

DEPARTMENT OF JUSTICE SUSTAINABLE DEVELOPMENT STRATEGY



2001–2003

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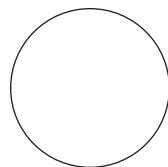
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Message from the Minister

It gives me great pleasure to present this Sustainable Development Strategy, which is the second such Strategy that has been prepared by the Department of Justice.

In order to ensure a sustainable future for our children, we need to continue our efforts to make decisions that find the right balance among social equity, economic well-being and protection of the environment. This is a continual challenge for governments, and indeed for all Canadians.

The justice system is an essential part of the foundation that we need in order to meet this challenge. Under this second Sustainable Development Strategy, the Department of Justice will continue to do its part, through policies and programs to help strengthen our social infrastructure, legal support for sustainable development activity by departments and agencies across the federal government, and action to “green” Justice’s own departmental operations.

This Strategy is built upon the progress made and experience gained over the past three years in carrying out the commitments under the first Department of Justice Strategy. It has also benefitted from the excellent guidance provided to federal departments by the Commissioner of the Environment and Sustainable Development.

It is my sincere hope that all the partners in the justice system will join the Department of Justice in working to achieve a sustainable future.



Preface

Canada has embraced sustainable development as a public policy goal since the 1980s, and was an active participant in the United Nations Conference on Environment and Development (the Earth Summit) in Rio de Janeiro in 1992. That meeting of 178 nations recommended that all countries produce strategies for sustainable development.

In 1995 the federal government amended the *Auditor General Act* to require federal departments to prepare sustainable development strategies for tabling in the House of Commons and to update them every three years. This legislation also created the office of the Commissioner of the Environment and Sustainable Development, who is responsible for monitoring and reporting on federal progress toward sustainable development.

The Department of Justice, along with other departments, presented its first Sustainable Development Strategy in 1997. This second Sustainable Development Strategy contains a review of the Department's sustainable development accomplishments from 1998 to 2000, under the first Strategy, and describes the Department's sustainable development commitments for the next three years.

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Executive Summary

Sustainable development means using natural and human resources to achieve social and economic goals without harming the environment upon which current and future generations depend. It requires the integration of environmental considerations into ongoing economic and social decision making.

Law can be an important instrument in advancing sustainable development. It can articulate principles, establish processes and institutions, and set criteria and standards.

As a department whose mandate centres on the law, Justice has an important role to play in sustainable development initiatives. The Department carries out three main types of activity: client services, policy and administration. The impact of each activity in furthering sustainable development is outlined below.

Client Services

The Department of Justice provides comprehensive legal support to client departments and agencies across the federal government. This role means that the Department participates in a broad range of sustainable development activity. Justice legal counsel working in this area need to

be knowledgeable about many areas of law and keep pace with the constant evolution of law.

During Justice's first Sustainable Development Strategy, the Department provided legal support for a wide range of important government initiatives, including

- *Sustainable development legislation*, such as the *Canadian Environmental Protection Act, 1999* and the *Mackenzie Valley Resource Management Act*
- *International sustainable development issues*, such as those relating to the Canada-U.S. Pacific Salmon Treaty and Canada's trade agreements
- *Environmental assessment of major commercial projects*, such as commercial development of national parks and expansion of oil sands extraction facilities
- *New legal frameworks for sustainable development*, such as environmental protection frameworks under First Nations self-government agreements and treaties

Justice adopted a number of measures to increase its capacity to provide the highest quality legal advice. The Department also provided legal training to clients to help them minimize the risk of legal problems.

Justice has been a leader in alternative dispute resolution. The Dispute Resolution Fund, established jointly by Justice and Treasury Board, has funded several projects to apply alternative dispute resolution to issues with sustainable development implications. These included the Department of Fisheries and Oceans' Responsible Fishing Strategy and environmental assessment under the *Canadian Environmental Assessment Act*. Justice also works closely with departments such as Environment Canada to help integrate alternative dispute resolution into management. The benefits of this approach include reducing the cost of litigation, thereby increasing the funds available for programs to benefit the public.

Policy

The social policy responsibilities of the Department of Justice are far-reaching and include such key areas as criminal justice, human rights, justice and families, children and youth, and accessibility, fairness and equality in the justice system. Having well-considered policy in these areas is crucial to successfully implementing sustainable development initiatives. Sustainable development includes enabling people to participate in decisions that affect them, and Justice policy activities help create and sustain key parts of the social infrastructure required for effective participation.

Public input is an important ingredient in policy development. The Department has been a leader in promoting public participation in the sustainable communities context. In May 2000, Justice led a session on public participation in building safe communities at the annual conference of the International Association for Public Participation. More than 275 people from 12 countries participated and chose this as the best session at the three-day conference.

Under the 1997 Strategy, Justice explored the linkages between its social policy mandate and sustainable development. Justice also joined the federal government's Sustainable Communities Initiatives, which will give a practical demonstration of how these important indirect linkages work. In these initiatives, Justice is working with two partner communities, the Bras d'Or Lakes area of Cape Breton and the Annapolis Valley, and with more than 20 federal and provincial departments.

Administration: Greening Justice's Physical Operations

The physical operations of the Department of Justice comprise offices across Canada that provide legal services, develop and implement policy and carry out administrative functions. Justice is one of 20 federal departments that together occupy only 14% of government space.

Justice has made significant progress over the past three years in greening its physical operations. A major green success story is Justice's collaboration with Public Works and Government Services Canada in refurbishing its two new headquarters buildings. Over 90% of removed material was reused or recycled, energy efficiency was improved and environmentally friendly materials were used. Both buildings now require the use of environmentally friendly cleaning materials.

Justice's Montreal Office has collaborated with other federal departments in their building complex in an extensive greening program led by Public Works. This includes a wide-ranging recycling program with two clothing collections per year, pooling of furniture and equipment for re-use, movement to higher-efficiency lighting, and more efficient vehicle use. The Office has also set up two photocopy centres, which have decreased copying substantially, re-using existing materials for this construction. Employees are encouraged to re-use and recycle office furniture and supplies.

The Department's two main headquarters buildings have recycled an average of 85% of paper waste, exceeding the 1997 target. They have also recycled an average of 73% of total solid waste, coming close to the

target. Green procurement is being applied to the four highest volume procurement items at Justice Headquarters.

The Department has also increased greatly its use of information technology, although this has not been sufficient to decrease overall paper consumption.

Developing a New Sustainable Development Strategy

In developing this new Strategy, Justice has benefited from experience with its 1997 Strategy and from interdepartmental work on common sustainable development themes. In addition, changes in Justice's operating environment have been taken into consideration. In accordance with the expectations of the Commissioner of the Environment and Sustainable Development, Justice has focused on assessing its first strategy, strengthening its planning, and accelerating the development of its management systems.

Justice's performance over the past three years is outlined in chapters 3–5 and detailed in Appendix B. Three areas for improvement have been identified and addressed. First, Justice has followed the Commissioner's recommendation that departments take a more focused approach, targeting areas where they can make

the most difference. Second, this Strategy contains clearer, more measurable targets, addressing another general problem identified by the Commissioner. Finally, this Strategy has improved upon the 1997 Strategy by becoming fully national in scope.

This Strategy also reflects continual improvement to Justice management systems that occurred during the 1997 Strategy, consistent with the management model supported by the Commissioner.

