

2017–18 Departmental Results Report

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P. Minister of Justice and Attorney General of Canada



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Minister's message

I am pleased to present the Department of Justice's 2017-18 Departmental Results Report.

This report details the accomplishments of the Department of Justice over the past year, which were made possible through the support, professionalism and expertise of departmental staff.

During this time, the Department continued to carry out its mandate to provide high-quality advisory, legislative, and litigation services to the federal government, and to ensure that Canada's justice system is fair, efficient, transparent, and accessible for all.

The Department has once again helped support many of the Government of Canada's key priorities, such as the important and necessary work involved in renewing the Government's relationship



with Indigenous peoples. These efforts included supporting the Government in its commitment to respond to the Calls to Action of the Truth and Reconciliation Commission; and contributing to the Principles Respecting the Government of Canada's Relationship with Indigenous Peoples. In another significant step forward, the Department also worked on legislation aimed at enhancing the role of Indigenous peoples in environmental review and oversight.

As work to transform the criminal justice system continues, the Department recently completed extensive public consultations and published a report entitled, "What We Heard – Transforming Canada's Criminal Justice System."

In addition, the Department was also instrumental in drafting legislation aimed at addressing delays in the criminal justice system, in response to the Supreme Court of Canada's 2016 decision in R. v. Jordan. The proposed legislative changes include reforms to help reduce the overrepresentation of Indigenous people and vulnerable populations in the criminal justice system and change the way juries are selected, so they are more representative of our diverse country.

The Department also played a prominent role in establishing a framework for the legalization and strict regulation of cannabis, while also working to further enhance impaired driving detection and enforcement legislation.

I am very proud of the work the Department has done to further tackle family violence and violence against women, including proposed measures to strengthen the existing framework for the prevention of harassment and violence, including sexual harassment and sexual violence, in

the work place and proposed measures to address intimate partner violence in the recently introduced family law reform bill.

In support of my role as Attorney General of Canada, the Department continues to conduct a review of the Government's litigation strategy. Our 2017 Litigation Year in Review reportⁱⁱ highlights some of the litigation positions we took in 2017, and focuses on four main themes: compensating for past wrongs, maintaining our commitment to human rights and the Charter, defending our national security, and intervening before the courts in the public interest.

As part of its responsibilities for policy matters relating to the administration of justice, departmental staff once again provided extensive support to the Government in meeting its commitment to uphold Canada's Constitution and the rule of law, and in carrying out its domestic and international policy objectives.

The Department has also continued its efforts to modernize and make better use of technological advances. It has adopted a digital-by-default approach that enhances the Department's capacity to engage with Canadians online, which allows for improved response to the needs of the public.

I would like to thank all Justice employees for their dedication to public service, and for their contributions in helping to make Canada's justice system more efficient, just, and responsive to the diverse communities it serves.

Gilakas'la.

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P. Minister of Justice and Attorney General of Canada

Results at a glance

For more information on the Department's plans, priorities and results achieved, see the "Results: what we achieved" section of this report.

▶ What funds were used?

\$707,002,071 actual spending.

▶ Who was involved?

4,311 full-time equivalents (FTEs).

▶ Results Highlights

Key achievements of the Department:

- Supporting the Government in its commitment to respond to the 94 Calls to Action of the Truth and Reconciliation Commission.
- Introduction of the Principles Respecting the Government of Canada's Relationship with Indigenous Peoples (First Nations, Inuit and Métis), and the development of the Recognition and Implementation of Indigenous Rights Framework.
- Development of an enhanced Indigenous role in the new environmental review and regulatory regime included in Bill C-68 (Fisheries Act) and Bill C-69 (environmental oversight).
- Review of the Government's litigation strategy, including developing new approaches to litigation positions such as recognition of Indigenous title, out of court resolution and other alternatives to litigation.
- Completion of the public consultation on transforming the criminal justice system and publication "What We Heard Transforming Canada's Criminal Justice System," the report on provincial and territorial stakeholder consultations.
- Establishment of a framework for the legalization, strict regulation and restricted access to cannabis for Canadians (Bill C-45), including impaired driving reform (Bill C-46).
- Introduction of Bill C-58 to enhance accountability and transparency of federal institutions by making extensive changes to the Access to Information Act.
- Introduction of Bill C-59 to enact the National Security and Intelligence Review Agency Act, the Intelligence Commissioner Act, and the Communications Security Establishment Act.
- Introduction of Bill C-75 to address delays in the criminal justice system, in response to the Supreme Court of Canada's 2016 decision in R. v. Jordan.
- Introduction of the Greenhouse Gas Pollution Pricing Act to implement carbon pricing.

•	Continued adoption of a digital-by-design approach to meet information needs of the public.

Raison d'être, mandate and role: who we are and what we do

Raison d'être

The Department of Justiceⁱⁱⁱ has the mandate to support the dual roles of the Minister of Justice and the Attorney General of Canada.^{iv}

Under Canada's federal system, the administration of justice is an area of shared jurisdiction between the federal government and the provinces and territories. The Department supports the Minister of Justice's responsibilities for 53 statutes and areas of federal law by ensuring a bilingual and bijural national legal framework, principally within the following domains: criminal justice (including justice for victims of crime and youth criminal justice), family justice, access to justice, Indigenous justice, public law, and international private law.

The Department also supports the Attorney General as the chief law officer of the Crown, both in terms of the ongoing operations of government and of the development of new policies, programs, and services for Canadians. The Department provides legal advice to the Government and federal government departments and agencies, represents the Crown in civil litigation and before administrative tribunals, and drafts legislation and regulations.

Mandate and role

The Department of Justice was officially established in 1868, when the Department of Justice Act^{vi} was passed in Parliament. The Act sets out the roles and responsibilities of the Department as well as those of the Minister of Justice and Attorney General of Canada.

The Department of Justice fulfills three distinctive roles within the Government of Canada. It acts as:

- a policy department with broad responsibilities for overseeing all matters relating to the administration of justice that fall within the federal domain in this capacity, it strives to ensure a fair, relevant, and accessible Canadian justice system for all Canadians;
- a provider of a range of legal advisory, litigation and legislative services to government departments and agencies; and
- a central agency responsible for supporting the Minister in advising Cabinet on all legal matters.

The Department of Justice has approximately 4,311 dedicated, full-time equivalent employees. Some 59 percent of Justice employees are located in the National Capital Region. The other 41 percent provide a strong national presence through a network of regional offices and sub-offices positioned across the country.

About half of departmental employees are lawyers. The other half comprises a broad range of professionals: policy analysts, paralegals, social scientists, program managers, communications specialists, administrative services personnel, and financial officers.

For more general information about the Department, see the "Supplementary information" section of this report. For more information on Department of Justice mandate letter commitments, see the Minister's mandate letter.

Operating context and key risks

Operating context

The Department's operating context is ever-evolving, with a few key factors in particular influencing Government and Department of Justice priorities.

Demographic realities continue to have an impact on access to justice and the Department's delivery of programs. Canada's society is aging, living longer and becoming more diverse both culturally and linguistically. The Indigenous population is younger than the overall Canadian population and, while growing as a segment of the national population, is overrepresented in the criminal justice system. The intersection of race, ethnicity, gender, age, ability, geographic location, education, and differing social supports means that more inclusive and tailored legal policy approaches must be developed to respond better to various issues, including those that affect Indigenous people and other vulnerable populations.

These new realities are reflected in the work of the Department such as its review of the criminal justice system, which is looking at ways of reducing the overrepresentation of vulnerable populations in the criminal justice system. The Department's policy development and provision of legal services continues to be guided by the principles of Gender-Based Analysis Plus (GBA+). Diversity considerations have been integrated into decision-making, including Memoranda to Cabinet processes and Justice's standard checklist for policy development. Improvements in the sharing and management of information have enabled new ways of communicating and working, but have also created additional demands and pressures. Justice has continued to adopt new technologies while also ensuring it is well prepared to respond to new security requirements to protect privacy and information. The Department has continued to implement its Information at Justice Strategy, including the Digital Workspace and other technological innovations to transform current work practices across the whole organization.

Canadians have come to expect access to government and information 24 hours a day through a variety of communications channels, including social media. In response, the Department continued to implement an open-by-default information environment, with digital-by-design approaches to information sharing and digital integration, offering integrated departmental content across multiple channels in order to meet the broad range of information needs from the public. These channels include web sections for proposed legislation, plain language content, Charter statements, infographics, social media, and Facebook broadcasts of ministerial events.

