

Department of Justice Canada

Performance Report

For the period ending March 31, 1998

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Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 80 Departmental Performance Reports and the government's "Managing For Results" report.

This *Departmental Performance Report*, covering the period ending March 31, 1998, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's *Part III of the Main Estimates* or pilot *Report on Plans and Priorities* for 1997-98. The key result commitments for all departments and agencies are also included in *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site: http://www.tbs-sct.gc.ca/tb/key.html

Comments or questions can be directed to the TBS Internet site or to:

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Department of Justice

Performance Report

For the period ending March 31, 1998

A. Anne McLellan Minister of Justice and Attorney General of Canada

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CHART OF KEY RESULTS COMMITMENTS

to provide Canadians with:	to be demonstrated by:	achievements reported in:
Quality, timely and cost- effective legal services to the Government of Canada and its departments and agencies.	 New and innovative legal service delivery mechanisms. Effective and efficient partnerships between the Department and client departments and agencies through the implementation of the Client Driven Services Initiative. 	 DPR Section IIIB, sub-sections 1B, 1C, 1E to 1L and 2A DPR Section IIIB, sub-sections 1A and 2A.
A fair, effective, affordable and well functioning justice system that responds to public concerns about safety and security, meets the needs of a modern pluralistic society and reflects the values of Canadians.	 Implementing the government's safety and security agenda though a balanced approach to criminal justice. Justice policies integrated with the government's broad policy agenda in order to deal with complex issues comprehensively and systematically. A justice system that is integrated, costeffective, citizen-centred and linked to the community. An equitable and accessible justice system that is responsive to the needs of an evolving and diverse population. Public confidence and trust in the justice system. Leadership on international justice issues through proactive and coherent policy and operations approaches. 	 DPR Sections IIIB, sub-sections 2A, 2D DPR Sections IIIB, sub-sections 2A to 2D DPR Sections IIIB, sub-sections 2A to 2D DPR Sections IIIB, sub-sections 2A, 2B, and 2D DPR Sections IIIB, sub-sections 2A and 2D DPR Sections IIIB, sub-sections 2A and 2D DPR Sections IIIB, sub-sections 2A

SECTION I: THE MINISTER'S MESSAGE

I am pleased to present the second Departmental Performance Report of my mandate.

As Minister of Justice I am responsible for developing policies, laws and programs that will foster an effective justice system in which Canadians can have confidence. My Department supports me in meeting this challenge by working with federal, provincial, international and non-governmental partners to advance the government's justice agenda, through sound legal policy development and program implementation.

As Attorney General and chief law officer of the Crown, I am responsible for providing quality legal and legislative services that help other ministers achieve their individual priorities, while protecting the interests of the Crown within the framework of existing law, and serving the collective interests of Cabinet. As Attorney General, I am also responsible for providing independent and effective federal prosecutorial services.

The Attorney General is not a traditional legal adviser. My Department supports me by providing a broad range of legal advice, drafting, and litigation services to government as a whole through service to individual ministers. The Department serves ministers in a way that supports Cabinet by helping to reconcile the diverging legal interests that often arise as individual departments search for ways to help their ministers achieve their goals.

My Department works at the heart of government's most visible problems and their solutions. The Department of Justice's success is measured not solely by its own achievements, but also by those of its clients. This is a complex mandate; the complexities are increasing.

Public confidence in public institutions depends to a large extent on the perceived health and coherence of the justice system, and on government's demonstrated respect for the rule of law.

This Performance Report describes the recent contributions made by employees of the Department toward enhancing this confidence.

A. Anne McLellan Minister of Justice and Attorney General of Canada

SECTION II: DEPARTMENTAL OVERVIEW

Mission and Mandate

The mission of the Department of Justice is to:

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

The Department of Justice was created by an Act of Parliament in 1868 to be responsible for the legal affairs of the Government as a whole and to provide legal services to individual departments and agencies. The Department's work reflects the duties of its Minister's dual role as Attorney General of Canada and as Minister of Justice.

The Attorney General protects the interests of the Crown within the framework of existing legislation. This involves providing legal advice and services to federal departments and agencies, including the regulation and conduct of litigation. The Attorney General also prosecutes for violations of all federal legislation other than the *Criminal Code* in the provinces and for violations of all federal legislation, including the *Criminal Code*, in the territories.

The function of the Minister of Justice relates mainly to the policy considerations underlying those areas of substantive law that the Minister is directly responsible for. The Minister of Justice has general responsibility for federal policies related to the administration of justice, except for policing, corrections and parole. The Minister has lead or shared responsibility for criminal justice policy, human rights law, family and youth law, administrative law, aboriginal justice, access to information and privacy law, official languages law, and the Government's mandate for courts and judges and Canada's participation in the activities of international organizations working towards the development of private international law and the unification of private law. The Minister is also responsible for the implementation of policy objectives through programs; issues relating to fairness and equality in the justice system; the legal mechanisms used by departments and agencies to achieve the overall objectives of the Government; the drafting of government bills and regulations; the examination of regulations; and for ensuring that the government's legislation and regulations comply with the *Canadian Charter of Rights and Freedoms* and with other government policy and legislation.

In fulfilling its responsibilities, the Department is guided by the principles enshrined in the Canadian Charter of Rights and Freedoms, the Canadian Bill of Rights, the Statutory Instruments Act, the Statute Revision Act, the Official Languages Act and the Canadian Human Rights Act.

Operating Environment

Stakeholders and Clients

The Department is responsible for implementing several large national initiatives in partnership with other federal departments and provincial and territorial governments. The Firearms Control Program, the Crime Prevention Initiative and the Child Support Program are three such initiatives. The Department is responsible for developing policies, laws and programs that will foster an effective justice system in which Canadians can have confidence. To meet this challenge, it must work with federal, provincial, international and non-governmental partners including non-profit and volunteer organizations to advance the government's justice agenda. The Department of Justice is also responsible for the provision of legal and legislation services to all ministers and their respective departments and to most federal agencies. To this end federal departments and agencies are full participants in the legal service delivery process.

Program Objective

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

Strategic Priorities

The following strategic priorities are the Department's commitments on how key results will be demonstrated to Canadians, presented earlier in the Chart of Key Results Commitments.

- New and innovative legal service delivery mechanisms.
- Effective and efficient partnerships between the Department and client departments and agencies through the implementation of the Client Driven Services Initiative.
- Implementing the government safety and security agenda through a balanced approach to criminal justice.
- Integrating Justice policies with the governments' broad policy agenda in order to deal with complex issues comprehensively and systematically.
- Building an integrated justice system that is cost-effective, citizen-centred and linked to the community.
- Working towards a more equitable and accessible justice system that is responsive to the needs of an evolving and diverse population.
- Strengthening public confidence and trust in the justice system.

• Providing leadership on international justice issues through proactive and coherent policy and operations approaches.

The Department is also committed to ensuring a representative, motivated and productive workforce and to creating the optimal workplace environment.

Challenges

Our society is changing rapidly - globalization and international pressures, greater ethno-cultural and demographic diversity, new technologies and the evolving aspirations of Canadians are presenting the Department with a growing array of complex social policy issues.

Justice issues will continue to figure prominently in the government's agenda, particularly with the priority attached to protecting the safety and security of Canadians.

The goal is to build confidence and trust in the justice system by making it more responsive, equitable, effective, accessible and reflective of the diversity, values and aspirations of Canadian society.

The challenges are many. They include: responding to Canadians' wish to be actively involved in justice policy development; demonstrating federal leadership, while contending with provincial questioning of that role; devising integrated and durable responses that are feasible from both a justice system and fiscal perspective; ensuring effective linkages between the policy and government client services functions of the Department; meeting contemporary needs for policy development, such as horizontal policy making and effective policy research; fostering the Government's safety and security agenda by dealing with the significant increases in the volume and complexity of federal prosecutions, occasioned in part by *Charter* challenges and by proceeds of crime procedures.

The Department of Justice is responsible for the provision of legal services to government. It performs this function within an environment which is constantly changing, and this fact requires the Department to be as dynamic as the forces acting upon it. The demand for legal and legislative services exceeds the resources available to the Department of Justice to deliver these services. Legal issues are becoming increasingly complex, and cut across the affairs of several departments and agencies. In order to maintain and enhance the confidence which the government places in the Department of Justice, there exists the critical requirement to attract and retain high quality staff throughout the Department.

Our successes are measured by our clients' successes. The provision of high quality and costeffective legal services to federal departments enhances their capacity to better serve Canadians. This role of being a provider of quality legal services to individual departments must be carried out in a manner consistent with our central agency role of supporting the interests of the government as a whole and reconciling the often diverging legal interests of these departments.

Organization

Business Lines Descriptions: The Administration of Justice Program is composed of three business lines, which represent the principal general endeavours of the Department: Government Client Services, Law and Policy and Administration.

