradition Act, 1999*, c. 18, provides that the repealed Act (R.S. 1985, c. E-23) applies to a matter respecting the extradition of a person as though it had not been repealed, if the hearing in respect of the extradition had already begun on June 17, 1999.

Family Orders and Agreements Enforcement Assistance Act, R.S. 1985, c. 4 (2nd Supp.).
 Federal Courts Act, R.S. 1985, c. F-7.⁵
 Federal Law-Civil Harmonization Act, No.1, S.C. 2001, c. 4.
 Firearms Act, S.C. 1995, c. 39.⁶
 Foreign Enlistment Act, R.S. 1985, c. F-28.
 Foreign Extraterritorial Measures Act, R.S. 1985, c. F-29.
 Fugitive Offenders Act, R.S. 1985, c. F-32.⁷

Garnishment, Attachment and Pension Diversion Act, R.S. 1985, c. G-2
 (responsibility shared with the Minister of National Defence, Minister of Public Works and Government Services, and Minister of Finance⁸).

Identification of Criminals Act, R.S. 1985, c. I-1.
 International Sale of Goods Contracts Convention Act, S.C. 1991, c. 13.
 Interpretation Act, R.S. 1985, c. I-21.

Judges Act, R.S. 1985, c. J-1.

Law Commission of Canada Act, S.C. 1996, c. 9.
 Legislative Instruments Re-enactment Act, S.C. 2002, c. 20.

Marriage (Prohibited Degrees) Act, S.C. 1990, c. 46.
 Modernization of Benefits and Obligations Act, S.C. 2000, c. 12.
 Mutual Legal Assistance in Criminal Matters Act, R.S. 1985, c. 30 (4th Supp.).

Official Languages Act, R.S. 1985, c. 31 (4th Supp.).

Postal Services Interruption Relief Act, R.S. 1985, c. P-16.

5. Formerly the *Federal Court Act*. The title was amended to the *Federal Courts Act* in the *Courts Administration Service Act*, S.C. 2002, c. 8, s. 14.
6. The Firearms Program was transferred to the Solicitor General (Public Safety and Emergency Preparedness as of December 12, 2003, although the legislation has not yet been amended to reflect this change) as of April 14, 2003. See SOR/2003-145.
7. Repealed by the *Extradition Act*, S.C. 1999, c. 18, s. 130, but section 85 of the new *Extradition Act* provides that the repealed Act applies to a matter respecting the return under that Act of a person as though it had not been repealed, if the hearing before the provincial court judge in respect of the return had already begun on June 17, 1999.
8. Responsibility shared in the following manner: (a) Minister of Justice and Attorney General of Canada, General (Part I) (SI/84-5), and for the purposes of sections 46 and 47 of the Act, items 12 and 16 of the schedule to the Act and the other provisions of Part II of the Act as those provisions relate to the *Judges Act* (SI/84-6); (b) the Minister of National Defence, for the purposes of the provisions, except sections 46 and 47, of Part II of the Act as those provisions relate to the *Canadian Forces Superannuation Act* and the *Defence Services Pension Continuation Act* (SI/84-6); (c) the Minister of Finance, for the purposes of the provisions, except sections 46 and 47, of Part II of the Act as those provisions relate to the *Members of Parliament Retiring Allowances Act* (SI/84-6); and (d) the Minister of Public Works and Government Services, for the purposes of the provisions, except sections 46 and 47, of Part II of the Act as those provisions relate to
 - (i) the *Governor General's Act*,
 - (ii) the *Lieutenant Governor's Superannuation Act*,
 - (iii) the *Diplomatic Service (Special) Superannuation Act*,
 - (iv) the *Public Service Superannuation Act*,
 - (v) the *Civil Service Superannuation Act*,
 - (vi) the *Royal Canadian Mounted Police Superannuation Act*, Part I,
 - (vii) the *Royal Canadian Mounted Police Pension Continuation Act*, Parts II and III,
 - (viii) the *Currency, Mint and Exchange Fund Act*, subsection 15(2) (R.S. 1952, c. 315)
 - (ix) the *War Veterans Allowance Act*, subsection 28(10),
 - (x) regulations made under Vote 181 of *Appropriation Act No. 5*, 1961, and
 - (xi) the *Tax Court of Canada Act* (SI/84-6).