Sustainable Development Objectives for 2001–2003

Justice has established the following sustainable development objectives and goals:

Objective 1: Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure.

Goals:

- Deliver excellent legal support for major sustainable development initiatives
- Develop new and enhanced legal instruments
- Continue to develop capacity to deliver high quality legal services

- Enhance legal training for clients
- Promote dispute resolution and more efficient litigation

Objective 2: Explore the implications of social and cultural factors for sustainable development in the context of the Justice policy mandate.

Goals:

- Promote sustainable development principles through the sustainable communities initiatives
- Pursue the Aboriginal Justice Strategy in accordance with the principles of sustainable development
- Pursue crime prevention activity that furthers sustainable development principles
- Contribute to interdepartmental research on the links between social cohesion and sustainable development

Objective 3: Reduce the direct environmental impact of Justice's physical operations.

Goals:

- Stabilize the level of paper consumption
- Decrease solid waste
- Increase green procurement
- Increase environmental awareness

1. Introduction

The Meaning of Sustainable Development

Sustainable development means using natural and human resources to achieve social and economic goals without harming the environment upon which current and future generations depend. It requires the ongoing integration of environmental considerations into economic and social decision making.

Sustainable Development and the Law

Law can be an important instrument for advancing sustainable development. Legislation and regulation can articulate sustainable development principles, establish sustainable development processes and institutions, and set sustainable development criteria and standards that must be upheld. It can also provide mechanisms to hold both the private sector and government accountable for their actions.

Sustainable Development and the Department of Justice

The Department of Justice is responsible for the legal affairs of the government of Canada as a whole, and for providing legal services to individual departments and agencies.

As a department whose mandate centres on the law and the justice system, the Department of Justice has an important role to play in sustainable development initiatives across the federal government.

The Justice Mandate

The Department's work reflects its Minister's dual role as Attorney General of Canada and Minister of Justice, which is described in the *Department of Justice Act*.

The Attorney General of Canada protects the interests of the federal government within the framework of existing law. This involves providing legal services to federal departments and agencies, including the conduct of litigation. The Attorney General also prosecutes for violations of all federal legislation, except for violations of the *Criminal Code* within provinces.

The Minister of Justice has general policy responsibility concerning the administration of justice (except for policing, corrections and parole) and lead or shared policy responsibility for criminal justice, human rights, family and youth law, administrative law, Aboriginal justice, access to information and privacy,

Sustainable Development

The most widely used definition of sustainable development is the definition used by the World Commission on Environment and Development (commonly known as the Brundtland Commission) in 1987: “*Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.*” This is the definition used in the *Auditor General Act* in directing federal departments to develop sustainable development strategies.

official languages, courts and judges, and private international law. The Minister is also responsible for drafting government bills and regulations and ensuring that they respect the bijural nature of Canada and comply with the *Canadian Charter of Rights and Freedoms* as well as other government policy and legislation.

Justice Objectives

The Department has three overall objectives, as stated in its Report on Plans and Priorities for 2000–2001, tabled in Parliament:

- To provide the Government of Canada and federal departments and agencies with high-quality legal services
- To have superintendence of all matters connected with the administration of justice in Canada that are not within provincial or territorial jurisdiction

- To implement 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

Justice Activities

To fulfil its responsibilities and objectives, the Department of Justice carries out three main types of activity, on which it reports to Parliament:

- Client Services
- Policy
- Administration

Each of these areas of activity approaches sustainable development in a distinct way, as described in the following chapters.

2. Developing a New Sustainable Development Strategy

In developing this new Sustainable Development Strategy, it has been important to build on the knowledge and experience gained in developing and implementing Justice's 1997 Strategy. Following this approach, the Commissioner of the Environment and Sustainable Development has issued a document entitled *Moving Up the Learning Curve*, which sets out his expectations for the government's second round of sustainable development strategies. The Commissioner has indicated that he expects departments and agencies to focus on three things in developing their new strategies:

- Assessing their first strategies
- Strengthening the planning of strategies
- Accelerating the development of the management systems needed to turn the strategies from talk into action

Assessing Justice's First Strategy

Achievements

Justice made significant progress under its 1997 Sustainable Development Strategy. The key

achievements in client services, policy and administration (greening of operations) are described in chapters 3, 4 and 5 respectively, and a more detailed performance breakdown for individual commitments is provided in Appendix A.

Although all the commitments made in the Department's 1997 Sustainable Development Strategy have been addressed, the review of Justice's performance over the past three years has identified several areas for improvement:

- *A more focused approach.* The Commissioner of the Environment and Sustainable Development has indicated that departments should take a more focused approach in their new Sustainable Development Strategies.

Justice, like a number of departments, covered a very large area in its 1997 Strategy, and made a large number of commitments. This meant that the resources that could be devoted to addressing each commitment were limited. This new Strategy aims to target the areas where Justice can make the most difference. This is reflected in the reduction of the six objectives set in the 1997 Strategy to three objectives in this Strategy.

This Strategy is also consistent with the five areas for coordinated action

and planning chosen as an immediate focus by the federal government as a whole:

1. Sustainable government operations
2. A federal strategy for sustainable development in the North
3. Productivity through eco-efficiency
4. Sustainable development indicators
5. Sustainable communities

This Strategy furthers all five themes through client services that support the sustainable development strategies of departments and agencies across the government. Justice's policy commitments under this Strategy address the theme of sustainable communities, while commitments for the greening of physical operations address the theme of sustainable government operations.

- *Clear, measurable targets.* The Commissioner of the Environment and Sustainable Development has identified this as another area in which departments have room for improvement.

Under its 1997 Strategy, Justice was successful in setting clear, quantitative targets for its commitments to green physical operations. However, Justice was

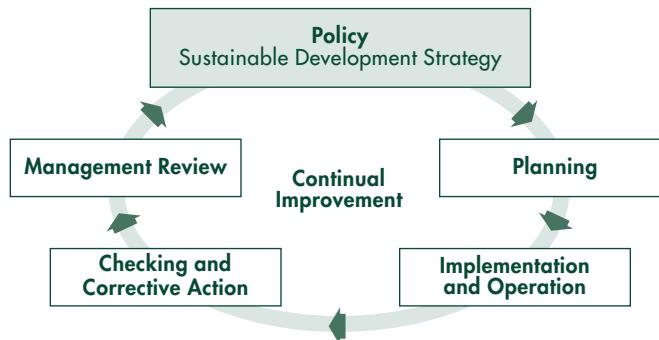
not able to put into place all the systems required to measure performance baselines and progress, and hence could not fully assess the impact of its action under some commitments. Finding ways to measure performance for Justice's client services and policy activities was challenging under the 1997 Strategy and remains a challenge because unlike activities to "green" operations, these activities do not have a direct environmental impact. In developing the targets under this Strategy, Justice has tried to improve in this area.

- *A national strategy.* Although Justice has made good progress nationally in greening its physical operations, the development and implementation of the 1997 Strategy in this area of activity focused primarily on the National Capital Region. This new Strategy aims to be fully national in scope.

Management Processes

The Commissioner of the Environment and Sustainable Development has consistently called on departments to improve their management systems for sustainable development issues. The Commissioner advocates using the following management model:

Management System Approach



In his 1999 audit of departmental management capacity, the Commissioner also indicated that Justice should address employee training, management review and documenting of the management system.

The management system that Justice will apply to this new Strategy takes the Commissioner's advice into account and reflects continual improvement that has occurred under the 1997 Strategy.