1. Government Client Services Business Line

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

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

2. Law and Policy Business Line

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

Description: The Department provides a range of services relating to the planning, coordination, development, promotion and implementation of justice-related policies. These operations are listed under the Law and Policy business line which includes the following four service lines: Program Organization, Government Legal Framework, Support for Policy and Programs and Justice Programs.

3. Administration Business Line

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

Description: The Administration business line encompasses the complete range of corporate management and administrative services required to support the Department's program delivery

and internal administration. The Administration business line is divided into two service lines: Corporate Management and Administrative Services. (Note that since the 1997-98 Part III was tabled, the Special Programs service line was moved from the Administration business line and incorporated into the Justice Programs service line of the Law and Policy business line.)

Organization Structure

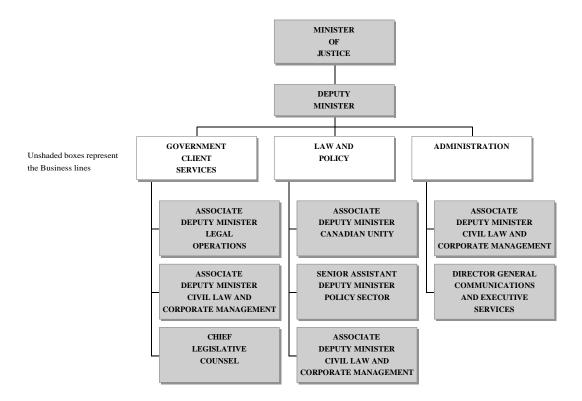
The Administration of Justice Program is administered by the Deputy Minister and Deputy Attorney General, who is accountable to the Minister of Justice and Attorney General of Canada for the management of the Program.

The services of the Administration of Justice Program are provided through three highly decentralized organizational components: Headquarters in Ottawa; thirty-five departmental legal services units (DLSUs) co-located with specific client departments and agencies; and nine regional offices located across Canada.

Four regions - Atlantic, Ontario, British Columbia and Yukon, and Prairies and Northwest Territories - form part of the Legal Operations Sector, while the Quebec Region reports to the Civil Law and Corporate Management Sector. This division in the reporting relationship reflects the difference between the civil law system in Quebec and the common law systems in the other provinces and territories. The major part of the workload at regional offices relates to litigation matters but an increasing proportion of resources is being devoted to providing legal advisory services to clients as they decentralize their operations.

Consistent with the Department's focus on client service there are six portfolios within the Legal Operations Sector. The Department's three major clients, Revenue Canada, Citizenship and Immigration, and the Department of Indian and Northern Affairs, are each served through dedicated portfolios, that is, Tax Law, Citizenship and Immigration and Aboriginal Justice, respectively. The Department's other clients are clustered under the Regulatory Group, the Business Law Group and the Central Agency Group. Regional offices provide full service operations to client departments and are organized to reflect the regional structures of many of the Department's clients. Portfolio managers are accountable for overall objectives and results in the delivery of legal services to their clients in the group, while regional managers are accountable for service delivery and dealings with clients at the regional level.

Organizational Chart



SECTION III: DEPARTMENTAL PERFORMANCE

A. Performance Expectations

In its 1997-98 Part III of the Main Estimates the Department identified performance expectations which are summarized below for each of its three business lines.

1. Government Client Services Business Line

- Building on the Client Driven Services (CDS) Initiative.
- Identifying more innovative and cost-effective approaches to service delivery.
- Promoting the use of dispute resolution.

2. Law and Policy Business Line

- Addressing public concern about crime and violence in society through such measures as comprehensive firearms control and youth justice reform.
- Focusing on justice issues relating to families, child support, children and youth and Aboriginal people.
- Collaborating with federal and provincial counterparts to develop a comprehensive approach to introducing changes to the criminal justice system to make it more effective.

3. Administration Business Line

Developing an integrated approach to human resource management.

B. Performance Accomplishments

Financial Information

	(millions of dollars)			
Business Lines	1997-98 Planned Spending	1997-98 Total Authorities	1997-98 Actual	
Government Client Services	128.1	153.2	148.9	
Law and Policy	272.4	340.8	336.3	
Administration	33.4	35.2	41.9	
Total Department	433.9	529.3	527.1	

Total Authorities are main estimates plus supplementary estimates plus other authorities. Due to rounding, figures may not add to totals shown.

The figures shown in the above table and those found in Section IV of this Report are based on the Department's Planning, Reporting and Accountability Structure (PRAS) as tabled in its 1997-98 Estimates Part III.

The following accomplishments are described more in terms of activities and outputs than results. The Department is working to improve its results measurement and reporting, and accountability to Canadians, Parliamentarians and clients. Some performance measures have been identified and these will continue to be refined as a means of assessing the Department's progress and enhancing its ability to report on its performance in relation to its key goals and strategies.

1. Government Client Services Business Line

The Department of Justice is committed to providing Canadians with quality, timely and cost-effective legal services to the Government of Canada and its departments and agencies.

(millions of dollars)					
1997-98 Planned Spending	1997-98 Total Authorities	1997-98 Actual			
128.1	153.2	148.9			

A. Services to our clients

Under the Client Driven Services (CDS) Initiative, the Department has continued its joint planning and partnering effort with client departments and agencies, with a view to identifying legal service priorities, better integrating Justice policy into the legal service delivery framework, measuring client satisfaction, developing efficient approaches, and assessing the costs of the services provided. More specifically, it has:

- continued to conclude CDS framework agreements and service plans with client departments and agencies and review related processes;
- assessed the extent to which the terms of the CDS agreements have been respected;
- provided training on the CDS process to departmental staff (on specific issues); and,

• continued progress on a costing model to accurately assess the cost of providing legal services (for management, accountability and reporting purposes).

As of March 31, 1998, CDS agreements had been negotiated and signed with approximately 90% of the Department of Justice's client departments and agencies. The vast majority of these agreements - 80% - included specific service standards jointly developed by each Legal Service Unit and its client department.

Follow-up activities will focus on improving the CDS joint planning process and will include qualitative analysis of the CDS process, lessons learned and best practices to be shared across the Department and with clients.

The Department has also reviewed its role and responsibilities for the delivery of legal services to government and has engaged in a broad dialogue with members of the Justice and Legal Affairs Committee. In doing so, it took into account the impact of introducing a range of client oriented approaches, and the Department's continued capacity to fulfill its three roles, i.e. as a service agency, policy agency and central agency.

To this end, the Department has developed a Legal Services Policy Framework which reflects the outcome of this review. The Policy Framework, which has received support and endorsement from clients, provides a governance model for legal service that is premised on the concept of partnerships. The policy recognizes clients as full participants in the legal service delivery process and as partners in the development and management of innovative systems and approaches designed to rationalize demand. The objective of the policy is to ensure the provision of consistent, responsive, client-oriented and cost-effective legal services to the clients in a manner that:

- ensures that the administration of public affairs is carried out in accordance with the law;
- protects the interests of the Crown and respects the Constitution;
- fully meets the legal service requirements of clients;
- provides clients a meaningful role in the management of their legal services; and,
- conforms with good business practices and legal risk management.

B. Civil Litigation

New management within the Civil Litigation Branch engaged in an operational plan designed to achieve the attainment of the corporate vision over the next three years. As part of this plan, Timekeeping was implemented within the Branch. In addition, internal resources were reallocated to strengthen the supervision of Crown agents whose time will also be tracked in order to draw meaningful comparisons between the relative efficiencies of departmental counsel and agents and to establish benchmarks.

Civil litigators across the country incorporated alternate forms of dispute resolution into their daily practices and gained significant experience in mediation and negotiated settlements.

The Civil Litigation Branch continued to establish partnerships with clients providing integrated, consistent, client-oriented and cost-effective civil litigation services to clients. During the period under review, the defence of 'mega cases' and class action lawsuits continued to represent Justice's reponse to the priorities of other departments and of the Government as a whole, and continued to enable the Department of Justice to be a significant player in the management of horizontal issues within Government. Some of these most relevant mega cases and class action law suits included the following:

- Victims of Blood Contaminated with HIV/HCV
- Schreiber v. Attorney General of Canada
- A.P.E.C. Litigation
- Ethyl Canada
- Jose Pereira e Hijos S.A. et al v. Attorney General of Canada et al
- P.S.A.C. et al v. Treasury Board
- Indian Residential Schools Litigation
- A.G. Quebec v. A.G. Canada
- C.S.L. Group Inc. v. The Queen
- Aboriginal Litigation

C. Workload Indicators and Performance Measures

Timekeeping capability was advanced with improved software and the distribution of a national timekeeping protocol for use by counsel with access to the Justice Wide Area Network. Individual portfolios began work on establishing appropriate performance measures in conjunction with their work on Caseview, the Department's case management software program.

D. Intranet

The Department developed Intranet sites in order to improve efficiency and effectiveness of litigation. By this innovative use of the Website, the Civil Litigation Branch has a site that includes the new Federal Court Rules, their internal interpretation, unreported cases, factums and precedents.