Privacy Act, R.S. 1985, c. P-21 (responsibility shared with the President of the Treasury Board⁹).

Revised Statutes of Canada, 1985 Act, R.S. 1985, c. 40 (3rd Supp.).

Security Offences Act, R.S. 1985, c. S-7.

Security of Information Act, R.S. 1985, c. O-5.

State Immunity Act, R.S. 1985, c. S-18.

Statute Revision Act, R.S. 1985, c. S-20.

Statutory Instruments Act, R.S. 1985, c. S-22.

Supreme Court Act, R.S. 1985, c. S-26.

Tax Court of Canada Act, R.S. 1985, c. T-2.

United Nations Foreign Arbitral Awards Convention Act, R.S. 1985, c. 16 (2nd Supp.).

Youth Criminal Justice Act, S.C. 2002, c. 1 (replaces Young Offenders Act, R.S. 1985, c. Y-1).

9. Responsibility is shared in the following manner: Minister of Justice, for purposes of paragraph (b) of the definition of “head” in section 3, subsection 12(3), paragraphs 77(1) (a), (d), (g) and (l) and subsection 77(2); President of the Treasury Board, for all other purposes of the Act (SI/83109).

Annex 3

Priorities and Planned Spending by Strategic Outcome and Business Line, 2004-2005

Strategic Outcomes	Priorities ¹	2004-2005 Planned Spending by Business Line (\$ millions)			Total
		Law and Policy	Government Client Services	Administration	
<i>A fair, relevant, accessible justice system that reflects Canadian values</i>	Promoting access to and efficiencies in the justice system	152.9	-	2.4	155.3
	Protecting children, youth and vulnerable people under the law and within the justice system	246.2	-	0.5	246.7
	Addressing the needs of Aboriginal people in the justice system	12.5	2.4	-	14.9
	Other	15.9	-	-	15.9
Sub-total		427.5	2.4	2.9	432.8
<i>A safer, more secure society</i>	Combatting high-tech crime, organized crime and terrorism	4.2	28.3	-	32.5
	Modernizing the criminal law	3.0	-	-	3.0
	Improving capacity to respond to international requests and transnational crime	-	7.5	-	7.5
	Other - Drug and regulatory prosecutions	-	52.1	-	52.1
	Other - Federal Prosecution Service administration and other	-	13.1	-	13.1
Sub-total		7.2	101.0	0.0	108.2
	Shared priority: Supporting our clients with high-quality legal services				
<i>High-quality legal services to support the federal government²</i>	Legislative Services	-	23.6	-	23.6
	Civil Litigation and Public Law	-	15.5	-	15.5
	Tax Law Portfolio	-	51.1	-	51.1
	Citizenship and Immigration Portfolio	-	29.4	-	29.4
	Aboriginal Affairs Portfolio	-	85.5	-	85.5
	Business and Regulatory Law Portfolio	-	141.9	-	141.9
	Central Agencies Portfolio	-	13.4	-	13.4
	Administration Portfolio ³	-	32.9	-	32.9
	Other	-	0.4	1.1	1.5
Sub-total⁴		0.0	393.7	1.1	394.8
Planned Spending across all Strategic Outcomes		434.7	497.1	4.0	935.8
<i>Enablers⁵</i>	Departmental Management and Support	-	-	23.2	23.2
	Corporate Services and Communications	-	-	52.1	52.1
Sub-total		0.0	0.0	75.3	75.3
TOTAL		434.7	497.1	79.3	1,011.1

- All priorities are 'ongoing'.
- Information for this chart was compiled on the basis of the Department's reporting framework for legal services delivery in place before December 12, 2003, when changes in government structure were announced.
- The Administration Portfolio provides administrative services to regional offices, Civil Litigation and Public Law.
- Justice recovers part of the cost of delivering legal services from client departments and agencies.