- **Policy** is set out in this Strategy and is the result of Department-wide discussion, participation in interdepartmental policy work, and consultation with Justice's clients.
- **Planning** is recorded in an action plan that describes specific responsibilities for implementing all commitments under this Strategy and documenting action as

appropriate. Training is an important component.

- **Implementation and Operation** will take a decentralized approach. Managers throughout the Department will carry out and document the action assigned to their areas of responsibility in the Action Plan.
- **Checking and Corrective Action** will be carried out by a Department-wide Sustainable Development Working Group that is responsible for monitoring and coordinating implementation and reporting to senior management as appropriate.
- **Management Review** will be carried out by the Department's Resource Management Committee, which advises the Executive Committee on strategic resource issues. Periodic internal audits will assist this process.

Changing Circumstances

In developing this new Strategy, it was important to assess what aspects of the Department's operating environment have changed since the 1997 Strategy was put into place, and what impact these changes should have on the Department's approach.

The fundamentals of the relationship between sustainable development and Justice's role have not changed since 1997. Developing the 1997 Sustainable Development Strategy involved considerable consultation and discussion to ensure that this relationship was well understood. The results of this work continue to be valid.

What has changed since 1997, however, is a number of elements in the operating environment that influence what kind of action Justice should take to carry out its sustainable development role most effectively. Change has affected each area of Justice activity differently.

Client Services

- The Department is being called upon to address legal issues that are becoming more complex because of factors such as globalization, technological change, and the increasing use of the courts to deal with social issues. Client departments and agencies have also

experienced significant change in their operating environments, and this has in turn led to a corresponding change in the kinds of services required from Justice.

- Sustainable development law has also evolved significantly since 1997. For example, there has been major legislative activity during this period, and a Supreme Court of Canada case clarified issues concerning constitutional jurisdiction over environmental regulation.
- At the same time, the overall demand for Justice services in support of sustainable development has increased, and the increasingly horizontal nature of government issues has increased the need to ensure that the law is applied consistently across federal institutions.

These factors indicate the need for a continuing focus on capacity building, which is reflected in the client-services commitments made in this Strategy.

Policy

- Change in Canadian society has meant that the policy issues being faced by the Department are becoming more complex and inter-related.

- The increasing tendency to use the law and the courts to address social issues means that more of the policy issues addressed by other departments will have implications for Justice.
- Justice's mandate is increasingly calling for more integrated policy responses that link Justice work with that of other departments and jurisdictions and external organizations and stakeholders.

These factors have led Justice to explore policy activities under this Strategy that maximize the impact of Justice work by linking it with that of other departments and stakeholders.

Greening of Justice Operations

During the past three years, there has been a significant expansion in the use of information technology by Justice for communicating, storing information, and other purposes. This has had a substantial impact on how Justice does its work, since a large proportion of Justice activities involve working with documents.

Because information technology has become an increasingly important factor in the Justice workplace, this Strategy takes advantage of the opportunities it provides to increase communication and the flow of information on sustainable development issues.

Sustainable Development Objectives for 2001–2003

Justice has set three sustainable development objectives for its operations over the next three years, relating to client services, policy and administration activities respectively.

Objective 1: Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure.

Objective 2: Explore the implications of social and cultural factors for sustainable development in the context of the Justice policy mandate.

Objective 3: Reduce the direct environmental impact of Justice's physical operations.

The following chapters discuss Justice's achievements to date and new sustainable development commitments for client services, policy and administration (greening of physical operations). Additional detail on achievements and new commitments is presented in the Appendices.

3. Client Services to Support Sustainable Development

Objective 1: Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure.

In fulfilling its client services responsibilities, the Department of Justice provides comprehensive legal support to client departments and agencies across the federal government. These services include legal advice, legislative drafting, and representation of the federal government in the courts. They encompass support for specific client projects and the development of legal infrastructure, such as legislation, which provides legal tools to implement sustainable development.

Because many sustainable development initiatives are legally based, Justice's client services role means that the Department participates in a very broad range of federal sustainable development

activity. Justice also helps coordinate this activity by ensuring that its legal foundation is consistent across the country.

Justice legal counsel have a complex task. They need to understand their client departments' sustainable development priorities and apply to them a broad spectrum of legal knowledge, including regulatory, business, Aboriginal and constitutional law and many other areas of legal practice. This law is constantly evolving through changes to laws and regulations and important court decisions. Justice counsel are often called upon to break new legal ground — for example, in incorporating new concepts into sustainable development legislation.

Justice legal counsel are recognized as important participants in environmental law practice in Canada, and are invited regularly to share their knowledge with legal organizations such as the Canadian Bar Association and provincial bar associations.

This chapter provides an overview of Justice's key client-services achievements under the 1997 Strategy, and of its new commitments for client services under this Strategy. A more detailed breakdown of achievements and commitments is provided in Appendices A and B.

Key Achievements under the 1997 Sustainable Development Strategy

Legal Support for Major Initiatives

In its 1997 Sustainable Development Strategy, Justice made a number of commitments to ensure high-quality legal support for federal sustainable development activity. Justice's success in this area is demonstrated by its involvement in a wide range of important government initiatives, including the following:

- *Sustainable development legislation and law reform.* This included the new *Canadian Environmental Protection Act, 1999*, the *Nuclear Safety and Control Act*, the *Mackenzie Valley Resource Management Act*, the proposed *Species at Risk Act*, and proposed changes to the *Canadian Environmental Assessment Act*.
- *International sustainable development issues.* This included issues under the Canada-U.S. Pacific Salmon Treaty, environmental issues under Canada's trade agreements, and a challenge in the International Court of Justice to Canada's authority over fish conservation. Justice counsel also assisted the Commissioner of the Environment and Sustainable Development by providing

information for a study on Canada's international sustainable development obligations.

- *Environmental assessment of major projects.* This included commercial development in national parks, the expansion of oil sands extraction facilities and the lifting of the *Irving Whale* oil barge from the ocean floor.
- *New legal frameworks for sustainable development.* This included environmental protection frameworks under First Nations self-government agreements and treaties and legislative wording to incorporate a pollution prevention approach into the *Canadian Environmental Protection Act, 1999*.

Capacity Building

Justice undertook several measures to develop its capacity to provide the highest quality legal advice. It provided a wide range of legal information and training for its legal counsel, encouraged internal networking and developed several new work tools. Several Justice counsel shared their expertise by publishing a book on the *Canadian Environmental Assessment Act*.

Client Training

Justice provides legal training to its clients as a "preventive law" activity,

aimed at helping departments minimize their risk of legal problems. Under the 1997 Strategy, Justice legal counsel provided client training tailored to the needs of particular clients.

Promoting Dispute Resolution and More Efficient Litigation

Effective resolution of disputes, either through the courts or by alternative approaches, is an important element in advancing sustainable development.

To resolve disputes more effectively in the context of civil litigation and prosecutions, Justice and Treasury Board jointly initiated the Legal Risk Management Project and Federal Prosecution Service Review. Areas being addressed include litigation processes and the use of information technology. These projects will continue under this new Strategy.

