

Department of Justice Canada

2018–19

Departmental Results Report

The Honourable David Lametti, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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Table of Contents

Minister’s Message.....	1
Results at a Glance.....	3
Results: What we Achieved.....	7
Core Responsibilities	7
Legal Services	7
Justice System Support	14
Internal Services	27
Analysis of Trends in Spending and Human Resources	31
Actual Expenditures	31
Actual Human Resources.....	33
Expenditures by Vote.....	33
Government of Canada Spending and Activities.....	33
Financial Statements and Financial Statements Highlights	33
Financial Statements.....	33
Financial Statements Highlights.....	34
Supplementary Information	37
Organizational Profile	37
Raison D’être, Mandate and Role: Who we are and What we Do.....	37
Operating Context and Key Risks.....	37
Supporting Information on the Program Inventory.....	39
Supplementary Information Tables	39
Federal Tax Expenditures	39
Organizational Contact Information.....	39
Appendix: Definitions.....	41
Endnotes	45

Minister's Message

I am pleased to present the Department of Justice's 2018-19 Departmental Results Report. As society evolves, so too must our justice system adapt and transform to address new realities and help our most vulnerable. For Justice Canada, this has meant revisiting and modernizing laws, regulations and policies to ensure that they build trust, increase access to the justice system, and reflect what Canadians expect, and deserve, in an inclusive, democratic society.



We are seeing major shifts in Canadian society and beyond that have prompted changes to our laws. Notably, we worked with our partners in Public Safety and Emergency Preparedness and Health Canada on the *Cannabis Act*, which also involved updating our impaired driving laws—the most significant reforms to the transportation provisions of the *Criminal Code* in more than 40 years.

There has been a profound shift in how society addresses violence and sexual abuse, and we are making changes to our laws so they are more effective and easier for victims to access. This has meant a number of changes to the *Criminal Code*, such as strengthening provisions to better support victims of sexual assault and gender-based violence, and improving protections of children and other vulnerable individuals.

Ensuring access to justice for everyone means making our justice system easier to understand and simpler to navigate. This includes increasing funding for legal aid to support those who struggle with lower income or who are unsure of their full rights, including for immigration and refugee cases. In 2018-19, Parliament passed Bill C-78—the first substantial update in over two decades—to help families going through divorce or dealing with domestic violence, and to put the needs and interests of children at the forefront.

Access to justice also means helping Canadians understand how laws can have an impact on their lives. Effective December 13, 2019, every government bill introduced in Parliament must include a *Charter* statement. The goal is that both parliamentarians and the public better understand how a bill could impact the *Charter*-protected rights and freedoms that all Canadians share.

One of the most profound shifts in Canadian society is, of course, the Government's commitment to reconciliation and building respectful and distinctions-based relationships with First Nations, Inuit and Métis Peoples. Here again, we are working to provide better access to justice and to change the fundamental relationship between Indigenous Peoples and the justice system, including exploring innovative approaches to Indigenous-led administration of justice. In January, the Department published the Directive on Civil Litigation Involving Indigenous Peoples, to shift to a more collaborative relationship that is founded on respect for Indigenous legal traditions and restorative justice. In addition, to address the national tragedy of missing and murdered Indigenous women and girls and two-spirited people, Justice Canada has established Family Information Liaison Units across the country to help family members access information about their loved ones from multiple government sources.

I am grateful for the hard work and dedication of Justice employees in providing high-quality legal services across the Government of Canada. I know that we will continue to deliver on key priorities that promote a fair, modern and accessible justice system for all Canadians.

The Honourable David Lametti, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

Results at a Glance

▶ **What funds were used?**

\$788,807,345 actual spending

▶ **Who was involved?**

4,386 full-time equivalents (FTEs)

▶ **Results Highlights**

Key achievements of the Department:

- Implemented the [Directive on Civil Litigation Involving Indigenous Peoples](#)¹. This Directive holds the Government accountable in all litigation involving Indigenous peoples.
- Continued to advance the recognition-of-rights approach reflecting section 35 of the *Constitution Act 1982*, the [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#)², and the [Calls to Action of the Truth and Reconciliation Commission](#)³.
- Provided whole-of-government legal advice on priority initiatives related to Indigenous rights issues to advance the Government's reconciliation agenda.
- Supported the Minister in informing parliamentary and public debates on proposed bills by tabling Charter Statements.
- Supported the passage of [Bill C-51](#)⁴, *An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act*, which both ensures that victims of sexual assault and gender-based violence are treated with compassion and respect and requires that the Minister of Justice table Charter Statements on the potential effects of all government bills on Canadians' rights and freedoms under the *Charter*.
- Increased legal services funding across the country through the [Legal Aid Program \(under Legal Representation\)](#)⁵ to support complainants of sexual harassment in the workplace by providing legal information and advice to persons who have experienced sexual harassment in the workplace, regardless of their economic status.
- Continued to support the Minister through the parliamentary consideration of [Bill C-75](#)⁶, *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*, to address criminal justice system delays, and to strengthen, transform and modernize the criminal justice system, help reduce the overrepresentation of Indigenous peoples and vulnerable populations in the criminal

justice system, and strengthen the criminal law's response to intimate-partner violence as well as violence against Indigenous women and girls.

- Co-led, with the Minister of Public Safety and Emergency Preparedness and the Minister of Health, efforts leading to the passage and implementation of the *Cannabis Act* ([Bill C-45](#)⁷, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*).
- Led the development and efforts leading to the passage and implementation of amendments to strengthen the criminal justice system to better protect Canadians from impaired driving ([Bill C-46](#)⁸, *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*).
- Introduced legislation to modernize Canada's family justice system to make it more relevant, accessible and efficient ([Bill C-78](#)⁹, *An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act*).
- Supported the creation of 39 new Unified Family Court positions in Alberta, Ontario, Nova Scotia, and Newfoundland and Labrador.
- Supported the Government's key public safety priorities, including the passage of [Bill C-59](#)¹⁰, the *National Security Act, 2017* and [Bill C-71](#)¹¹, *An Act to amend certain Acts and Regulations in relation to firearms*, by providing legal advice and legislative services.
- Provided advisory and legislative drafting services and policy development for [Bill C-81](#)¹², *An Act to ensure a barrier-free Canada*, which establishes and imposes accessibility standards on federal government and federally regulated sectors to achieve a barrier-free Canada to support all persons with disabilities in Canada.
- Provided policy and legal support to Health Canada to address the opioids overdose crisis and other emerging drug issues that fall within the [Canadian Drugs and Substances Strategy](#)¹³.
- Provided whole-of-government legal advice for the design and implementation of a carbon-pricing regime and provided high-quality litigation services for its defence before the Courts.
- Provided advisory and legislative services for [Bill C-69](#)¹⁴, *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*, which aims to modernize the National Energy Board and Canadian Environmental Assessment Agency and the way major infrastructures projects are reviewed and approved in Canada.

- Contributed to the implementation of reforms to the Superior Court judicial appointment process. These reforms included measures to strengthen the openness, transparency and independence of the system and to ensure a more diverse judiciary. Two hundred and eighty (280) judges have been appointed under the reformed process announced in 2016.
- Supported Canadian Heritage in restoring a modern Court Challenges Program.
- Represented the Government of Canada in the settlement of several high-profile class action proceedings.

For more information on the Department of Justice’s plans, priorities and results achieved, see the “Results: What we Achieved” section of this report.

Results: What we Achieved

Core Responsibilities

Legal Services

Description

The Minister of Justice and Attorney General of Canada provides legal services to the federal government and its departments and agencies. The Minister is responsible for seeing that the administration of public affairs is in accordance with the law. The Minister is also responsible for examining all government bills and all government regulations for consistency with the *Canadian Charter of Rights and Freedoms*. Additionally, the Attorney General is responsible for advising the heads of departments on all matters of law and for conducting all litigation for federal departments or agencies on subjects within the authority or jurisdiction of Canada.

Results

The Department continued to focus on collaboration and joint planning with client departments in order to ensure the delivery of effective and fiscally sustainable legal services. Legal work is increasingly complex and crosscutting and the practice of law is dynamic. Moreover, demands for legal services may evolve, depending on the specific priorities of client departments and the various risks they face with respect to implementing priorities.