2004-2005 PLANNED SPENDING		Funded by	Recovered	Total
High-quality legal services to support the federal government		Justice	from clients	
Legislative Services		23.6	0.0	23.6
Civil Litigation and Public Law		10.0	5.5	15.5
Tax Law Portfolio		38.1	13.0	51.1
Citizenship and Immigration Portfolio		25.7	3.7	29.4
Aboriginal Affairs Portfolio		26.3	59.2	85.5
Business and Regulatory Law Portfolio		45.7	96.2	141.9
Central Agencies Portfolio		6.0	7.4	13.4
Administration Portfolio		32.9	0.0	32.9
Other		1.5	0.0	1.5
SUB-TOTAL		209.8	185.0	394.8
PROPORTION OF SUB-TOTAL		53%	47%	100%

- Enablers support the achievement of all three strategic outcomes.

Annex 4

Priorities and Planned Spending by Strategic Outcome and Business Line, 2005-2006

Strategic Outcomes	Priorities ¹	2005-2006 Planned Spending by Business Line (\$ millions)			Total
		Law and Policy	Government Client Services	Administration	
<i>A fair, relevant, accessible justice system that reflects Canadian values</i>	Promoting access to and efficiencies in the justice system	150.2	-	2.3	152.5
	Protecting children, youth and vulnerable people under the law and within the justice system	242.8	-	0.4	243.2
	Addressing the needs of Aboriginal people in the justice system	12.4	2.4	-	14.8
	Other	14.5	-	-	14.5
Sub-total		419.9	2.4	2.7	425.0
<i>A safer, more secure society</i>	Combatting high-tech crime, organized crime and terrorism	4.1	28.4	-	32.5
	Modernizing the criminal law	2.2	-	-	2.2
	Improving capacity to respond to international requests and transnational crime	-	7.5	-	7.5
	Other - Drug and regulatory prosecutions	-	52.2	-	52.2
	Other - Federal Prosecution Service administration and other	-	13.0	-	13.0
Sub-total		6.3	101.1	0.0	107.4
	Shared priority: Supporting our clients with high-quality legal services				
<i>High-quality legal services to support the federal government²</i>	Legislative Services	-	23.6	-	23.6
	Civil Litigation and Public Law	-	15.4	-	15.4
	Tax Law Portfolio	-	51.0	-	51.0
	Citizenship and Immigration Portfolio	-	29.5	-	29.5
	Aboriginal Affairs Portfolio	-	85.2	-	85.2
	Business and Regulatory Law Portfolio	-	140.9	-	140.9
	Central Agencies Portfolio	-	13.4	-	13.4
	Administration Portfolio ³	-	28.2	-	28.2
	Other	0.0	0.4	1.1	1.5
Sub-total⁴		0.0	387.6	1.1	388.7
Planned Spending across all Strategic Outcomes		426.2	491.1	3.8	921.1
<i>Enablers⁵</i>	Departmental Management and Support	-	-	20.7	20.7
	Corporate Services and Communications	-	-	50.6	50.6
Sub-total		0.0	0.0	71.3	71.3
TOTAL		426.2	491.1	75.1	992.4

- All priorities are 'ongoing'.
- Information for this chart was compiled on the basis of the Department's reporting framework for legal services delivery in place before December 12, 2003, when changes in government structure were announced.
- The Administration Portfolio provides administrative services to regional offices, Civil Litigation and Public Law.
- Justice recovers part of the cost of delivering legal services from client departments and agencies.

2005-2006 PLANNED SPENDING	Funded by	Recovered	Total
	Justice	from clients	
High-quality legal services to support the federal government			
Legislative Services	23.6	0.0	23.6
Civil Litigation and Public Law	9.9	5.5	15.4
Tax Law Portfolio	38.0	13.0	51.0
Citizenship and Immigration Portfolio	25.8	3.7	29.5
Aboriginal Affairs Portfolio	26.0	59.2	85.2
Business and Regulatory Law Portfolio	44.7	96.2	140.9
Central Agencies Portfolio	6.0	7.4	13.4
Administration Portfolio	28.2	0.0	28.2
Other	1.5	0.0	1.5
SUB-TOTAL	203.7	185.0	388.7
PROPORTION OF SUB-TOTAL	52%	48%	100%

- Enablers support the achievement of all three strategic outcomes.