Also, the Department developed, for the practitioners at the Revenue Canada Departmental Legal Service Unit, as a pilot of extranet technology, a Website called Fiscal Path. This allows the practitioners to have access to opinions, factums and other materials of precedential value via a new technologically advanced tool.

E. Management Information System

National data standards were designed and implemented in all regional offices and identified headquarters units in association with the roll out of an upgraded version of Caseview. This enabled the generation of portfolio and client specific reports on caseload inventory and counsel time. Work began on establishing national data standards for the individual portfolios to enable more detailed reporting and greater utilization of the capabilities of the application.

F. Dispute Resolution (DR) Services

The Department's ongoing DR initiative is focused on promoting and supporting the increased and informed use of DR as a means of more efficiently and effectively resolving disputes in which the federal government is involved, in order to avoid the courts becoming the only avenue of recourse.

The Department has continued to provide strong leadership within government and across the country in the dispute resolution field, building upon the solid foundation it has established and continuing the strategic implementation of DR at the federal level. In addition to ongoing activities such as expanding DR activity in regional offices, increasing the DR training effort for the Department of Justice employees and selected client department representatives and working to remove systemic barriers to the non-litigious use of DR within the federal government, the Department has undertaken to:

- administer the newly created DR Fund, making available resources over two years to assist federal organizations in moving to non-litigious dispute resolution;
- develop a DR strategy to coordinate federal DR efforts and to provide a supportive framework for non-litigious DR across government;
- improve reporting of DR activity in the Department to allow for more effective monitoring and assessment; and,
- implement with other departments a "shared neutrals" program to provide high quality mediation services for instances of harassment or conflict in the workplace.

G. Legal Agents

Dedicated regional agent supervision units and the national Agent Affairs Unit have been established. All agent supervision units completed and delivered business plans for their activities for the period ending March 31, 1999 focusing on reducing costs, and enhancing quality of services. Standard training videos, newsletters, performance appraisals and site visits measure and enhance the quality of the work performed. Annual agent fees and disbursements targets and budgets were prepared and delivered to responsible regional managers. Performance will be measured against these.

H. Drug Prosecution Fund

Transferred to the Department in 1996 on a three year pilot basis, the fund finances drug prosecutions by agents, all litigation costs in relation to drug prosecutions, agent supervision and three repatriation pilot projects. The funding level, which has declined annually, was established on the dual assumptions that closer agent supervision and repatriation of some agent work would lower agent costs and that workload and case complexity would remain constant. The first assumption has proved valid. A major revamping of the agent affairs program, better training and supervision of prosecution agents, and repatriation of agent work where appropriate and cost-effective has been successful in reducing the number of prosecution agents and lowering the cost of their services on the bulk of routine cases. However, the assumption that workload would remain constant has not proved valid as case complexity and volume has continued to increase,

resulting in draws on the fund beyond set levels. Agent unit costs have declined even though the volume of cases has increased. The Federal Prosecution Services continues to monitor work volumes, agent performance and resource utilization with a view to achieving greater efficiencies and savings and an optimal resource mix, to effecting further repatriation where cost-effective and to identifying what the optimal funding level should be for years to come. This will be determined by March 31, 1999, when the pilot project phase ends.

I. Cost Recovery

Operating alongside the Client Driven Services Initiative, the Cost Recovery Pilot Project has provided an important opportunity to identify and experiment with cost-recovery approaches to the funding of legal services. Since 1996-97, the Cost Recovery Pilot has been focused at the Industry Canada pilot site because only this site was able to maintain a timekeeping system and to evolve necessary management controls and client support.

Data collected during the Pilot showed an increase in demand, not a decrease. Both the client department and the Department of Justice Legal Services Unit have concluded that cost-recovery in this form does not provide the benefits expected and that a return to the former procedure for "topping up" funding is both adequate and efficient. In the process, the client and the Legal Services Unit have learned about some of the difficulties involved in planning and budgeting for legal services, and the client is also much more aware of the costs of the legal services they consume. The Department will continue to develop and refine its costing processes within the regular business cycle in order to link accurate reporting of demand for and supply of legal services to the Department of Justice financial systems. The pilot project at the Industry Legal Services Unit site has now been terminated.

J. Review of the Legislative and Regulatory Processes

A Steering Committee, co-chaired by Privy Council Office and the Department of Justice and comprising representatives of major client departments, has already made considerable progress in the review of current legislative and regulatory processes. It will continue to oversee a working group developing recommendations for process changes, reference materials and training programs relating to the preparation of bills and regulations. Substantial work has been done on the preparation of a new Cabinet Directive on the Legislative Process as well as on a number of documents designed to support its implementation.

K. Re-engineering Legal Practices

In collaboration with specific clients, the Department is reviewing its legal practice in order to better manage the advisory, litigation and legislative processes, including risk assessment to enhance decision-making and early resolution of cases through alternative means including dispute resolution.

Pilot Projects are continuing with clients whose legal service demands are representative of the full range of legal services provided by the Department of Justice i.e., advisory, legislative, civil and criminal litigation services:

- to develop tools to determine the nature and volume of legal services to meet the short and long term strategic policy and legislative objectives of the client and the Department of Justice;
- to use these tools to work collaboratively with clients to create the appropriate legal service delivery with streamlined decision making, efficient case management and use of client and the Department of Justice resources; and,
- to jointly develop and implement performance measurements and indicators.

L. Civil Code

A symposium on harmonization of federal legislation with the civil law of Quebec and Canadian bijuralism was held in Montreal in November 1997. To mark the occasion, the Department published a collection of studies on this subject, consisting of more than a thousand and sixty two pages. Following intensive consultations both internally and externally, the Department began drafting proposed legislative amendments in preparation for the tabling of the first in a series of harmonization bills. This first bill, Bill C-50, is entitled *A First Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law.* The preparation of studies on comparative law and the process of harmonizing federal statutes is continuing in the meantime in preparation for the tabling of the second harmonization bill planned for the spring of 1999.

2. Law and Policy Business Line

The Department of Justice is committed to providing Canadians with a fair, effective, affordable and well functioning justice system that responds to public concerns about safety and security, meets the needs of a modern pluralistic society and reflects the values of Canadians.

(mill	ions of dolla	ars)
1997-98 Planned	1997-98 Total	1997-98 Actual
Spending	Authorities	
272.4	340.8	336.3

A. Justice Policy

• **Crime Prevention** - The National Strategy on Community Safety and Crime Prevention, which represents a significant component of the government's *Safe Homes, Safe Streets* commitment to crime prevention, provides a flexible framework for cooperative development and coordination of crime prevention at the federal level and with the provinces and territories. Other key partners including non-governmental organizations and crime prevention practitioners are being involved in piloting and evaluating crime prevention models and in developing practical information tools and resources, all with the objective of

reducing crime and improving safety. The Department of Justice is as well working with federal departments and crime prevention experts to ensure effective cross fertilization and coordination of efforts.

In 1997, the Department of Justice's role in the national strategy involved providing the Secretariat for the National Crime Prevention Council and in this capacity helped the Council develop community crime prevention models with a specific focus on children and youth. The Department also participated through the Federal, Provincial and Territorial Working Group in supporting mobilization efforts across Canada. The group helped to coordinate crime prevention activities and to develop resource documents for communities and organizations interested in crime prevention. The Department also produced two guides on crime prevention, including a successful planning tool for communities, entitled Building a Safer Canada: A Community-Based Crime Prevention Manual, and an overview for parliamentarians on how crime prevention through social development can make Canadian communities safer places to live. The Youth Justice Education Partnership, of which the Department is a member, also produced crime prevention material for young people, parents, teachers, counsellors and those working within the youth justice system. Through "webcasting," which links television, telephones and the Internet, a series of television programs engaged youth from across the country in a dialogue on racism, violence and substance abuse.

The mid-term evaluation of the Phase I of the National Strategy on Community Safety and Crime Prevention found that the implementation of the Strategy was generally on track. However, the performance measures which had been developed at the beginning of the program, were not being used systematically to monitor performance. In response to this finding, the National Strategy on Community Safety and Crime Prevention Working Group was created to develop a new performance measurement strategy. In addition, although there was limited collaboration between the Department of Justice and the RCMP, both departments contributed to the Strategy in a meaningful way. The evaluation concluded that the Strategy had increased the coordination of crime prevention activities, that partnerships had been developed and that there had been some progress towards achieving the capacity of communities to prevent crime.

Plans have since been underway to develop the second phase of the government's national crime prevention strategy. As part of Phase II, the government has committed \$160 million over the next five years towards crime prevention. Under the newly appointed Executive Director, planning for the new structure - the National Crime Prevention Centre - is underway. The new initiative was launched in June 1998.