Through its legal services, the Department continued to protect the rights of Canadians and ensured that the *Canadian Charter of Rights and Freedoms* was respected. The guiding principles of [Gender-Based Analysis Plus¹⁵](#) (GBA+) were broadly applied in the Department's work, including the provision of legal services to other client departments, and in advice to Cabinet.

The Department also sought opportunities to improve the delivery of legal services. This included the adoption of new innovative technologies. As an example, the Department conducted a pilot project to evaluate whether a tool described as an artificial intelligence (AI) - powered tax law software can assist counsel in legal research. The Department also collaborated with clients in launching and reviewing a public Request for Information (RFI) to explore options for developing AI-based research tools in the immigration, labour, and employment law fields. The Department also supported technology-based initiatives to improve access to justice. These initiatives included: contributing funding towards the third-party development of an online system for assisting complainants of sexual misconduct; and contributing resources towards an academic partnership exploring ways in which technology can be of service to stakeholders in the justice system.

1. Result: High Quality Legal Services

The Department provided high quality legal advisory, legal policy, litigation, and legislative services to advance priorities related to economic, social, and governmental affairs, as well as the Government of Canada's commitment to working towards reconciliation with Indigenous peoples, the renewal of the nation-to-nation, government-to-government, and Inuit-Crown relationship between Canada and Indigenous peoples.

The following identifies specific highlights regarding the Department's provision of legal services.

1.1 Advancing Reconciliation

To advance reconciliation through a renewed nation-to-nation, government-to-government, and Inuit-Crown relationship, based on recognition of rights, respect, cooperation and partnerships, the Department provided legal services to support:

- The Government of Canada on the National Inquiry into [Missing and Murdered Indigenous Women and Girls](#)¹⁶.
- The ongoing implementation of the [Principles Respecting the Government of Canada's Relationship with Indigenous Peoples](#)¹⁷. The Department issued the Attorney General of Canada's Directive on Civil Litigation Involving Indigenous Peoples, which prescribes new approaches to the development of litigation positions in Indigenous cases, including the identification of cases for out-of-court resolution and other alternatives to litigation.
- Negotiations and conclusion of modern treaties and self-government agreements, including development of the innovative Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia.
- Negotiations and establishment of a new fiscal relationship with self-governing Indigenous peoples and the renewal of all fiscal agreements with modern treaty groups.
- The growing number of [Recognition of Indigenous Rights and Self Determination tables](#)¹⁸ that include flexible processes to ensure that discussions are community driven and respond to unique needs.
- The development of [Bill C-92](#)¹⁹, *An Act respecting First Nations, Inuit and Métis children, youth and families*, which affirms the rights and jurisdiction of Indigenous peoples in relation to child and family services and sets out principles, such as the best interests of the child, cultural continuity, and substantive equality.
- The development of an enhanced Indigenous role in the amended [Fisheries Act](#)²⁰ and the new environmental review and regulatory regime under [Bill C-68](#)²¹, *An Act to amend the Fisheries Act and other Acts in consequence* and [Bill C-69](#)²², *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*.
- The development of [Bill C-91](#)²³, the *Indigenous Languages Act*.
- The response to the Federal Court of Appeal decision on the Trans Mountain Expansion Project.

In renewing the nation-to-nation relationship with Indigenous peoples, the Department supported:

- the Minister of Justice and Attorney General of Canada on the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous peoples; and
- the Deputy Minister of Justice and Deputy Attorney General in her work as co-chair of the Deputy Ministers Task Force on Reconciliation.

1.2 Social Affairs

In the area of social affairs, the Department provided legal services to support:

- Health Canada in the drafting of the *Regulations for Monitoring of Medical Assistance in Dying*²⁴. These regulations prescribe certain information to be gathered about consent and medical condition by various health practitioners, and designate the governmental official responsible for the collection of information.
- Public Safety Canada by providing advisory and legislative drafting services for *Bill C-83*²⁵, *An Act to amend the Corrections and Conditional Release Act and another Act* and *Bill C-93*²⁶, *An Act to provide no-cost, expedited record suspensions for simple possession of cannabis*, which include amendments to the *Correctional and Conditional Release Act* to address administrative segregation, pardons and other correctional matters.
- Health Canada and the Government response to the opioid overuse crisis by drafting new regulations to restrict access to chemicals that are used in the illegal production of fentanyl.
- Health Canada in the implementation of the *Cannabis Act*²⁷ and related regulations to address new classes of cannabis, namely edible cannabis, cannabis extracts and cannabis topicals.
- The Canadian Food Inspection Agency in the drafting and implementation of the *Safe Food for Canadian Regulations*²⁸, and in continuing to support the regulatory framework for food and safety to mitigate risks for all food imported into Canada.
- Health Canada's healthy eating strategy, including the introduction of restrictions on the commercial marketing of unhealthy foods to children and the improvement of food labels to help Canadians make healthier choices.
- The Government of Canada's efforts pertaining to irregular migration at border crossings and immigration reform. The Department provided advice on border enforcement measures that were included in *Bill C-97*²⁹, the *Budget Implementation Act, 2019*. These included measures to manage arrivals at the border, to detect and discourage misuse of the visa system, and to invest in an asylum system that is fair, fast and final.
- Public Safety Canada with its *Cyber Security Strategy*³⁰, particularly for the governance model and critical cyber systems.

1.3 Economic Affairs

In the area of economic affairs, the Department provided legal services to support:

- Public Services and Procurement Canada and other key departments on behalf of the Department of National Defence in the context of major procurement projects, such as the fighter aircraft capability project.

- Global Affairs Canada and other departments in the conclusion of negotiation, signature, and domestic ratification and implementation of the [Canada-United States-Mexico Agreement \(CUSMA\)](#)³¹, which was signed by all parties on November 30, 2018.
- Finance Canada and the Office of the Superintendent of Financial Institution in their five-year reviews of financial institutions statutes, including the [Bank Act](#)³² and the [Insurance Companies Act](#)³³.
- Finance Canada and Financial Transactions and Report Analysis Centre of Canada in the amendments passed in [Budget Implementation Act, 2019](#)³⁴ to strengthen the federal Anti-Money Laundering/Anti-Terrorist Financing Regime as well as the amendments passed in [Budget Implementation Act, 2018](#)³⁵ in relation to the sharing of tax and other confidential information for criminal matters in Canada and abroad.
- Canada Revenue Agency in its commitment to crack down on tax evasion and combat tax avoidance to ensure the fairness and integrity of the tax system.
- Environment and Climate Change Canada and Finance Canada in establishing a pricing mechanism for greenhouse gas emissions from large industrial facilities, under the [Greenhouse Gas Pollution Pricing Act](#)³⁶.
- Environment and Climate Change Canada in the implementation of the [Paris Climate Agreement](#)³⁷ and the [Pan Canadian Framework on Clean Growth and Climate Change](#)³⁸, including the introduction of carbon pricing to reduce greenhouse gas emissions.
- Canadian Environmental Assessment Agency, Fisheries and Oceans Canada, and Transport Canada to review Canada's environmental assessment processes, modernize the National Energy Board and review the [Fisheries Act](#) and the [Navigation Protection Act](#).
- Fisheries and Oceans Canada in the implementation of the Ocean Protection Plan to protect the marine environment of Canada's three coasts and to improve marine safety.
- Transport Canada in strengthening the safety and security of transportation, including the transportation of dangerous goods by rail, through amendments to the [Transportation of Dangerous Goods Regulations](#)³⁹.
- Transport Canada in the changes to the [Canadian Aviation Regulations](#)⁴⁰ that prescribe flight crews' hours of work and rest periods that take into account employee fatigue and international standards to limit the amount of time a flight crew member can be on the job.
- Transport Canada in the development of a comprehensive regulatory framework for drone use, including operational rules as well as requirements for device registration and pilot certification.
- The Canadian Transportation Agency in the drafting of the [Air Passenger Protection Regulations](#)⁴¹. These regulations ensure clearer, more consistent passenger rights by establishing minimum airline requirements, standards of treatment, and minimum levels of compensation that all air carriers must provide to passengers.
- Innovation, Science and Economic Development Canada programs to support and grow Canadian businesses in respect of amendments to corporate and insolvency statutes to enhance retirement security and to support the liberalization of internal trade.