Annex 5

Priorities and Planned Spending by Strategic Outcome and Business Line, 2006-2007

Strategic Outcomes	Priorities ¹	2006-2007 Planned Spending by Business Line (\$ millions)			Total
		Law and Policy	Government Client Services	Administration	
<i>A fair, relevant, accessible justice system that reflects Canadian values</i>	Promoting access to and efficiencies in the justice system	106.3	-	2.4	108.7
	Protecting children, youth and vulnerable people under the law and within the justice system	242.0	-	0.5	242.5
	Addressing the needs of Aboriginal people in the justice system	12.3	2.4	-	14.7
	Other	14.5	-	-	14.5
Sub-total		375.1	2.4	2.9	380.4
<i>A safer, more secure society</i>	Combatting high-tech crime, organized crime and terrorism	4.2	28.4	-	32.6
	Modernizing the criminal law	2.2	-	-	2.2
	Improving capacity to respond to international requests and transnational crime	-	7.5	-	7.5
	Other - Drug and regulatory prosecutions	-	52.2	-	52.2
	Other - Federal Prosecution Service administration and other	-	13.0	-	13.0
Sub-total		6.4	101.1	0.0	107.5
<i>High-quality legal services to support the federal government²</i>	Shared priority: Supporting our clients with high-quality legal services				
	Legislative Services	-	23.6	-	23.6
	Civil Litigation and Public Law	-	13.1	-	13.1
	Tax Law Portfolio	-	51.0	-	51.0
	Citizenship and Immigration Portfolio	-	29.5	-	29.5
	Aboriginal Affairs Portfolio	-	85.3	-	85.3
	Business and Regulatory Law Portfolio	-	140.9	-	140.9
	Central Agencies Portfolio	-	13.4	-	13.4
	Administration Portfolio ³	-	30.8	-	30.8
Other	-	0.3	1.1	1.4	
Sub-total⁴		0.0	387.9	1.1	389.0
Planned Spending across all Strategic Outcomes		381.5	491.4	4.0	876.9
<i>Enablers⁵</i>	Departmental Management and Support	-	-	24.1	24.1
	Corporate Services and Communications	-	-	50.6	50.6
Sub-total		0.0	0.0	74.7	74.7
TOTAL		381.5	491.4	78.7	951.6

1. All priorities are 'ongoing'.
2. Information for this chart was compiled on the basis of the Department's reporting framework for legal services delivery in place before December 12, 2003, when changes in government structure were announced.
3. The Administration Portfolio provides administrative services to regional offices, Civil Litigation and Public Law.
4. Justice recovers part of the cost of delivering legal services from client departments and agencies.

2006-2007 PLANNED SPENDING	Funded by	Recovered	Total
High-quality legal services to support the federal government	Justice	from clients	
Legislative Services	23.6	0.0	23.6
Civil Litigation and Public Law	7.6	5.5	13.1
Tax Law Portfolio	38.0	13.0	51.0
Citizenship and Immigration Portfolio	25.8	3.7	29.5
Aboriginal Affairs Portfolio	26.1	59.2	85.3
Business and Regulatory Law Portfolio	44.7	96.2	140.9
Central Agencies Portfolio	6.0	7.4	13.4
Administration Portfolio	30.8	0.0	30.8
Other	1.4	0.0	1.4
SUB-TOTAL	204.0	185.0	389.0
PROPORTION OF SUB-TOTAL	52%	48%	100%

5. Enablers support the achievement of all three strategic outcomes.

Annex 6

Departmental Planned Spending

\$ millions	Forecast Spending 2003-2004 ¹	Planned Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007
Law and Policy Business Line	557.5	431.7	375.6	333.1
Government Client Services Business Line ²	256.3	493.8	272.6	272.9
Administration Business Line	71.3	79.3	75.1	78.7
Budgetary Main Estimates (gross)	885.1	1,004.8	723.3	684.7
Non-budgetary Main Estimates (gross)	-	-	-	-
Less: Respendable revenue	-	-	-	-
Total Main Estimates	885.1	1,004.8	723.3	684.7
Adjustments³				
Estimated Legal Services Expenditure related to Cost Recovery ²	166.8	-	212.8	212.8
Other ⁴	86.6	6.3	56.3	54.1
Net Planned Spending⁵	1,138.5	1,011.1	992.4	951.6
Less: Cost recovery	(145.0)	(185.0)	(185.0)	(185.0)
Less: Non-respendable revenue	(7.3)	(7.4)	(7.3)	(7.3)
Plus: Cost of services received without charge	59.9	59.7	56.4	55.9
Net Cost of Program	1,046.1	878.4	856.5	815.2
Full-Time Equivalents⁶	4,721	5,017	4,968	4,909