• **Review of Youth Justice** - In 1997, the House of Commons' Standing Committee on Justice and Legal Affairs finished a comprehensive review of the youth justice system including an in-depth review of the *Young Offenders Act*. The Committee travelled across Canada hearing from victims' organizations, the law enforcement community, municipal and provincial officials and many others on how Canada's youth justice system could be improved, and

tabled its report, entitled Renewing Youth Justice, on April 24, 1997. The Minister examined the recommendations and in response, released the government's proposed strategy for youth justice renewal in May 1998.

The strategy is based on three key directions that work together to better protect the public: prevention; meaningful consequences for youth crime, including targeted measures for violent and repeat offenders; and intensified rehabilitation. The provinces and others working in the youth justice system were consulted on the development and implementation of the proposals, and detailed measures, including new legislation, will follow.

As well, the Department developed in 1997 a step-by-step generic manual describing how a community can develop a youth justice committee, including practical information on how to develop, implement, support, and monitor it. Based on the experiences of youth justice committees currently in place across Canada, particularly those in Aboriginal communities, this manual describes how youth are dealt with at various stages of the justice system, what services are provided by youth justice committees, and circumstances under which these committees might serve as viable alternatives to the formal youth justice system.

- Victims of Crime The Department has pursued a series of legislative measures to improve access to justice for victims of crime: a court is now required to consider victim impact statements; the testimony of young victims of crime has been facilitated, the laws strengthened with respect to stalking; and the issue of the production of records in sexual offence proceedings has been addressed (see paragraph below). The Minister of Justice has indicated that Victims issues will be among the Department's top priorities.
- Access to Records in Sexual Offence Prosecutions Legislation was amended to
 ensure that only relevant documents from the complainants' and witnesses' personal records
 are made available to the accused and establishes the procedures to determine whether any
 part of the records should be produced during trials.
- Child Prostitution, Child Sex Tourism and Related Matters Legislation was amended to address violence against, and exploitation of, women and children. Its provisions include: a new offence of aggravated procuring for persons living off the avails of prostitution involving persons under age 18; new laws were put in place governing the exploitation of prostitutes by Canadians visiting other countries; new laws were established concerning female genital mutilation; and, it created new criminal harassment laws.
- **Self-defence and Provocation** The Department launched a major review of the *Criminal Code* provisions on provocation, self-defence and defence of property. The Law Reform Commission of Canada, the Canadian Bar Association and others have called for review of this area of the law. There has also been concern about the use of the offence in cases involving violence against women, culminating in the review by Judge Lynn Ratushny of cases involving women who have killed their husbands and alleged self-defence. Concurrently, a

working group has submitted a report to the Department on self-defence. The Department is developing a Consultation Paper covering the issues entailed in defining the three aspects of the law in this area.

- High-Risk Offenders Legislation was amended to improve existing sentencing procedures
 concerning Dangerous Offenders; it creates a new sentencing category called Long-Term
 Offender, which targets serious sex offences; and, it establishes a new form of restraining order
 which is intended to apply to persons who pose a risk of committing a serious personal injury
 offence.
- **Judicial Review of Parole Ineligibility** Through legislation, the Department amended the procedure governing the judicial review of the parole ineligibility of persons serving life sentences for murder or treason. The amendment eliminated the right to such review for multiple murderers; it introduced a screening mechanism to eliminate reviews where there is no reasonable prospect of success; and, it required that review juries be unanimous in its decision to reduce the waiting period for parole consideration.
- Organized Crime/Gangs Legislation was amended in response to growing concern
 about violence and drug dealing by gangs, biker gangs in particular. The legislation contains
 new rules governing: the investigation of illicit organized crime activities; the seizure of assets
 belonging to gangs; new bail and peace bond activities; new Criminal Code offences; and, new
 sentencing provisions.
- **Extradition** The Department developed proposals to modernize the *Extradition Act* to ensure that Canada does not become a haven for international criminals. The proposals would create a comprehensive extradition scheme and allow for an effective extradition process consistent with the rights and freedoms accorded under the Canadian Charter of Rights and Freedoms. A Bill to amend the Act was introduced in May 1998.
- War Crimes Program The Government renewed its commitment to a fair and effective war crimes program, aimed at ensuring that Canada does not become a safe haven for war criminals or others involved in reprehensible activity during time of conflict. The revocation of citizenship and deportation processes remains the primary means for dealing with suspected World War II war criminals in Canada. Fourteen revocation of citizenship and/or deportation cases were initiated by the end of 1997. In May of 1998, a coordinated government wide approach was adopted, providing for a greater degree of integration between the modern day and World War II aspects of the program. The Departments of Justice and Citizenship and Immigration also published a report describing the efforts taken against suspected war criminals in July of 1998.
- **Criminal Procedure** The Department has been working closely with the provinces on a major set of reforms to criminal procedure to provide for limitations on the use of preliminary inquiries; reduction in the number of jury trials; reclassification of 90 offences; new rules on private prosecutions; use of new technology in the courts; and, amended rules of disclosure. While streamlining court processes, these changes will also increase fairness in trials.

- **Arrest Powers** Legislation was amended, in response to the ruling of the Supreme Court of Canada in the *Feeney* case, to clarify the rules governing police powers to enter dwellings to arrest suspects, so as to make the law comply with the *Charter of Rights*.
- **DNA Evidence** Legislation was introduced to establishes a DNA data bank containing an index of DNA profiles of offenders, as well as a crime scene index of evidence gathered in unsolved crimes. It further sets the rules for collection of bodily substances in relation to crime investigations.
- **Sentencing and Corrections Reform** The Government enacted both legislative and non-legislative measures in 1996 to address the management of low-risk offenders and to reduce the rate of incarceration. Among the new sentencing options was the conditional sentence of imprisonment aimed at allowing lower risk offenders who would otherwise be in custody to serve their sentences in the community under conditions. As of March 31, 1998 over 20,000 conditional sentences had been imposed in Canada. In addition very significant reductions in imprisonment for fine default were experienced in most provinces due tothese reforms.
- **Firearms Control** Work continued to put in place the operational framework for new firearms control measures and the administrative processes and structures for the administration of those measures. The latter required the design, development, and installation of a national information system capable of licencing all firearm owners (approximately three million), registering all firearms (approximately seven million), and issuing the various authorities provided for in the legislation. Firearms Regulations were tabled and approved in February, 1998. Memoranda of agreement with federal partners and transition agreements with provincial partners were all put in place.

The Firearms Regulations were developed following thorough consultations with firearm users, industry groups and others, including the Minister's Advisory User Group on Firearms, victims of violent crime, police, Chief Firearms Officers across Canada, shooting organizations, women's organizations, health professionals, and businesses.

The Firearms Act and Regulations require the universal registration of all firearms by January 1, 2003, the licencing of all firearm owners by January 1, 2001, the obligation to pass a firearms safety test for acquisition licences, and the safe storage, transportation and use of all firearms. Fees associated with licencing and registration have been kept to a minimum.

The new computerized system will combine licencing data and firearms registration data on a single system which will, amongst other things, provide on-line access of firearm information to all police officers through the Canadian Police Information Centre (CPIC). The legislation also provides for stringent background checks, including spousal notification for anyone applying for or renewing a firearms acquisition licence. This will enhance public safety.

A key objective of the *Firearms Act* is to fight illicit trafficking of firearms with new and separate penalties for smuggling and trafficking. To reinforce this objective domestically, in 1997 the Department of Justice played a key role in major international initiatives within the Organization of American States (OAS), the United Nations Organization and the G8 Economic Summit Lyon Group on Transnational Organized Crime.

- **National Children's Agenda** The Department of Justice contributed substantially to federal priority work on the development of a National Children's Agenda. As mentioned in the 1997 Speech from the Throne, federal, provincial and territorial governments agreed in January 1997 to work together to develop the National Children's Agenda, a comprehensive strategy to improve the well-being of Canada's children, which builds on earlier success in joint efforts to create a comprehensive and effective National Child Benefit System.
- **Custody and Access** The Department's review of custody and access issues support the government's commitment to investing in children. Working with other jurisdictions, it promotes, through legislation, support services, and education and training, the development of an approach by the justice system that is more fair and affordable as well as one which more effectively responds to the needs of children and parents.
- The Department also provided information and support to the Special Joint Senate-House of Commons Committee on Child Custody and Access which was established in December 1997 to assess the need for a more child-centred approach to family law policies and practices that would emphasize joint parental responsibilities and child-focused parenting arrangements based on children's needs and best interests.
- **Child Support** On May 1, 1997 the following legislative changes came into effect: amendments to the Divorce Act to establish child support guidelines; amendments to federal support enforcement legislation (the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act); and amendments to the Income Tax Act concerning the tax treatment of child support payments.

In 1997-98, the Department made available resources to the jurisdictions to support implementation activities and to strengthen enforcement measures; to public legal education and information organizations to inform their clientele of the child support guidelines; and to support professional training sessions.

In 1997-98, Saskatchewan, Ontario, Prince Edward Island adopted or slightly modified the Federal Child Support Guidelines for application in provincial family law matters. Quebec adopted its own guidelines on May 1, 1997.