1.4 Government Affairs

The Department provided legal services to support the advancement of a Government of Canada litigation strategy with a focus on:

- Respecting the *Canadian Charter of Rights and Freedoms*⁴².
- Recognizing the rights of Indigenous peoples (First Nations, Inuit and Métis).
- Making decisions consistent with the Government's priorities and Canadian values.
- Implementing the conflict-resolution approach set out in the Attorney General of Canada's Directive on Civil Litigation Involving Indigenous Peoples.
- The publication of the *Litigation Year in Review*⁴³¹, which promotes openness and transparency with respect to the litigation positions of the Attorney General of Canada.

¹ The Litigation Year in Review document provides Canadians with some highlights of the progress made each year in several areas of litigation in Canada.

Results Achieved

Departmental result	Performance indicator	Target	Date to achieve target	2018–19 Actual results	2017–18 Actual results	2016–17 Actual results
Departments and agencies receive high quality legal services	Client satisfaction mean rating of 8.0 (or greater) on a 10-point scale on the overall quality of legal services	8 or greater	March 2020	Advisory: 8.6 Litigation: 8.4 Legislative: 8.6 Regulatory: 8.0 ²	Advisory: 8.8 Litigation: 8.5 Legislative: 8.6 Regulatory: 7.9 ³	Advisory: 8.5 Litigation: 8.3 ⁴ Legislative: N/A Regulatory: N/A ⁵
	Client satisfaction mean rating of 8.0 (or greater) on a 10-point scale on the performance of legal services against the Service Standards for the Provision of Legal Services in Government	8 or greater	March 2020	Responsiveness/ Accessibility: 8.8 Usefulness: 8.5 Timeliness: 8.3 ⁶	Responsiveness/ Accessibility: 8.9 Usefulness: 8.6 Timeliness: 8.5 ⁷	Responsiveness/ Accessibility: 8.7 Usefulness: 8.4 Timeliness: 8.2 ⁸
	Percentage of litigation files resolved in a fiscal year that have a successful outcome (settled or adjudicated) from the Crown's perspective	70% or greater	March 2019	80%	79%	80%

The results from the Client Feedback Survey (CFS) show that the Department either met or exceeded the target of 8.0 in 2018-19 and that client satisfaction ratings remained relatively stable over the last three years. Approximately 50% of service users have been surveyed as of March 31, 2019. The complete results including all service users will be available in March 2020.

² The results presented reflect interim feedback collected during Cycle III of the Legal Services Client Feedback Survey (2016-2017, 2017-2018 and 2018-2019). The Departmental Survey Report will be completed in 2020.

³ See note 2.

⁴ See note 2.

⁵ There was an insufficient number of respondents to report results for this service.

⁶ See note 2.

⁷ See note 2.

⁸ See note 2.

Budgetary Financial Resources (Dollars)

2018–19 Main Estimates	2018–19 Planned spending	2018–19 Total authorities available for use	2018–19 Actual spending (authorities used)	2018–19 Difference (Actual spending minus Planned spending)
184,853,562	184,853,562	244,330,076	243,874,771	59,021,209*

*The variance between actual spending and planned spending is primarily explained by additional salary expenditures related to the increased workforce and increased expenditures in retroactive payments related to the ratification of various collective agreements.

Human Resources (Full-Time Equivalents)

2018–19 Planned full-time equivalents	2018–19 Actual full-time equivalents	2018–19 Difference (Actual full-time equivalents minus Planned full-time equivalents)
3,039	3,122	83*

*The increase in human resources is related in large part to increased litigation for a broad variety of client departments and agency files as well as a few full-time equivalents for legal services to support the Canada Revenue Agency's commitment to reduce tax evasion and combat tax avoidance.

Financial, human resources and performance information for the Department of Justice's Program Inventory is available in the [GC InfoBase](#).⁴⁴

Justice System Support

Description

The Department plays an essential role in ensuring a fair, relevant and accessible Canadian justice system. This 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.

Results

Under the Justice System Support core responsibility, the Department works to achieve three key results:

1. Justice Canada laws and policies abide by the rule of law and promote respect for rights and a fair, accessible and relevant legal framework in Canada.
2. The criminal justice system supports alternative ways of responding to the causes and consequences of offending.
3. Canadians in contact with the justice system have access to appropriate services enabling a fair, timely and accessible justice system.

The Department is responsible for developing and coordinating all federal justice legislative reforms, policy options, initiatives and related programming. The Department tests innovative programming approaches to strengthening the legal framework within the following domains: criminal justice (including sentencing, criminal procedure, youth criminal justice and justice for victims of crime); Indigenous justice; family and children's law (including separation and divorce); access to justice; bijuralism⁹; judicial affairs; human rights; privacy; access to information, and official languages.

GBA+

Gender-Based Analysis Plus (GBA+) considerations were taken into account throughout the development of [Bill C-75](#)⁴⁵, *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*. The GBA+ assessment showed that the proposed amendments were expected to have differential, but positive impacts, on women and other vulnerable marginalized groups. For instance, it showed that the overwhelming majority of victims of intimate partner violence are women, who tend to experience multiple victimizations and severe violence. Consequently, the reforms to strengthen the criminal justice system response to intimate partner violence are expected to have a positive impact on victims and survivors, who are predominantly women, by providing them with greater protection at the bail and sentencing stages.

⁹ Bijuralism is defined as the coexistence of two legal traditions within a single state. Since the common law and civil law coexist in Canada in both official languages, Canada is said to be a bijural country.

GBA+ informed the development of *Bill C-78*⁴⁶, *An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act*. The analysis considered that, with respect to family violence, children are particularly vulnerable members of the family; Statistics Canada data also indicates that, in comparison to men, women are more likely to suffer more serious types of intimate partner violence and more serious injuries. Overall, *Bill C-78* promotes faster, more cost-effective and lasting solutions to family law disputes, reducing the burden on courts and leading to better outcomes for families.

Through the Legal Aid Program (under Legal Representation), the Department funded projects across Canada which provide legal information and advice to persons who have experienced sexual harassment in the workplace, regardless of their economic status.

As well, the Justice Partnerships and Innovation Program (under Justice System Partnerships), funding was made available to develop a pan-Canadian public legal education and information outreach program to better inform workers about their rights and how they can access help if they have been harassed in the workplace.

The following provides specific highlights for each key result under the Justice System Support core responsibility.

1. Result: Justice Canada Laws and Policies Abide by the Rules of Law and Promote Respect for Rights and a Fair, Accessible and Relevant Legal Framework in Canada

The Department worked to foster public safety and security while transforming the criminal justice system. It did so by supporting improvements that helped increase efficiencies and reduce delays for all those involved in the system as well as assisting in reducing the overrepresentation of Indigenous peoples and vulnerable populations in the criminal justice system.

Reform initiatives included under *Bill C-75, An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*, will strengthen, transform and modernize the criminal justice system, by focusing on bail measures, administration of justice offences (AOJOs), preliminary inquiries, reclassification of offences, judicial case management, jury-selection processes, and measures to further increase criminal justice system efficiencies. In the context of young persons, reform initiatives encouraging the use of alternatives to charges for AOJOs, ensuring that bail or sentence conditions are necessary and reasonable and only imposed for valid criminal justice purposes, and limiting the use of custody for AOJOs. The purpose of these amendments is to reduce delays in the youth criminal justice system and to increase the effectiveness of this system with respect to offences against the administration of justice.

What is GBA+?

GBA+ is an analytical tool used to assess the potential impacts of policies, programs, services and other initiatives on diverse groups of women, men and people with other gender identities. The “plus” in GBA+ acknowledges that GBA+ goes beyond biological (sex) and socio-cultural (gender) differences. We all have multiple identity factors that intersect to make us who we are; GBA+ also considers many other identity factors, like ethnicity, religion, age, and mental or physical disability.

Other amendments to the *Criminal Code* came into force to remove outdated provisions and clarified and strengthened sexual assault law to ensure that victims of sexual assault and gender-based violence are treated with the utmost compassion and respect through [Bill C-51](#)⁴⁷, *An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act*.