1. Reflects, as of December 31, 2003, the Department's forecast of total planned spending to the end of the fiscal year.

2. The Department recovers from client departments and agencies some of the costs incurred to deliver legal services.

Through the Supplementary Estimates process, Justice was granted authority to spend and recover \$145 million in 2003-2004 and \$185 million in 2004-2005. Factoring in the cost of employee benefit plans (EBP), planned recoveries would amount to \$166.8 million and \$212.8 million in 2003-2004 and 2004-2005 respectively. Supplementary Estimates are approved after the tabling of the Main Estimates. Therefore, planned recoveries are shown as Adjustments for 2003-2004 but are included in the Total Main Estimates for 2004-2005. Estimated recoveries for 2005-2006 and 2006-2007, including EBP, are shown as Adjustments in this table since the Department has not yet received approval for these amounts.

3. Adjustments reflect approvals obtained since the Main Estimates and include Budget Initiatives, Supplementary Estimates, etc. Cost Recovery estimates are indicated at 2004-2005 levels.

4. Fluctuations across the "Other" Adjustments line are attributable largely to the timing of approvals for certain large-scale initiatives, such as Youth Justice. Estimated spending in 2005-2006 and 2006-2007 are presented as Adjustments.

5. The overall decrease in planned spending relative to 2003-2004 forecast levels is due mainly to the transfer of the National Crime Prevention Centre program from the Department of Justice to the Department of Public Safety and Emergency Preparedness and reductions in grants and contributions for Youth Justice.

The March 2004 budget included provisions to set aside additional funding for initiatives such as War Crimes (\$5.7 million for 2004-2005), Métis Community Relationship (\$3.5 million for 2004-2005), and other areas including Money Laundering and Smart Border (\$0.7 million for 2004-2005 and \$0.1 million for 2005-2006). This additional funding has not yet been allocated to the appropriate business lines, but will be reflected in future Reports on Plans and Priorities and Departmental Performance Reports.

6. Includes FTEs funded by other departments through cost recoveries.

Annex 7 – Horizontal Initiatives

The number of initiatives requiring coordination and cooperation among federal government partner organizations is increasing steadily as departments and agencies work together to deliver policies, programs and services to Canadians. The Department of Justice participates in a number of these horizontal initiatives, especially in its role as legal adviser and drafter of new legislation. The table on page 59 sets out the main initiatives in which the Department participates and for which it shares funding and strategic outcomes with other government organizations.

Government On-Line

The Department of Justice is fully committed to supporting the government's goal of becoming a model government in providing fast and easy electronic access to its services by 2005. To this end, the Department established the Justice On-Line Office, which is developing a plan to implement all relevant on-line services in support of Government On-Line (GOL).

The Office will leverage existing knowledge and expertise in the Department to enhance the Justice and the Law Cluster, an information portal accessible from the Canada site that provides a rich source of information on justice and the law. Through its leadership role in the Gateways and Clusters Content Management System pilot project (a GOL-funded interdepartmental initiative), the Department will significantly refurbish its offerings over the coming year, with the goals of strengthening partnerships federally and with other jurisdictions, developing new partnerships, enriching and streamlining the site's information holdings, and becoming more responsive to Canadians' needs.

Justice and the Law Cluster¹
Canada site²

In collaboration with the House of Commons and the Senate, the Department is also developing a Legislative Information Management System (LIMS) to modernize the process of developing laws and eventually give all Canadians seamless and secure access to legislation and regulations. LIMS will provide significant benefits not only to the government but also to the legal community, policy makers and the public, with access to bills and statutes in either official language or a bilingual format and access to weekly updates.

Sustainable Development

The Department recently tabled its third Sustainable Development Strategy, which demonstrates a clearer commitment to supporting government-wide efforts to ensure a more sustainable environment and society for future generations. Based on lessons learned from previous strategies, we have developed a more focused, results-based approach to sustainable development.