Justice issues are increasingly global in nature. Consequently, the global justice environment is an important consideration in the updating and improvement of the Canadian justice system and in promoting Canadian security and opportunity. In 2017-18, the Department supported the negotiation of international norms, treaties, and conventions; developed legal cooperation programs; and provided legal technical assistance to foreign countries seeking to reform their justice system. This work contributed to the promotion of democracy, respect for human rights, effective governance, and international security.

Key risks

The accelerated pace at which new policy issues may emerge or unfold is an ongoing source of uncertainty, posing challenges for timely policy and program responses. Adding to this

complexity, the broad scope of justice issues and the multi-tiered nature of Canada's justice system require the involvement and collaboration of many partners and stakeholders, including the provinces and territories, other federal departments, non-governmental organizations, stakeholder communities, and international institutions. At times, these relationships may be affected by the need to balance expectations and interests.

To manage these existing risks, Justice has continued succession planning and knowledge-management activities to develop the proper knowledge, skills, and expertise to readily navigate this complex policy environment. The Department has continued to monitor emerging trends to inform its forward planning and maintain policy responsiveness, including conducting regular policy-focused planning sessions. The Department also has continued to maintain close dialogue with its provincial and territorial partners. Additionally, it has undertaken a deliberate engagement strategy, directed at reaching different and more diverse representation of external networks, organizations and voices. This is illustrated by the active engagement of national Indigenous organizations at the annual Federal-Provincial-Territorial table of Ministers Responsible for Justice and Public Safety in September 2017 in Vancouver. This forum served to provide expertise about the causes and possible solutions to the overrepresentation of Indigenous people in the criminal justice system; emerging justice issues; how these issues might be addressed; and gaps in services.

Another ongoing area of risk concerns the Department's responsibility to provide effective and fiscally sustainable legal services to the federal government. A certain degree of uncertainty is inherent in this responsibility since legal work is increasingly complex and cross-cutting and the practice of law is not static. In addition, the Department's workload is significantly shaped by the activities and decisions of client organizations, who share responsibility for managing legal risks. More specifically, demands for legal services may evolve, depending on the priorities clients pursue and the various risks they face in advancing these priorities. Meeting these evolving legal needs is made more challenging as departments seek to contain spending on legal services.

To address this fundamental uncertainty, the Department has continued to focus on joint planning with clients, including sharing information on effective management of legal risks, the costs of legal services, and the appropriate role of legal counsel. Moreover, the Department has developed a new vision for the provision of legal services focused on: providing meaningful legal risk assessments; fostering collaborative client-centric strategic partnerships; recognizing and building expertise; and simplifying the funding model for legal services.

Key risks

Risks	Mitigating strategy and effectiveness	Link to the department's Programs	Link to mandate letter commitments or to government-wide and departmental priorities
Responding to new and emerging policy priorities – There is a risk that the broad scope and complexity of the justice system pose ongoing challenges for timely policy and program responses.	 Maintained a close dialogue with partners and stakeholders (e.g. through targeted or public consultations). Continued to monitor, research and analyze emerging trends to inform forward planning. Conducted regular departmental planning sessions to promote information sharing and coordinated consideration of key policy issues. Conducted succession planning through knowledge management and development skills and leadership. Developed additional policy capacity by encouraging employees to take relevant training on consultation and engagement. 	Program 1.1 – Stewardship of the Canadian Legal Framework	 Commitment to advancing reconciliation with Indigenous peoples. Interdepartmental collaboration and speed of delivery of mandate letter commitments. Review of the criminal justice system including to improve its efficiency and effectiveness. Ensuring that Canadians' rights and privacy are respected. Legalization and regulation of cannabis. Amendments to the legal framework governing anti-terrorism efforts.
Maintaining partnerships necessary for policy/program development and delivery – There is a risk that relationships with essential justice system partners and stakeholders could weaken if not actively maintained.	 Increased dialogue and collaboration with provinces and territories, including at the ministerial and deputy ministerial levels. Increased dialogue with Canadians through an online public consultation. Maintained and deepened relationships with key partners (e.g. National Indigenous Organizations, self-governing Indigenous groups, and other Indigenous organizations reflecting a diversity of perspectives). Developed and implemented stakeholder engagement plans for policy development and funding programs. Explored innovative forums for collaboration. 	Program 1.1 – Stewardship of the Canadian Legal Framework	 Commitment to advancing reconciliation with Indigenous peoples. Review of the criminal justice system including to improve its efficiency and effectiveness. Reducing the over-representation of Indigenous people in the criminal justice system. Interdepartmental collaboration on: implementation of Medical Assistance in Dying legislation; legalization and regulation of cannabis; and development and the implementation of a national reconciliation framework informed by the Truth and Reconciliation Commission.

Meeting evolving demands for legal services - There is a risk that unanticipated changes in the volume or nature of • legal service requests, as well as changes in law practice management. could impact the Department's ability to deliver effective and fiscally sustainable services.

- Collaborated with client departments and agencies, including joint planning to meet government priorities and manage legal risks in a cost-effective manner.
- Reviewed the cost recovery process.
- Worked with client departments and agencies to prioritize requests and encourage clients to use existing tools to ensure legal services are provided at the right time.
- Developed a new vision for the delivery of legal services, focused on: providing meaningful legal risk assessments; fostering collaborative client-centric strategic partnerships; recognizing and building expertise; and simplifying the funding model for legal services.

Program 2.1 – Legal Services to Government Program

- Amendments to the legal framework governing anti-terrorism efforts.
- Implementation of Bill C-14 Medical Assistance in Dying legislation.
- Legalization and regulation of cannabis.
- Renewal of Canada's Cyber Security Strategy.
- Review of the criminal justice system.
- Review of the nation-to-nation relationship between Canada and Indigenous peoples and advancing reconciliation.
- Economic development of Indigenous peoples.
- Government commitment to crack down on tax evasion and combat tax avoidance.
- Legal and policy advice in the areas of privacy and access to information.
- Government's litigation strategy review, collaborating with client departments on litigation positions.

Results: what we achieved

Strategic Outcome 1: A Fair, Relevant, and Accessible Canadian Justice System

The Department plays a stewardship role in ensuring a fair, relevant and accessible Canadian justice system. This Strategic Outcome is a shared responsibility among a broad range of players, including Parliament; the judiciary; federal departments and agencies; partners in provincial, territorial, and municipal governments; a broad range of non-governmental organizations and stakeholders; and, ultimately, all Canadians.

Program 1.1: Stewardship of the Canadian Legal Framework

Description

The Department fulfills its stewardship role by ensuring a bilingual and bijural national legal framework for the administration of justice that contributes to a safe and just society for all Canadians and confidence in Canada's justice system. The Department develops and tests innovative approaches to strengthen the legal framework within various domains: criminal law, youth criminal justice, sentencing, official languages, marriage and divorce, access to justice, bijuralism, human rights, privacy, access to information and Aboriginal justice. In addition, in view of the federal government's shared interest in a sustainable justice system, the Department promotes and facilitates ongoing dialogue with the provinces and territories in the areas of shared jurisdiction and provides funding for the delivery of programs that directly support federal policy objectives.

Results

In 2017-18, the Department promoted a fair, relevant and accessible Canadian justice system through coordination and collaboration with various stakeholders in the development and implementation of legislative reforms, policy options and initiatives.

In its stewardship of the Canadian legal framework, the Department worked to achieve three organizational priorities: ensuring the safety and security of Canadians through a transformation of the criminal justice system; advancing reconciliation; and strengthening human rights governance and the rule of law.

Safety, Security and Transformation of the Criminal Justice System

The Department continued to review the criminal justice system to ensure that legislation meets the highest standards of equity, fairness and respect for the rule of law. Justice undertook several engagement activities in support of the criminal justice system review, including provincial/territorial stakeholder consultations that led to the introduction of Bill C-75, as well as the conclusion of roundtables (see the report What We Heard – Transforming the Criminal Justice System, viii published in March 2018) and public consultations (report to be published in 2018-19). The Department also undertook the National Justice Survey (public opinion research on Canadians' views of the criminal justice system), and the Youth Engagement Project (youth driven discussions and data collection exploring the views of Canadian youth on the criminal

justice system). The efforts of the review thus far have identified a number of key areas of focus, namely overrepresentation in the system, restorative justice, improvements to data and information, the need to foster an integrated approach with other social systems, and institutional and law reform. A report summarizing the significant work of the review to date will be published in late 2018, providing the Minister with an opportunity to offer her reflections on the areas where transformation is needed moving forward.