The Department continued efforts to promote respect for rights by supporting amendments to the *Department of Justice Act* (former Bill C-51), that requires the Minister of Justice to table a statement of a bill's potential effects on the rights and freedoms guaranteed by the *Charter* for all government bills.

Through [Bill C-84](#)⁴⁸, *An Act to amend the Criminal Code (bestiality and animal fighting)*, the Department also supported the introduction of legislation to update the *Criminal Code* to strengthen protections for children and other vulnerable individuals and advance animal protection by broadening the scope of bestiality and animal fighting offences. The new legislation will better protect children and animals from cruelty and abuse.

In addition, to the work done under Legal Services, the Department provided policy support for passage and implementation of the *Cannabis Act* (former [Bill C-45](#)⁴⁹). This Act creates a strict legal framework for controlling the production, distribution, sale and possession of cannabis across Canada.

The Department led the development of [Bill C-46](#)⁵⁰, *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*, that repealed and replaced the entire *Criminal Code* transportation regime. This resulted in a modernized, simplified and comprehensive approach to transportation offences, including drug and alcohol impaired driving. This area is one of the most litigated in the *Criminal Code*.

The Department played a key role in the continued implementation of the *Truth and Reconciliation Commission's Calls to Action* including the Calls to Action #42 (administration of justice) and #43 (implementation of the United Nations Declaration on the Rights of Indigenous Peoples). The Department did so by leading exploratory discussions that led to progress toward agreements with Indigenous communities on developing innovative approaches to Indigenous-led administration of justice and by working on engagement strategies with provinces, territories and Indigenous peoples.

The Department provided support in the elaboration and implementation of Canada's foreign policy to ensure that it is coordinated with Canadian criminal law and criminal law policy, while advancing and protecting Canadian interests and values in the development of international anti-crime and terrorism measures. In this regard, the Department also participated in the crime prevention and criminal justice work of the United Nations, including as part of the annual sessions of the United Nations Commission on Crime Prevention and Criminal Justice. The Department drafted a resolution on cybercrime that will be recommended for adoption at the 2019 session of the United Nations General Assembly.

The Department also participated in the following international criminal justice related meetings:

- The Organization for Economic Co-operation and Development;
- The Organization of American States;
- The Council of Europe;
- The Commonwealth;
- The G7 and other multilateral fora.

At the Council of Europe, the Department along with Global Affairs Canada, participated in the negotiation of an Additional Protocol to the Council of Europe Convention on Cybercrime on access to transborder data.

The Government of Canada also became a full member of the European Commission for Democracy through Law (Venice Commission) with the Department of Justice as the lead on Canada's participation. Membership in the Venice Commission is consistent with the Department's mandate, policies and programs, which promote respect for constitutionalism, the rule of law, the administration of justice (including judicial independence), human rights, and the protection of minorities.

In the field of family law, the Department introduced legislation to modernize Canada's family justice system to make it more relevant, accessible and efficient (Bill C-78, *An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act*). This is the first substantive change to Canada's family law regime in over 20 years. The new legislation aims to put the best interests of the children first, help alleviate child poverty, address family violence, and improve the efficiency and effectiveness of the family justice system. In addition, the new legislation allows parties to use either official language in all proceedings before the courts of first instance under the *Divorce Act*.

To support the Government in its commitment to increase the use of restorative justice processes as part of the review of the criminal justice system, the Department, in collaboration with other federal departments and provincial and territorial governments, updated the *Principles and Guidelines on Restorative Justice Practice in Criminal Matter* to support the increased use of restorative justice. Federal, provincial and territorial ministers of justice agreed to increase the use of the principles and guidelines by a minimum target of five percent per jurisdiction, where possible, over the next three years.

Results Achieved

Departmental result	Performance indicators	Target	Date to achieve target	2018–19 Actual results	2017–18 Actual results	2016–17 Actual results
Justice Canada laws and policies abide by the rule of law and promote respect for rights and a fair, accessible and relevant legal framework in Canada	Canada's international ranking with respect to the rule of law	Top 10%	March 2019	7.1% ¹⁰ (9/126)	8.0% ¹¹ (9/113)	10.6% ¹² (12/113)
	Percentage of Canadians who think that the criminal justice system is: a) fair, and b) accessible	TBD	March 2019 ¹³	57% of Canadians have moderate to high confidence that the criminal justice system is fair 62% of Canadians have moderate to high confidence the criminal justice system is accessible ¹⁴	Not available New Indicator	Not available New Indicator
	Number of constitutional challenges in the provincial and territorial courts of appeal and the Supreme Court of Canada	TBD Baseline Year	March 2019	Provincial/ territorial courts of appeal: 56 Supreme Court of Canada appeals: 5	Not available New Indicator	Not available New Indicator

¹⁰ World Justice Project Rule of Law Index 2019, https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2019-Single%20Page%20View-Reduced_0.pdf

¹¹ World Justice Project Rule of Law Index, 2017-18 https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2018-June-Online-Edition_0.pdf

¹² World Justice Project Rule of Law 2016, https://worldjusticeproject.org/sites/default/files/documents/RoLI_Final-Digital_0.pdf

¹³ The development of a target for this new performance indicator is ongoing.

¹⁴ National Justice Survey 2018, Final Report http://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice_canada/2019/061-18-e/report.pdf

2. Result: The Criminal Justice System Supports Alternative Ways of Responding to the Causes and Consequences of Offending

The [Indigenous Justice Program](#)⁵¹ provided significant financial support for community-based programs that use culturally relevant restorative justice approaches to address the overrepresentation of Indigenous people as offenders, victims and accused. The programs are community-led and designed to reflect the cultures, values and specific justice needs of the communities in which they are situated. Programs work to address the underlying causes of offending, such as past trauma, substance abuse and mental health issues, and often use restorative justice approaches that involve victims and other community members. The program supported 196 Indigenous community-based justice programs that serve over 750 urban, rural and Northern communities, both on-and off-reserve.

The Department provided funding through the [Drug Treatment Court Funding Program](#)⁵² to the participating provinces and territories for court-monitored treatment and community service for non-violent offenders with drug addictions. One objective of the program is to promote and strengthen the use of alternatives to incarceration.

Funding was provided by the Department through the [Victims of Crime Program](#)⁵³ to the Government of Nunavut for a therapeutic justice pilot project to provide traditional counselling and clinical therapy to individuals involved in the justice system as a result of mental health issues and addiction arising from factors such as trauma, violence, abuse and past victimization. The project aims to improve services to Indigenous peoples and those with mental illness throughout the criminal justice system and allows for interventions based on principles of healing and restorative justice.

The Department also provided financial support to the provinces and territories through the [Youth Justice Program](#)⁵⁴, which directly support the policy directions of the *Youth Criminal Justice Act*⁵⁵. The youth justice system strives to give priority to the support and promotion of community-based youth justice services and programs that allow jurisdictions to minimize their use and reliance on custody. According to Statistics Canada's most recent available youth court data, 87% of all guilty youth received a non-custodial sentence. The funding assists in providing a range of youth justice programs and services that target young persons in conflict with the law, such as:

- Diversion/extrajudicial measures and extrajudicial sanctions programs;
- Rehabilitative and reintegration services;
- Judicial interim release programs;
- Reports and assessments;
- Intensive support and supervision and attendance programs; and
- Conferencing and other community-based sanctions.

Result Achieved

Departmental result	Performance indicator	Target	Date to achieve target	2018–19 Actual results	2017–18 Actual results	2016–17 Actual results
The criminal justice system supports alternative ways of responding to the causes and consequences of offending	Number and type of restorative justice programs/processes available	Maintain baseline level of 448 or increase	March 2019	448 restorative justice programs ¹⁵	Not available New Indicator	Not available New Indicator
	Number of people who have used the available restorative programs/processes ¹⁶	TBD	March 2019	Not available	Not available	Not available
	Number/percentage of court-imposed community-based sentences as compared to number /percentage of incarceration sentences	35% custody sentences	March 2019	Not available ¹⁷	Not available ¹⁸	38%
	Percentage of individuals who were referred to an Indigenous justice program and participated in the program	90% or greater	March 2019 ¹⁹	Not available	Not available	Not available

¹⁵ Self-reported in the Directory of Restorative Justice.