Canadian society has shown a growing interest in applying alternative approaches to dispute resolution, and the Department of Justice has been a leader in this area. During the 1997 Strategy, the Dispute Resolution Fund, established jointly by Justice and Treasury Board, funded dispute resolution projects across the federal government. In the area of sustainable development, these involved the following:

- The Responsible Fishing Strategy of the Department of Fisheries and Oceans
- National Energy Board hearings to determine pipeline routing
- Compliance agreements under the *Canadian Environmental Protection Act, 1999*
- Disputes under the federal environmental assessment process (see box on page 12)

Goals for 2001–2003

The Department of Justice has set five goals for its client services under this new Sustainable Development Strategy:

- Deliver excellent legal support for major sustainable development initiatives
- Develop new and enhanced legal instruments
- Continue to develop capacity to deliver high-quality legal services
- Enhance legal training for clients
- Promote dispute resolution and more efficient litigation

Goal 1.1: Legal Support for Major Government Initiatives

The legal support provided by the Department of Justice to its clients is a

Environmental Assessment Dispute Resolution

Although the *Canadian Environmental Assessment Act* permits mediation of disputes, no use was made of this dispute resolution option during the first five years of the Act. In 1998 and 1999, the Dispute Resolution Fund administered by Justice provided seed money to assist the Canadian Environmental Assessment Agency to develop and implement a training and awareness program in dispute resolution for federal environmental-assessment managers and practitioners. The program focuses on informal dispute resolution methods to be used within the legal process.

The program held training sessions across Canada in the spring of 1999, in which provincial officials, private sector consultants and federal officials participated. Material from the training sessions is being developed into work tools for environmental assessment managers.

An additional component of the program, aimed at senior executives in the federal government, is expected to be completed in 2001. The objective is to provide training to help senior executives recognize situations in which alternative dispute resolution might be appropriate. Avoiding disputes by undertaking better public consultation will also be examined.

Research has indicated that the reluctance to use alternative dispute resolution for environmental assessment is largely the result of a lack of experience. It is hoped that the training provided under this program will help to remove this barrier.

key ingredient in the success of legally based sustainable development initiatives across the government. In its client-services role, Justice will be an important participant in many of the major initiatives that departments and agencies carry out under their own new Sustainable Development Strategies.

The 1999 Speech from the Throne and the 2000 Budget have highlighted several government priorities that are expected to require significant client services from Justice. These include the new Sustainable Development Technology Fund, measures to address

climate change through reduction of greenhouse gas emissions, management of toxic wastes, clean-up of contaminated sites, and the proposed Species at Risk Act.

Goal 1.2: New and Enhanced Legal Instruments

The rapidly changing economic, social and legal environment means that the federal government needs to work constantly to develop the legal framework for sustainable development. Under this new Sustainable Development Strategy, Justice will continue to support its

client departments and agencies in developing and implementing the legislation, regulations and other legal instruments that put sustainable development principles into action.

This work will include developing well-structured laws and regulations, and helping to ensure smooth implementation through client training and legal advice on interpretation and other issues. Given the amount of sustainable development legislation initiated under the 1997 Strategy, Justice expects to devote considerable effort under this new Strategy in supporting clients in ongoing implementation.

Justice will also continue to provide leading-edge legal support for developing instruments that are alternatives to traditional regulatory approaches. For example, Justice will continue work initiated under the 1997 Strategy to develop a legal structure for a possible “emissions trading” regime to address climate change. The general concept of such a regime would be to control overall levels of polluting emissions, while allowing individual facilities credit for exceeding minimum standards.

Justice will continue several projects begun during the 1997 Strategy to help further public awareness and understanding of the federal government’s legal instruments. These projects do not focus on sustainable

development legislation specifically, but their benefits will be felt for legal instruments in all areas. They comprise

- work under the Department’s Legislative Bijuralism policy to ensure that both civil law and common law legal traditions are reflected in federal laws;
- a pilot project in collaboration with Human Resources Development Canada to draft legislation and regulations in plain language and a more readily understood format; and
- the Legal Information Management System (LIMS), a new system for federal bills, laws and regulations that will enable timely publication on the Internet, improved searching and lower research costs. This is a joint project with the House of Commons, the Senate, Privy Council Office and Public Works and Government Services Canada.

Goal 1.3: Building Client Services Capacity

The complex demands placed on Justice counsel in delivering sustainable development legal advice make it essential to have an environment that supports continuous learning. Under this Strategy, Justice will further develop the capacity-building measures of the 1997 Strategy. Information and education for legal counsel will be enhanced by

increasing content and accessibility. Work tools developed under the 1997 Strategy will be adjusted to reflect experience in applying them over time. In addition, infrastructure created under the 1997 Strategy to encourage networking, such as an internal sustainable development Web site, will be expanded and fine-tuned. This will continue to increase the opportunities for Justice clients to benefit from national synergies among its legal counsel.

Goal 1.4: Legal Training for Clients

As sustainable development law evolves, both Justice counsel and their clients need an environment of continuous learning. Building on the 1997 Strategy's client-training approach, Justice will increase accessibility of materials and incorporate relevant sustainable development content into material on other topics.

Goal 1.5: Dispute Resolution and More Efficient Litigation

Under this Strategy, Justice will build on the dispute resolution activity carried out during the 1997 Strategy. This will include work on internal support mechanisms to encourage the use of dispute resolution within Justice and financial support from the Dispute Resolution Fund for dispute resolution projects across the government. One key sustainable development project that will be continued under this Strategy is the environmental assessment training program initiated under the 1997 Strategy.

Justice will also continue the projects initiated during the 1997 Strategy to manage civil litigation and prosecutions more efficiently and strategically.

4. Policy Initiatives to Support Sustainable Development

Objective 2: Explore the implications of social and cultural factors for sustainable development in the context of the Justice policy mandate.

Sustainable development means seeking solutions to issues that best address the mix of biophysical, economic and social challenges, including their cultural dimension. Social and cultural issues are probably the least explored element in the context of sustainable development, and current work in this area aims to advance the federal government's understanding of these issues.

The Minister of Justice is responsible for aspects of social policy that are fundamental to a well-functioning modern society. These policy responsibilities include criminal justice, human rights, justice and families, children and youth, and accessibility, fairness and equality issues in the justice system.

The social factors addressed by the Department of Justice are far-reaching, and having well-considered policy in these areas is crucial to implementing sustainable development initiatives successfully. Public input is an important ingredient in policy development. Sustainable development is very much about the ability of people to participate in decisions that affect them, and it is essential that Justice policy activities help to create and sustain key parts of the social infrastructure required for effective participation. Decision-making processes that are fair and transparent and keep pace with change help individuals and communities pursue sustainable development goals.

This chapter provides an overview of Justice's key policy achievements under the 1997 Strategy and of its new policy commitments under this Strategy. A more detailed breakdown of achievements and commitments is provided in Appendices A and B.

Key Achievements Under the 1997 Sustainable Development Strategy

Under the 1997 Strategy, Justice explored linkages between the social policy aspects of Justice's mandate and sustainable development. This work confirmed the importance of these indirect linkages.

Justice also became a participant in the federal government's Sustainable Communities Initiatives (see Goal 2.1), which will add to the Department's understanding of how these indirect linkages work in practice. To obtain an additional perspective, Justice began exchanging information with the Law Commission of Canada, which began developing its own research project on sustainable communities.

Justice also made a commitment under the 1997 Strategy to participate in interdepartmental research to explore the broader social and cultural aspects of sustainable development. This research began later than anticipated, and consequently should have its greatest impact during this Strategy.