To further the implementation of the Medical Assistance in Dying legislation, the Department of Justice continued to support the Government of Canada's monitoring and reporting on medical assistance in dying. On December 16, 2017, the Government of Canada published draft regulations in the Canada Gazette, Part I, a key step in creating a federal, pan-Canadian monitoring system on medical assistance in dying.

In addition, the Department supported the Justice Minister in the establishment of a framework for the legalization, strict regulation and restricted access to cannabis for Canadians and related impaired driving reforms. The Department provided legal services for the legislative progress of Bill C-45 (Cannabis Act), and led the development of Bill C-46 introduced by the Justice Minister, which included drug-impaired driving reforms. In support of this, the Department regularly consulted with the Cannabis Legalization and Regulation Secretariat at Health Canada and ensured close collaboration with provincial and territorial partners through meetings of the Federal-Provincial-Territorial Senior Officials Working Group on Cannabis Legalization and Regulation.

Advancing Reconciliation

The Department continued to support the Government's priority of advancing reconciliation and renewing the nation-to-nation, Inuit-Crown and government-to-government relationship between Canada and Indigenous peoples based on recognition of rights, respect, cooperation and partnership. Working with Crown-Indigenous Relations and Northern Affairs Canada and the Privy Council Office, the Department advanced responses to a number of the Truth and Reconciliation Commission of Canada's Calls to Action and participated in the public reporting of these efforts. In particular, Justice created a subcommittee to the Indigenous Justice Working Group to support the coordinated reporting on Calls to Action. Support was provided for Bill C-262xi focused on ensuring harmony of Canada's laws with the United Nations Declaration of Rights of Indigenous Peoples.

Additionally, the Department provided support for an ongoing review of laws and policies to ensure that the Crown is fulfilling its constitutional and international human rights obligations. This included supporting the Permanent Bilateral Mechanisms and the development of the Recognition and Implementation of Indigenous Rights Framework. As part of the Department's ongoing activities, it supported the Minister of Justice in her work as chair of the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples. Justice's Deputy Minister also served as co-chair of the Deputy Ministers' Task Force on Reconciliation.

As well, Justice worked on developing a practical understanding and application of the Principles respecting the Government of Canada's relationship with Indigenous Peoples. XIII The Department developed new approaches to litigation positions on complex issues, such as recognition of Indigenous title and identifying cases for out-of-court resolution or other alternatives to litigation. The Department was also involved in the development of an enhanced Indigenous role

in the amended Fisheries Act and new environmental review and regulatory regime under Bill C-68 and Bill C-69

In addition, Justice worked with Public Safety Canada to develop the Strategic Action Plan to Reduce the Overrepresentation of Indigenous People in the Criminal Justice System as Victims/Survivors and Accused/Offenders. This comprehensive approach is essential to achieving systemic, medium and long-term reductions in overrepresentation. Bill C-75 includes reforms to address overrepresentation of Indigenous persons in the criminal justice system, as well as making the jury process more inclusive for Indigenous persons.

Finally, through the Federal Victims Strategy, the Department worked closely with federal, provincial and territorial partners to support the development and implementation of Family Information Liaison Units xiii to address outstanding information needs of families of missing or murdered Indigenous women and girls. In addition, Justice worked with federal and Indigenous community partners to support the delivery of culturally-grounded specialized services for families during the National Inquiry into Missing and Murdered Indigenous Women and Girls. xiv

Strengthening Human Rights, Governance and the Rule of Law

The Department of Justice continued to support a strong, independent, meritorious and diverse judiciary, and a fair, efficient and accessible court system that responds to the needs of Canadians. In 2017-18, Justice engaged regularly with key judicial interlocutors and entities to understand and respond to the concerns of the judiciary and the courts, and to provide appropriate support. In Budget 2017, the Government brought forward, and Parliament adopted, the necessary legislative amendments to implement the recommendations of the 2015 Judicial Compensation and Benefits Commission. The Government also took steps to streamline and expedite the payment of non-discretionary judicial annuities. The Department also continued work on refining proposals to pursue reforms to the federal judicial discipline process to increase its openness, transparency, fairness, timeliness and cost-effectiveness, while upholding judicial independence. Also, 2017-18 saw the full implementation of reforms to the superior court appointment process announced in October 2016. The Government made 100 superior court appointments. Of these, half were women, four were Indigenous, and 16 self-identified as a member of a visible minority population, LGBTQ2, or a person with a disability.

To enhance access to the family justice system for all individuals and families, the Department of Justice wrote to all provinces and territories, in the spring of 2017, inviting formal requests for the creation or expansion of Unified Family Courts. The Department then worked with interested jurisdictions through the summer and fall of 2017 to finalize their proposals. This initiative was one of the many that underwent GBA+ to ensure that the Department's activities help foster outcomes for diverse groups of women, men and gender-diverse people, including those from historically vulnerable communities, such as Indigenous women and their children. Budget 2018 announced funding for 39 new Unified Family Court positions in Alberta, Ontario, Nova Scotia, and Newfoundland and Labrador. The legislative provisions creating the new positions were included in the Budget Implementation Act 2018, No. 1, and will come into force on April 1, 2019.

The Department also provided ongoing support to the Department of Canadian Heritage to renew the Court Challenges Program as announced in February 2017. The program aims to advance the

rights and freedoms of all Canadians by providing financial support for the litigation of test cases of national significance in the areas of official language rights and human rights in Canada. The University of Ottawa was selected to administer the program, allowing it to operate independently.

Additionally, the Department supported greater transparency and awareness of the Canadian Charter of Rights and Freedoms through the publication on the Justice Canada website of "Charterpedia", an annotated Charter that identifies and explains the leading jurisprudence interpreting and applying the Charter. Awareness was also raised about the Canadian Charter of Rights and Freedoms through a social media campaign and special events to mark the Charter's 35th anniversary.

The Department supported the Minister's introduction of legislation in 2017-18 to repeal unconstitutional provisions of the Criminal Code, and to amend the Department of Justice Act to require the Minister of Justice to table a "Charter Statement" in relation to all government legislation in the future (Bill C-51). To date, the Department has drafted almost 20 Charter Statements, which have been tabled in Parliament.

In the area of human rights policy, the Department delivered on the Government's commitment to strengthen legal protections for transgender and gender-diverse Canadians against discrimination and hate crime, with Bill C-16 coming into force in June 2017. The Department also supported Employment and Social Development Canada (ESDC) in the development of accessibility legislation (Bill C-81). This legislation would significantly advance human rights in areas of federal jurisdiction. The Department of Justice also provided legal support to ESDC (Labour), Treasury Board Secretariat and Status of Women Canada in their development of a pro-active pay equity regime for the federally regulated workplace. Notably, the Department also led the planning and staging of a Conference of Federal, Provincial and Territorial Ministers Responsible for Human Rights in December 2017, the first to take place since 1988.

In support of open and transparent government, the Department provided policy support to the Government's review of the Access to Information Act. In June 2017, the Government introduced Bill C-58, which seeks to enhance the accountability and transparency of federal institutions by making extensive changes to the Access to Information Act and other laws. The proposed amendments included a proactive publication regime applicable to the Office of the Registrar of the Supreme Court of Canada, the Courts Administration Service, and the Office of the Commissioner for Federal Judicial Affairs. Justice continued to support reforms relating to the protection of personal information in the public sector, including the review of the Privacy Act.

To advance international human rights, the Department participated in preparations for Canada's Universal Periodic Review before the United Nations Human Rights Council for which the Minister of Justice was Head of Delegation in May 2018. Support was provided for the presentation of Canada's reports under the Convention on the Rights of Persons with Disabilities (April 2017) and the International Convention on the Elimination of All Forms of Racial Discrimination (August 2017). Justice also advanced work required to determine whether Canada will become a party to three additional human rights treaties: the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the Optional Protocol to the Convention against Torture, and the International Convention for the Protection of All Persons from Enforced Disappearance.

Other Ongoing Initiatives

In 2017-18, the Department continued to support victims of crime by implementing 'year three' of the Action Plan to Address Family Violence and Violent Crimes Against Aboriginal Women and Girls^{xvi} (2015-20). The Federal Victims Strategy, policy initiatives and project funding provided victim services for families of missing or murdered Indigenous women and girls to develop and deliver culturally-responsive victim services for Indigenous victims of crime.

The Special Advocates Program^{xvii} continued to support fairness and the rule of law in two Immigration and Refugee Protection Act^{xviii} proceedings where a special advocate was appointed. Additionally, professional development opportunities were provided for special advocates by funding participation in a conference hosted by the Federal Court. It is the Department's role to ensure the availability of a list of persons (private lawyers independent of government), who may act as special advocates in Immigration and Refugee Protection Act proceedings in the event one is appointed by the court. The Department also ensures that special advocates are provided with adequate administrative support and resources.