¹⁶ Performance indicator under review as a result of lack of data availability.

¹⁷ Most recent data published by Statistics Canada is for 2016-17.

¹⁸ See note 17.

¹⁹ Since the publication of the 2018-19 Departmental Plan, the date to achieve target was revised to March 2022.

Departmental result	Performance indicator	Target	Date to achieve target	2018–19 Actual results	2017–18 Actual results	2016–17 Actual results
The criminal justice system supports alternative ways of responding to the causes and consequences of offending	Percentage of youth court cases receiving a non-custodial (community-based) sentence as compared to previous reported years	85% or greater	March 2019	Not available ²⁰	Not available ²¹	87% ²²
	Percentage of identified, eligible intensive Rehabilitative Custody and Supervision cases receiving specialized treatment	100%	March 2019	100%	100%	100%

²⁰ Most recent data published by Statistics Canada is for 2016-17.

²¹ See note 20.

²² Restated given updated data.

3. Result: Canadians in Contact with the Justice System Have Access to Appropriate Services Enabling a Fair, Timely and Accessible Justice System

Through the Policy Centre for Victims Issues, the Department continued to implement the Federal Victims Strategy, the objective of which is to give victims of crime a more effective voice in the criminal justice system. More specifically, under the Victims of Crime Program, the [Family Information Liaison Units](#)⁵⁶ (FILU), continued to deliver services across the country to ensure that families of missing and murdered Indigenous women and girls have access to available information from government agencies about their missing or murdered loved ones. Funding also supported the design and delivery of Indigenous-led community-based activities that provide direct support and assistance to family members.

As well, the Victims of Crime Program provided resources to interested provinces and territories in support of pilot projects to offer independent legal advice to victims of sexual violence. These projects are aimed at enhancing access to justice and increasing the amount of information provided to victims of sexual assault. Other resources for eligible recipients through the Victims of Crime Program addressed the needs of vulnerable victims, victims of sexual offences and human trafficking, and child victims in remote, rural and Indigenous communities.

The Office of the Federal Ombudsman for Victims of Crime (OFOVC) provided direct information, referral and complaint-review services to 441 primary clients in 2018-19, including victims, victims' family members or representatives, victim-serving agencies, and other stakeholders. More information on the OFOVC services and mandate is available in the most recently published annual report at <https://victimsfirst.gc.ca/res/pub/ar1617-ra1617/index.html>.

Through the Department's [Indigenous Courtwork Program](#)⁵⁷ under the Indigenous Justice Program, Indigenous Courtworkers continued to provide high quality, timely services to Indigenous people in contact with the criminal justice system (including accused persons, victims, witnesses and family members). These services ensure Indigenous people have the representation services they need to navigate the criminal justice system.

The Department's [Legal Aid Program](#)⁵⁸ continued to support the delivery of legal aid services to address the needs of economically disadvantaged persons, including vulnerable populations. Funding under this program was provided for criminal legal aid for adults and youths, immigration and refugee legal aid, as well as state-funded counsel in federal prosecutions.

The Department continued its efforts to ensure access to appropriate services to support families experiencing separation and divorce by providing funding, through the [Family Justice Program](#)⁵⁹, to provincial and territorial governments as well as non-governmental organizations. Projects and activities were funded to:

- Help streamline the family justice system;
- Support alternatives to court;
- Deliver workshops to provide information and materials targeting diverse and underserved populations; and
- Support family well-being.

As well, the Department continued to modernize [Central Registry of Divorce Proceedings \(CRDP\)](#)⁶⁰ operations, strengthening the family justice system by leveraging new technologies to improve service delivery and streamline processes. The Registry keeps nation-wide records of divorce applications filed after July 2, 1968, and advises the courts if more than one divorce application involving the same two spouses is registered. The CRDP supported 27 Courts with online access to its databank. As well, in November 2018, the province of Ontario fully implemented data exchange between their provincial case management and the CRDP databank.

Finally, through the Government’s Action Plan on Official Languages 2018-2023: Investing in Our Future, the [Department’s Access to Justice in Both Official Languages Support Fund](#)⁶¹ funded 63 projects to increase the capacity of the justice system and its stakeholders to offer justice services in both official languages. These included applied language training for 55 provincially appointed judges and increased availability of legal information to official language minority communities.

Results Achieved

Departmental result	Performance indicator	Target	Date to achieve target	2018–19 Actual results	2017–18 Actual results	2016–17 Actual results
Canadians in contact with the justice system have access to appropriate services enabling a fair, timely and accessible justice system	Percentage of federal funds accessed by provinces, territories, non-governmental organizations and other stakeholders to deliver targeted services consistent with federal priorities	100%	March 2019	98%	98%	98%
	Percentage of Indigenous Courtwork Program clients indicating a level of satisfaction of “satisfied” or “very satisfied” with the usefulness of the information provided	80% or greater	March 2019	Not available ²³	95%	Not available ²⁴
	Number of times duty counsel provide assistance in criminal matters	1,000,000 or greater	March 2019	Not available ²⁵	993,971 ²⁶	925,123 ²⁷

²³ The Indigenous Courtwork client survey is only administered every five years in the course of program evaluations. The next evaluation is scheduled for 2022-23

²⁴ See note 23.

²⁵ To be published in Legal Aid in Canada, 2018-19 annual report.

²⁶ Legal Aid in Canada, 2017-18, <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/1718/1718.pdf>

²⁷ Legal Aid in Canada, 2016-17, <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/aid-aide.pdf>

Departmental result	Performance indicator	Target	Date to achieve target	2018–19 Actual results	2017–18 Actual results	2016–17 Actual results
Canadians in contact with the justice system have access to appropriate services enabling a fair, timely and accessible justice system	Number of full service criminal legal aid applications approved	270,000 or greater	March 2019	Not available ²⁸	266,263 ²⁹	276,936 ³⁰
	Percentage of Office of the Federal Ombudsman for Victims of Crime (OFOVC) client inquiries or complaints that are assessed and acted upon	100%	March 2019	100%	Not available	Not available

²⁸ To be published in Legal Aid in Canada, 2018-19 Annual Report.

²⁹ Legal Aid in Canada, 2017-18, <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/1718/1718.pdf>

³⁰ Legal Aid in Canada, 2016-17, <https://www.justice.gc.ca/eng/rp-pr/jr/aid-aide/aid-aide.pdf>

Budgetary Financial Resources (dollars)

2018–19 Main Estimates	2018–19 Planned spending	2018–19 Total authorities available for use	2018–19 Actual spending (authorities used)	2018–19 Difference (Actual spending minus Planned spending)
437,758,882	437,758,882	460,369,523	448,180,851	10,421,969*

The variance between actual spending and planned spending is primarily explained by the increase in contribution funding for Access to Justice in Both Official Languages, and Immigration and Refugee Legal Aid and by increased expenditures in retroactive payments related to the ratification of various collective agreements.

Human Resources (Full-Time Equivalents)

2018–19 Planned full-time equivalents	2018–19 Actual full-time equivalents	2018–19 Difference (Actual full-time equivalents minus Planned full-time equivalents)
289	291	2

Financial, human resources and performance information for the Department of Justice's Program Inventory is available in the [GC InfoBase](#).⁶²

Evaluation

The Department completed one evaluation in 2018-19 in its efforts to maximize the efficiency and effectiveness of departmental functions and programs. A number of evaluations were also launched during 2018-19, and will be concluded in future years.

The evaluation of the [Federal Support for Family Justice](#)⁶³ was completed in March 2019. The main objective of the evaluation was to address issues related to relevance, effectiveness and efficiency. The evaluation concluded that there is an ongoing need for federal support to strengthen the family justice system and the Department is well positioned to fulfill this need. Findings also indicated that the Department has contributed to the overall effectiveness of the family justice system and that grants and contributions have been delivered efficiently. However, access to family justice could be increased and strengthened to meet the needs of diverse and underserved populations.