The 1997 Strategy recognized the importance of legal infrastructure for sustainable development internationally as well as

domestically. In this context, the Department fulfilled its commitment to provide legal technical assistance to developing countries and emerging democracies. In one such project, Justice worked with the government of Ukraine and the Canadian International Development Agency to help launch the School of Legislative Drafting in Kiev, Ukraine, in 1999.

Goals for 2001–2003

Under this new Strategy, the Department will continue the work begun under the 1997 Strategy to explore the linkages between Justice's social policy mandate and sustainable development. To further this objective, Justice will be working in four key areas:

- Promoting sustainable development principles through sustainable communities initiatives in Cape Breton and the Annapolis Valley

Public Participation in Sustainable Communities

The Department of Justice is a leader in promoting public participation in the sustainable communities context.

The Department has played an active role in the International Association for Public Participation, an organization dedicated to promoting public participation around the world. In May 2000, Justice led a plenary session on public participation in the building of safe communities at the Association's annual conference. More than 275 people from 12 countries participated and chose this as the best session at the three-day conference.

- Pursuing the Aboriginal Justice Strategy in accordance with the principles of developing sustainable communities
- Pursuing crime prevention activity that furthers sustainable development principles
- Contributing to interdepartmental research on the links between social cohesion and sustainable development

Goal 2.1: Sustainable Communities

Sustainable community initiatives are practical demonstrations of the principles of sustainable development. They show how to integrate social, economic and environmental interests in policies, programs and plans that achieve their goals without creating problems for another group, community or generation. Sustainable community initiatives range in scope from local neighbourhoods to major ecosystems, and are defined by the ability of individuals, corporations, voluntary agencies and governments to share in a sense of place and purpose.

Two pilot sustainable community projects are now underway in Nova Scotia. The Department of Justice is a participant with two partner communities, the Bras d'Or Lakes area of Cape Breton and the Annapolis Valley, and with more than 20 other

federal and provincial departments and agencies. In addition to its main role as project participant, Justice will be the federal government's point of contact for an ongoing exchange of information with the Law Commission of Canada concerning the Commission's own sustainable communities research project. Under its client-services mandate, Justice will also provide legal support to other participating federal departments as needed.

Through the sustainable communities initiatives, the Department's support for social cohesion, specifically its crime prevention, restorative justice and Aboriginal justice activities, will make an important contribution to sustainable development at the community level. Justice will participate in piloting new forms of governance that align the communities' social, economic, and environmental interests and combine the strengths and resources of their public, private and voluntary sectors. The Department will also work to advance collaborative decision making through alternative dispute resolution techniques and public participation.

Goal 2.2: The Aboriginal Justice Strategy

The Aboriginal Justice Strategy is a joint initiative of the Department of

Justice, the Solicitor General and the Department of Indian Affairs and Northern Development. It aims to

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

Current issues include community perceptions of lack of fairness and transparency in the justice system and overrepresentation of Aboriginal people among those who are arrested and confined. These issues are barriers to the effective implementation of sustainable development, because they mean that the justice system needs to do a better job of achieving its social goals for one of the cultural groups within the community.

During this Sustainable Development Strategy, the Department will work

with its federal partners, provinces and territories, and Aboriginal associations to

- develop and deliver community-based Aboriginal alternative justice programs;
- develop a national network of experts to promote change in the mainstream justice system, through the Aboriginal Justice Learning Network;
- fund community capacity building in the administration of justice; and
- continue to develop a policy framework for self-government negotiations concerning the administration of justice.

Goal 2.3: Crime Prevention

To have a sustainable community, citizens need to feel secure. Crime harms the opportunity for successful sustainable development initiatives when it is either a source of discord between groups in the community or a response to the lack of harmony.

Restorative Justice

Restorative justice approaches crime as an injury or wrong done to another person rather than solely a matter of punishing those guilty of breaking the law. Reparation, either materially or symbolically, is part of the response to a crime — the wrongdoer must make things right. The victim and the offender play active roles in resolving conflict through discussion and negotiation that is facilitated by the government and legal professionals.

Consequently, crime prevention is an important element in strengthening the social infrastructure that supports sustainable development. From a sustainable development point of view, resources that are used to deal with crime after it has happened are largely “wasted,” because they are not available to help produce a better environmental, economic and social situation.

The National Strategy on Community Safety and Crime Prevention encourages the development and implementation of community-based crime prevention strategies. In Gambo, Newfoundland, for example, community organizations support local high school students serving as mentors for younger students. At the other end of the country, the City of Vancouver and the Coalition for Crime Prevention and Drug Treatment

are working with community groups to address risk factors associated with crime and victimization. More than a thousand projects have been supported so far, many designed to improve the quality of children’s early lives. It is estimated that a dollar spent at this stage in life can save up to seven dollars in later social costs.

Goal 2.4: Research on Social Cohesion

Justice will continue examining the linkages between its social policy mandate and sustainable development, by contributing to the research on the linkages between social cohesion and sustainable development that is to be undertaken by the federal government’s interdepartmental Policy Research Initiative.

5. Greening Justice's Physical Operations

Objective 3: Reduce the direct environmental impact of Justice's physical operations.

The federal government made a commitment in the October 1999 Speech from the Throne to make itself a model of environmental excellence. Greening the government's physical operations, including procurement practices, is an important part of this commitment. The administrative element of Justice's activities contributes to this aspect of sustainable development.

The physical operations of the Department of Justice comprise offices that provide legal services, develop and implement policy and carry out administrative functions. The Department has two types of office arrangements: "corporate" Justice offices and about 40 "co-located" Justice offices that are situated with their client departments. Justice's commitments under this Strategy for greening physical operations focus on its "corporate" offices, since client departments

normally manage greening for co-located arrangements.

The Department's corporate offices are situated in more than 20 buildings across Canada. Justice does not create a significant "ecological footprint" in comparison with other federal departments. Justice is one of 20 departments that together occupy only 14% of government space. About 60% of Justice floor space is in buildings owned by Public Works and Government Services Canada and the other 40% in buildings leased from the private sector by Public Works on behalf of Justice.

This chapter provides an overview of Justice's key achievements in greening operations under the 1997 Strategy and of its new commitments for greening operations. A more detailed breakdown of achievements and commitments is provided in Appendices A and B.

Key Achievements under the 1997 Sustainable Development Strategy

Justice made significant progress in greening its physical operations under the 1997 Strategy.

A major greening success story was Justice's collaboration with Public Works and Government Services

Greening Justice Headquarters Buildings

In refurbishing the East Memorial Building and St. Andrew's Tower in Ottawa for occupancy by Justice headquarters:

- solid waste was minimized by recycling or reusing over 90% of material removed;
- virtually all packaging material for new furniture was recycled;
- environmentally friendly products were used for the retrofit to minimize emissions of volatile organic compounds (VOCs);
- energy efficiency was increased by equipping both buildings with sensor lighting and equipping the East Memorial Building with an improved ventilation system; and
- the employee work environment was improved by equipping St. Andrew's Tower with an improved humidity-control system.

In addition, since occupancy, both buildings have required their contractors to use environmentally friendly cleaning products.

Canada in retrofitting its two new headquarters buildings for occupancy.