The following steps were taken to ensure that the public and members of the legal community are informed of the new child support laws: a toll-free information line; publications; a quarterly newsletter; a Department of Justice Child Support internet page; a national

advertising campaign; information for Canadians who reported paying or receiving child or spousal support; and information to lawyers and judges on the legislative changes.

The Child Support Team coordinated policy issues with the provinces and territories. A reciprocity working group was established on reciprocal enforcement of support provisions with foreign jurisdictions.

A Federal/Provincial/Territorial Research Sub-committee was established to developed the research required to meet Parliament reporting requirements, to establish consensus on short and long-term research requirements and to promote co-operation and collaboration on research activities of mutual interest. A draft report for public consultations on the research to be undertaken was prepared (*Child Support Initiative Research Framework Discussion Paper*).

• Family Violence Initiative - In support of the government's commitment to building safer communities, the government renewed the federal Family Violence Initiative in the Spring of 1997 and provided on-going new funding for the Initiative. The Department participates in the multi-disciplinary Initiative which is led by Health Canada. The long-term goal of the Family Violence Initiative is the reduction of violence within the home and, in particular, the reduction of violence against women and children in the home. The Department's family violence activities seek to prevent family violence as well as to improve the justice system's response to the problem by working in partnership with other federal departments, Provincial/Territorial governments, and non-governmental organizations and community members. Together with federal partners, the Department helped to develop accountability and reporting frameworks for the provision of annual summaries of federal performance in achieving the objectives of the Initiative.

The Department's activities included policy review and consultation on spousal abuse issues, research on criminal harassment and family violence against women in rural communities, and project funding and public legal education and information activities related to spousal abuse and female genital mutilation. These activities have served to inform the need for reforms in these areas.

The Department developed amendments to the *Criminal Code* relating to child sexual exploitation, female genital mutilation and criminal harassment. The Department also commenced a review of the need for further legislative reforms regarding children's testimony (including competency, hearsay evidence, and videotaping), age of consent to sexual activity (including close-in-age exceptions), the definition of specific offences against children (physical and emotional abuse, neglect, child homicide), and sentencing to provide better protection of children. These activities seek to provide increased safety to women and children, through integrated and balanced measures as well as to provide for a more responsive and accessible justice system to victims of family violence.

• **Aboriginal Justice** - The three initiatives presented below support the government-wide priority Expanding Opportunities in Aboriginal Communities as outlined in the 1997 Speech from the Throne.

A Justice System Responsive to the Needs and Aspirations of Aboriginal People -Gathering Strength - Canada's Aboriginal Action Plan, builds on the Report of the Royal Commission on Aboriginal Peoples and identifies means to support stronger Aboriginal communities, people and economies, as well as means to strengthen Aboriginal governance. Consistent with the Action Plan, the Aboriginal Justice Strategy cost-shared with provinces and territories forty eight agreements with Aboriginal organizations providing culturally relevant Aboriginal justice services for approximately 160 communities across the country. The agreements support justice programs designed and managed by Aboriginal people, on and off reserve, including urban areas. They include out-of-court resolution of criminal cases involving youth and adults; healing, peacemaking, and talking circles; mediation and traditional Aboriginal dispute resolution processes for civil and family law matters and support for Aboriginal justices of the peace programs.

Establishment of an Aboriginal Justice Learning Network - National, regional and community meetings were sponsored by the Department to bring together a network of justice system and Aboriginal community professionals and front-line workers to share best practices and act as an alliance for change in the administration of justice for and by Aboriginal people. The Department has provided significant resources to support Network activities ranging from training workshops and conferences, to the development of training materials, production of videos and a newsletter highlighting emerging ideas.

Support for Aboriginal governance in the administration of justice - In addition to building community capacity through support for community justice programs, the Department continues to work on approximately twenty active Aboriginal self-government negotiation tables involving the administration of justice, pursuant to the federal government Inherent Right Policy.

- **Diversity and Equality** The Department of Justice worked with its federal, provincial and territorial counterparts to address the different impact of departmental initiatives on vulnerable groups, including women, Aboriginal people, persons with disabilities, and racialized minority groups when they come in contact with the justice system. In addition, the Department of Justice is a member of a federal-provincial-territorial working group that is examining this issue, along with the issue of hate crime.
- **Gender Equality Initiative** In 1997, the Department developed a policy on gender equality to ensure that the needs of women in the justice system and the Department are taken into account in all of the Department's substantive work and management practices and policies. The Department developed a working guide on how to integrate gender equality analysis in each function of the Department, after wide consultation both within the Department and with non-governmental organizations and academics. To ensure application

of the guide, training sessions on how to integrate gender equality analysis into the different functions of the Department were also developed and piloted successfully.

- Access to Justice for Persons with Disabilities The government re-introduced legislation to provide greater protection for disabled persons. Under the *Canada Evidence Act* and the *Criminal Code* the courts must now make accommodations to better enable disabled persons to give evidence or serve as jurors. It also provides for communication assistance for witnesses and for videotape evidence for persons with disabilities. As well, a new offence prohibiting sexual exploitation of disabled persons was added. The *Canadian Human Rights Act* was amended by adding a "duty of accommodation" requiring employers and service providers to address the needs of persons protected under the *Act*, including disabled persons. This legislation supports the government's priorities for Building a Stronger Canada, and Investing in Knowledge and Creativity.
- **Electronic Commerce** In partnership with Industry Canada, the Department of Justice initiated consultations with the public and private sectors towards the modernization of the federal legal framework to provide supplementary authority to departments to administer paper-based legal requirements in an electronic environment. The legislation should address barriers to the use of electronic technology by government and encourage delivery of services through electronic means, consistent with the government's Throne Speech commitment towards Investing in Knowledge and Creativity.
- **Privacy in the Private Sector** In January 1998 the Department of Justice jointly published with Industry Canada a consultation paper on the protection of personal information in the private sector. The comments from businesses, associations, and individuals will help the government prepare a legislative proposal to cover privacy in the private sector.
- Advice on Canada's Rights and Obligations under International Criminal Law
 The Department was increasingly involved in international criminal justice activities through
 the United Nations and other international organizations. Areas of policy development
 included crime prevention, firearms control, transnational organized crime and drug crime,
 corruption, computer crime, terrorism, crimes against women and children, and the potential
 for an international criminal court.
- **Leadership on International Justice Issues** On December 19, 1996, Canada ratified the *Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption.* The Convention came into force for Canada on April 1, 1997. This initiative supports both the government's priorities for Investing in Children and Looking Outward set out in the 1997 Speech from the Throne.

In collaboration with the Uniform Law Conference of Canada, the Department of Justice helped with the development of uniform legislation to implement: a) the *Convention between Canada and France on the Recognition and Enforcement of Judgments in Civil and Commercial Matters and on Mutual Legal Assistance in Maintenance*; b) the *Convention on the Settlement of Investment Disputes*

between States and Nationals of other States; and c) the Conventions on the Limitation Period in the International Sale of Goods. This legislation supports the government priorities for Looking Outward.

B. Government Legal Framework

- Canadian Unity Departmental lawyers were responsible for the preparation and filing of the Attorney General of Canada's factum, reply and related materials in the Reference to the Supreme Court of Canada concerning the unilateral secession of Quebec, and also participated as counsel in the presentation of the Government's position at the hearing of the Reference in February 1998. (The Court eventually rendered its opinion on August 20, 1998.)
- **Constitutional Law** The Department was also actively involved in legislative hearings leading to the proclamation of an amendment to section 93 of the *Constitution Act, 1867* to facilitate the establishment of French language and English language school boards in Quebec. Similar support was provided for another constitutional amendment, relating to denominational school rights in Newfoundland.
- **Review of the** *Canadian Human Rights Act* Numerous amendments to the Act were introduced, as well as those mentioned under Access to Justice for Persons with Disabilities. They include the creation of a smaller, permanent Tribunal which has greater expertise and is more cost effective. As well, the remedies for discrimination were modernized. This supports the government's priorities for Building a Stronger Canada and Investing in Knowledge and Creativity.
- The Law Commission of Canada The Law Commission commenced operations in July 1997 to meet the needs of both government and Parliament for independent, broadly-based and strategic advice on legal policy and law reform issues. On November 15, 1997, the Minister of Justice requested a report from the Commission concerning processes for dealing with institutional child physical and sexual abuse. More specifically, the Minister requested that the Commission report on processes that would best respond to victims of abuse that occurred in government-run, as well as government-funded and sponsored institutions, in the past. The Commission's report is expected by the end of 1998. The Law Commission has produced its own Departmental Performance Report.