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:

- ▶ Acquisition Management Services
- ▶ Communications Services
- ▶ Financial Management Services
- ▶ Human Resources Management Services
- ▶ Information Management Services
- ▶ Information Technology Services
- ▶ Legal Services
- ▶ Materiel Management Services
- ▶ Management and Oversight Services
- ▶ Real Property Management Services

Supporting Employees

In 2018-19, the Department established a Finance-to-Pay team to improve the efficiency of employee pay file reconciliations, help employees and managers navigate pay-related issues, and ensure that Justice employees experiencing pay issues received priority payments as quickly as possible, when needed.

In Supporting our People, Justice continued to focus on the human resources foundation by developing organizational structures; defining, classifying and aligning jobs and positions with departmental priorities; and ensuring that employees are paid fairly and appropriately, for the work they perform.

With the implementation of the Human Resources Management Plan and the Employment Equity Plan, the Department developed strategies to identify, recruit, develop and retain a diverse workforce and key talent to meet current and future needs. By putting in place key recruitment and development initiatives, such as the Paralegal Recruitment Strategy, the Legal Excellence Program for articling students, the Federal Student Work Experience Program, and the Indigenous Summer Employment Opportunity, the Department continued to build a diverse, inclusive and representative workforce.

GBA+ training continued to be a requirement for all Justice employees. As a result, employees are more informed about how to assess the potential impacts of policies, programs and other initiatives on diverse groups within the Canadian population.

The Department continued to support the [Federal Public Service Workplace Mental Health Strategy](#)⁶⁴ through the continued implementation of the Mental Health Action Plan 2017-2020. Some of our achievements included publishing 21 internal articles related to mental health and holding 38 awareness sessions for employees. An action plan was developed to implement a Psychological Health and Safety Management System in the Department and consultations in support of this plan were initiated.

Promoting Innovation and Collaboration

The Department continued to advance an open-by-default approach to information sharing while leveraging technology to improve collaboration. The Digital Workspace provides a platform for collaboration and document management across the Department, and is a fundamental service for the management of corporate information.

Innovation and collaboration are central to the Department's efforts to provide more strategic, proactive and relevant communications to all Canadians. In 2018-19, the Department continued to use a digital-by-design, digital-first communications approach to reach Canadians. This included using social media to its fullest capacity to share accurate and timely information and develop storylines that dynamically explain laws and policies to Canadians. Over the report period, the Department gained more than 21,400 new followers across its multiple social media platforms.

The Department began implementing a modernized Legal Case Management System. This tool will assist employees in improving data integrity, timekeeping, document management and collaboration.

The Department continues to explore the use of artificial intelligence (AI) and cloud services to identify key areas where these tools could have the greatest impact. The Department's AI Task Force launched a new working group to develop legal guidance in this emerging area of law. An AI area of practice on Justipedia (the Department's legal knowledge portal) was launched, and training focused on AI and the law was developed.

Justice continues to support the [Federal Sustainable Development Strategy \(FSDS\) 2016-2019](#)⁶⁵ by taking actions to facilitate the shift to a low-carbon government, as set out in the [Justice Sustainable Development Strategy \(JSDS\) 2017-2020](#)⁶⁶. The Department has also contributed to reporting on the United Nations (UN) [Sustainable Development Agenda 2030 goals](#)⁶⁷.

Results

Budgetary Financial Resources (dollars)

2018–19 Main Estimates	2018–19 Planned spending	2018–19 Total authorities available for use	2018–19 Actual spending (authorities used)	2018–19 Difference (Actual spending minus Planned spending)
75,132,559	75,132,559	98,410,946	96,751,723	21,619,164*

*The variance between actual spending and planned spending is primarily explained by additional expenditures related to leasehold improvements for accommodation and by increased expenditures in retroactive payments related to the ratification of various collective agreements

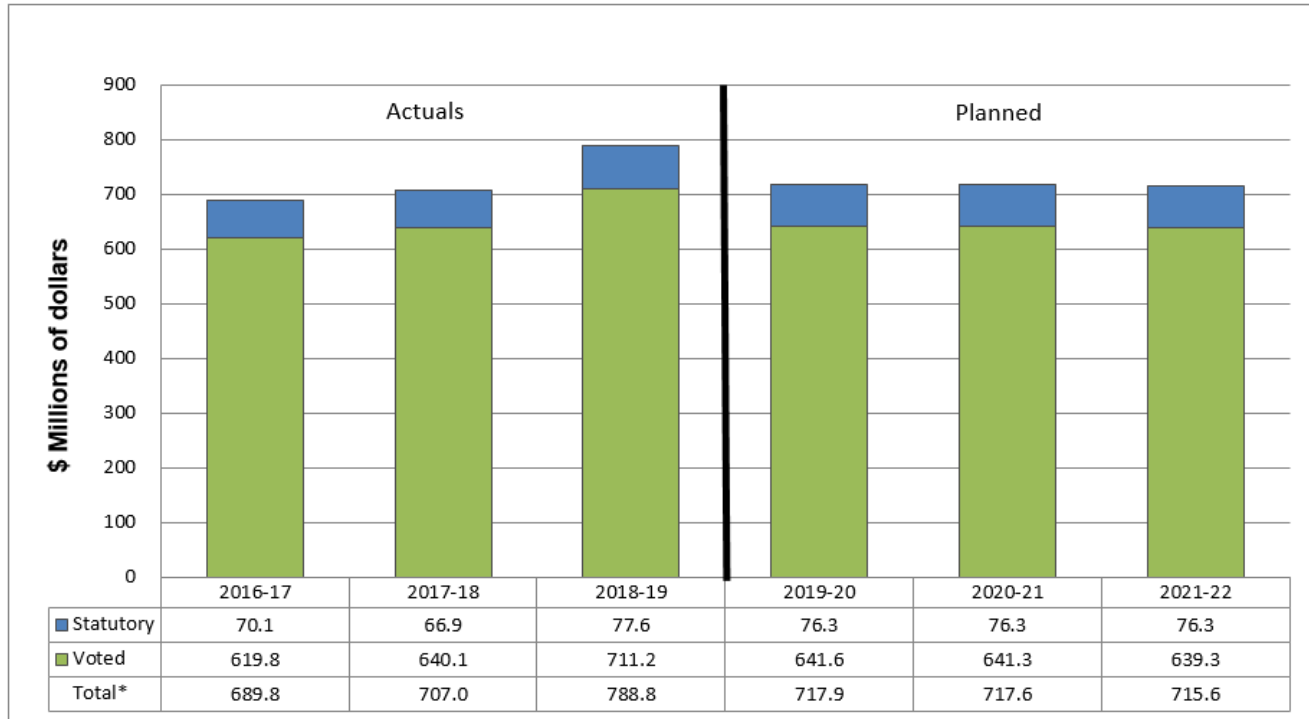
Human Resources (Full-Time Equivalents)

2018–19 Planned full-time equivalents	2018–19 Actual full-time equivalents	2018–19 Difference (Actual full-time equivalents minus Planned full-time equivalents)
985	973	-12

Analysis of Trends in Spending and Human Resources

Actual Expenditures

Departmental Spending Trend Graph



* Differences may arise due to rounding.

Budgetary Performance Summary for Core Responsibilities and Internal Services (dollars)

Core Responsibilities and Internal Services	2018–19 Main Estimates	2018–19 Planned spending	2019–20 Planned spending	2020–21 Planned spending	2018–19 Total authorities available for use	2018–19 Actual spending (authorities used)	2017–18 Actual spending (authorities used)	2016–17 Actual spending (authorities used)
Legal Services	184,853,562	184,853,562	194,853,652	194,920,797	244,330,076	243,874,771	180,732,263	186,457,240
Justice System Support	437,758,882	437,758,882	444,923,893	445,030,079	460,369,523	448,180,851	430,621,197	416,312,567
Subtotal	622,612,444	622,612,444	639,777,545	639,950,876	704,699,599	692,055,622	611,353,460	602,769,807
Internal Services	75,132,559	75,132,559	78,105,514	77,676,082	98,410,946	96,751,723	95,648,611	87,049,639
Total	697,745,003	697,745,003	717,883,059	717,626,958	803,110,545	788,807,345	707,002,071	689,819,446

In 2018-19, Main Estimates totaled \$697.7 million and the total authorities available amounted to \$803.1 million. The total authorities available include \$5.4 million of funding received through the 2018-19 Supplementary Estimates processes and \$99.9 million of funding from Treasury Board Central Votes such as Compensation Adjustments, Operating Budget Carry Forward and Budget Implementation, and other small adjustments.