While the focus of the Department's targets under the 1997 Strategy was on operations in the National Capital Region, some excellent progress was also achieved in the Regions. For example, Justice's Saskatoon Office relocated to a federal government building being retrofitted to increase energy efficiency by Public Works and Government Services Canada. Another excellent example of greening Justice operations through collaboration with other federal departments is the progress that has been made at Complexe Guy Favreau in Montreal. In that initiative, also led by Public Works and Government Services Canada, federal departments

share used furniture and equipment to reduce consumption, combine vehicle trips for regular activities such as archiving, and divert 71% of waste from landfill through an extensive recycling program that covers paper, glass, metal, plastics, organic matter and batteries, as well as clothing collections twice a year. The Complexe is moving to higher efficiency lighting.

The Montreal Office has also set up two photocopy centres, which have decreased copying substantially, re-using existing materials for this construction. Employees are encouraged to re-use and recycle office furniture and supplies.

Since 1997, the Department has made significant progress in reducing waste at its two main headquarters buildings. These buildings exceeded their 1997 target of diverting 81% of paper and packaging waste from landfill. The target of recycling 100% of used printer toner cartridges was also met. In addition, these buildings diverted an average of 73% of overall solid waste from landfill, coming close to the 1997 target of 76% diversion.

The Department has also greatly increased its use of information technology for communication, information storage, research and other purposes. The 1997 Strategy anticipated this would help reduce paper consumption by 25% by the end of 1999. However, the amount of paper purchased for Justice headquarters buildings has in fact increased substantially since 1997, and it is likely that there are similar trends in Justice's operations across the country. This situation will be addressed over the next three years.

Justice has made progress in greening its procurement, which consists primarily of office supplies. By the end of 2000, green procurement was being applied to the four highest-volume items purchased centrally for Justice headquarters. Justice has also taken action to reduce emissions of carbon dioxide, volatile organic

compounds and liquid effluent, and to reduce energy use, although unfortunately systems to measure progress have not been available.

Goals for 2001–2003

The 1997 strategy contained commitments and targets that primarily affected Justice operations in the National Capital Region. Under this Strategy, Justice will focus on four goals to ensure that a consistent, high level of greening performance is achieved on a national basis:

- Stabilize the level of paper consumption
- Decrease solid waste
- Increase green procurement
- Increase environmental awareness

Goal 3.1: Paper Consumption

Because much of the Department's work is centred on documents, paper consumption is a necessary and central element of its physical operations. Data is not available to determine to what extent the significant increase in paper consumption over the past three years is attributable to genuine necessity, such as an increase in workload or consultation.

Under this Strategy, the Department is committing to make changes in its office practices to ensure that Justice uses only as much paper as is reasonably necessary. The national goal will be to stabilize paper use at the 1999–2000 level by December 2002.

Goal 3.2: Solid Waste

Justice is making the commitment to achieve a national target of 76% diversion of solid waste from landfill over the time frame covered by this Strategy. Based on available data, this target will meet the standard agreed on by the Canadian Council of Ministers of the Environment, although within a longer time frame. Progress against this target will be reviewed annually and the target will be increased if appropriate. One challenge is that some buildings do not yet have a wide range of recycling facilities available or the capacity for waste audits to obtain information on the rate of waste diversion. Efforts will be made to address these problems where feasible.

Goal 3.3: Green Procurement

Justice is making the commitment to implement green procurement nationally for its four largest procurement items by the end of 2001. In addition, Justice will review the options for green procurement of

major items every six months in order to identify other opportunities and implement them where feasible.

Goal 3.4: Environmental Awareness

The achievement of Justice's greening commitments under this Strategy will require many employees to make significant behavioural change. Justice's primary tool in encouraging this behavioural change will be a series of measures designed to increase employee awareness. The aim will be to ensure that employees have a clear understanding of what Justice's greening targets are, why these targets are important, and how employees can help to achieve them.

Three kinds of awareness activity will be undertaken systematically under this Strategy:

- A communications program to ensure that employees are informed on topical greening issues
- An environmental leadership program, in which individual managers will be asked to make specific greening commitments in a way that is visible to employees throughout the Department
- A program to recognize and reward employees for their greening efforts

Conclusion

The Sustainable Development Strategy of the Department of Justice for 2001–2003 focuses on the areas in which the Department can have the most positive impact. It is consistent with and supports interdepartmental work to coordinate the development of sustainable development strategies across government. The objectives have been chosen to reflect the Department's three main activities: client services, policy and administration. The objectives are as follows:

1. Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure.
2. Explore the implications of social and cultural factors for sustainable development in the context of the Justice policy mandate.
3. Reduce the direct environmental impact of Justice's physical operations.

In developing this Strategy, the Department followed the direction given to federal departments by the Commissioner of the Environment and Sustainable Development. The management system that will be applied in implementation is consistent with the management model supported by the Commissioner. Application of this management system will help Justice continually improve its sustainable development efforts.

Under the client services element of this Strategy, Justice will continue to do leading-edge work that supports client departments and agencies in their sustainable development priorities and ensures consistent, coordinated legal approaches across the federal government. Under the policy element, the Department will contribute to the social infrastructure that is an important foundation for sustainable development. Under the greening element, Justice will continue to make progress in achieving a high level of environmentally responsible behaviour in its physical operations across Canada.

Appendix A

Achievements Under the 1997 Sustainable Development Strategy

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
Objective 1: Enhance the Department's capacity to promote sustainable development by improving the awareness and knowledge of the relevant issues by Departmental staff	
Provide ongoing information and education	Justice has developed a legal checklist and legal precedent materials
Create a sustainable development module in Justice's Continuing Legal Education Program	Continuing legal education has included <ul style="list-style-type: none"> • Providing training in many areas of sustainable development law • Posting reference materials on new internal Web sites • Networking with organizations such as the Canadian Bar Association (CBA)
Conduct training on domestic implementation of international obligations	Justice has developed a training module on this topic
Review clients' business plans and Sustainable Development Strategies to anticipate legal demands	Under Justice's Client Driven Services program, Justice reviews client priorities such as Sustainable Development Strategies annually to anticipate legal demands
Objective 2: Improve the Department's understanding of the linkages between sustainable development and the Department's legal and policy services	
Co-sponsor research by the Canadian Bar Association (CBA) on linkages between law and sustainable development	Justice has made a financial contribution to a CBA publication on this subject
Explore opportunities for collaborative research on sustainable development and the law with the Law Commission of Canada	In 2000, the Law Commission started developing a research project on sustainable communities. Justice and the Law Commission have agreed on an ongoing exchange of information that will assist both the Law Commission project and Justice's participation in the federal government's sustainable communities initiatives

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
Contribute to sustainable development research by the federal government's interdepartmental Policy Research Initiative	In 2000, the Policy Research Initiative incorporated sustainable development into its research priorities. Justice will contribute to future research concerning the linkages between social cohesion and sustainable development, under the current Sustainable Development Strategy
Identify key relationships between sustainable development and the mandate of the Department of Justice	Justice has studied key issues in evolving areas of sustainable development law Justice has joined the sustainable communities initiative, which helps identify linkages with Justice's social policy mandate
Objective 3: Identify and advise on the legal status and significance of the federal government's obligations related to sustainable development	
Research sustainable development commitments of client departments, and of the federal government	As noted under Objective 2, Justice has studied key areas of sustainable development law which affect the legal responsibilities of its client departments
Ensure that legal advice reflects the government's sustainable development obligations	The information and education described under Objective 1 have helped to achieve this goal
Add a "Sustainable Development and Law" module to the client training provided under Justice's Legal Awareness Program	Justice has trained clients in a number of key areas, including environmental assessment, contaminated lands, marine oil spills and enforcement of regulations
Cooperate with the Auditor General study on international sustainable development obligations	Justice has shared information on international obligations with the Auditor General
Ensure legal drafting is consistent with the government's sustainable development obligations	Justice has achieved this in drafting sustainable development legislation and other legal instruments, including the <i>Canadian Environmental Protection Act, 1999</i> , the <i>Nuclear Safety and Control Act</i> , and the <i>Mackenzie Valley Resource Management Act</i> , amendments to environmental assessment regulations, and dispute settlement rules for the NAFTA environmental agreement

