

2020-21
Departmental Results Report

Department of Justice Canada

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

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From the Minister

I am pleased to present the Department of Justice Canada's 2020-21 Departmental Results Report for the reporting period of April 1, 2020, to March 31, 2021.

This report provides information on the Department's key achievements in providing high-quality legal advisory, legislative, programming, and litigation services in support of the Government of Canada's priorities.



Responding to the COVID-19 global pandemic was a key priority in 2020-21. The Department of Justice Canada supported the Government's response by providing the legal services required to implement numerous public health measures, including securing access to vaccines and personal protective equipment for Canadians, as well as testing and vaccination efforts, measures at the international borders, and supporting financial relief efforts for Canadians, employers and businesses. Justice Canada supported the Action Committee on Court Operations in Response to COVID-19 in restoring Canadian court operations in a way that prioritizes the health and safety of participants and upholds the justice system's fundamental values. The Department also introduced changes to the *Criminal Code*, the *Identification of Criminals Act*, and related federal legislation in order to address criminal justice issues exacerbated by the pandemic.

Strengthening and renewing the Government of Canada's relationship with Indigenous peoples has remained a key focus for the Department. Justice Canada continues to support the Government's commitment to reconciliation through renewed nation-to-nation, Inuit-Crown, and government-to-government relationships, based on the recognition of rights, respect, cooperation and partnership. Bill C-15, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*, was introduced in 2020-21 and, in June 2021, received Royal Assent – a milestone achievement that will help pave the way towards healing and meaningful action to uphold the human rights of Indigenous peoples. This legislation will require the Government to advance implementation of the Declaration, and is an important step in renewing the Government's relationship with Indigenous peoples. The Department's work on advancing reconciliation also included contributing to a National Action Plan in response to the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Moreover, Justice Canada continued its efforts to build a legal framework and a justice system that take all Canadians into consideration, are free from discrimination, and offer equal access to the protections of the law. As part of this work, legislation was introduced which proposes sentencing reform measures to address the overrepresentation of Indigenous people, Black people, and marginalized populations in the criminal justice system, including those living with substance abuse and mental health challenges. The Department secured important investments to strengthen the implementation of the *Gladue* Principles and to support initiatives that help address systemic inequities across the criminal justice system.

The Department was instrumental in supporting the enactment of legislation to change the *Criminal Code* provisions on medical assistance in dying, the introduction of legislation that aims to criminalize aspects of conversion therapy and protect the dignity and equality rights of 2SLGBTQIA+ persons (two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual), as well as the enactment of legislation to ensure judges receive continuing education to better understand the complex nature of sexual assault law and social context.

The Department worked to implement changes to federal family laws under the *Divorce Act* to promote the best interests of the child, address family violence, help reduce child poverty, and make the family justice system more accessible and efficient. It also worked with federal partner organizations to introduce new firearms legislation to help combat intimate partner violence, gender-based violence, and self-harm involving firearms.

Although the Department has made significant strides over the reporting period, there is considerable work ahead. Justice Canada will continue to develop, advance, and support legislation, policy and programs aimed at helping Canadians and their communities by increasing access to justice, upholding the rule of law and better protecting Indigenous peoples, individual rights and vulnerable populations.

I would like to thank all Department of Justice Canada employees for their dedication, the outstanding quality of work, and their profound commitment to serving the public, especially throughout the pandemic. Canadians from coast to coast to coast continue to benefit from their efforts to support the Government of Canada and make the justice system more efficient, fair, and accessible.

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Results at a Glance

Through its [core responsibilities](#) of Legal Services delivery and Justice System Support, the Department of Justice Canada supported a broad range of government initiatives and ministerial mandate letter commitments in 2020-21. To ensure strong and evidence-based public policy and good governance, the Department applied a range of critical considerations to its work, which included legal risk analysis; diversity and inclusion such as [Gender-Based Analysis Plus](#)ⁱ (GBA Plus); privacy; modern treaty implications; and strategic environmental assessment.

▶ What funds were used?

\$832,853,145¹ (total actual spending for 2020-21)

▶ Who was involved?

4,722 (total actual full-time equivalents for 2020-21)

▶ Results Highlights

The following provides an overview of the Department of Justice Canada's key achievements in 2020-21 for each of its core responsibilities, as well as its internal services.

Legal Services

Notwithstanding the COVID-19 pandemic, the Department supported the implementation of Government of Canada priorities through the delivery of high-quality, integrated legal services – specifically, advisory, litigation and legislative services.

Key achievements:

- Provided the legal services necessary to respond to the impacts of the COVID-19 pandemic through numerous public health measures (including testing and vaccination programs), efforts to secure access to vaccines and personal protective equipment for Canadians, and the implementation of an unprecedented economic support package for employers, businesses and Canadians in general (including funding for emergency measures and key emergency-response programs).
- Collaborated on the urgent development, drafting and implementation of multiple bills, regulations and interim orders in relation to COVID-19, including emergency orders pursuant to the [Quarantine Act](#)ⁱⁱ (e.g. limiting entry into Canada and imposing public health measures on arriving travellers) and interim orders pursuant to the [Food and Drugs Act](#)ⁱⁱⁱ (e.g. for streamlining health product approvals, holding clinical trials for medical devices and drugs, and preventing or alleviating drug shortages).
- Supported the parliamentary consideration and enactment of [Bill C-7](#)^{iv}, *An Act to amend the Criminal Code (medical assistance in dying)*, which includes important changes as to who may be eligible to obtain medical assistance in dying and the assessment process.
- Contributed to the development and parliamentary consideration of [Bill C-6](#)^v, *An Act to amend the Criminal Code (conversion therapy)*.
- Supported the Government's successful defence of the constitutionality of the [Greenhouse Gas Pollution Pricing Act](#)^{vi} before the Supreme Court of Canada.

¹ As the primary provider of legal services to federal government departments and agencies, the Department of Justice Canada has [Vote-Netted Revenue](#) authority to collect spendable revenue. Total actual spending corresponds to actual gross spending less actual revenues netted against expenditures.

Justice System Support

The Department played an essential role in promoting respect for rights and access to justice, as well as working to ensure a fair, relevant, accessible and efficient legal framework and a justice system that effectively responds to the causes and consequences of offending.

Key achievements:

- Supported the development and introduction of [Bill C-15](#)^{vii}, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*, with respect to the implementation of the Declaration at the federal level.
- Co-led work on the Justice pillar of the [Federal Pathway](#)^{viii}, the federal component of the [National Action Plan](#)^{ix} in response to the National Inquiry into Missing and Murdered Indigenous Women and Girls.
- Secured important new investments to strengthen the implementation of the [Gladue Principles](#)^x across the criminal justice system, to support the negotiation of administration of justice agreements with Indigenous communities, and to support community justice centre pilots.
- Supported the development and introduction of [Bill C-22](#)^{xi}, *An Act to amend the Criminal Code and the Controlled Drugs and Substances Act*, which proposes sentencing reform measures to help address the overrepresentation of Indigenous people, Black people and marginalized Canadians in the criminal justice system by repealing mandatory minimum penalties for certain offences, allowing for a greater use of conditional sentence orders, and encouraging measures other than charges or prosecution for simple possession of drugs.
- Supported the development and introduction of [Bill C-23](#)^{xii}, *An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures)*, to address challenges faced throughout the criminal justice system caused or exacerbated by the COVID-19 pandemic.

Internal Services

Lastly, the Department promoted legal and business excellence with a strategic focus on its workforce, on innovation and collaboration, and on open, transparent and accountable operations.

Key achievements:

- Established a new Anti-Racism and Anti-Discrimination Secretariat to lead efforts across the Department to identify and eliminate all forms of systemic discrimination, to ensure a representative, diverse and inclusive organization, and to influence policy and process development.
- Continued fostering a psychologically healthy, safe, respectful, and inclusive workplace through the implementation of departmental mental health initiatives, a new departmental policy on workplace harassment and violence prevention, and an internal Ombuds office.
- Improved network infrastructure and access to new software and reliable digital platforms, which supported the transition to remote work. A forward-thinking approach to risk assessment also contributed to information management and information technology readiness and to enhancing service delivery.