C. Support for Policy and Programs

- **Strengthening Strategic Policy Planning Capacity** In the last two years, the Department has considerably strengthened its policy planning and agenda management capabilities. Strategic directions have been identified, a policy agenda has been articulated and a policy project planning approach developed and adopted. Ongoing efforts are being made to ensure that the appropriate linkages between the Department's policy and litigation functions are made.
- **Strengthening Resource Impact Assessment** The Department is continuing with various projects to enhance its ability to assess more accurately the resource impacts of policy

initiatives on both the Department and external partners such as other federal departments, provincial governments, municipalities, the legal system, special interest groups, and Aboriginal communities.

D. Justice Programs

- **The Native Courtworker Program** The Department is in the final phases of its review of the Native Courtworker Program with its provincial, territorial and service delivery partners. The review is addressing the evolving role of the courtworker and the changing needs of Aboriginal communities, and will deal with key issues such as program objectives, courtworker training, data collection and program evaluation.
- **The Legal Aid Program** The Permanent Working Group on Legal Aid, established in 1996, has evolved to become a continuing committee of senior Federal/Provincial/Territorial officials and a forum for information sharing and collaboration on legal aid policy development.
- The Public Legal Education and Information Program Public Legal Education and Information (PLEI) contributes to increased public confidence and trust in the justice system. The Department has renewed its commitment to public legal education and to a revitalized federal role following an in-depth review of the Program.

The Department has also entered into comprehensive access to justice agreements with the Territories, providing funding for the Native Courtworker, Legal Aid and Public Legal Education Information programs. The access to justice agreements provide the Territories with the flexibility they need to ensure seamless delivery of these three programs in the North.

• **The Young Offenders Program** - Interim cost-sharing agreements for young offender programming with all jurisdictions have been arranged for 1998-99 while new financial arrangements required to support the recently proposed federal strategy for Youth Justice renewal are under discussion.

3. Administration Business Line

(m	illions of do	ollars)
1997-98 Planned Spending	1997-98 Total Authorities	Actual
33.4	35.2	41.9

• **Human Resources Management** - In the Spring of 1997, the Department of Justice published its La Relève: Justice Action Plan. It was designed to bring a strategic focus to a number of initiatives that had been underway in the Department to create a workforce that meets future needs where teamwork and Employment Equity is valued and human resources are used to the best advantage. Its La Relève Plan, and more specifically the Human Resource Strategy it comprises, supports the above objectives and will result in an integrated approach to human resource management.

During 1997-1998, six multidisciplinary work groups were established involving managers, employees, external experts, and human resources professionals. These groups are developing, co-ordinating and monitoring various aspects of the strategy in the areas of competency development, Universal Classification Standard, lawyers compensation, appointment processes, and performance and career management.

With respect to ensuring a representative workforce, during 1997-1998, the Department took a new approach to develop its multi-year Employment Equity Plan, focusing its efforts in further enhancing management responsibility and accountability with the ultimate goal of ensuring Employment Equity is fully integrated in manager's Human Resource management responsibilities.

• Year 2000 Readiness - The extent of the Year 2000 situation at the Department of Justice has been completely assessed. Currently, the Department has four government wide mission critical systems. They are Family Orders Act Enforcement Application (FOAEA), Central Registry of Divorce Proceedings (CRDP), Integrated Financial and Material Systems (IFMS) and Justice Network. Using the Treasury Board methodology, the Department is currently at 52% of its completion target. It does not have embedded systems and it does not have an inventory of legacy systems that require replacement or upgrades.

The Department developed a plan to address the situation resolving the Year 2000 problem and is monitoring the evolution on a regular basis. The current concern is availability of resources with knowledge of both the Year 2000 technical problems and the business of the Department of Justice. These resources are necessary to complete the testing and contingency planning activities now underway. Action has been taken to address this resource requirement.

The first two phases of the project have been completed: framework and assessment and significant progress has been made on remedial work. The risk assessment management has been completed and the Department will be preparing contingency plans for the government wide mission critical systems before December 31, 1998.

In summary, the Department of Justice is not in difficulty in meeting the timeframes set out for Year 2000 compliance. The development and testing of FOAEA will be completed well before the end of 1998. In addition, work is also progressing with the CRDP and IFMS. The network infrastructure will be Year 2000 compliant before March 1999.

• **Headquarters Office Consolidation Project** - The main phase of the project is nearing completion; the post-occupancy checks and adjustments are now being made. Employees will be surveyed to determine the degree of satisfaction with their new environment; the results will be compared with a similar survey done prior to the relocation project. Informally, the majority of employees have expressed a high degree of satisfaction with the new work environment and the fairness objectives have clearly been met.

SECTION IV: FINANCIAL PERFORMANCE

Financial Table 1

Summary of Voted Appropriations

Authorities for 1997-98

Financial Requirements by Authority (millions of dollars)

Vote		1997-98 Planned Spending	1997-98 Total Authorities	1997-98 Actual
	Administration of Justice Program			
1	Operating expenditures	159.1	239.3	238.1
5	Grants and Contributions	256.3	271.4	270.3
(S)	Minister of Justice - Salary and motor car allowance	0.1	0.1	0.1
(S)	Contributions to Employee benefit plans	18.5	18.5	18.5
	Total Department	433.9	529.3	527.1

Note

Total Authorities are main estimates plus supplementary estimates plus other authorities. Due to rounding, figures may not add to totals shown.

Comparison of Total Planned Spending to Actual Spending

Business Lines	FTEs	Operating	Capital	Voted Grants & Contri- butions	Subtotal: Gross Voted Expendi- tures	Statutory Grants and Contri- butions	Total Gross Expendi- tures	Less: Revenue Credited to the Vote	Total Net Expendi-ture
Government Client Services	1,402	128.1	-	-	128.1	-	128.1	-	128.1
(total authorities)	1,620	152.5	0.7	-	153.2	-	153.2	-	153.2
(Actuals)	1,628	145.7	3.2	-	148.9	-	148.9	-	148.9
Law and Policy	176	16.1	-	256.3	272.4	-	272.4	-	272.4
(total authorities)	357	69.4	0.1	271.4	340.8	-	340.8	-	340.8
(Actuals)	245	63.5	2.4	270.3	336.3	-	336.3	-	336.3
Administration	369	33.4	-	-	33.4	-	33.4	-	33.4
(total authorities)	369	35.2	-	-	35.2	-	35.2	-	35.2
(Actuals)	367	40.3	1.6	-	41.9	-	41.9	-	41.9
Γotal	1,947	177.6	-	256.3	433.9	-	433.9	-	433.9
(total authorities)	2,347	257.1	0.8	271.4	529.3	-	529.3	-	529.3
(Actuals)	2,240	249.4	7.3	270.3	527.1	-	527.1	-	527. 1
(total authorities) (Actuals) Cost of services pro- (total authorities)	vided by otl	ner departi	nents						(11.5) (5.9) 24.5 24.5
(Actuals)									24.0
et Cost of the Program									447.0
(total authorities)									542.4
(Actuals)									545.1
Note:	Total Authoritie			upplementary u ues in 19 9		other authoriti	es).		

Explanation of Change between Operating and Capital planned spending and actual expenditures:

The increase of \$79.1 million between 1997-98 planned spending and the 1997-98 actual expenditures is comprised of the following:

\Rightarrow	Increased resources through Supplementary Estimates:	(\$,000)
	Aboriginal Justice Strategy	2,840
	British Columbia Land Claims	2,428
	 Proceeds of Crime 	6,741
	Anti-smuggling Initiative	3,542
	Child Support	9,173
	• Civil Co	2,851

Firearms Program	41,238
 Nunavut 	933
Canada Drug Strategy	542
Constitutional Law	939
Family Violence	890
• Other	802
Carryforward of 1996-97 resources	8,613
⇒ Decreased resources through Supplementary Estimates:	
Transfer to the Law Commission	(1,231)
 Transfer to Grants and Contributions 	(240)
 Transfers to other government departments and agencies 	(1,604)
 Reprofiling of Child Support 	(671)
• Other	(45)
⇒ Other adjustments:	
Lapse per the Public Accounts	(1,178)
 Transfer from Treasury Board for paylist shortfall and collective bargaining 	2,503
Other	100

Also refer to Financial Tables 6 and 9.

Financial Table 3 Historical Comparison of Total Planned Spending to Actual Spending

Business Lines	Actual 1995-96	Actual 1996-97	Planned Spending 1997-98	Total Authorities 1997-98	Actual 1997-98
Government Client Services	121.3	143.7	128.1	153.2	148.9
Law and Policy	287.7	291.7	272.4	340.8	336.3
Administration	50.5	47.5	33.4	35.2	41.9
otal	459.5	482.9	433.9	529.3	527. 1

Note

Total Authorities are main estimates plus supplementary estimates and other authorities. Due to rounding, figures may not add to totals shown

Explanation of Change between Operating and Capital planned spending and actual expenditures: Refer to Financial Tables 2, 7 and 9.