The Department continued to implement government commitments to consult stakeholders on national security matters through the work of the Cross-Cultural Roundtable. To follow through on its commitment to amend problematic elements of the Anti-Terrorism Act, 2015 (former Bill C-51^{xix}), the Government introduced Bill C-59^{xx}, An Act Respecting National Security Matters, on June 20, 2017.

The Department has continued to develop legal policies and laws as required and to support a variety of Ministers' mandate letter initiatives and other priorities. Justice also supported several bills through 2017-18 including:

- Bill C-45^{xxi} Cannabis Act;
- Bill C-46^{xxii} Impaired driving reforms;
- Bill C-51^{xxiii} Removing unconstitutional provisions and strengthening sexual assault provisions;
- Bill C-66^{xxiv} Expungements of historically unjust convictions;
- Bill C-71^{xxv} Firearms;
- Bill C-74xxvi Establishing a remediation agreement regime for corporate wrongdoing; and
- Bill C-75^{xxvii} Reforms to address delays in the criminal justice system (e.g., bail, preliminary inquiries, and intimate partner violence). This bill also merges reforms previously introduced by former Bill C-28^{xxviii} (Victim Surcharge), Bill C-38^{xxix} (Human Trafficking), and Bill C-39^{xxx} (Unconstitutional provisions of Criminal Code).

Evaluations

The Department of Justice conducted a series of evaluations in its efforts to maximize the efficiency and effectiveness of departmental functions and programs.

The Evaluation of the Contraventions Act Program^{xxxi} was completed in March 2017 and assessed program relevance by looking at both the Act and the related fund. Overall, the evaluation confirmed alignment with federal government priorities and contribution to the strategic goals of the Department of Justice.

The Evaluation of the International Legal Programs Section xxxii was completed in March 2017. It looked at the relevance and the continued need for the program, as well as alignment with federal roles and responsibilities in strengthening the rule of law in target countries and regions around the world. The evaluation concluded that the International Legal Programs Section supports international justice sector development, has been providing government-to-government technical assistance consistent with Canada's legal expertise; and is consistent with the Government of Canada's whole-of-government approach to promoting Canada's democratic values and strengthening the rule of law.

The Evaluation of the Access to Justice in Both Official Languages Initiative xxxiii was completed in June 2017. It confirmed that the initiative is aligned with the priorities of Justice and the federal government, including providing relevant training to help improve access to justice in both official languages.

Results achieved

	Performance indicators	Date to achieve target	2017–18 Actual results	2016–17 Actual results	2015–16 Actual results
and policies promote a fair, accessible	Canada's international ranking with respect to fairness of the justice system	March 2018	5	12	11

¹ The Department's performance target is an international ranking of 10th place or better for Canada (source: World Competitiveness Year Book).

Budgetary financial resources (dollars)

	Planned spending	Total authorities	Actual spending (authorities used)	2017–18 Difference (actual minus planned)
385,118,141	385,118,141	434,873,804	423,821,524	38,703,383*

^{*}The variance between Actual spending and Planned spending is primarily explained by the receipt of funding through the 2017-18 Supplementary Estimates processes for the Canadian Family Justice Fund, Immigration and Refugee legal aid and the Indigenous Justice Program Fund.

Human resources (full-time equivalents)

	Actual	2017–18 Difference (actual minus planned)	
254	243	-11	

Information on the Department of Justice Canada's lower-level programs is available on the departmental website xxxiv and in the GC InfoBase. xxxv

Program 1.2: Office of the Federal Ombudsman for Victims of Crime Description

The Office of the Federal Ombudsman for Victims of Crime^{xxxvi} (OFOVC) was created to provide a voice for victims of crime at the federal level and to ensure that the federal government meets its commitments to victims. The Office provides direct information, referral and complaint-review services to its primary clients: victims, victims' family members or representatives, victim-serving agencies, and other related stakeholders. The Office also helps raise awareness of systemic issues among all criminal justice and victim-serving personnel, and provides related recommendations and advice to the Government of Canada through the Minister of Justice. In order to fulfill its mandate, the Office promotes access by victims to existing federal programs and services for victims; addresses complaints of victims about compliance with the provisions of the Corrections and Conditional Release Act; xxxvii promotes awareness of the needs and concerns of victims and the applicable laws that benefit victims of crime, including Canadian Victim Bill of Rights and the principles set out in the Canadian Statement of Basic Principles of Justice for Victims of Crime; identifies and reviews emerging and systemic issues that negatively impact victims of crime; and facilitates access by victims to existing federal programs and services by providing them with information and referrals. The Ombudsman reports directly to the Minister of Justice and, as such, the Office falls outside the Department's governance framework.

Results

As the OFOVC falls outside the Department's governance framework, information regarding activities it performs in any given fiscal year is usually made available in the Office of the Federal Ombudsman for Victims of Crime Annual Report. For further information please refer to the OFOVC's website. **xxxviii*

Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2017–18 Actual results	2016–17 Actual results	2015–16 Actual results
Federal departments, agencies and other stakeholders are provided with OFOVC recommendat ions on how to effect change for victims of crime	Percentage of OFOVC recommendat ions submitted and acknowledge d and/or acted upon		March 2018	Please refer to the OFOVC website.		ebsite.
Stakeholders have access to timely and relevant information about the	Percentage of all pre- identified key stakeholders contacted annually	100	March 2018	Please refer to	the OFOVC w	ebsite.
Office and its activities	Year-over- year percentage increase of visits to the OFOVC website	5	March 2018	Please refer to	the OFOVC w	ebsite.

Budgetary financial resources (dollars)

	Planned spending	Total authorities	Actual spending (authorities used)	2017–18 Difference (actual minus planned)
1,312,105	1,312,105	1,335,012	1,201,148	-110,957

Human resources (full-time equivalents)

	Actual	2017–18 Difference (actual minus planned)
9	9	0

Strategic Outcome 2: A Federal Government that is Supported by High-Quality Legal Services

Under the Department of Justice Act, xxxix the Minister of Justice and Attorney General of Canada provides high-quality legal services to the federal government and its departments and agencies. According to section 4 of the Act, the Minister is the legal member of the Queen's Privy Councilxl responsible for seeing that the administration of public affairs is in accordance with the law. Under section 4.1 of the Act, the Minister is responsible for examining all government bills introduced in or presented to the House of Commons and, subject to the Statutory Instruments Act, xli all government regulations to ascertain whether any of their provisions are inconsistent with the Canadian Charter of Rights and Freedoms. Xlii Additionally, under section 5 of the Department of Justice Act, the Attorney General is responsible for advising the heads of government departments on all matters of law and for conducting all litigation for any federal department or agency of the Crown with respect to any subject within the authority or jurisdiction of Canada.

Program 2.1: Legal Services to Government Program

The Department of Justice provides an integrated suite of high-quality legal advisory, litigation and legislative services to the Minister of Justice and to all federal departments and agencies to support them in meeting the Government's policy and programming priorities and to advance the overall objectives of the Government. Services are provided through a network of departmental legal services units co-located with client departments and agencies, specialized legal capacities within national headquarters, and a network of regional offices and sub-offices providing legal advisory and litigation services to federal departments and agencies across the country.

Description

Results

Under this program, the Department continued to provide high-quality legal services to advance numerous Government priorities in the areas of economic affairs, social affairs, international affairs, and government affairs.

Economic Affairs

In 2017-18, the Department helped implement initiatives to promote sustainable economic growth, safe movement of people and goods, job creation, and broad-based prosperity. Initiatives included efforts to remove barriers to Canadian trade between provinces and territories and with foreign trading partners. The Department also supported the implementation of the Canada-European Union Comprehensive Economic and Trade Agreement, North American Free Trade Agreement negotiations, as well as exploratory trade agreement talks with China.

In addition, Justice supported infrastructure investments and the establishment of the Infrastructure Bank through the Investing in Canada Plan, which will continue to make Canada a growing destination for global business. Justice also supported Innovation, Science and Economic Development Canada in advancing the Innovation Agenda, supporting Canadian enterprises in increasing business and taking advantage of trade agreements and modernized internal trade. The Department continued to provide legal advice pertaining to high value

complex procurement acquisitions, such as fighter aircraft procurement and the national shipbuilding strategy.

The Department also provided legal support for a review of retail sales practices, as well as for five-year reviews of financial institutions statutes, including the Bank Act and the Insurance Companies Act. Legal services assisted in the creation of a new excise duty framework for cannabis products.