For more information on the Department of Justice Canada'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 regulations for consistency with the *Canadian Charter of Rights and Freedoms*^{xiii}. Additionally, the Attorney General is responsible for advising the heads of departments on all matters of law, for the legislative drafting of all government bills and regulations, and for conducting all litigation for federal departments or agencies on subjects within the authority or jurisdiction of Canada.

Results

Legal work has become 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 in implementing these priorities. As the main provider of legal services to the Government of Canada, the Department has adopted a client-centric approach to improve its strategic partnerships and ensure that it delivers effective and fiscally sustainable legal services that meet Government and client priorities. It does so by taking an enhanced collaborative approach that focuses on supporting client departments in their search for solutions that benefit Canadians.

The COVID-19 pandemic has generated a surge of demand for legal advisory, litigation and legislative services to support the Government of Canada in its response and help Canadians. In addition to the sharp and sustained increase in demand, the Department has faced tighter timelines and highly complex issues involving multiple stakeholders, while having to adapt to a modified work environment. Furthermore, there has been a significant increase in the volume and complexity of litigation in Indigenous legal matters and class proceedings. To mitigate the impacts and manage risks, Justice Canada collaborated with client departments and partners in central agencies with respect to assessing, prioritizing, planning and resourcing to meet urgent, rapidly changing and competing priorities. The Department also managed operational risks through its departmental strategic risk framework. This included rapidly and effectively coordinating, reallocating, mobilizing, and redeploying resources where needed to adapt operations accordingly.

The Department made use of virtual conferencing platforms as part of its transition to virtual mediations, conciliations and hearings. Over the course of the fiscal year, the Department successfully transitioned from participating in very few remote hearings to doing so in over 4,100 virtual hearings across all court levels.

International travel was disrupted by the pandemic. The Department managed the direct impact on its activities with respect to Canada's international trade interests by taking a flexible

approach and using a number of innovative practices that allowed the Government to participate efficiently in virtual trade dispute hearings and international trade negotiations. Similarly, virtual technology was used (where appropriate) to conduct negotiation activities in the areas of mutual legal assistance and extradition and to enable the Department to participate in international conferences and inter-governmental meetings.

1. Departmental Result: Departments and Agencies Receive High-Quality Legal Services

The Department continued to provide high-quality legal advisory, litigation and legislative services to support the Government of Canada's response to the COVID-19 pandemic, to advance its ongoing commitment to working towards reconciliation with Indigenous peoples through the renewal of nation-to-nation, government-to-government and Inuit-Crown relationships, as well as to advance priorities related to social, international, economic and governmental affairs.

In all areas of its work, the Department remains committed to protecting the rights of Canadians and ensuring that the Charter is respected. During the reporting period, 30 Charter statements relating to government bills were tabled pursuant to section 4.2 of the *Department of Justice Act*^{xiv}.

1.1 COVID-19 Pandemic

Throughout 2020-21, the Department of Justice Canada provided timely and critical legal services to support the development and implementation of the Government's response to the COVID-19 pandemic and its impacts. These included advisory, legislative and litigation services to departments and agencies in such matters as constitutional, human rights, Charter, privacy, criminal, commercial, regulatory, and labour and employment law. More specifically, the Department provided services in the following matters:

- Health Canada and the Public Health Agency of Canada in their efforts in relation to a number of public health measures, including testing and vaccination programs;
- Public Service and Procurement Canada's efforts to secure access to vaccines and personal protective equipment for Canadians;
- Innovation, Science and Economic Development Canada and the National Research Council of Canada in supporting efforts to discover vaccines and therapeutics to combat COVID-19 and in developing Canada's long-term bio-manufacturing capacity;
- Urgent development, drafting and implementation of multiple bills, regulations, and interim orders in relation to COVID-19, including:
 - o 43 emergency orders pursuant to the *Quarantine Act*^{xv}
 - o 37 interim orders pursuant to the *Aeronautics Act*^{xvi}
 - o eight interim orders pursuant to the *Canada Shipping Act, 2001*^{xvii}
 - o six interim orders pursuant to the *Food and Drugs Act*^{xviii} (related to streamlining health product approvals; clinical trials for medical devices and drugs; drug importation, sale and advertising; and prevention and alleviation of drug shortages)
 - o 10 ministerial orders pursuant to the *Railway Safety Act*^{xix}
 - o 10 pandemic-specific bills with various objectives, such as to help support people and businesses, as well as promote fiscal sustainability (*Bill C-2*^{xx}, *Bill C-4*^{xxi},

- Bill C-14^{xxii}, Bill C-15^{xxiii}, Bill C-17^{xxiv}, Bill C-19^{xxv}, Bill C-20^{xxvi}, Bill C-23^{xxvii}, Bill C-24^{xxviii}, Bill C-25^{xxix})
- urgent design, establishment and implementation of a number of social benefit programs to help Canadians through the pandemic, notably:
 - Canada Recovery Benefit^{xxx}
 - Canada Recovery Sickness Benefit^{xxxii}
 - Canada Recovery Caregiving Benefit^{xxxiii}
 - Canada Emergency Response Benefit^{xxxiiii}
 - Canada Emergency Student Benefit^{xxxv}
 - Canada Emergency Wage Subsidy^{xxxvi}
 - Canada Emergency Rent Subsidy^{xxxvii}
 - Canada Emergency Business Account^{xxxviii}
 - Canada Recovery Hiring Program^{xxxix}
 - Temporary Wage Subsidy for Employers^{xl}
 - 11 interim orders to amend the *Employment Insurance Act*^{xi}
 - various orders and amending regulations to create transitional recovery benefits to support Canadians who would not traditionally be eligible for Employment Insurance and to update the system
 - Indigenous Services Canada (ISC) in developing contribution agreements to distribute emergency funding to address, among other things, the specific needs of Indigenous businesses impacted by the pandemic;
 - The resumption of court operations and related issues, such as the transition to virtual mediations and hearings before courts and tribunals;
 - Public Health Agency of Canada in its successful defence, before the Federal Court, of constitutional challenges by four different groups to the orders in council instituting measures to reduce the importation and spread of COVID-19, including quarantine restrictions on travellers;
 - Treasury Board Secretariat (TBS) and over 50 departments and agencies on COVID-19-related labour and employment matters and other COVID-19-related matters, including the COVID Alert application (e.g. privacy, federal-provincial-territorial agreements); multiple Treasury Board submissions, including special delegations to deal with pressing measures, major grants and contributions (e.g. relief packages) and procurement; extension of time limits for pension matters (*Time Limits and Other Periods Act (COVID-19)*^{xli}); and travellers leaving and entering Canada.

To respond to the significant economic impacts of the COVID-19 pandemic, the Department of Justice Canada worked alongside other departments and agencies by providing the legal services necessary to implement an unprecedented economic support package for employers, businesses, and all Canadians who needed it, including funding for emergency measures relating to healthcare, personal protective equipment, and long-term care, as well as key emergency response programs.

1.2 Advancing Reconciliation

The Department provided integrated legal and policy advice and legislative and litigation support to federal departments and agencies to advance the Government's reconciliation agenda on a wide range of high-priority initiatives and economic development issues regarding Indigenous peoples. This included providing support to:

- ISC in the continued implementation of *An Act respecting First Nations, Inuit and Métis children, youth and families*^{xlii}, as well as policy reforms. In particular, the Department assisted ISC in negotiations to develop tripartite coordination agreements with Indigenous

governing bodies representing section 35 rights holders and the relevant provincial and territorial governments. The objectives are to establish coordination measures related to the effective exercise of legislative authority by Indigenous governing bodies, as well as fiscal arrangements to support that exercise; to address the provision of emergency services to ensure the safety, security and well-being of Indigenous children; and to ensure that Indigenous children are able to exercise their rights effectively (17 coordination agreement tables have been established, representing 35 communities).

- Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and ISC in advancing the implementation of the [Recognition and Reconciliation of Rights Policy for treaty negotiations in British Columbia](#)^{xliii} (BC) by supporting and enabling approaches to the negotiation of treaties, agreements and other constructive arrangements between Canada, the province, and participating Indigenous nations. The Department provided legal assistance and support on:
 - o treaty negotiations in BC at 34 tables and at 30 [Recognition of Indigenous Rights and Self-Determination tables](#)^{xliv};
 - o several key agreements, including a [Reconciliation Framework Agreement for Fisheries Resources with A-Tlegay Member Nations](#)^{xlv} and the signing of preliminary agreements with Wet'suwet'en Hereditary Chiefs and Lake Babine First Nation;
 - o seven new negotiation tables that were established in 2020-21; and
 - o many other issues, including fisheries, revenue sharing, land-tenure models, and governance.
- Fisheries and Oceans Canada in developing a plan for the long-term implementation of Atlantic First Nations' treaty rights to fish in pursuit of a moderate livelihood, as well as its [Blue Economy Strategy](#)^{xlvi}, which aims to create opportunities for fishers and coastal communities while advancing reconciliation and conservation objectives.
- CIRNAC's efforts to resolve [specific claims](#)^{xlvii} in a manner that balanced the interests of First Nations with those of Canada. This work resulted in the settlement of 36 specific claims for compensation, totalling more than \$1.7 billion. Justice Canada provided 41 legal opinions on the validity of new specific claims, which were almost all accepted for negotiation on the grounds invoked.
- ISC in the implementation of the [10-year grant](#)^{xlviii}, a key component of the development of a new fiscal relationship between Canada and First Nations. Justice Canada assisted in work on retroactive conversion of contribution agreements to 10-year grant agreements, reviewing for ministerial approval the financial administration by-laws passed by First Nations under [section 83 of the Indian Act](#)^{xlix} and advising on the role of the First Nations Financial Management Board in supporting 10-year grant eligibility.
- Immigration, Refugees and Citizenship Canada in relation to the [Truth and Reconciliation Commission Calls to Action](#)¹ 93 and 94, including making revisions to the Citizenship Guide and supporting [Bill C-8](#)^{li}'s passage through Parliament to amend the Oath of Citizenship.

1.3 Social Affairs

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

- Health Canada and Employment and Social Development Canada, as co-leads with Justice Canada, in relation to the introduction, legislative progression and enactment of [Bill C-7](#)^{lii}, *An Act to amend the Criminal Code (medial assistance in dying)*.
- Health Canada in strengthening Medicare and renewing health agreements with provinces, as well as laying the groundwork for national universal pharmacare through work to establish

the newly created Canadian Drug Agency Transition Office and to implement a drug plan for Canadians with rare diseases.

- Health Canada with regulatory initiatives under the *Tobacco and Vaping Products Act*^{liii} and the *Cannabis Act*^{liv} to address the rapid rise in youth vaping in Canada, by establishing a [maximum nicotine concentration in vaping products](#)^{lv} and [restricting flavours in vaping products and inhaled cannabis extracts](#)^{lvi}.
- The introduction of *Bill C-6*^{lvii}, *An Act to amend the Criminal Code (conversion therapy)*, by the Minister of Justice. This legislation proposes new offences that would prohibit causing a minor to undergo conversion therapy in Canada or abroad, conversion therapy without consent, and profiting from, advertising or promoting conversion therapy.
- Public Safety Canada (PS) and the Royal Canadian Mounted Police as co-leads with Justice Canada in implementing the Government's [firearms](#)^{lviii} policy commitments. These include the enactment of new regulations to prohibit assault-style rifles and a new Amnesty Order to promote compliance, as well as the introduction of *Bill C-21*^{lix}, *An Act to amend certain Acts and make certain consequential amendments (firearms)* to help municipalities create safer communities and counter firearms violence, smuggling and trafficking.
- Canadian Heritage and PS in policy development on combatting online hate and hate groups and other online harms.
- PS and related agencies in the identification, investigation and mitigation of threats posed by ideologically motivated violent extremism and terrorist organization activities, and in relation to programs to counter these threats.
- PS and related departments and agencies in regard to the continued implementation of *Bill C-59*^{lx}, *An Act respecting national security matters*. Justice Canada played a vital role by providing legal advice and assisting in establishing collaborative relationships with the external review bodies.
- The Parole Board of Canada in relation to the *Criminal Records Act*^{lxi} and measures to address systemic inequities in the records phase of the criminal justice system and reduce barriers.
- Innovation, Science and Economic Development Canada in policy development on digital and data issues, as well as a legislative proposal for new obligations on the handling of personal information by organizations and to strengthen enforcement authorities of the Privacy Commissioner of Canada (*Bill C-11*^{lxii}, *An Act to enact the Consumer Privacy Protection Act and the Personal Information and Data Protection Tribunal Act and to make related and consequential amendments to other Acts*).
- Canadian Heritage and TBS in the review, modernization and strengthening of the *Official Languages Act* and its related instruments, to better meet the expectations of Canadians, respond to new challenges and reaffirm the importance of Canada's linguistic duality – this work included publication of a [white paper for consultation](#)^{lxiii}.

1.4 International Affairs

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

- Immigration, Refugees and Citizenship Canada and the Canada Border Services Agency (CBSA) in relation to the [in-Canada asylum program](#)^{lxiv}, including the implementation of temporary changes to asylum measures to address the COVID-19 pandemic, as well as working closely with United States counterparts;
- Global Affairs Canada (GAC) and other government departments in the implementation of the [Canada-United States-Mexico Agreement](#)^{lxv} (CUSMA), which came into force in July

2020, by drafting the implementation bill, regulations and other required instruments, as well as assisting in the negotiation of procedural rules and the establishment of dispute settlement rosters;

- GAC in climate change matters and innovative finance transactions with development partners in Europe and Africa – these multimillion-dollar transactions made under the [International Assistance Innovation Program](#)^{lxvi} and the [International Financial Assistance Act](#)^{lxvii} contribute to Canada’s commitment to the United Nations Sustainable Development Goals;
- the Canadian Space Agency in the negotiation and signing of various agreements, including with the US to develop, operate and utilize the [Civil Lunar Gateway station](#)^{lxviii} in orbit of the moon; and
- the Competition Bureau in launching the inaugural [Digital Enforcement Summit](#)^{lxix}, which allowed international partners to explore new enforcement tools in the digital era.

1.5 Economic Affairs

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

- Canada Economic Development for Quebec Regions and the Atlantic Canada Opportunities Agency on a number of key initiatives and programs, such as the [Black Entrepreneurship Program](#)^{lxx}, [Regional Air Transportation Initiative](#)^{lxxi}, and [Regional Economic Growth through Innovation program](#)^{lxxii};
- the Government’s successful defence of the constitutionality of the [Greenhouse Gas Pollution Pricing Act](#)^{lxxiii} before the Supreme Court of Canada, in a decision rendered in March 2021;
- Finance Canada and Environment and Climate Change Canada in their initiatives to reduce greenhouse gas emissions, put a price on carbon, and increase climate change resilience, including the introduction of [Bill C-12](#)^{lxxiv}, *Canadian Net-Zero Emission Accountability Act*;
- Canada’s efforts to advance the development of major resources projects, such as the Trans Mountain Expansion Project, in collaboration with provincial and territorial governments, Indigenous peoples, and other partners;
- Canadian Heritage regarding the introduction of [Bill C-10](#)^{lxxv}, *An Act to amend the Broadcasting Act*, which aims to modernize the [Broadcasting Act](#)^{lxxvi}, including subjecting web giants broadcasting in Canada to the same regulations as traditional broadcasters;
- Canada Revenue Agency in its commitment to combat tax evasion and avoidance to ensure the fairness and integrity of the tax system;
- Finance Canada in making amendments to strengthen legislation and regulations to improve tools to address money laundering and anti-terrorist financing; and
- CBSA, Finance Canada, FINTRAC² and the RCMP in providing evidence in the [Cullen Commission of Inquiry into Money Laundering in BC](#)^{lxxvii}.

1.6 Government Affairs

In the area of government affairs, the Department provided high-quality legal services to support the effective work of the Government of Canada. This included:

- Refining and adjusting the Government’s litigation strategy, integrating it into policy-making and ensuring consistency with Canada’s commitments, the Charter, and Canadian values.

² FINTRAC: Financial Transactions and Reports Analysis Centre of Canada.