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
Objective 4: Support law reform to enable the federal government to promote sustainable development more effectively	
Review laws to identify barriers to access to the justice system	Justice has supported clients in major reviews of sustainable development legislation, including the <i>Canada Shipping Act</i> , the <i>Canadian Environmental Assessment Act</i> and the <i>Canadian Environmental Protection Act</i> (CEPA). The review of CEPA resulted in increased rights to information and legal recourse for the public
Promote use of alternatives to the traditional regulatory command and control approach	Justice has supported a number of key client initiatives, such as legislation to establish pollution prevention as an alternative to pollution control, under the <i>Canadian Environmental Protection Act, 1999</i> Justice has been an active member of the International Association for Public Participation. Justice and Treasury Board have initiated the Legal Risk Management Project which, among other things, will examine the alternatives to legally based approaches
Objective 5: Through a sustainable development network, ensure that the Department provides consistent and high-quality legal advice on sustainable development issues to the federal government	
Create a Departmental sustainable development network	Justice has created the overall network, as well as issue-specific networks for key issues
Designate contact persons on sustainable development issues in Legal Services Units and operational areas	The departmental sustainable development network will serve this purpose
Develop guidelines for incorporating sustainable development considerations into legal advice and the drafting of statutes and regulations	The information and education described under Objective 1 have contributed to this goal To increase accessibility of the law, Justice has also initiated a pilot project for plain language drafting of legislation and a program to harmonize legislation to fully reflect both civil law and common law traditions

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
Ensure that advice and standard forms for procurement, contributions and property and related transactions fulfil sustainable development considerations	Justice has developed a legal checklist and a range of standard clauses for this purpose
Add sustainable development to the agenda of Justice's International Law Coordination Committee	Justice's International Law Unit and issue-specific networks have ensured that there is good coordination
Deliver legal technical advice to developing countries on the rule of law and human rights	Justice has done this. For example, Justice worked with the Department of Justice of Ukraine and CIDA to launch the School of Legislative Drafting in Kiev, Ukraine, in 1999
Determine the need for prosecution guides for environmental and resource laws	Justice has updated the prosecution guide for the <i>Canadian Environmental Protection Act</i> to reflect the transition to the new <i>Canadian Environmental Protection Act, 1999</i> . A prosecution guide for the proposed Species at Risk Act will be developed after this new legislation has been passed
Incorporate sustainable development into Justice's Policy Project Plan checklist (the checklist used to develop new Justice policy proposals)	This has been completed
Promote more efficient litigation and dispute resolution	The Legal Risk Management Project will address issues concerning efficient management of litigation Justice and Treasury Board have jointly established a Dispute Resolution Fund. Projects with sustainable development implications supported under the Fund have involved environmental assessment, regulatory offences under the <i>Canadian Environmental Protection Act, 1999</i> , the Responsible Fishing Strategy of the Department of Fisheries and Oceans, and hearings by the National Energy Board concerning pipeline routes
Work with other departments on crosscutting sustainable development issues	Justice has provided consistent advice to all departments on crosscutting sustainable development legal issues, such as environmental assessment

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
Include sustainable development in communications briefings to management and staff	Justice has done this through electronic bulletins, environmental awareness materials, and the information and education described under Objective 1
Include reference to implementation of the Sustainable Development Strategy in training	Justice has carried out training as described under Objective 1
Objective 6: Reduce the direct environmental impact of the Department's operations through stewardship and environmental management activities	
<i>Sub-Objective 6.1: Reduce pollution and waste</i>	
<p>Gaseous emissions</p> <p><i>Carbon Dioxide</i></p> <p>Reduce carbon dioxide emissions by 10% from 1997 to the end of 1999</p>	<p>To reduce carbon dioxide emissions, Justice has</p> <ul style="list-style-type: none"> • increased use of electronic communications; • implemented a telework policy; • reduced vehicle use through group mail delivery; • distributed information on the benefits of public transit; and • banned vehicle idling at loading docks. <p>Unfortunately, Justice has not been able to measure performance against the specific target</p>
<p>VOCs</p> <p>Reduce emissions of Volatile Organic Compounds (VOCs) and other pollutants by 10% from 1997 to the end of 1999</p>	<p>To reduce VOCs emissions, Justice has</p> <ul style="list-style-type: none"> • encouraged use of high-speed photocopiers, which emit lower levels of VOCs • required environmentally friendly cleaning products in its two main headquarters buildings <p>Unfortunately, Justice has not been able to measure performance against the specific target</p>
<p>Special Projects</p> <p>Minimize emission of VOCs and other pollutants in special projects as the need arises, with base year and timing to be determined according to the project involved</p>	<p>This was done in the refurbishment of Justice's two main headquarters buildings</p>

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
<p>Liquid effluents Reduce effluent output by 30% from 1997 to the end of 1999</p>	Unfortunately, Justice has not been able to measure performance against this target
<p>Send 100% of liquid effluent from copiers for proper disposal by the end of 1998</p>	By the end of 1998 all photocopiers were powder based rather than liquid based, eliminating this concern
<p>Solid waste Reduce packaging and paper waste by 50% from 1990 to the end of 1999 (i.e. 81% waste diversion, based on best available data)</p>	<p>Justice exceeded the target in headquarters buildings based on 1997 data (87% diversion) and 1998–99 data (average 85% diversion)</p> <p>Regional performance data has not been available</p>
<p>Reduce other wastes by 50% from 1995 to the end of 1998 (i.e. 76% overall waste diversion, based on best available data)</p>	<p>Justice came close to the target in headquarters buildings (71% diversion in 1997 and average 73% diversion in 1998–99)</p> <p>Regional performance data has not been available. Recycling programs in some Regions have been less extensive than in headquarters, and therefore the rate of waste diversion has probably been lower</p>
<p>Recycle 100% of used toner cartridges by the end of 1997</p>	Justice has met the target in its two main headquarters buildings
<p>Recycle 100% of batteries and fluorescent light tubes by the end of 1998</p>	Recycling is expected to be in place in headquarters by early 2001
<i>Sub-Objective 6.2: Reduce resource consumption</i>	
<p>Reduce paper product use by 25% from 1997 to the end of 1999</p>	<p>Justice has tried to reduce paper consumption by</p> <ul style="list-style-type: none"> • increasing use of electronic communications and research materials; • requiring two-sided copying capacity for all photocopiers in the two main headquarters buildings; and • decreasing the paper consumption in the format for printing draft legislation. <p>Unfortunately, despite these improvements, paper use has increased significantly. Average paper consumption per employee in headquarters increased by 40% from 1998–99 to 1999–2000</p>

OBJECTIVES AND COMMITMENTS	ACHIEVEMENTS
Reduce energy use by 10% from 1997 to the end of 1999	<p>In preparing its two new headquarters buildings for occupancy, Justice collaborated with Public Works and Government Services Canada in installing sensor-controlled lighting, night and weekend setback of temperature settings, and improved ventilation and humidity control</p> <p>Unfortunately, Justice has not been able to measure performance against this target</p>
<i>Sub-Objective 6.3: Apply the existing Departmental environmental management system to action to reduce pollution, waste and resource consumption</i>	
	Justice has applied the management model recommended by the Commissioner of the Environment and Sustainable Development