To further the Government of Canada's plan for environmental stewardship, Justice provided legal advisory services regarding proposed amendments to the Fisheries Act (Bill C-68), and proposed legislative amendments to the environmental review and oversight regime (Bill C-69). As previously noted, this new environmental review and regulatory regime included an enhanced role for Indigenous peoples. The Department also assisted in the introduction of the Greenhouse Gas Pollution Pricing Act to implement a federal carbon pricing regulatory framework (Bill C-74).

Through its legal work, the Department supported the economic development of Indigenous peoples in various client initiatives, such as major resource development projects as well as new funding mechanisms for First Nations education. The Department provided integrated legal services for the development of reforms to specific claims policies, the inherent rights policy, and renewal of the Comprehensive Land Claims Policy, xliii as well as the British Columbia Treaty Process. In 2017-18, 47 specific claims assessment legal opinions were completed, and 31 claims settlements were negotiated with total settlement amounts in excess of \$1.1 billion. Justice contributed to over 40 ongoing comprehensive land claims and a growing number of Recognition of Indigenous Rights and Self-Determination Tables.

The Department supported the Government's priority of border security to ensure the safe and legitimate flow of people, goods and services (such as passenger screening and preclearance under the Beyond the Border Action Plan). Justice also worked with Immigration, Refugees and Citizenship Canada (IRCC) to implement the Global Talent Strategy, including making Express Entry more responsive to Canada's economic needs, and implementing Electronic Travel Authorization. Legal services were provided to support IRCC, Canada Border Services Agency (CBSA) and the Royal Canadian Mounted Police (RCMP) in responding to irregular migration of persons from the United States to Canada, including asylum seekers. The Department assisted with technical issues, such as reviewing the inadmissibility of migrant workers due to demand on health and social services. Additionally, continued advice was provided with respect to other immigration issues such as immigration detention and safe third country agreements.

Justice continued to support the regulatory framework for food safety and the strengthening of safety and security oversight for the transportation of dangerous goods. The Department also helped implement a new multi-year agricultural policy framework, as well as the government's food and agriculture-related initiatives, including the Safe Food for Canadians Act and the Safe Food for Canadians Regulations.

Social Affairs

In 2017-18, the Department continued to provide legal services in support of the Government's key public safety priorities, including reforms to the Anti-Terrorism Act 2015, the creation of a statutory committee of Parliamentarians to review the work of national security agencies, and firearms control reform. Justice also supported its departmental clients in renewing Canada's

Cyber Security Strategy. In addition, the Department continued to work with the Minister of Public Safety and Emergency Preparedness and the Minister of Health on efforts that led to the passage of the Cannabis Act (Bill C-45) and related regulations.

To further advance reconciliation with Indigenous peoples, the Department provided legal services to federal departments and agencies to implement the United Nations Declaration on the Rights of Indigenous Peoples (informed by section 35^{xliv} of the Constitution Act 1982), to support the National Inquiry into Missing and Murdered Indigenous Women and Girls, and to review the criminal justice system. The Department also worked with the Minister of Canadian Heritage to promote, preserve and enhance Indigenous languages and culture by supporting the consultative and preparatory work relating to legislation on Indigenous languages. As well, an education agreement was negotiated with 23 First Nations of the Union of Ontario Indians, and legislation was introduced in Parliament to give effect to the agreement. Legal expertise was also provided in the negotiation of an Agreement in Principle with Treaty 1 First Nations with respect to Kapyong Barracks (decommissioned Department of National Defence land in Winnipeg), which has the potential to contribute to the reconstitution of a larger nation and can be used as a pathfinder providing important insights to inform Canada's strategic land disposition process. In addition, the Department worked on amending the Indian Act to address discriminatory provisions on registration. Finally, legal expertise was provided on approximately 35 Requests for Direction related to the Indian Residential Schools Settlement Agreement to ensure that the objectives of reconciliation were being appropriately considered in all decisions taken in these cases.

Supporting workers and employers, the Department provided legal services to Employment and Social Development Canada to better align the Employment Insurance system with the realities of today's labour market, including reducing the waiting period for benefits from two weeks to one week. Additionally, Bill C-65 was introduced to amend the Canada Labour Code to strengthen the existing framework for the prevention of harassment and violence in the work place, including sexual harassment and sexual violence. The Department also supported the Accessible Canada^{xlv} initiative and work towards accessibility legislation to ensure full participation of persons with disabilities.

International Affairs

In 2017-18, Justice assisted in various initiatives in the area of international affairs, including: anti-terrorism efforts; the implementation of a new agenda to combat tax evasion and avoidance; and extradition and mutual legal assistance measures that are in keeping with Canadian values, balancing rights and security. The Department also supported re-energized Canadian diplomacy and leadership on key international issues and in multilateral institutions, including championing values of inclusive and accountable governance, respect for diversity and human rights, and the rights of women and refugees. This work included advancing the new International Assistance Policy for Canada that includes applying a feminist approach to eradicating poverty and building a more peaceful, inclusive and prosperous world.

Throughout 2017-18 the Department provided legal services to advance international trade and investment, including litigation support on the softwood lumber and Bombardier disputes with the United States; legal support and conduct of trade negotiations such as the conclusion of the

Comprehensive and Progressive Agreement for Trans Pacific Partnership; and legal advice on international trade law implications of many major government initiatives.

The Department also played a key role in supporting Global Affairs Canada in its work on a number of key international human rights issues, including promoting gender equality, addressing violence against women, and promoting equality for the LGBTQ2+ community. Justice also provided support for Canada's Universal Periodic Review and for the presentation of its reports to the United Nations on the rights of persons with disabilities and the elimination of racial discrimination, as well as advancing work on the potential ratification by Canada of additional human rights treaties.

Additionally, the Department of Justice drafted regulations imposing economic sanctions regimes against North Korea, Syria and Venezuela.

Government Affairs

In 2017-18, Justice supported numerous initiatives related to government affairs, such as providing legal services for the negotiation of federal public service collective agreements, and amendments to private and public pension legislation and regulations. Justice also assisted the Royal Canadian Mounted Police with implementing the Enhancing Royal Canadian Mounted Police Accountability Act and Bill C-7^{xlvi}. In addition, the Department continued to support the horizontal initiative on official languages^{xlvii} led by Canadian Heritage.

Through the provision of tax law services, the Department supported the Canada Revenue Agency (CRA) in ensuring the fairness and integrity of the tax system and defended the Government's position in over 8,000 tax litigation files. Justice also provided assistance to CRA in its continued efforts to crack down on tax evasion, combat tax avoidance and strengthen collection of outstanding debt. Additionally, Justice supported CRA's effort to reduce its backlog of files following an audit of the Income Tax Objections by the Office of the Auditor General.

The Department continued the review of the Government of Canada's litigation strategy focusing on: respecting the Canadian Charter of Rights and Freedoms; recognizing the rights of Indigenous peoples; and making decisions consistent with the Government's priorities and Canadian values. To recognize and safeguard the rights and freedoms of Canadians, the Government of Canada resolved or discontinued Charter litigation in several important cases relating to: indigenous health; citizenship, immigration and refugee matters; criminal litigation; and workers' rights. In other cases, the Government of Canada implemented policy and legislative solutions to resolve Charter challenges. Additionally, a number of important cases were discontinued where it was determined that continued pursuit of litigation was inconsistent with Canadian values. For example, as part of the Government's wide-ranging activities related to the Prime Minister's apology on behalf of the Government of Canada to LGBTQ2+ people for systemic harassment and discrimination in the Public Service and the Canadian Armed Forces, the Attorney General of Canada (AGC) helped to negotiate an agreement in principle to settle a class-action claim involving many affected public servants and military personnel.

Importantly, the Principles Respecting the Government of Canada's Relationship with Indigenous Peoples xlviii have been shaping how the Government is managing litigation involving Indigenous peoples, including the way legal arguments are framed and articulated, the nature of defences that are advanced, and the promotion of early resolution of litigation and a targeted use of settlement processes with clients. For example, the Department of Justice, working in

partnership with Crown-Indigenous Relations and Northern Affairs Canada, negotiated an agreement in principle for many of those affected by the 'Sixties Scoop', to resolve multiple class actions including Brown v. AGC and Meeches et al v AGC. This settlement is an acknowledgment of the trauma and harm caused by past government actions.

Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2017–18 Actual results	2016–17 Actual results	2015–16 Actual results
Federal departments and agencies receive high- quality legal services.	Client satisfaction mean rating on the overall quality of legal advisory, litigation, legislative, and regulatory drafting services on a 10-point scale	8	April 2020	Advisory: 8.8 ¹ Litigation: 8.5 ¹ Legislative: 8.6 ¹ Regulatory: 7.9 ¹	Advisory: 8.5 ² Litigation: 8.3 ² Legislative: n/a ³ Regulatory: n/a ³	Advisory: 8.4 ² Litigation: 8.3 ² Legislative: 8.5 ² Regulatory: 8.5 ²
	Client satisfaction mean rating on the Department of Justice Canada performance against service standards for the delivery of legal services on a 10-point scale	8	April 2020	Responsiven ess/ Accessibility: 8.9¹ Usefulness: 8.6¹ Timeliness: 8.5¹	Responsiven ess/ Accessibility: 8.72 Usefulness: 8.42 Timeliness: 8.22	Responsiven ess/ Accessibility: 8.6² Usefulness: 8.0² Timeliness: 7.9²
The Crown's interest is represented before courts and tribunals.	Percentage of litigation files that have a successful outcome (settled and adjudicated)	70	April 2017	794	804	814

¹The results presented reflect interim feedback collected during Cycle III of the Legal Services Client Feedback Survey (2016-2017 and 2017-2018). The Departmental Survey report will be completed in 2020.

²The results presented reflect interim feedback collected during Cycle III of the Legal Services Client Feedback Survey (2016-2017). The Departmental Survey report will be completed in 2020. As the Survey only resumed in 2016-17, results for Cycle II (2009-2012) are reflected for 2015-16.

³There was an insufficient number of respondents to report results for this service.

⁴All settlements of litigation are included as successful outcomes from the Crown's perspective.

Budgetary financial resources (dollars)

2017–18 Main Estima		Planned spending	Total authorities	Actual spending (authorities used)	2017–18 Difference (actual minus planned)
195,920,7	770	195,920,770	202,149,802	186,330,788	-9,589,982*

^{*} The variance between Actual spending and Planned spending is primarily explained by anticipated expenditures, related to retroactive compensation payments resulting from the expired LP group (law practitioners) collective agreement that did not materialize in 2017-18. The collective agreement was settled on July 10, 2018.

Human resources (full-time equivalents)

	Actual	2017–18 Difference (actual minus planned)
3,089	3,079	-10

Information on the Department of Justice Canada's lower-level programs is available on the departmental website^{xlix} and in the GC InfoBase.¹

Internal Services

Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct service categories that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. The 10 service categories are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

Results

In 2017-18, a number of internal initiatives and services contributed to the advancement of public service-wide management priorities and the Department's achievement of business and legal excellence.

To ensure that the Department continues to have the right workforce with the right skills, Justice has put in place strategies to identify, recruit, develop and retain key talent. This has included the implementation of a national approach to collective staffing to improve efficiency, increase internal mobility, prepare for succession planning and streamline staffing processes. The Department has also enhanced its talent management program for employees by focusing on

collective discussions and review panels, in addition to continued efforts on improving processes and tools for career discussions. To enhance professional excellence, Justice has provided inhouse training and secured professional development opportunities for all employees with the Canada School of Public Service. This training was supplemented by the on-line Status of Women course on GBA+, which is a key element of the updated GBA+ Policy that was approved in May 2017. Over 60% of Justice Officials received training in GBA+ theory and application to ensure that the Department's work continues to reflect the diverse needs of different groups of people.

In alignment with the Federal Public Service Workplace Mental Health Strategy^{li}, the Department continued to implement its Mental Health Strategy, which fosters a psychologically healthy work environment and provides employees with tools and strategies to help maintain a work-life balance. Justice has adopted an integrated approach to support managers in fostering a psychologically safe, collaborative and ethical workplace.

To further support a safe and secure workplace for employees, Justice successfully implemented a Mass Notification System, enhancing communications capabilities during emergency events.

As part of its ongoing efforts to address the Phoenix Pay System issues, Justice continued to work with other departments to share best practices and lessons learned, and to find proactive ways to support employees. The centralized Trusted Source Liaison Unit, as well as training and information, continue to be part of the Department's response strategy.

The Department has advanced Blueprint 2020^{lii} public service renewal priorities by benefiting from communities of practice, interdepartmental networks and working groups. In support of the Clerk of Privy Council's call to review the way the Public Service does its work, Justice continued to streamline and automate internal operations to improve efficiency and maximize productivity. Justice continues its transition toward a digital-by-design approach to deliver communication services more efficiently and effectively. More broadly, the Department now has the necessary foundation to initiate the development of a Digital Justice Strategy in support of Government of Canada directions and policies. While implementing measures to optimize the use of space, Justice has experimented with innovative activity-based designs that promote collaborative and flexible work environments. As well, the Department developed and implemented a new design considerations tool to enhance inclusiveness and accessibility in all work space projects.

As an ongoing commitment, the Department of Justice continued to improve the delivery of legal services by increasing the use of paralegals, using virtual teams, investing in new processes and technology (e.g., use of Artificial Intelligence to assist in document review), promoting effective legal risk management, and better aligning human resources with priorities. Business analytics have been used to track performance and trends to inform decision-making. Additionally, the Justice Legal Case Management solution (LEX) has been developed to provide a modern and agile system that will support core legal services delivery, while aligning with Government of Canada information technology standards.

The Department has supported the implementation of the Government of Canada Open Government commitments by appointing a Champion and developing an Open Government Implementation Plan. These activities actively promoted open shared information by default.

Justice has also continued to support the implementation of the Treasury Board Policy on Results. Through this work, the Department continues to improve its approach to performance measurement and evaluation to enhance its ability to demonstrate progress and results. In parallel, the Department has worked with the Privy Council Office to provide Canadians with the status of its ministerial mandate letter commitments through the Privy Council Office Mandate Letter Tracker. Iiv

Building on actions undertaken as part of the Justice Sustainable Development Strategy (JSDS) 2014-2017^{lv}, the ongoing work towards the 2017-2020 Strategy^{lvi} continues to support the Federal Sustainable Development Strategy (FSDS) 2016-2019^{lvii} through new objectives facilitating the shift to low-carbon government. The Department has also contributed to a whole-of-government exercise aimed at reporting on the United Nations (UN) Agenda 2030 goals^{lviii} by providing input on Canada's actions in relation to Sustainable Development Goal (SDG) 16 (Peace, Justice, and Stable Institutions), and contributing to other departments' responses on SDG 5 (Gender Equality), and SDG 17 (Partnerships for the Goals).

Budgetary financial resources (dollars)

	Planned spending	Total authorities	Actual spending (authorities used)	2017–18 Difference (actual minus planned)
73,808,640	73,808,640	95,168,485	95,648,611	21,839,971*

^{*}The variance between Actual spending and Planned spending is primarily explained by additional expenditures related to various projects (e.g. leasehold improvements for accommodation) which have been funded by Treasury Board Central Vote 25 (Operating Budget Carry Forward) and by increased expenditures in retroactive payments related to the ratification of various collective agreements funded from Treasury Board Central Vote 15 (Compensation Adjustments). Treasury Board Central Vote 25 and 15 are never included in planned spending.

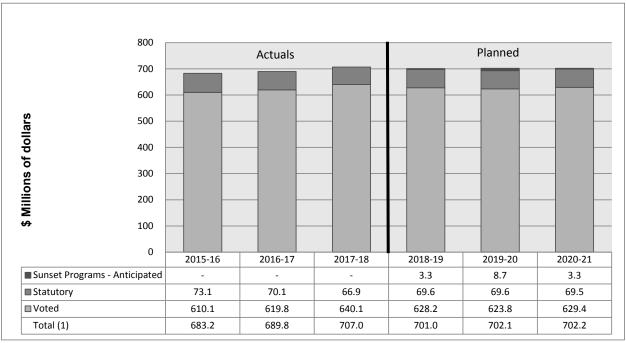
Human resources (full-time equivalents)

2017–18 Planned	Actual	2017–18 Difference (actual minus planned)
948	980	32*

^{**}The variance between Actual FTEs and Planned FTEs is mostly explained by an internal reallocation of FTEs between activities and staffing of some vacant positions.

Analysis of trends in spending and human resources Actual expenditures

Departmental spending trend graph



^{*}Differences may arise due to rounding.

As the primary provider of legal services to federal government departments and agencies, the Department of Justice has a Vote-Netted Revenue Authority to collect \$296.2 million annually in respendable revenue. For the purpose of departmental reporting, the total amount of expenditures is reduced by the revenues received by the Department.