Financial Table 4

Crosswalk between Old Structure and New Structure

This table does not apply to the Department of Justice

Resource Requirements by Organization and Business Line

Comparison of 1997-98 Planned Spending, and Total Authorities to Actual Expenditures by Organization and Business Line (millions of dollars)

Business Lines							
rganization	Government Client Services	Law and Policy	Administration	TOTAL			
Minister's Office			1.6	1.6			
(total authorities)			1.8	1.8			
(Actuals)			1.9	1.9			
Deputy Minister's Office			0.6	0.6			
(total authorities)			0.9	0.9			
(Actuals)			0.9	0.9			
Civil Law and Corporate							
Management Sector *	11.0		28.4	39.4			
(total authorities)	21.4	1.3	29.3	52.0			
(Actuals)	20.8	1.2	35.7	57.8			
Legal Operations Sector	109.8	0.5	28.4	110.3			
(total authorities)	123.7	2.3		126.0			
(Actuals)	120.3	2.0		122.4			
Policy Sector		271.8		271.8			
(total authorities)		337.3		337.3			
(Actuals)		333.0		333.0			
Legislative Services Branch	7.4			7.4			
(total authorities)	8.1			8.1			
(Actuals)	7.8			7.8			
Communications and							
Executive Services Branch			2.7	2.7			
(total authorities)			3.1	3.1			
.(Actuals)			3.4	3.4			
TOTALS	128.1	272.4	33.4	433.9			
(total authorities)	153.2	340.8	35.2	529.3			
(Actuals)	148.9	336.3	41.9	527.1			
% of TOTAL	28.3%	63.8%	7.9%	100.09			

Note:

Numbers in italics denote Total Authorities for 1997-98 (main and supplementary estimates and other authorities).

Bolded numbers denote actual expenditures/revenues in 1997-98.

Due to rounding, figures may not add to totals shown.

^{*} Includes the Canadian Unity Group and the Information Management Branch

Revenues to the Vote

This table does not apply to the Department of Justice.

Financial Table 7

Revenues to the CRF

Business Lines	Actual 1995- 96	Actual 1996-97	Planned Spending 1997-98	Total Authorities 1997-98	Actual 1997-98
Government Client Services	-	-	-	-	,
Law and Policy	2.8	4.9	7.8	7.8	1.7
Administration	3.7	3.9	3.7	3.7	4.2
Total Revenues Credited to the CR	F 6.5	8.8	11.5	11.5	

Note

Includes services and service fees for Firearms, Family Order and Agreements Enforcement Assistance, Central Divorce Registry, Court Costs and miscellaneous revenue outside government, as well as revenue generated from fines and forfeitures, rent for dwelling and utilities and others.

Explanation of Change:

The decrease of \$5.6 million difference between 1997-98 planned spending and the 1997-98 actual revenues is due primarily to a reduction in the amount of service fees collected for Firearms.

Financial Table 8

Statutory Payments

Business Lines	Actual 1995-96	Actual 1996-97	Planned Spending 1997-98	Total Authoritie s 1997-98	Actual 1997-98
Government Client Services	13.5	14.6	14.4	14.4	14.4
Law and Policy	1.6	1.6	1.6	1.6	1.6
Administration	2.5	2.7	2.5	2.5	2.5
Total Statutory Payments	17.6	18.9	18.6	18.6	18.6

Note: Includes contributions to Employee Benefits Plan, Minister's Salary and Car Allowance, spending of Crown Assets and Collection Agency Fees.

Transfer Payments

Business Lines	Actual 1995-96	Actual 1996-97	Planned Spending 1997-98	Total Authorities 1997-98	Actual 1997-98
GRANTS					
Government Client Services	-	-	-	-	
Law and Policy	0.6	0.8	0.8	1.0	1.0
Administration	-	-	-	-	
Total Grants	0.6	0.8	0.8	1.0	1.0
CONTRIBUTIONS					
Government Client Services	-	-	-	-	
Law and Policy	260.8	252.4	255.5	270.3	269.3
Administration	-	-	_	-	
Total Contributions	260.8	252.4	255.5	270.3	269.3
Total Transfer Payments	261.4	253.2	256.3	271.4	270.3

Explanation of Change:The \$14.0 million difference between 1997-98 planned spending and the 1997-98 actual expenditures is comprised of the following:

Increased resources through Supplementary Estimates:	(\$,000)
Aboriginal Justice Initiative	2,140
Child Support	20,388
• Other	760
Decreased resources through Annual Reference Level Update:	
Reprofiling of Child Support	(2,527)
Reprofiling of Aboriginal Justice Strategy	(1,200)
Firearms Program	(3,949)
Lapse per the Public Accounts	(1,007)
• Other	(545)
	 Aboriginal Justice Initiative Child Support Other Decreased resources through Annual Reference Level Update: Reprofiling of Child Support Reprofiling of Aboriginal Justice Strategy Firearms Program Lapse per the Public Accounts

Financial Tables 10 to 14 inclusive do not apply to the Department of Justice.

Contingent Liabilities

List of Contingent Liabilities	Current Amount of Contingent Liability
Albion	3,000,000
Bussey	30,000
Kealy	49,000
Fragiskos	75,000
Doe, A.	700,000
Lee, C.	50,000
Steiner, S.	25,000
Adiacontei, R.	500,000
Edwards, L.	200,000
Schreiber,K.	1,600,000
Hobson	1,000,000
Bellamy, B.	25,000

SECTION V: CONSOLIDATED REPORTING

Sustainable Development Strategy (SDS)

Goals and Objectives	Performance Measures
Objective 1: Enhance Capacity of Department to give legal advice on SD to clients Ongoing information and education to departmental lawyers Review clients' business plans and SDSs to anticipate legal demands	 Development and delivery of training and information products Increased awareness and knowledge within the Departmental Legal Services Units
Objective 2: Identify Links Between SD and the Department's Services Collaborative research on SD and law with organizations such as the Law Commission, the Canadian Bar Association and the interdepartmental Policy Research Committee	Publication of research findings on the linkages between law and sustainable development
Objective 3: Identify and Advise on Federal Government's Legal Obligations Related to SD Research SD commitments of client departments and of federal government and ensure legal advice and legal drafting reflects those obligations.	 Completion, dissemination and use of research by legal counsel and drafters Increased awareness and knowledge of clients' SD needs
Objective 4: Support Law Reform to Promote SD Promote use of alternatives to, and new forms of, legislation and regulation to foster SD.	Increased use of alternative forms of regulation
 Objective 5: Ensure Consistent and High Quality Advice Related to SD Establish Departmental SD network Develop guidelines for incorporating SD considerations into legal advice, and drafting of statutes and regulations Include SD in communications and human resources training 	 Establishment and use of a network Use of guidelines by legal counsel Improved integration of environmental and social considerations in legislation Inclusion of SD in briefing and training materials

Highlights of Progress to Date on Objectives 1 to 5

Following tabling of the SDS for the Department of Justice in December 1997, it was distributed to all participants who had been consulted during its preparation Senior managers were also sent copies and briefed. The Department has continued to participate in the Interdepartmental Network on SDS. The Department has settled on the appropriate institutional structure for the implementation of the Strategy namely, a SDS Working Group representing all Sectors to oversee its implementation, and a SDS Network. The Working Group is determining how best to implement the action items set out in the SDS, including setting targets and assigning responsibilities. Forthcoming efforts will focus on actions toward the legal advice, legislative drafting policy, research and law reform portions.

Goals and Objectives			Performance Measures
St	bjective 6: Improve the Department's Physical ewardship Reduce pollution and waste: by reducing carbon dioxide and Volatile Organic Compounds (VOC) & other pollutants emissions Reduce liquid effluent, solid waste, and resource consumption	•	Monthly gas reports and construction records; records of purchase, of disposal, of distribution; inventory, reduction in printing services, audits
•	Implement an Environmental Management System		

Highlights of Progress to Date on Objectives 6

Reduce pollution and waste: Departmental vehicles are running on a gas-ethanol mixture. The new Department of Justice Headquarters complex was planned and designed to minimize VOC emissions Reduce liquid effluent: The Department of Justice no longer owns photocopiers which produce liquid effluents

Reduce solid waste: Multi-material recycling programs have been implemented in the new Department of Justice complex and in Regional Offices. All printer and facsimile machine toner cartridges are recycled. Over 60% of demolition waste was recycled during the deconstruction of the East Memorial Building. Reduce resource consumption: Greater use of e-mail and the Department's Intranet site for the distribution of documents, such as memos and publications. Motion activated lighting has been installed in the new Department of Justice complex.

Implement an Environmental Management System (EMS): Multi-materials recycling programs have been implemented in the Department of Justice complex and selected Regional Offices. Promoting green offices through: a NoWaste program; distribution of educational material; displays and kiosks on loan from the Department of Public Works and Government Services and the private sector; and during special departmental activities.

(The complete SDS can be found on the Department of Justice website, at http://canada.justice.gc.ca/Consultations/sustain/SDS_en.pdf.)