1. <http://www.jl-jd.gc.ca>
2. <http://www.canada.gc.ca>

A long-term vision for sustainable development

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

The new strategy identifies two key themes, reflecting both the expected longer-term results and the shorter-term activities and results intended to support their achievement:

- A sustainable justice system for Canadians and their communities. This theme represents a long-term result that is fundamental to the mandate and mission of the Department and links with the government-wide sustainable development priority of sustainable communities that can further social, economic and environmental objectives without creating problems for another group, community or generation.
- Integrating sustainable development principles in operations. This theme envisages shorter-term results, expected to contribute to the longer-term sustainability of the justice system and our communities.

Three objectives will support achievement of longer-term results over the next three years:

1. Strengthen knowledge and awareness of sustainable development within the Department.
2. Integrate sustainable development considerations in the Department's business.
3. Improve the environmental sustainability of the Department's physical operations.

Horizontal Initiatives with Department of Justice Participation

Initiative	Goal	Lead Organization	Partners	Department of Justice Role/Contribution	Department of Justice Planned Spending (\$ millions)		
					2004-2005	2005-2006	2006-2007
<i>Public Safety and Anti-Terrorism</i>	Build personal and economic safety for Canadians	Public Safety and Emergency Preparedness (PSEP, formerly Solicitor General)	Health, Transport, Justice, Privy Council Office, Communications Security Establishment (CSE), Canadian Security Intelligence Service (CSIS), Foreign Affairs and International Trade (DFAIT), National Defence	• Contribute to the government's national security strategy and to efforts to combat terrorism	15.7	15.7	15.7
<i>Youth Justice Renewal</i> ¹	Enhance support for young Canadians in conflict with the law	Justice	PSEP, Human Resources and Skills Development	• Lead implementation of initiative • Coordinate activities of partners (provinces, territories)	215.2	212.7	212.6
<i>Money Laundering</i>	Reduce the amount of property obtained from criminal activities that is concealed from the government	Finance	Canada Revenue Agency (CRA, formerly Canada Customs and Revenue Agency), PSEP, Citizenship and Immigration (CIC), Justice	• Support increasing prosecution of offences, related to money laundering	2.4	2.4	TBD ²
<i>Smart Border</i>	Create borders that facilitate free flow of goods and people between Canada and the United States	CRA	PSEP, Justice, CIC, Canadian Food Inspection Agency	• Provide legal services and advice to CRA, related to smart border activities	0.5	0.4	0.4
<i>Lawful Access</i>	Provide lawful access to law enforcement agencies to intercept communications in investigating terrorism, drug trafficking, money laundering, child pornography	PSEP	Justice, RCMP, Industry Canada, CSIS, CSE	• Maintain law enforcement and national security agencies' ability to carry out lawful access in the context of new technologies and international developments	2.2	TBD	TBD
<i>Integrated Proceeds of Crime</i>	Deprive organized criminals of the proceeds from their illegal activities	PSEP	Public Works and Government Services, CRA, Justice	• Provide legal advice and prosecute organized crime offences • Amend <i>Criminal Code</i> to deal with organized crime activities	4.4	TBD	TBD

1. More details about this initiative can be found on the Treasury Board Secretariat Horizontal Results Web site: http://www.tbs-sct.gc.ca/rma/eppi-ibdrp/hr-rh_e.asp

2. TBD: future funding to be determined and/or confirmed.

Horizontal Initiatives with Department of Justice Participation

Initiative	Goal	Lead Organization	Partners	Department of Justice Role/ Contribution	Department of Justice Planned Spending (\$ millions)		
					2004-2005	2005-2006	2006-2007
<i>Canadian Drug Strategy</i>	Reduce the demand for and supply of illegal drugs	Health Canada	PSEP, DFAIT, Justice	<ul style="list-style-type: none"> • Support partner organizations in modernizing drug policy • Develop and introduce new drug treatment courts • Manage increased prosecution of drug-related offences • Law reform 	9.6	11.3	11.3
<i>Integrated Market Enforcement Teams (IMETs)</i>	Strengthen protections against capital markets fraud	PSEP	Justice	<ul style="list-style-type: none"> • Participate on IMETs to assist in prosecution of capital market fraud cases 	2.2	4.7	4.7