	2015–16 Actual					2019–20 Planned
Vote-Netted Revenue	293.5	306.3	296.2	316.3	296.2	296.2

In 2017-18, \$316.3 million of Vote-Netted Revenue was collected, an increase of \$10.0 million compared to 2016-17. This increase is primarily due to a slight increase in revenues collected from some clients in support of government priorities, and to the change in the funding model for some initiatives. For instance, funding for the negotiation of comprehensive land claims and incremental treaty and non-treaty agreements with Indigenous groups across Canada is now under cost recovery from Crown-Indigenous Relations and Northern Affairs Canada.

Budgetary performance summary for Programs and Internal Services (dollars)

Programs and Internal Services	2017–18 Main Estimates	2017–18 Planned spending	2018–19 Planned spending	2019–20 Planned spending	2017–18 Total authorities available for use	2017–18 Actual spending (authorities used)	2016–17 Actual spending (authorities used)***	2015–16 Actual spending (authorities used)	
Strategic Out	Strategic Outcome 1: A Fair, Relevant and Accessible Canadian Justice System								
Program 1.1: Stewardship of the Canadian Legal Framework	385,118,141	385,118,141	386,176,639	384,478,149	434,873,804	423,821,524	409,973,313	384,331,448	
Program 1.2: Office of the Federal Ombudsman for Victims of Crime**	1,312,105	1,312,105	1,312,105	1,312,105	1,335,012	1,201,148	1,008,746	1,115,554	
Subtotal	386,430,246	386,430,246	387,488,744	385,790,254	436,208,816	425,022,672	410,982,059	385,447,002	
Strategic Out	come 2: A Fede	ral Government	that is Supporte	d by High-Quality	Legal Services				
Program 2.1: Legal Services to Government Program	195,920,770	195,920,770	191,669,494	191,669,494	202,149,802	186,330,788	198,793,560	194,449,097	
Subtotal	195,920,770	195,920,770	191,669,494	191,669,494	202,149,802	186,330,788	198,793,560	194,449,097	
Internal Services	73,808,640	73,808,640	73,228,692	73,220,582	95,168,485	95,648,611	80,043,827	103,323,708	
Total*	656,159,656	656,159,656	652,386,930	650,680,330	733,527,103	707,002,071	689,819,446	683,219,807	

^{*} Differences may arise due to rounding.

In 2017-18, Main Estimates totaled \$656.2 million and the total authorities available amounted to \$733.5 million. The total authorities available include \$45.8 million of funding received through the 2017-18 Supplementary Estimates processes and \$31.5 million of funding from Treasury Board Secretariat Central Votes 15 and 25 (including compensation allocations and 2016-17 Operating Budget Carry Forward).

The \$26.5 million variance between the total authorities available and actual spending of 2017-18 is mostly explained by anticipated expenditures related to retroactive compensation payments resulting from the expired Law Practitioner collective agreement that did not materialize in

^{**} The Ombudsman reports directly to the Minister of Justice, and as such, the Office falls outside of the Department's governance framework.

^{***}The 2016-17 expenditure split between programs and internal services is imprecise due to an oversight in the coding of a salary expenditure adjustment predominately affecting Strategic Outcome 2 with a decrease of \$6.7 million and internal services with an increase of the same amount.

2017-18. This increase in expenditures is expected for the Department in 2018-19 and will be reported in the 2018-19 Departmental Results Report.

The Department's total actual spending is \$707.0 million for 2017-18, representing an increase of 2.5% compared to the total actual spending for 2016-17 (\$689.8 million). This increase is mainly explained by the retroactive compensation payments from various collective agreements signed and ratified in 2017-18 and by an increase in spending on Grants and Contributions programs primarily in the Victims Fund and Legal Aid programs.

Actual human resources

Human resources summary for Programs and Internal Services (full-time equivalents)

Programs and Internal Services	2015–16 Actual	2016–17 Actual	2017–18 Planned	2017–18 Actual	2018–19 Planned	2019–20 Planned
Program 1.1: Stewardship of the Canadian Legal Framework	255	256	254	243	254	254
Program 1.2: Office of the Federal Ombudsman for Victims of Crime	9	9	9	9	9	9
Program 2.1: Legal Services to Government Program	3,023	3,096	3,089	3,079	3,089	3,089
Subtotal	3,287	3,361	3,352	3,331	3,352	3,352
Internal Services	1,050	950	948	980	948	948
Total	4,337	4,311	4,300	4,311	4,300	4,300

Expenditures by vote

For information on the Department of Justice Canada's organizational voted and statutory expenditures, consult the Public Accounts of Canada 2017. lix

Government of Canada spending and activities

Information on the alignment of the Department of Justice Canada's spending with the Government of Canada's spending and activities is available in the GC InfoBase. lx

Financial statements and financial statements highlights

Financial statements

The financial highlights presented within this DRR are intended to serve as a general overview of the Department of Justice's Statement of Operations and Statement of Financial Position as presented in the departmental financial statements (unaudited). These statements are prepared in accordance with accrual accounting principles and are therefore different from reporting on the use of authorities, reflected in earlier sections of this report. Reconciliation between authorities used and the net cost of operations is set out in Note 3 of the departmental financial statements (unaudited). The Department of Justice Canada's financial statements (unaudited) for the year ended March 31, 2018, are available on the departmental website. lxi

Financial statements highlights

The financial results are shaped by the two strategic outcomes and associated internal services that aim to ensure a fair, relevant and accessible Canadian justice system and a federal government that is supported by high-quality legal services.

Condensed Statement of Operations (unaudited) for the year ended March 31, 2018 (dollars)

Financial information	2017–18 Planned results	2017–18 Actual		Difference (2017–18 actual minus 2017–18 planned results)	Difference (2017–18 actual minus 2016–17 actual results)
Total expenses	1,037,943,000	1,103,877,000	1,050,500,000	65,934,000	53,377,000
Total revenues	296,200,000	316,308,000	306,067,000	20,108,000	10,241,000
Net cost of operations before government funding and transfers	741,743,000	787,569,000	744,433,000	45,826,000	43,136,000

Planned results

Planned Results are based on the Future-Oriented Financial Statements presented in the 2017-18 Departmental Plan^{lxii}. The actual expenses for 2017-18 are \$65.9 million higher than planned expenses due to retroactive compensation payments made in 2017-18 related to the ratification of various collective agreements and an increase in transfer payments resulting from the Budget 2017 announcement for the following areas:

• Contributions in support of the Canadian Family Justice Fund;

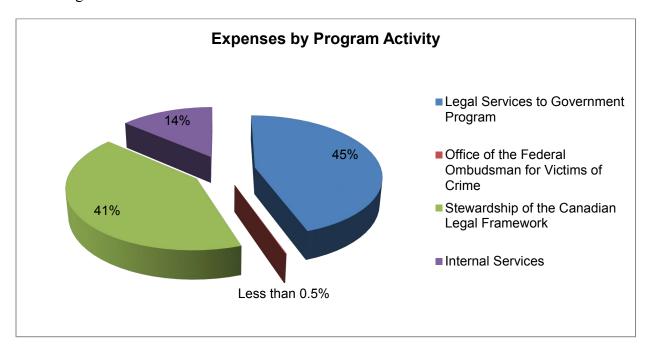
- Contributions to the provinces to assist in the operation of immigration and refugee legal aid; and
- Contributions under the Indigenous Justice Program Fund.

The 2017-18 actual revenues for 2017-18 are \$20.1 million higher than planned revenues. This can be explained by the change in the legal services rates in 2016-17 approved by Treasury Board, which included anticipated increases to costs for Law Practitioner group collective agreements and the change of funding model for some initiatives resulting in more cost recovery from clients.

Expenses

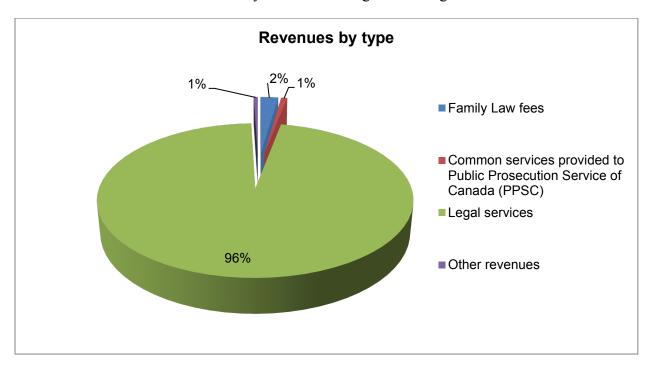
Total departmental expenses were \$1.1 billion in 2017-18, an increase of \$53.4 million from 2016-17. The variance is mainly explained by the following factors:

- A decrease in severance benefit liability and expense in 2016-17 that did not re-occur in 2017-18;
- An increase in salary expenses due to retroactive compensation payments related to the ratification of various collective agreements;
- An increase in the liability for vacation pay as a result of the implementation of the Government of Canada's Phoenix pay system; and
- An increase in transfer payments expenses as a result of increases in funding provided for the contributions to the provinces to assist in the operation of immigration and refugee legal aid and the contributions from the Victims Fund.