SECTION VI: OTHER INFORMATION

A. Contacts for Further Information and Website

Wendy Sailman, Director, Public Affairs Division, East Memorial Building, 284 Wellington Street, Room 4315, Ottawa, Ontario, K1A 0H8 Tel: 613-957-4211, Fax: 613-954-0811

Karen Laughlin, Director General, Communications and Executive Services Branch, East Memorial Building, 284 Wellington Street, Room 4329, Ottawa, Ontario, K1A 0H8 Tel: 613-957-4221, Fax: 613-941-2329

A. Anne McLellan, Minister of Justice and Attorney General of Canada, East Memorial Building, 284 Wellington Street, 4th Floor, Ottawa, Ontario, K1A 0H8 Tel: 613-992-4621

Morris Rosenberg, Deputy Minister and Deputy Attorney General, East Memorial Building, 284 Wellington Street, Room 4121, Ottawa, Ontario, K1A 0H8 Tel: 613-957-4997

Richard Thompson, QC, Associate Deputy Minister, Legal Operations Sector, East Memorial Building, 284 Wellington Street, Room 3119, Ottawa, Ontario, K1A 0H8 Tel: 613-957-4550, Fax: 613-957-2546

Mario Dion, Associate Deputy Minister, Civil Law and Corporate Management Sector, East Memorial Building, 284 Wellington Street, Room 5139, Ottawa, Ontario, K1A 0H8 Tel: 613-641-4073, Fax: 613-941-4074

Mary Dawson, Associate Deputy Minister, Canadian Unity, St-Andrew's Tower, 275 Sparks Street, Room 5081, Ottawa, Ontario, K1A 0H8 Tel: 613-957-4898, Fax: 613-952-4279

Thea Herman, Senior Assistant Deputy Minister, Policy Sector, East Memorial Building, 284 Wellington Street, Room 4171, Ottawa, Ontario, K1A 0H8 Tel: 613-957-4781. Fax: 613-957-9949

Lionel A. Levert, Chief Legislative Counsel, Legislative Services Branch, St-Andrew's Tower, 275 Sparks Street, Room 4017, Ottawa, Ontario, K1A 0H8 Tel: 613-941-4178, Fax: 613-941-2243

Website: The Department of Justice website is at http://canada.justice.gc.ca

B. Legislation Administered and Associated Regulations

The Minister of Justice has sole responsibility to Parliament for the following Acts:

Annulment of Marriages (Ontario)	R.S.C. 1970, c. A-14
Canada Evidence	R.S., c. C-5
Canada-United Kingdom Civil and	Commercial R.S., c. C-30
Judgments Convention	
Canadian Bill of Rights	1960, c. 44
Commercial Arbitration	R.S., c. 17 (2nd Supp.)
Contraventions	1992, c. 47
Crown Liability and Proceedings	R.S., c. C-50
Divorce	R.S., c. 3 (2nd Supp.)
Escheats	R.S., c. E-13
Extradition	R.S., c. E-23
Family Orders and Agreements Enforcement Assistance	R.S., c. 4 (2nd Supp.)
Federal Court	R.S., c. F-7
Firearms	1995, c. 39
Foreign Enlistment	R.S., c. F-28
Foreign Extraterritorial Measures	R.S., c. F-29
Fugitive Offenders	R.S., c. F-32
Human Rights, Canadian	R.S., c. H-6
Identification of Criminals	R.S., c. I-1
International Sale of Goods Contracts Convention	1991, c. 13
Interpretation	R.S., c. I-21
Judges	R.S., c. J-1
Justice, Department of	R.S., c. J-2
Law Commission of Canada	1996, c. 9
Marriage (Prohibited Degrees)	1990, c. 46
Mutual Legal Assistance in Criminal Matters	R.S., c. 30 (4th Supp.)
Official Languages	R.S., c. 31 (4th Supp.)
Official Secrets	R.S., c. O-5
Postal Services Interruption Relief	R.S., c. P-16
Prize, Canada	R.S.C. 1970, c. P-24
Revised Statutes of Canada, 1985	R.S., c. 40 (3rd Supp.)
Security Offences	R.S., c. S-7
State Immunity	R.S., c. S-18
Statute Revision	R.S., c. S-20
Statutory Instruments	R.S., c. S-22
Supreme Court	R.S., c. S-26
Tax Court of Canada	R.S., c. T-2
United Nations Foreign Arbitral Awards Convention	R.S., c. 16 (2nd Supp.)
Young Offenders	R.S., c. Y-1

The Minister shares responsibility to Parliament for the following Acts:

R.S., c. A-1 (President of the Treasury Board)				
R.S., c. B-5 (Minister of Transport)				
-46 (Solicitor General of Canada and Minister of				
Agriculture and Agri-Food)				
R.S., c. G-2 (Minister of National Defence, Minister of Finance and				
Minister of Public Works and Government Services)				
R.S., c. P-21 (President of the Treasury Board)				

C. Listing of Statutory and Departmental Reports

Another Way - Mediation in Divorce and Separation (JUS-P-479) - This publication gives basic information concerning mediation in divorce and separation.

Divorce Law for Counsellors (JUS-P-362) - This booklet provides general information about the 1985 *Divorce Act* and the *Family Orders and Agreements Enforcement Assistance Act*.

How Can I Get my Child Back to Canada? (JUS-P-543) - This leaflet provides information regarding the Hague Convention on the Civil Aspects of International Child Abduction. Includes how the Convention can assist in the return of an abducted child taken from Canada, and how to initiate an application.

What the Constitution Says about Aboriginal Peoples (JUS-P-276) - This booklet explains how the Constitution applies to aboriginal people.

Canada's System of Justice (JUS-P-645) - This booklet is intended for students and others who are interested in learning about Canada's justice system.

Canada's Court System (JUS-P-703) - This booklet is intended for students and others who are interested in learning about Canada's court system.

The 1988 Official Languages Act (JUS-P-563) - This booklet provides an overview of the Act and basic information on legislative and other instruments, the administration of justice, services to the public and the language of work, the participation of both language groups and advancement of official language minorities, as well as the investigation of complaints and possible court remedy.

The Secret of the Silver Horse (JUS-P-533) - This booklet tells a story that explains to children that secrets about sexual abuse should not be kept.

What to do when a child tells you of sexual abuse: Understanding the Law (JUS-P-536, brochure)

Abuse is wrong in any language (JUS-P-677E) - This booklet is for immigrant women who are suffering from abuse in a relationship or in a family.

Stalking is a crime called criminal harassment (JUS-P-695E) - This brochure explains what stalking is and what to do if you are being stalked.

True or False? What the Young Offenders Act Really Says (JUS-P-697) - This accordion-style brochure presents some of the major concerns that adolescents have with the *Young Offenders Act* in the form of true-or-false questions.

Justice Agenda Progress Report (2nd ed., April 1997)

Peace Bonds (JUS-P-696, brochure)

Protecting Canadians and their Families - Measures to Deal with High-risk Violent Offenders (brochure)

Child Support Guidelines (JUS-P-711, brochure)

Federal Child Support Guidelines (JUS-P-725, brochure)

The New Firearms Act: Here are the facts (JUS-P-700, brochure)

Canada's Proposed Firearms Regulations (brochure)

Canada Firearms Safety Course (JUS-P-666, brochure)

Firearms Acquisition Certificates (JUS-P-626, brochure)

PUBLICATIONS ON THE WEB

The following publications are available in their entirety on the Department of Justice website at http://canada.justice.gc.ca:

1997-1998 Main Estimates, Part III

Annual Report to Parliament 1996-1997 - Access to Information Act and the Privacy Act

Canadian Charter of Rights and Freedoms

Canadian Charter of Rights Decisions

Conviction Review, section 690 of the Criminal Code - booklet

Crown Counsel Policy Manual (January 1993 Edition)

Legal Studies for Aboriginal People Bursary Program (LSAP)

The Department of Justice Canada Performance Reports

National Strategy on Community Safety and Crime Prevention

Safer Communities: A Parliamentarian's Crime Prevention Handbook (National Crime Prevention Centre 'Phase II Strategy')

Sustainable Development Strategy

Child Support documents

The Federal Child Support Guidelines, A guide to the new approach

Federal Child Support Guidelines Simplified Tables: one to four children Federal Child Support Guidelines Simplified Tables: five or more children Child Support: Public discussion paper The financial implications of Child Support Guidelines: research report The financial implications of Child Support Guidelines: executive summary Summary of the Consultation

Other Publications

Department of Justice Conferences

Justice on the Electronic Highway Symposium on Digital Technologies and Copyright National Symposium on Conflict Resolution and Harassment in the Workplace (October 1997)

Self Defence Review: Women in Custody. Final Report (posted September 1997).

Self Defence Review: Women in Custody. First Interim Report (posted September 1997)

Report on Communications Between Justice Officials and The Courts - The Honourable Charles L. Dubin QC, LL.D (September 1996)

Working Against Discrimination - The Amendment to the Canadian Human Rights Act (May 1996)