Through a cross-governmental approach, Justice Canada continues to lead and collaborate on the development of litigation positions, often on complex issues, that:

- consider all government departments and agencies, Indigenous groups, and provincial, territorial, industry and other stakeholders;
 - include early resolution and settlement or out-of-court resolution and other alternatives to litigation, such as resolution through government initiatives and programs, or legislative and regulatory reform, where appropriate.
- Unifying the Department's positions, through the use of long-standing internal challenge functions and review mechanisms, to ensure that positions are consistent with the [Principles Guiding the Attorney General of Canada in Charter Litigation](#)^{lxxviii}, the [Principles Respecting the Government of Canada's Relationship with Indigenous Peoples](#)^{lxxix}, the [Attorney General of Canada's Directive on Civil Litigation Involving Indigenous Peoples](#)^{lxxx}, and the [United Nations Declaration on the Rights of Indigenous Peoples](#)^{lxxxii}.
 - Federal public service matters concerning harassment and related issues of workplace violence, respect, civility and mental health. Upon coming into force, the [Work Place Harassment and Violence Prevention Regulations](#)^{lxxxvii} created a new framework for the prevention and resolution of alleged occurrences.
 - Resolving litigation relating to sexual harassment, assault or misconduct, and harassment or discrimination in the workplace based on gender or sexual orientation and advancing the Government's objective of bringing about real and lasting cultural change. This included implementing three final settlement agreements in relation to major class proceedings (namely the [LGBT purge](#)^{lxxxiii}, [Heyder Beattie](#)^{lxxxiv}, and [Tiller](#)^{lxxxv} class actions), as well as establishing the Assistant Deputy Ministers Steering Committee on Workplace Harassment and Discrimination Class Actions.
 - Effective support to the Privy Council Office on matters such as Governor in Council appointments and performance management.

Results Achieved for Legal Services

Departmental Result	Performance Indicators	Target	Date to Achieve Target	2018-19 Actual Results	2019-20 Actual Results	2020-21 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 ³	8 or greater	March 2021	Overall mean rating: 8.5 Advisory: 8.6 Litigation: 8.4 Legislative: 8.6 Regulatory: 8.0 ⁴	Overall mean rating: 8.5 Advisory: 8.5 Litigation: 8.4 Legislative: 8.6 Regulatory: 8.4 ⁵	Overall mean rating: 8.5 Advisory: 8.6 Litigation: 8.4 Legislative: 8.6 Regulatory: 8.8 ⁶
	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 ⁷	8 or greater	March 2021	Overall mean rating: 8.5 Responsiveness/Accessibility: 8.8 Usefulness: 8.5 Timeliness: 8.3 ⁸	Overall mean rating: 8.5 Responsiveness/Accessibility: 8.7 Usefulness: 8.4 Timeliness: 8.2 ⁹	Overall mean rating: 8.7 Responsiveness/Accessibility: 9.0 Usefulness: 8.6 Timeliness: 8.4 ¹⁰
	Percentage of litigation files resolved in a fiscal year that have a successful outcome (settled or adjudicated) from the Crown's perspective	75% or greater	March 2021	80%	85%	92%

N.B.: The Department is currently conducting an in-depth review of its departmental result indicators, including target dates. This review will assess and amend indicators, as appropriate, with a view to ensuring they are regularly supported with high-quality and available data.

The Department conducts the [Legal Services Client Feedback Survey](#)^{lxxxvi} (CFS) as a standardized approach to measure client satisfaction and help improve the legal services it provides. The results presented for 2020-21 reflect interim feedback collected during Cycle IV of the CFS. The interim results above for 2020-21 show that client satisfaction ratings on the overall quality of legal services provided by Justice Canada continue to exceed the target of 8.0. In addition, consistent with the previous results collected as part of Cycle III of the CFS, the Department continues to exceed the target of 8.0 for the performance of legal services against the

³ Results presented in previous Departmental Results Reports (DRRs) for overall quality of legal services were disaggregated by service type (advisory, litigation, legislative drafting, and regulatory drafting). These results have since been aggregated into a single indicator for the overall quality of legal services. In doing so, a weighting strategy was applied to ensure accurate representation of client feedback. Consequently, the 2018-19 overall mean rating result presented is restated, as it differs from what was previously reported in [GC InfoBase](#).

⁴ The results presented for 2018-19 reflect interim feedback collected during Cycle III of the [Department of Justice Canada Legal Services Client Feedback Survey](#) (CFS) (<https://www.justice.gc.ca/eng/rp-pr/cp-pm/dpr-rr/2012/sur/index.html>).

⁵ Cycle III of the CFS was completed in 2019-20, and the [CFS Survey Results – Cycle III \(2016-2019\) report](#) was published in January 2021 (<https://www.justice.gc.ca/eng/rp-pr/cp-pm/dpr-rr/2019/sur/index.html>).

⁶ The results presented for 2020-21 reflect interim feedback collected during Cycle IV of the CFS.

⁷ Results presented in previous DRRs for the performance of legal services against service standards were disaggregated by service dimension (responsiveness/accessibility, usefulness, and timeliness). These results have since been aggregated into a single indicator for the performance of legal services against service standards. In doing so, a weighting strategy was applied to ensure accurate representation of client feedback. Consequently, the 2019-20 overall mean rating result presented is restated, as it differs from what was previously reported in [GC InfoBase](#).

⁸ See note 4.

⁹ See note 5.

¹⁰ See note 6.

Department's service standards. Together, overall service quality and performance ratings indicate that legal service users were largely satisfied with the services provided by Justice Canada.

In terms of the percentage of litigation files successfully resolved from a Government of Canada perspective, 92% is higher than the typical success rate. Due to impacts of the COVID-19 pandemic and several court closures throughout the reporting period, 58% fewer litigation files were resolved as compared to previous years. Although the number of files resolved decreased, there are a number of factors, such as type of files or matters resolved during this period, that could explain the 7% increase in successfully resolved files between 2019-20 and 2020-21.

Gender-Based Analysis Plus

The guiding principles of [Gender-Based Analysis Plus](#)^{lxxxvii} (GBA Plus) continued to be applied in all areas of the Department's work in 2020-21, including the provision of legal services to client departments and advice to Cabinet to help ensure inclusive outcomes for Canadians.

The Department also provided legal advisory support to TBS and the Public Service Commission for a number of initiatives aimed at making the federal public service more inclusive and representative of the diversity of the Canadian population. These initiatives included:

- collecting and analyzing richer disaggregated data on diversity, inclusion, representation and experiences;
- the TBS launch of a dedicated [Centre on Diversity and Inclusion](#)^{lxxxviii} to co-develop initiatives with employee networks and with stakeholder groups that continue to face barriers to representation and inclusion and to foster an ongoing dialogue for positive change;
- analyzing legislation for potential changes to further remove barriers to inclusion;
- proposed amendments to the [Public Service Employment Act](#)^{lxxxix} to address employment equity objectives and increase diversity and inclusion in the federal public service at all levels, as well as reduce bias and barriers faced by equity-seeking groups in the appointment system and staffing processes;
- reviewing staffing processes under the [Federal Internship Program for Canadians with Disabilities](#)^{xc};
- implementing a new Diversity-Targeted Management Program; and
- developing regulations to allow positive targeting of individuals who are part of a special program under the [Canadian Human Rights Act](#)^{xcii} or the Charter.

GBA Plus considerations also informed the Department's work with PS, CBSA and the RCMP to help combat intimate partner and gender-based violence and self-harm involving firearms through measures to reduce firearms-related crime and deter illicit access to firearms. [Bill C-21](#)^{xciii} proposed a new "red flag" regime that would enable people to make an application to a court for a weapon prohibition order relating to an individual who may pose a danger to themselves, their family, or others.

Experimentation¹¹

The Department continued to seek opportunities to improve the delivery of legal services by exploring the adoption of emerging technologies. This included continuing to pilot new

¹¹ [Experimentation](#) is defined in the "[Appendix: Definitions](#)" section of this report.

electronic tools to support litigation and evidence management, as well as working towards the acquisition, implementation and adoption of new evidence-management platform software tools. These tools are expected to generate new insights into services delivered to clients (e.g. identification, preservation and collection of evidence).

Legal advisory services supported the Department's exploration of the use of artificial intelligence tools, such as predictive analysis, to support government operations and decision making. The work of Justice Canada's artificial intelligence task force is ongoing.