Revenues

Total departmental revenues were \$316.3 million in 2017-18, a net increase of \$10.2 million from 2016-17. This variance is mainly due to the change in funding model for some initiatives.



Condensed Statement of Financial Position (unaudited) as at March 31, 2018 (dollars)

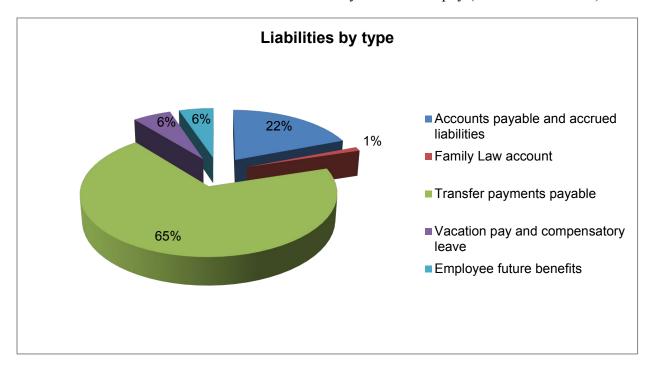
Financial Information	2017–18	2016–17	Difference (2017–18 minus 2016–17)
Total net liabilities	423,514,000	359,662,000	63,852,000
Total net financial assets	385,368,000	322,792,000	62,576,000
Departmental net debt	38,146,000	36,870,000	1,276,000
Total non-financial assets	38,904,000	33,725,000	5,179,000
Departmental net financial position	758,000	(3,145,000)	3,903,000

Liabilities

Total net liabilities were \$423.5 million for 2017-18, an increase of \$63.9 million from 2016-17. The variance is mainly due to an increase of transfer payments payable resulting from an increase in funding provided and the timing variation of financial claims submitted from year to year for the following areas:

- Contributions to the provinces to assist in the operation of the legal aid systems; and
- Contributions to the provinces to assist in the operation of immigration and refugee legal aid.

The variance is also due to an increase in the liability for vacation pay (as described above).

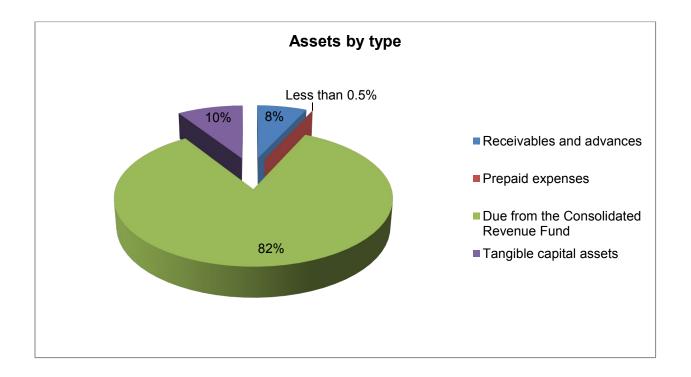


Financial and non-financial assets

Total net financial assets were \$385.4 million at the end of 2017-18, an increase of \$62.6 million from 2016-17. This variance is mainly because of an increase in net cash the Department is entitled to receive from the Receiver General for Canada to discharge its liabilities, especially as it relates to transfer payment programs as described above.

Total net non-financial assets were \$38.9 million at the end of 2017-18, an increase of \$5.2 million from 2016-17. The variance of \$5.2 million is mostly attributable to an increase of leasehold improvements projects for office accommodations as well as informatics software projects. It is offset by a decrease in acquisitions of informatics hardware and furniture and

furnishings resulting from changes in departmental accounting methodology related to tangible capital assets. The Department decided to no longer apply the "bulk accounting" principle for low dollar value assets and increase the capitalization threshold from \$1,000 to \$10,000 for the "informatics hardware" and "furniture and furnishings" assets classes. This change was made to allow for consistent treatment of all capital asset classes.



Supplementary information

Corporate information

Organizational profile

Appropriate minister: Jody Wilson-Raybould, P.C., Q.C., M.P.

Institutional head: Nathalie G. Drouin, Ad. E.

Ministerial portfolio: Justice

Enabling instrument[s]: Department of Justice Actliviii

Year of incorporation / commencement: 1868

Reporting framework

The Department of Justice Canada's Strategic Outcomes and Program Alignment Architecture of record for 2017-18 are shown below:

- 1. Strategic Outcome: A Fair, Relevant and Accessible Canadian Justice System
 - **1.1 Program:** Stewardship of the Canadian Legal Framework
 - 1.1.1 Sub-program: Legal Policies and Laws
 - **1.1.2** Sub-program: Justice System Support
 - **1.1.2.1** Sub-sub-program: Criminal Justice and Legal

Representation

- **1.1.2.2** Sub-sub-program: Victims of Crime
- 1.1.2.3 Sub-sub-program: Youth Justice
- **1.1.2.4** Sub-sub-program: Family Justice
- **1.1.2.5** Sub-sub-program: Aboriginal and Northern Justice
- **1.1.2.6** Sub-sub-program: Justice in Official Languages
- 1.2 Program: Office of the Federal Ombudsman for Victims of Crime
- **2. Strategic Outcome**: A Federal Government that is Supported by High-Quality Legal Services
 - **2.1 Program**: Legal Services to Government Program

Internal Services

Supporting information on lower-level programs

Supporting information on lower-level programs is available on the Department of Justice Canada's website^{lxiv} and on GC InfoBase. lxv

Supplementary information tables

The following supplementary information tables are available on the Department of Justice Canada's website^{lxvi}:

- Departmental Sustainable Development Strategy
- ▶ Details on transfer payment programs of \$5 million or more
- Horizontal initiatives
- ▶ Internal audits and evaluations
- ▶ Response to parliamentary committees and external audits
- User fees, regulatory charges and external fees

Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the Report on Federal Tax Expenditures. Ixvii This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational contact information

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Email: webadmin@justice.gc.ca

Media Inquiries:

Communications Branch Telephone: 613-957-4207 Email: media@justice.gc.ca

Appendix: definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Core Responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a three-year period. Departmental Plans are tabled in Parliament each spring.

Departmental Result (résultat ministériel)

A Departmental Result represents the change or changes that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

71 8

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

Departmental Results Framework (cadre ministériel des résultats)

Departmental Result Indicator (indicateur de résultat ministériel)

Consists of the department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on an appropriated department's actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

evaluation (évaluation)

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine questions related to relevance, effectiveness and efficiency. Depending on user needs, however,

evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

experimentation (expérimentation)

Activities that seek to explore, test and compare the effects and impacts of policies, interventions and approaches, to inform evidence-based decision-making, by learning what works and what does not.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])

An analytical approach used to assess how diverse groups of women, men and gender-diverse people may experience policies, programs and initiatives. The "plus" in GBA+ acknowledges that the gender-based analysis goes beyond biological (sex) and socio-cultural (gender) differences. We all have multiple identity factors that intersect to make us who we are; GBA+ considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability. Examples of GBA+ processes include using data disaggregated by sex, gender and other intersecting identity factors in performance analysis, and identifying any impacts of the program on diverse groups of people, with a view to adjusting these initiatives to make them more inclusive.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2017–18 Departmental Results Report, those high-level themes outlining the government's agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

horizontal initiative (initiative horizontale)

An initiative where two or more departments are given funding to pursue a shared outcome, often linked to a government priority.

Management, Resources and Results Structure (structure de gestion, des ressources et des résultats)

A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

priority (priorité)

A plan or project that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s) or Departmental Results.

program (programme) (applies to departments reporting using the Program Alignment Architecture)

A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program (programme) (applies to departments reporting using the Departmental Results Framework)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

Program Alignment Architecture (architecture d'alignement des programmes)

A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Program Inventory (répertoire des programmes)

Identifies all of the department's programs and describes how resources are organized to contribute to the department's Core Responsibilities and Results.

result (résultat)

An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome (résultat stratégique)

A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program (programme temporisé)

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (cible)

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

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