INDEX

A

Aboriginal Affairs Portfolio 22-23, 29, 32, 36
 Aboriginal Courtwork Program 18, 22, 23
 Aboriginal Justice Learning Network 23
 Aboriginal Justice Strategy 18, 22, 45
 Aboriginal people 22-23
 and the justice system 22
 in the North 23
 Aboriginal Youth Cities projects 23
 Access to Justice in Both Official Languages Support Fund 19
 Administration business line 8, 9, 39-41, 46
Anti-Terrorism Act 25
 Atlantic Regional Office 7, 33
 Attorney General of Canada
 chief legal officer of the Crown 5
 role 5-6, 8, 24

B

British Columbia Regional Office 7, 33
 Business and Regulatory Law Portfolio 30, 32

C

Canada Revenue Agency 34, 59
Canadian Bill of Rights 29, 33
Canadian Charter of Rights and Freedoms 10, 29, 33
 Canadian Drug Strategy 60
 Central Agencies Portfolio 30, 32
 Child-Centred Family Justice 18, 45
 Children and youth 21
 Citizenship, Immigration and Public Safety Portfolio 30, 32
 Civil Litigation Branch 33
 Civil litigation caseload 30
Criminal Code 6, 20, 24, 26-27
 Crown Agents 32

D

Departmental legal services units 32
 Deputy Minister 3
 Dispute Resolution Services 33

E

Extradition Act 24

F

Family Justice 18, 44, 45
 Federal Prosecution Service 24, 28, 32
 Finance, Department of 29

G

Government Client Services business line 8, 29-37, 39, 41, 46
 Government On-Line 57

H

Health Canada 29
 High-tech crime 25-26
 Horizontal initiatives 57-60
 Human rights 1, 6, 8, 10, 11, 25

I

Indian and Northern Affairs Canada 36
 Indian Residential Schools Resolution Canada 29
 Integrated Market Enforcement Teams 60
 Intensive Prosecution Strategy 25
 International cooperation 27-28, 46

J

Justice, Department of
 contact information 49
 departmental reviews 14, 34
 documents available online 49
 legislation administered by 50
 mission 6
 operating environment 10-12
 organization chart 39
 partnerships 13, 57-60
 planned spending 8-9, 16, 40, 43-48, 53-56
 performance measurement and reporting 15, 34-35
 Report on Plans and Priorities 2003-2004 40-41
 resources 8-9, 16, 40-41, 43-48, 53-56
 role 5
 strategic outcomes and priorities 12-15, 16, 17-37,
 40-41, 53-55
 Strategic Plan 2001-2005 40-41
 Sustainable Development Strategy 57-58
 Justice On-Line Office 57
 Justice system
 access to 18-19
 efficiencies in 19-20
 official languages in 18, 19

L

Law and Policy business line 8, 17-28, 39-41, 43, 44, 46
 Legal Aid 18, 19, 44, 45
 Legislative Information Management System 57
 Legal risk management 35-36
 Legal services delivery
 organization of 32
 cost of 32, 34
 Legislative Services Branch 29, 33
 Litigation caseload 30

M

Mega cases 20
 Minister 1
 dual role 5
 government's legal adviser 5-6
 legislation responsible for 50
 Money laundering 11, 24, 59

N

Northern initiatives 23
Northern Regional Office 7, 33

O

Official languages 18, 19, 44, 45
Official Languages Law Group 33
Ontario Regional Office 7, 33
Organized crime 10, 11, 14, 15, 25-27

P

Performance measurement 15, 34-35
Prairies Regional Office 7, 33
Privacy 5, 8, 11, 25
Proactive Management of the Law project 34-35
Proceeds of Crime 11, 59
Public Law Group 33
Public legal education and information 11, 17, 19, 43-45
Public Safety and Anti-Terrorism 11, 25, 44, 46, 59
Public Safety and Emergency Preparedness, Department of 6, 24, 25, 46, 59-60

Q

Quality and service standards 30
Quebec Regional Office 7, 30, 33

R

Regional offices 7, 33

S

Smart border 59
Sustainable Development Strategy 57-58

T

Tax Law Portfolio 30, 32, 33
Terrorism 10, 25-26, 44, 46, 59
Transnational crime 27-28
Treasury Board Secretariat 14, 21, 34

UV

Victims of crime 17, 18, 19, 21, 22, 44, 45
Vulnerable people in the justice system 21-22

Y

Youth Criminal Justice Act 18, 21, 23, 45
Youth Justice 18, 19, 22, 23, 43-45, 59