Justice Canada currently uses a [Client Feedback Survey](#)^{xciii} (CFS) to assess client satisfaction with the legal services it provides to government departments and agencies. Individual client departments are surveyed on a two-year cyclical basis. In 2020, the Department began experimenting with a different platform to collect information on client satisfaction through an Instant Client Feedback Survey (ICFS) that follows the completion of key milestones on some individual files. A pilot is being conducted, which will run in parallel with the CFS to generate enough evidence to assess its viability.

2030 Agenda for Sustainable Development

As a signatory to the [United Nations 2030 Agenda for Sustainable Development](#)^{xciv}, the Government of Canada is committed to its 17 Sustainable Development Goals (SDGs) and to the overarching vision to leave no one behind. Through its Access to Justice Secretariat, which serves as a focal point, the Department of Justice Canada leads Canada's efforts to advance SDG 16 domestically and abroad. This goal calls for peaceful, just and inclusive societies that provide access to justice for all, domestically and internationally, and build institutions that are effective, accountable, and inclusive at all levels.

The Department also supported the advancement of the overall 2030 Agenda, including SDGs 3 (Good Health and Well-Being), 5 (Gender Equality), 7 (Affordable and Clean Energy), 8 (Decent Work and Economic Growth), 10 (Reduced Inequalities), 11 (Sustainable Cities and Communities), 12 (Responsible Consumption and Production), and 13 (Climate Action).

Several Department of Justice Canada initiatives contribute to advancing SDGs:

- Justice Canada's role in many international reform processes (e.g. the [United Nations Commission on International Trade Law](#)^{xcv}, the [UN Conference on Trade and Development](#)^{xcvi}, and the [Organisation for Economic Co-operation and Development](#)^{xcvii}) supports the rules-based international order which seeks to ensure access to justice and respect for the rule of law on the international level (SDG 16).
- Contributions to [World Trade Organization](#)^{xcviii} and [UN Investor-State Dispute Settlement](#)^{xcix} reforms help ensure inclusive international dispute settlement mechanisms and better gender representation, through measures such as requiring gender diversity among panelists and arbitrators (SDGs 5, 16).
- Canada's commitment to strengthening its [Anti-Money Laundering and Anti-Terrorist Financing Regime](#)^c includes the objective of modernizing and expanding the extradition and mutual legal assistance treaty networks. The [International Assistance Group](#)^{ci}'s Treaty Negotiation Team actively engages with a number of international/foreign partners. The treaties aim to facilitate information and evidence sharing between Canada and foreign states

- engaged in combating money laundering, terrorist financing and related offences. The work includes participating in international forums and on individual files to assist in the recovery of proceeds of crime and the fight against organized crime (SDG 16, targets 16.4, 16.5, 16.6).
- Justice Canada obligations imposed on legal agents of the Minister of Justice certify that they do not engage in bribery, lobbying or criminal acts in Canada and abroad (SDG 16, target 16.5).
 - The Department provides assistance with respect to [initiatives aimed at ensuring a more inclusive and representative federal public service](#) (SDG 10).
 - Legal advisory support was provided to TBS with respect to amendments to the *Federal Sustainable Development Act*^{cii}, which came into force in 2020, and to the Centre for Greening Government, which is responsible for implementing the [Greening Government](#)^{ciii} facet of Canada's [Federal Sustainable Development Strategy](#)^{civ} (SDGs 7, 11, 12, 13).
 - Legal advisory services were provided in relation to the *Criminal Records Act* and [measures to address systemic inequities in the records phase of the criminal justice system](#) (SDGs 10, 16).
 - Legal advisory services were provided with respect to [efforts to counter the growing rise of and prevalent threats posed by ideologically-motivated terrorist groups](#) (SDG 11).
 - Justice Canada provided legal support to implement the Government's [firearms policy commitments, including through new regulations, a new Amnesty Order and the introduction of Bill C-21](#) (SDG 11).

Budgetary Financial Resources (dollars)

2020-21 Main Estimates	2020-21 Planned Spending	2020-21 Total Authorities Available for Use	2020-21 Actual Spending (authorities used)	2020-21 Difference (Actual Spending minus Planned Spending)
210,473,297	210,473,297	271,847,121	228,106,265	17,632,968*

*The variance between planned spending and actual spending is mainly attributable to increases in salary and related employee benefit plan expenditures, resulting from an increase in full-time equivalents in 2020-21 and the ratification of collective agreements.

Human Resources (full-time equivalents)

2020-21 Planned Full-Time Equivalents	2020-21 Actual Full-Time Equivalents	2020-21 Difference (Actual Full-Time Equivalents minus Planned Full-Time Equivalents)
3,275	3,361	86*

*The variance between planned and actual full-time equivalents is largely explained by additional resources hired in anticipation of an increased demand for legal advisory, litigation and legislative services in areas including supporting the Government's response to the COVID-19 pandemic, Aboriginal law and tax law.

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

Justice System Support

Description

The Department of Justice Canada plays an essential role in ensuring a fair, relevant and accessible justice system. This responsibility is shared 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

The Department develops and coordinates all federal justice legislative reforms, policy options and initiatives, and tests innovative approaches to strengthening the legal framework within various domains: criminal justice (including sentencing, criminal procedure, youth criminal justice and victims of crime); family and children's law (including marriage and divorce); access to justice; bijuralism¹²; human rights; privacy; access to information; official languages; and Indigenous justice.

The Department provided justice system support to realize three key results:

1. 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.

As the Department worked to achieve these results, it strove to remain ready to respond to the accelerated pace at which new policy issues emerged or unfolded. 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.

The COVID-19 pandemic made even more apparent the challenges that the Department faces in maintaining appropriate capacity to respond to existing and future policy priorities in a timely manner and the importance of actively maintaining relationships with essential justice system partners and stakeholders. To mitigate risks, the Department continued to monitor emerging trends to inform its ongoing and future planning and maintain policy and program responsiveness.

In May 2020, in response to the challenges faced by the courts as a result of the COVID-19 crisis and related restrictions, an [Action Committee on Court Operations in Response to COVID-19](#)^{evi} was established to provide national leadership to support the work of provincial and territorial governments, court administrators, and other officials responsible for the administration of justice. The Committee is co-chaired by the federal Minister of Justice and the Chief Justice of Canada, and its members include both federal and provincial officials from the Justice sector. The Committee has hosted 14 virtual meetings and has released 16 publications to promote a

¹² Bijuralism is 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.

nationally harmonious approach to safely restoring Canadian court operations during the pandemic and to address the longer-term impacts on court operations. The Committee developed national principles and parameters, identified common needs and solutions, and promoted best practices. It enhanced information sharing and collaboration among its members, while playing a key leadership role during the pandemic and setting a positive example for coordination and communication across jurisdictions and sectors to preserve the continuity of court operations.

Due to the COVID-19 pandemic, many funding programs were affected by the decreased capacity of funding recipients to carry out planned activities. This resulted in unspent program funds. In order to support project delivery impeded by the pandemic and address lapsing funds, the Department worked with clients to reallocate and redirect funding to priorities and programs where needs were identified and where it could be used.

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

The Department worked to foster safety and security while supporting efforts to transform the criminal justice system. Specifically, it continued to strive to advance improvements to the criminal justice system to ensure Canadians are kept safe, to help increase efficiencies, and to reduce delays for all those involved in the system. Work was also done to address the overrepresentation of Indigenous people, Black people, and members of marginalized communities, such as those with mental health and substance abuse challenges, in the criminal justice system.

The Department remained committed to engaging with provincial and territorial governments and Indigenous governments, organizations and communities, as well as other countries, domestic and international organizations, and an increasingly diverse community of stakeholders. It focused efforts on identifying emerging issues, developing various options (including policy, legislative and operational responses), and implementing reforms to improve the criminal, family and youth justice systems and promote public confidence.

In order to address systemic issues related to existing sentencing policies, the Department led policy development and legislative work to support the introduction of [Bill C-22^{cvii}](#), *An Act to amend the Criminal Code and the Controlled Drugs and Substances Act*. The proposed sentencing reform measures are intended to address the overrepresentation of Indigenous people, Black people and members of marginalized communities by repealing mandatory minimum penalties for all drug offences, one tobacco-related offence, and 13 firearm-related offences. This legislation would also allow for greater use of conditional sentence orders and require law enforcement and prosecutors to consider alternative measures for simple drug possession offences, such as diversion rather than laying a charge or prosecuting. To reduce Indigenous overrepresentation and address systemic racism in the Canadian justice system, the federal government announced \$49.3 million in the [Fall Economic Statement 2020^{cviii}](#) to support the implementation of [Gladue Principles^{cix}](#) in the mainstream justice system.