The \$14.3 million variance between the total authorities available of \$803.1 million and the actual spending of \$788.8 million is mostly explained by unspent Grants and Contributions funding.³¹

The Department’s total actual spending of \$788.8 million represents an 11.6% increase compared to 2017-18 (\$707.0 million). This increase is primarily explained by the retroactive compensation payments and salary increases from various collective agreements that were signed and ratified in 2018-19 and by an increase in spending on Grants and Contributions specifically for the one-time funding to address demand for Immigration and Refugee Legal Aid.

2018–19 Budgetary Actual Gross Spending Summary (dollars)

Core Responsibilities and Internal Services	2018–19 Actual gross spending	2018–19 Actual gross spending for specified purpose accounts	2018–19 Actual revenues netted against expenditures	2018–19 Actual net spending (authorities used)
Legal Services	523,191,854	0	279,317,083	243,874,771
Justice System Support	448,180,851	0	0	448,180,851
Subtotal	971,372,705	0	279,317,083	692,055,622
Internal Services	147,550,253	0	50,798,530	96,751,723
Total	1,118,922,958	0	330,115,613	788,807,345

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 spendable revenue. For the purpose of departmental reporting, Vote-Netted Revenue is the total amount of expenditures reduced by the revenues received by the Department.

Vote-Netted Revenue (millions of dollars)

	2016-17 Actual	2017-18 Actual	2018-19 Planned	2018-19 Actual	2019-20 Planned	2020-21 Planned
Vote-Netted Revenue	306.3	316.3	296.2	330.1	327.0	327.0

*The 2019-20 and 2020-21 planned revenues correspond to the Departmental Vote-Netted Revenue authority.

³¹ For additional information on Grants and Contributions funding and spending refer to the Transfer Payment Programs Supplementary Information tables.

In 2018-19, \$330.1 million of Vote-Netted Revenue was collected, an increase of \$13.8 million compared to 2017-18. This increase is primarily due to a 2.0% increase to legal service rates in 2018-19 to account for salary adjustments due to the ratification of various collective agreements. In addition, this increase is due to increased litigation for a broad variety of client departments and agency files, as well as legal services to support the Canada Revenue Agency's commitment to reduce tax evasion and combat tax avoidance.

Actual Human Resources

Human Resources Summary for Core Responsibilities and Internal Services
(full-time equivalents)

Core Responsibilities and Internal Services	2016–17 Actual full-time equivalents	2017–18 Actual full-time equivalents	2018–19 Planned full-time equivalents	2018–19 Actual full-time equivalents	2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents
Legal Services	3,047	3,044	3,039	3,122	3,130	3,130
Justice System Support	298	296	289	291	296	296
Subtotal	3,345	3,340	3,328	3,413	3,426	3,426
Internal Services	966	971	985	973	974	974
Total	4,311	4,311	4,313	4,386	4,400	4,400

Expenditures by Vote

For information on the Department of Justice's, organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2018–2019](#)⁶⁸.

Government of Canada Spending and Activities

Information on the alignment of the Department of Justice's spending with the Government of Canada's spending and activities is available in the [GC InfoBase](#)⁶⁹.

Financial Statements and Financial Statements Highlights

Financial Statements

The financial highlights presented within this document are intended to serve as a general overview of the Department'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, as reflected in previous 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’s financial statements (unaudited) for the year ended March 31, 2019, are available on the [departmental website](#)⁷⁰.

Financial Statements Highlights

The financial results are reported by the Department’s core responsibilities and associated internal services. The two core responsibilities 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, 2019 (dollars)

Financial information	2018–19 Planned results	2018–19 Actual results	2017–18 Actual results	Difference (2018–19 Actual results minus 2018–19 Planned results)	Difference (2018–19 Actual results minus 2017–18 Actual results)
Total expenses	1,068,855,000	1,207,153,970	1,103,876,745	138,298,970	103,277,225
Total revenues	296,200,000	330,556,030	316,307,501	34,356,030	14,248,529
Net cost of operations before government funding and transfers	772,655,000	876,597,940	787,569,244	103,942,940	89,028,696

Planned Results

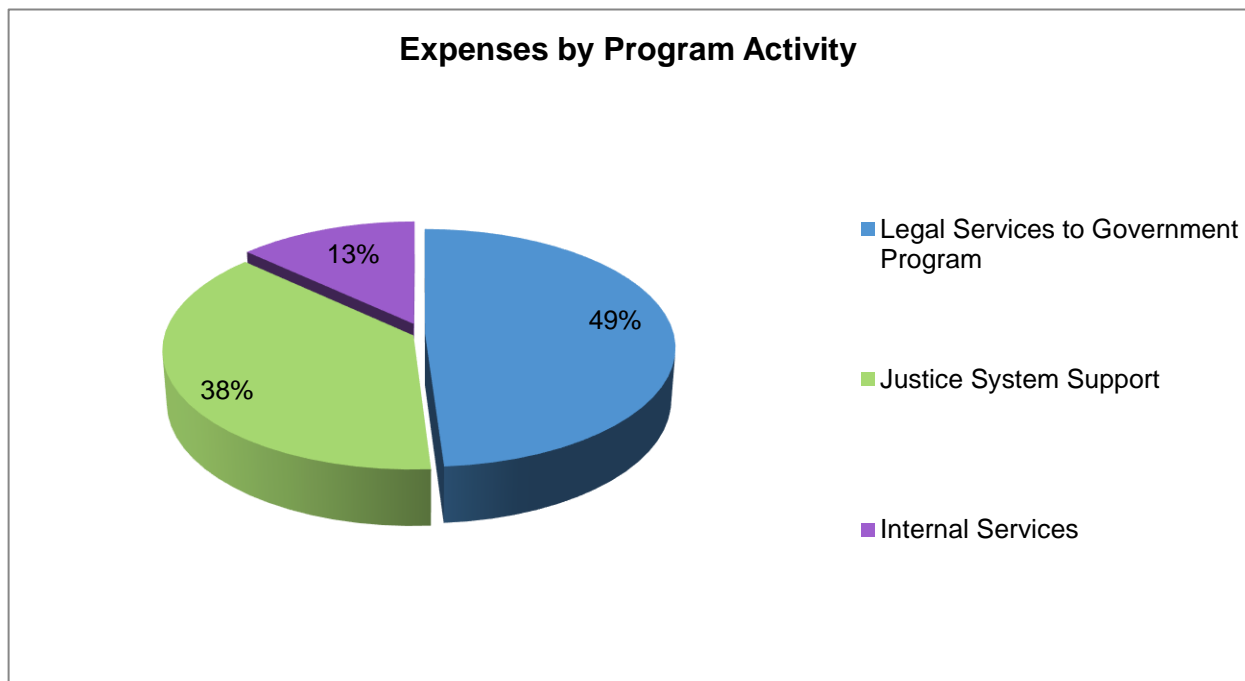
Planned Results are based on the Future-Oriented Financial Statements presented in the [2018-19 Departmental Plan](#)⁷¹. The actual expenses for 2018-19 were \$138.3 million higher than planned expenses mainly due to the following: retroactive compensation payments and in-year increments related to the ratification of various collective agreements; overpayments related to Phoenix pay system implementation, an increase in transfer payments related to cost-shared agreements such as Criminal Legal Aid; Immigration and Refugee Legal Aid; new funding received for Access to Justice in Official Languages and Vulnerable Victims; and the modernization of IT infrastructure.

The actual revenues for 2018-19 are \$34.4 million higher than planned revenues. This is mostly explained by the increase in the legal services rates for 2018-19, as approved by Treasury Board, which included anticipated increased costs for the Law Practitioner (LP) group collective agreement, and by the change in the funding model for some initiatives, which resulted in increased cost recovery from clients.