Appendix B

Goals, Targets, and Performance Measures for 2001–2003

Objective 1: Support sustainable development across government through the delivery of high-quality legal services and the development of legal infrastructure	
TARGET	PERFORMANCE MEASURES
Goal 1.1: Deliver excellent legal support for major sustainable development initiatives	
Excellent legal support for major sustainable development issues across the government	Number of major initiatives with legal implications in which Justice plays a significant role
Goal 1.2: Develop new and enhanced legal instruments	
Excellent legal support for developing and implementing legislation and regulations respecting sustainable development	Amount of major legislation and regulations in which Justice plays a significant role
Excellent legal support for developing alternatives to traditional regulation	Number of major initiatives in which Justice plays a significant role
Greater accessibility of federal legislation	Deliverables as required by the workplans of the Legal Information Management System (LIMS) and plain language drafting projects and the program to harmonize federal laws with the civil law of the Province of Quebec
Goal 1.3: Continue to develop capacity to deliver high-quality legal services	
<i>Information and training for legal counsel</i> All training materials posted on Justice's internal Web site	Volume of existing training materials posted by June 2001 Volume of new training materials posted within six months of being finalized
Internal training sessions offered on all new sustainable development legislation and significant legal developments within six months	Proportion of legislation and legal developments for which training is offered in the time frame Proportion of units practising in the area for which training is offered

TARGET	PERFORMANCE MEASURES
Internal training sessions offered on the <i>Canadian Environmental Assessment Act</i> at least once per year	Training sessions provided
<i>Networking of legal counsel</i> Annual increase in use of the Sustainable Development Network	Annual number of communications on the Network Annual survey of the Network members concerning its effectiveness
Annual use of the Sustainable Development Network for feedback on implementation of this Strategy	Use of the Network as described Appropriate adjustment of the Strategy to reflect feedback
Annual increase of 25% in the material on Justice's internal sustainable development Web site	Volume of material on the site
Annual increase in the use of the Web site	Number of hits on the site
<i>Legal work tools</i> Annual enhancements to the checklist on sustainable development legal issues	Annual review and incorporation of pertinent refinements
Annual enhancements to standard environmental assessment clauses for contribution agreements	Annual review and incorporation of pertinent refinements
Enhancements to the standard environmental property law clauses by 2003	Review of existing property law clauses and incorporation of pertinent refinements
Goal 1.4: Enhance Legal Training for Clients	
Add sustainable development material to relevant modules of Justice's "Legal Awareness" client training program	Number of recently updated modules to which material is added by June 2001 Number of other modules to which material is added when they are updated
Post all client training materials on Justice's internal sustainable development Web site	Volume of existing training materials posted by June 2001 Volume of new materials posted within six months of being finalized

TARGET	PERFORMANCE MEASURES
Goal 1.5: Promote dispute resolution and more efficient litigation	
Contribution to increased dispute resolution awareness and activity across the federal government through Justice's Dispute Resolution Services	<p>Number of key dispute resolution initiatives funded through the joint Justice-Treasury Board Dispute Resolution Fund</p> <p>Number of Justice counsel and client department officials who receive dispute resolution training</p> <p>Number of departments that establish dispute management or litigation committees that integrate consideration of alternative dispute resolution options</p>
Action to manage civil litigation and prosecutions more strategically, in conjunction with Treasury Board and other departments	Deliverables as required by the work plans of the Legal Risk Management Project and Federal Prosecution Service Review

Objective 2: Explore the implications of social and cultural factors for sustainable development, in the context of the Justice policy mandate	
TARGET	PERFORMANCE MEASURES
Goal 2.1: Promote sustainable development principles through Sustainable Communities Initiatives in Cape Breton and the Annapolis Valley	
Development and application of genuine progress indicators for use in establishing goals and measuring progress	The development and application of indicators as described
Piloting new forms of governance aligning social, economic and environmental interests and combining the strengths and resources of the public, private and voluntary sectors	Piloting new forms of governance as described
The advancement of collaborative decision making and alternative dispute resolution techniques	Number of training and awareness sessions Application of alternative dispute resolution techniques
The advancement of the precautionary principle through measures such as crime prevention, pollution prevention, health promotion and nature conservation	Community crime rates (from local police) Public health statistics (from provincial departments of health) Toxic material monitoring information (from environment departments)
Goal 2.2: Continue to pursue the Aboriginal Justice Strategy in accordance with the principles of developing sustainable communities	
Develop and deliver community-based Aboriginal alternative justice programs	Development and delivery of alternative justice programs
Develop a national network of experts to promote change in the mainstream justice system through the Aboriginal Justice Learning Network	Development of a national network as described
Fund community capacity building in the administration of justice	Number of projects supported
Continue to develop a policy framework for self-government negotiations on the administration of justice	Significant progress in development of the policy framework

TARGET	PERFORMANCE MEASURES
Goal 2.3: Pursue crime prevention activity that furthers sustainable development principles	
Integrated action of key partners in reducing crime and victimization	<p>Level of increased investments in crime prevention</p> <p>Enhanced coordination between federal departments/levels of government, private and public sector partners</p>
Development and implementation of community-based solutions to problems that contribute to crime and victimization	<p>Increased number of community-based crime prevention projects underway</p> <p>Well-conceived community-based crime prevention projects, pilot projects and tools</p>
Increased public awareness and support for effective approaches to crime prevention	<p>Improved understanding of community safety and crime prevention in Canada</p> <p>Enhanced crime prevention information networks and increased awareness of crime prevention programs</p>
Goal 2.4: Contribute to interdepartmental research on the links between social cohesion and sustainable development	
Social cohesion taken into account in interdepartmental research on sustainable development	Degree of progress in interdepartmental policy research products that take social cohesion into account

Objective 3: Reduce the direct environmental impact of Justice's physical operations	
TARGET	PERFORMANCE MEASURES
Goal 3.1: Stabilize the level of paper use	
Stabilize paper use at the 1999–2000 level by December 2002	Average amount of paper consumed annually per employee, as measured by purchases and paper consumed by printing operations
Goal 3.2: Decrease solid waste	
By March 31, 2004, divert from landfills 76% of total solid waste produced nationally	Amount of waste diverted from landfills
Goal 3.3: Increase green procurement	
Ensure that all purchases nationally of paper, paper dividers and file folders are recycled/post consumer material by the end of 2001	Amount of green procurement nationally
Ensure that all purchases of toner cartridges are recycled cartridges by the end of 2001, to the extent feasible in each geographic location	Amount of green procurement nationally
Review green procurement options for other high-volume items every six months	Reviews completed and any new opportunities explored
Goal 3.4: Increase environmental awareness of employees	
<i>Communications</i> Make annual enhancements to signage on greening at photocopiers, recycling stations, etc.	Signage reviewed and enhanced once a year
Send electronic communication to all employees on sustainable development issues at least four times per year	Communications sent
Distribute general awareness materials in all buildings, nationally, at least four times per year	Materials distributed
Create Environmental Leadership Program by December 2001	Program in place by December 2001
Create Rewards and Recognition Program by December 2001	Program in place by December 2001