With the introduction of [Bill C-15^{cx}](#), *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*, the Department of Justice Canada, supported by Crown-Indigenous Relations and Northern Affairs Canada, delivered on the Government's commitment to introduce legislation to provide a framework for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in Canada. This legislation also contributes in responding to the [Truth and Reconciliation Commission \(TRC\) Calls to Action^{cx}](#) (CTAs) 43 and 44 and to the [National Inquiry into Missing and Murdered Indigenous Women and Girls \(MMIWG\) Calls for Justice^{cxii}](#). In support of this work, a series of virtual engagement sessions were held over a six-week period. The primary objective of the sessions was to seek feedback and advice on the proposed legislative text. In general, support for the UN Declaration and the Government's intention and efforts to implement it in Canada was strong, and the input received contributed significantly to Bill C-15. The Government intends to work in consultation and collaboration with Indigenous peoples to develop an action plan to achieve the UN Declaration's objectives and take all measures necessary to ensure that federal laws are aligned and consistent with the UN Declaration.

In 2020, the Minister of Justice, with support from the Minister of Crown-Indigenous Relations, introduced Bill C-15, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*, in accordance with the Government of Canada's commitment.

In support of this work, a series of over 70 virtual engagement sessions were held with First Nations, Inuit and Métis Nation leaders, Modern Treaty signatories, regional Indigenous organizations, Indigenous women's organizations, Indigenous youth, natural resource industry sectors and all provinces and territories.

The Department continued to work with federal government partners to respond to the TRC Calls to Action, notably with respect to:

- the development of administration-of-justice agreements with Indigenous peoples, by establishing discussion tables with several groups (currently, seven First Nations) to explore agreements to strengthen community-based justice systems based on Indigenous legal traditions and to support self-determination (CTA 42);
- the development of a Covenant of Reconciliation: in collaboration with the Assembly of First Nations and Inuit Tapiriit Kanatami, the Department worked on the legal elements of the draft covenant, as well as ensuring that it includes sacred and historical language reflecting Indigenous and ecumenical experiences (CTA 46); and
- support for the revitalization of Indigenous legal traditions: Justice Canada demonstrated leadership in raising awareness of Indigenous laws and taking a first step towards making space and providing funding for Indigenous legal traditions to operate within Canada (CTA 50).

In alignment with Canada's whole-of-government approach to implementing the TRC Calls to Action, the Department also supported the Deputy Minister's role as a member of the Deputy Ministers Committee on Indigenous Reconciliation, which oversees the progress on the Calls to Action.

The Department worked with Public Safety Canada to develop responses to the [Final Report of the National Inquiry into MMIWG^{cxiii}](#) and support the federal government's approach to

implementing the Calls for Justice. More specifically, the Department worked as co-lead to develop the Justice Theme of the federal component (i.e. the [Federal Pathway^{cxiv}](#)) of the MMIWG [National Action Plan^{cxv}](#). This work was informed by engagements with the National Family and Survivors Circle and other working groups. While COVID-19-related restrictions considerably hampered planned engagement activities, the Department was able to participate in virtual meetings with Indigenous partners and stakeholders, provinces and territories, and other federal departments and agencies. This collaborative approach reinforced the interconnectedness of the thematic areas of the National Action Plan and helped present a more cohesive and comprehensive narrative with numerous proposed initiatives aimed at ending violence against Indigenous women, girls and 2SLGBTQIA+¹³ persons.

The Department also secured important new investments to strengthen the implementation of [Gladue Principles^{cxvi}](#) across the criminal justice system, as well as new investments to pilot community justice centres. These actions support the implementation of key Calls for Justice, as well as TRC Calls to Action. Overall, the work led to significant advancement on the MMIWG [National Action Plan^{cxvii}](#) and its [Federal Pathway^{cxviii}](#) component.

In the context of modernization of the *Privacy Act*, the Department led a wholly online, interactive and accessible public consultation.

This collaborative and creative endeavor resulted in an innovative and accessible engagement process, which was successful in seeking out the views of Canadians across the country.

- 57 written submissions from a variety of stakeholders
- more than 1100 online survey responses
- almost 300 additional written comments on various topics

The Department of Justice Canada was in the midst of planning a large public consultation process in support of its work on the review and reform of the *Privacy Act^{cxix}* when the COVID-19 pandemic began. The initial goal had been to organize roundtables across the country to allow officials to hear directly from Canadians as to their views and concerns about the *Privacy Act* and how it could be modernized to meet contemporary expectations around collecting, managing, sharing, and disclosing personal information. Given the inability to conduct in-person roundtables, the Department developed a wholly online consultation, including a discussion paper, a discussion forum, and an online survey.

The Department received written submissions from a variety of stakeholders, including the Office of the Privacy Commissioner of Canada, the Office of the Information Commissioner of Canada, the Canadian Bar Association's Privacy and Access to Information Law Section, federal public bodies, Canadian and international academics, private sector entities, non-governmental organizations, civil liberties advocates, Indigenous partners, and Canadian citizens in general. The result of this collaborative and creative endeavor was an innovative and accessible engagement process, which was successful in seeking out the views of expert stakeholders and Canadians across the country on this important policy initiative.

¹³ 2SLGBTQIA is an abbreviation used to refer to two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual persons. The "plus" (+) serves to indicate the inclusion of other identities.

In September 2020, the Minister of Justice introduced [Bill C-3^{cxix}](#), *An Act to amend the Judges Act and the Criminal Code*. The proposed amendments provide that in order to be eligible for appointment to a provincial superior court, candidates must agree to participate in continuing education on matters related to sexual assault law and social context, which includes systemic racism and systemic discrimination. Social context is influenced by societal factors such as gender, ethnicity, religion, culture, sexual orientation, differing mental or physical abilities, age, socio-economic background, and familiarity with issues related to family violence and violence against children. The amendments to the *Criminal Code*^{cxix} aim to increase transparency in decisions in sexual assault matters by requiring that judges provide written reasons or enter reasons into the record when rendering decisions in these cases.

Since the onset of the COVID-19 pandemic, the Department has engaged in significant outreach with provincial and territorial partners concerning the impacts of the pandemic on the criminal justice system. Building on the efficiency measures in *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts* (former Bill C-75)^{cxvii} and the lessons learned as the pandemic progressed, [Bill C-23^{cxviii}](#), *An Act to Amend the Criminal Code and the Identification of Criminals Act and make related amendments to other Acts (COVID-19 response and other measures)*, was introduced. Bill C-23 is intended to help reduce court delays by clarifying and expanding the availability of remote appearances by video or audio technology for accused persons; permitting prospective jurors to appear by videoconference in jury selection; permitting fingerprinting to occur at a later date where it is not feasible to do so at the usual time; and expanding and updating the existing tele-warrant regime to allow more search warrants, judicial orders, and authorizations to be issued by telecommunication.

Results Achieved for Justice System Support

Departmental Result	Performance Indicators	Target	Date to Achieve Target	2018-19 Actual Results	2019-20 Actual Results	2020-21 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 2021	7.1% (9 th /126) ¹⁴	7.0% (9 th /128) ¹⁵	Not available ¹⁶
	Percentage of Canadians who think that the criminal justice system is a) fair and b) accessible	TBD ¹⁷	TBD	57% of Canadians have moderate to high confidence that the criminal justice system is fair 62% of Canadians have moderate to high confidence that the criminal justice system is accessible ¹⁸	Not available ¹⁹	51% of Canadians have moderate to high confidence that the criminal justice system is fair 52% of Canadians have moderate to high confidence that the criminal justice system is accessible ²⁰
	Number of constitutional challenges in the provincial and territorial courts of appeal and the Supreme Court of Canada	TBD ²¹	TBD	Provincial/territorial courts of appeal: 56 Supreme Court of Canada appeals: 5	Provincial/territorial courts of appeal: 32 Federal Court of Appeal: 3 Supreme Court of Canada appeals: 10	Provincial/territorial courts of appeal: 27 Federal Court of Appeal: 5 Supreme Court of Canada appeals: 10

N.B.: The Department is currently conducting an in-depth review of its departmental result indicators, including target dates. This review will assess and amend indicators, as appropriate, with a view to ensuring they are regularly supported with high-quality and available data.