Expenses

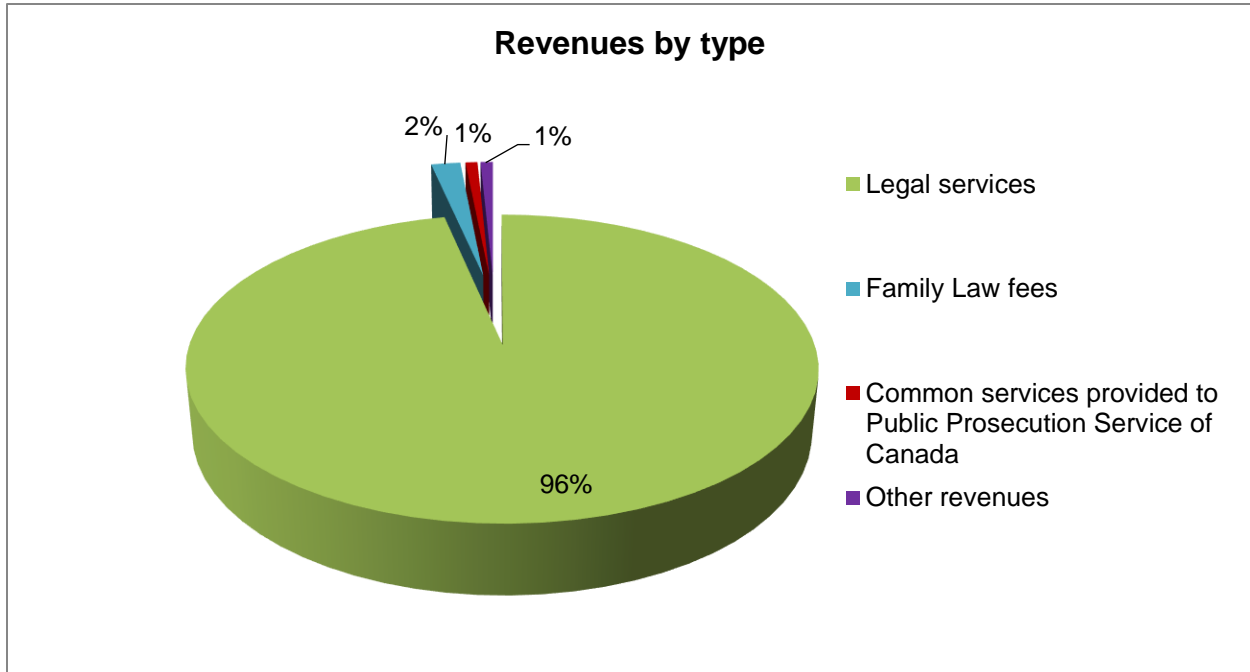
Total departmental expenses were \$1.2 billion in 2018-2019, which represents an increase of \$103.3 million from 2017-18. The variance is mainly explained by the following factors:

- An increase in salaries and employee benefits due to retroactive compensation payments and in-year compensation increases, primarily related to the ratification of various collective agreements;
- An increase in transfer payment expenses related to contributions to assist in the operation of Criminal Legal Aid and Immigration and Refugee Legal Aid as well as new funding for Access to Justice in Official Languages and Vulnerable Victims;
- An increase in purchases of IT and office equipment.



Revenues

Total departmental revenues were \$330.6 million in 2018-19, a net increase of \$14.2 million from 2017-18. This variance is mainly explained by increases to the legal services rates and increased litigation for a broad variety of files across client departments and agencies.



Condensed Statement of Financial Position (unaudited) as of March 31, 2019
(dollars)

Financial Information	2018–19	2017–18	Difference (2018–19 minus 2017–18)
Total net liabilities	445,936,949	423,513,912	22,423,037
Total net financial assets	407,182,504	385,368,082	21,814,422
Departmental net debt	38,754,445	38,145,830	608,615
Total non-financial assets	44,079,979	38,904,143	5,175,836
Departmental net financial position	5,325,534	758,313	4,567,221

The departmental net financial position increased by \$4.6M, primarily due to the capitalization of leasehold improvements and software development.

Supplementary Information

Corporate Information

Organizational Profile

Appropriate minister: David Lametti, P.C., Q.C., M.P.

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

Ministerial portfolio: Justice

Enabling instrument: *Department of Justice Act*⁷²

Year of incorporation / commencement: 1868

Raison D'être, Mandate and Role: Who we are and What we Do

For more general information about the Department's Raison d'être, mandate and role, see the [Department of Justice Canada's website](#).⁷³

For more information on the Department's organizational mandate letter commitments, see the [Minister's mandate letter](#).⁷⁴

Operating Context and Key Risks

Information on operating context and key risks is available on the [Department of Justice Canada's website](#).⁷⁵

Reporting Framework

The Department of Justice Departmental Results Framework and Program Inventory for 2018–19 are shown below.

	Core Responsibility 1: Legal Services	Core Responsibility 2: Justice System Support	
Departmental Results Framework	<p>Departmental Result: Departments and agencies receive high quality legal services.</p>	<p><u>Indicators</u></p> <ul style="list-style-type: none"> Client satisfaction mean rating of 8.0 (or greater) on a 10-point scale on the overall quality of legal services. Client satisfaction mean rating of 8.0 (or greater) on a 10-point scale on the performance of legal services against the Service Standards for the Provision of Legal Services in Government. Percentage of litigation files resolved in a fiscal year that have a successful outcome (settled or adjudicated) from the Crown's perspective. 	<p>Departmental Result: Justice Canada laws and policies abide by the rule of law and promote respect for rights and a fair, accessible and relevant legal framework in Canada.</p>
		<p><u>Indicators</u></p> <ul style="list-style-type: none"> Canada's international ranking with respect to the rule of law. Percentage of Canadians who think that the criminal justice system is a) fair; and b) accessible Number of constitutional challenges in the provincial and territorial courts of appeal and the Supreme Court of Canada. 	Internal Services
		<p>Departmental Result: The criminal justice system supports alternative ways of responding to the causes and consequences of offending.</p>	<p><u>Indicators</u></p> <ul style="list-style-type: none"> Number and type of restorative justice programs/processes available. Number of people who have used the available restorative justice programs/processes. Number/percentage of court imposed community based sentences as compared to number/percentage of incarceration sentences. Percentage of individuals who were referred to an Indigenous Justice Program and participated in the Program. Percentage of youth court cases receiving a non-custodial (community-based) sentence as compared to previous reported years. Percentage of identified, eligible Intensive Rehabilitative Custody and Supervision cases receiving specialized treatment.
		<p>Departmental Result: Canadians in contact with the justice system have access to appropriate services enabling a fair, timely and accessible justice system.</p>	<p><u>Indicators</u></p> <ul style="list-style-type: none"> Percentage of federal funds accessed by provinces, territories, non-governmental organizations and other stakeholders to deliver targeted services consistent with federal priorities. Percentage of Indigenous Courtwork Program clients indicating a level of satisfaction of "satisfied" or "very satisfied" with the usefulness of the information provided. Number of times duty counsel provide assistance in criminal matters. Number of full service criminal legal aid applications approved. Percentage of Office of the Federal Ombudsman for Victims of Crime (OFOVC) client inquiries or complaints that are assessed and acted upon.
Program Inventory	<p><u>Programs</u></p> <ul style="list-style-type: none"> Advisory Services Litigation Services Legislative Services 	<p><u>Programs</u></p> <ul style="list-style-type: none"> Legal Policies, Laws and Governance Legal Representation Drug Treatment Court Funding Program Contraventions Regime Victims of Crime Youth Justice Family Justice Indigenous Justice Justice System Partnerships Ombudsman for Victims of Crime 	

Supporting Information on the Program Inventory

Financial, human resources and performance information for the Department of Justice's Program Inventory is available in the [GC InfoBase](#)⁷⁶.

Supplementary Information Tables

The following supplementary information tables are available on the [Department of Justice's website](#)⁷⁷:

- ▶ Departmental Sustainable Development Strategy
- ▶ Details on transfer payment programs of \$5 million or more
- ▶ Gender-based analysis plus
- ▶ Response to parliamentary committees and external audits

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](#).⁷⁸ 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.

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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.

Departmental Result Indicator (Indicateur de Résultat Ministériel)

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)

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.

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 process used to help identify the potential impacts of policies, Programs and services on diverse groups of women, men and 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.

Government-Wide Priorities (Priorités Pangouvernementales)

For the purpose of the 2018–19 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.

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 presented in 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)

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.

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.

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)

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