The [2021 National Justice Survey](#)^{cxxiv} asked respondents to rate their confidence “today” (on the day surveyed), but also “before the pandemic”. The percentages reported above for 2020-21 reflect responses as to confidence “on the day surveyed” (51% of Canadians have moderate to high confidence that the criminal justice system is fair, and 52% that the criminal justice system is accessible). These results represent a notable decrease from the responses received as to confidence “before the pandemic” (55% and 62%, respectively), which more closely aligned with previous years’ results. The decrease in percentages from 2018-19 to 2020-21 could have been influenced by several factors, such as separating the question into confidence pre- and post-

¹⁴ World Justice Project, [Rule of Law Index 2019](https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2019-Single%20Page%20View-Reduced_0.pdf) (https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2019-Single%20Page%20View-Reduced_0.pdf)

¹⁵ World Justice Project, [Rule of Law Index 2020](https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2020-Online_0.pdf) (https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2020-Online_0.pdf)

¹⁶ The 2021 result is expected to be made available in the World Justice Project, Rule of Law Index 2021, which is anticipated to be published in 2022.

¹⁷ Target establishment under review.

¹⁸ [National Justice Survey 2018, Final Report](https://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice_canada/2019/061-18-e/index.html) (https://epe.lac-bac.gc.ca/100/200/301/pwgsc-tpsgc/por-ef/justice_canada/2019/061-18-e/index.html)

¹⁹ The National Justice Survey was not conducted in 2019 because of the election period. Due to impacts of the COVID-19 pandemic, the 2020 National Justice Survey was cancelled. The most recent data available was collected in 2021.

²⁰ [National Justice Survey 2021, Final Report](https://www.justice.gc.ca/eng/rp-pr/jr/njs-snj.html) (https://www.justice.gc.ca/eng/rp-pr/jr/njs-snj.html).

²¹ Measure not appropriate for establishing a target. Indicator is better suited to demonstrating trends.

pandemic, impacts of the pandemic, or other sociopolitical factors, notably increased attention to systemic racism in the criminal justice system.

The indicator related to the number of constitutional challenges is not appropriate for establishing a target and is better suited to demonstrating trends. As such, the indicator enables the Department to identify issues of interest (e.g. immigration and refugee law matters such as the Safe Third Country Agreement; criminal law matters relating to firearms, sentencing reforms, defence of self-induced intoxication, search of electronic devices).

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

In support of ongoing policy work aimed at developing and implementing alternative measures for responding to the causes and consequences of offending, the Department continued to focus on strengthening the criminal justice system to keep the public safe, while also addressing systemic inequities in all stages of the criminal justice system.

In addition, the Department maintained its funding support to provinces, territories and non-governmental organizations for the delivery of services and programs through the [Youth Justice Services Funding Program](#)^{cxxv}, the [Youth Justice Fund](#)^{cxxvi}, the [Intensive Rehabilitative Custody and Supervision Program](#)^{cxxvii}, the [Drug Treatment Court Funding Program](#)^{cxxviii}, and the [Indigenous Justice Program](#)^{cxxix}.

Justice Canada continued to support provinces and territories in providing a range of programs and services that target young persons in conflict with the law. The [Youth Justice Services Funding Program](#)^{cxxx} focuses on alternative responses to youth offences, such as diversion, extrajudicial measures or sanctions; rehabilitation and reintegration; judicial interim release; intensive support and supervision; and conferencing or other community-based sanctions. Funding provided through the [Intensive Rehabilitative Custody and Supervision Program](#)^{cxxxi} assists with specialized assessments and treatment services for youth with mental health needs who have been convicted of certain offences. The Department also continued to engage with other federal government departments and strengthen partnerships to further determine policy and program responses relating to diversion programs for at-risk youth.

To contribute to the advancement of the [Canadian Drugs and Substances Strategy](#)^{cxxxii}, Justice Canada's [Drug Treatment Court Funding Program](#)^{cxxxiii} continued to provide funding to participating provinces and territories. This program provides for court-monitored treatment and community service support for non-violent offenders with problematic substance use. The program allocated \$3.7 million in funding for the operation of 13 drug treatment courts.

Through the [Indigenous Justice Program](#)^{cxxxiv}, the Department delivered funding to support 197 Indigenous community-based justice programs that serve over 650 communities and offer culturally relevant restorative justice alternatives to mainstream justice processes in appropriate circumstances. These programs are designed to reflect the cultures, values, and specific justice needs of the communities they serve.

By working closely with the provinces and territories, the Department continues to explore legislative, program and policy opportunities to promote the use of restorative justice in the criminal justice system. Restorative justice seeks to address the harm caused by crime by providing an opportunity for victims, offenders and the community to communicate about the causes, circumstances and impacts of crime and to identify and address their respective needs.

Results Achieved for Justice System Support

Departmental Result	Performance Indicators	Target	Date to Achieve Target	2018-19 Actual Results	2019-20 Actual Results	2020-21 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 2021	448 restorative justice programs ²²	448 restorative justice programs ²³	450 restorative justice programs ²⁴
	Number of people who have used the available restorative justice programs/ processes ²⁵	TBD	TBD	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 2025	46% of adults received a custodial sentence ²⁶	48% of adults received a custodial sentence ²⁷	Not available ²⁸
	Percentage of individuals who were referred to an Indigenous justice program and participated in the program	90% or greater	March 2022	88%	89%	Not available ²⁹
	Percentage of youth court cases receiving a non-custodial (community-based) sentence as compared to previous reported years	85% or greater	March 2021	88% ³⁰	88% ³¹	Not available ³²
	Percentage of identified, eligible Intensive Rehabilitative Custody and Supervision cases receiving specialized treatment	100%	March 2021	100%	100%	100%

N.B.: The Department is currently conducting an in-depth review of its departmental result indicators, including target dates. This review will assess and amend indicators, as appropriate, with a view to ensuring they are regularly supported with high-quality and available data.

²² The [Directory of Restorative Justice](https://www.justice.gc.ca/eng/cj-jp/rj-r/sch-rch.aspx) (<https://www.justice.gc.ca/eng/cj-jp/rj-r/sch-rch.aspx>) only provides information on the number of self-reported restorative justice programs available. Please note that not all programs reported in the Directory received funding from the Department of Justice Canada.

²³ See note 22.

²⁴ See note 22.

²⁵ Departmental result indicator under review as a result of data-availability issues.

²⁶ In 2018-19, 46% of adults found guilty under the *Criminal Code* (excluding traffic offences) received a custodial sentence (Statistics Canada, [Table 35-10-0031-01 Adult criminal courts, guilty cases by most serious sentence](https://doi.org/10.25318/3510003101-eng), <https://doi.org/10.25318/3510003101-eng>).

²⁷ In 2019-20, 48% of adults found guilty under the *Criminal Code* (excluding traffic offences) received a custodial sentence (Statistics Canada, [Table 35-10-0031-01 Adult criminal courts, guilty cases by most serious sentence](https://doi.org/10.25318/3510003101-eng), <https://doi.org/10.25318/3510003101-eng>).

²⁸ Most recent data published by Statistics Canada is for 2019-20.

²⁹ Most recent result available is for 2019-20.

³⁰ In 2018-19, 12% of youth found guilty under the *Criminal Code* (excluding traffic offences) received a custodial sentence, whereas 88% received a non-custodial (community-based) sentence (Statistics Canada, [Table 35-10-0042-01 Youth courts, guilty cases by most serious sentence](https://doi.org/10.25318/3510004201-eng), <https://doi.org/10.25318/3510004201-eng>).

³¹ In 2019-20, 12% of youth found guilty under the *Criminal Code* (excluding traffic offences) received a custodial sentence, whereas 88% received a non-custodial (community-based) sentence (Statistics Canada, [Table 35-10-0042-01 Youth courts, guilty cases by most serious sentence](https://doi.org/10.25318/3510004201-eng), <https://doi.org/10.25318/3510004201-eng>).

³² Most recent data published by Statistics Canada is for 2019-20.

According to available data, 450 restorative justice programs were reported in the [Department of Justice Canada Directory of Restorative Justice](#)^{cxxxv} in 2020-21, which is two more than the 448 programs reported in 2019-20. Of the 450 restorative justice programs, 197 were Indigenous justice programs.

The percentage of identified, eligible Intensive Rehabilitative Custody and Supervision cases receiving specialized treatment was successfully maintained at 100%.

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

Through its [Legal Aid Program](#)^{cxxxvi}, [Indigenous Courtwork Program](#)^{cxxxvii}, and [Access to Justice Services Agreements](#)^{cxxxviii}, the Department continued to contribute funding to provincial and territorial governments for the provision and delivery of legal aid services to economically disadvantaged people, for public legal education and information programs, and for Indigenous courtwork services. Indigenous courtwork services help to ensure that Indigenous people (including accused persons, victims, witnesses and family members) receive the representation and services they need to navigate the criminal justice system. According to the most recent data available³³, courtworkers provided 150,018 in-court and out-of-court services to more than 69,000 Indigenous people in contact with the criminal justice system over the course of one year.

The [Justice Partnership and Innovation Program](#)^{cxxxix} (JPIP) supports activities that respond effectively to the changing conditions affecting Canadian justice policy. The JPIP launched and completed a call for proposals under the workplace sexual harassment initiative that sought projects focusing on the issue in hospitality/service industries and male-dominated workplaces. Ten projects were approved. A GBA Plus requirement helps ensure that funding recipients are proactively and meaningfully taking a gender- and diversity-sensitive approach to planning and designing their project, as well as in implementing activities. This requirement is intended to help ensure that projects are more successful in reaching and meeting the needs of diverse groups, as well as removing potential systemic barriers to accessing services.

In addition, the JPIP provided approximately \$1 million in funding to provincially-designed public legal education and information organizations (and territorial counterparts) to address increased demand for information and advice related to the COVID-19 pandemic. Priority issues addressed included employment rights, family law, housing, public health, small businesses, financial, bankruptcy, and estate planning. The funding also supported the provision of information on court proceedings during the pandemic.

In collaboration with the Aboriginal Law Centre, the JPIP continued its work on the revitalisation of Indigenous laws and legal traditions. This initiative, which contributes to CTA 50, will support renewed relationships with Indigenous peoples through the funding of projects across Canada that support the development, use and understanding of Indigenous laws and are intended to improve equality for Indigenous people in the Canadian justice system. Twenty-one projects have been announced, for a total of approximately \$9.5 million.

³³ The most recent data available is from the 2018-19 fiscal year.

The Department leads the [Federal Victims Strategy](#)^{cxl}, which undertakes policy and program initiatives to increase access to justice for victims and survivors of crime and give them a more effective voice in the criminal justice system. Within the Strategy, the Department administers the [Victims Fund](#)^{cxli}.

Funding provided through the [Victims Fund](#)^{cxlii} in 2020-21 helped to address the needs of victims of crime³⁴ and their families. The Department launched a targeted call for proposals to support public legal education and information non-governmental organizations that would address senior abuse and neglect. In total, nine projects were approved. This initiative allowed the organizations to undertake several activities to support victims of senior abuse and neglect. For example, funding was provided to [Éducaloi](#)^{cxliii}, an organization aiming to improve access to justice in Quebec, to work with community organizations to better understand the needs of seniors and improve its information materials, activities and tools on senior abuse. Seniors will benefit from being more aware of their rights and having better access to relevant legal information. Justice Canada also began work to address national data gaps on the issue of senior abuse and collaborated with Employment and Social Development Canada to plan for public consultations on the development of a federal policy definition.

The Government renewed provincial and territorial funding for the [Family Information Liaison Units](#)^{cxliv}, under the Victims Fund, for an additional three fiscal years, resulting in the approval of 13 projects. The Government also renewed funding for community-based organizations for an additional three fiscal years, under which 12 projects were approved.

The Department continued to provide policy and program support to Child Advocacy Centres across Canada, to support child and youth victims of abuse and their families. This also included additional funding for 21 Centres so they could access urgently needed resources, such as additional staff, personal protective equipment, training and technology, and better respond to the needs of children, youth and their families during the COVID-19 pandemic.

Furthermore, through the Victims Fund, the Department continued to deliver funding to five provinces and territories to support their Independent Legal Advice programs for victims of sexual assault. Three jurisdictions have expanded their programs to include independent legal representation for victims of sexual assault specific to hearings associated with the admissibility of sexual history evidence and/or third-party record applications. Eleven projects supporting the delivery of services to victims and survivors of human trafficking were also funded under the Victims Fund.

In addition, through the Strategy, the Department hosted events to raise awareness, share information, and build knowledge among criminal justice professionals and victim services organizations on ongoing and emerging issues involving victims and survivors of crime. In collaboration with a national organizing committee, the Department organized the [15th annual Victims and Survivors of Crime Week](#)^{cxlv}, which included a virtual federal symposium and supported 90 local events across Canada. In support of the implementation of the [Canadian](#)

³⁴ A portion of the Victims Fund, within the Federal Victims Strategy, is earmarked specifically for projects and activities that address the needs of vulnerable victims, including victims of human trafficking, victims of sexual offences, victims of elder abuse and neglect, child victims, and victims in remote, rural and Indigenous communities.

Victims Bill of Rights^{cxlvi} (CVBR), public legal education and information materials on the CVBR were translated into 11 Indigenous languages. All provincial and territorial governments also received funding for CVBR-related projects and activities.

The Department also continued to work closely with Women and Gender Equality Canada and other federal departments on the implementation of the *Federal Strategy to Address Gender-Based Violence*^{cxlvii} and towards the development of a National Action Plan to Address Gender-Based Violence. In addition, the Department worked with federal-provincial-territorial officials to begin updating the *Handbook for Criminal Justice Practitioners on Trafficking in Persons*^{cxlviii}, which is one of the commitments made through the *National Strategy to Combat Human Trafficking 2019-2024*^{cxlix}.

Through the *Canadian Family Justice Fund*^{cl}, the Department supported the delivery of justice programs and appropriate services for families experiencing separation and divorce. Using this funding, the provinces of Alberta and Newfoundland and Labrador began work on the implementation of the official languages provision of the *Divorce Act*^{cli}. In addition, 21 projects received funding to support initiatives such as *Le Petit Pont*^{clii}, a non-governmental organization in Quebec. Funding was used to provide coaching interventions for families (in particular, high-conflict parents) to help them adapt in the context of separation and divorce, with a view to protecting the best interests of the children.

The *Access to Justice in Both Official Languages Support Fund*^{cliii} provided funding to 72 projects as part of the Government's *Action Plan on Official Languages 2018-2023: Investing in our Future*^{cliv}. The funding, provided to 16 organizations/associations, four academic institutions, and four provincial governments, helped to increase the capacity of the justice system and its stakeholders to offer justice services in both official languages and increase the availability of legal information to official language minority communities. Projects focused on raising awareness, supporting public legal information activities, developing linguistic tools, and providing training to justice professionals. For instance:

- The Legal Access Project of the *Réseau des Chercheuses africaines* (RECAF), a Toronto-based community organization, increased awareness about various rights and obligations through free French-language workshops offered to 134 participants from multicultural communities.
- The Judicial Linguistic Training Program for provincial Crown prosecutors, legal aid lawyers, court clerks, and probation officers, offered by the *Centre canadien de français juridique*^{clv}, a Manitoba-based non-governmental organization, delivered 27 training sessions.

Nonetheless, several projects under the Fund were impacted as a result of the inability to hold in-person training sessions. Some funding that had been reserved for training activities was therefore reallocated to other projects. As a result of the pandemic, organizations have had to rethink the delivery of training, shifting where possible to online components as opposed to in-person training.

Through the *Contraventions Act Fund*^{clvi}, the Department provided financial resources to six provinces and one municipality where the *Contraventions Act*^{clvii} regime is in effect and where

there are no provincial obligations to fulfill the offender's official language rights. This funding ensures that language rights are respected in relation to the administration and enforcement of federal contraventions and that affected Canadians have access to communications in their official language of choice in designated areas and receive judicial services in their official language of choice at any courthouse.

The [Office of the Federal Ombudsman for Victims of Crime^{clviii}](#) (OFOVC), which operates at arm's length from the federal government, provided direct information, referrals and complaint-review services to its primary clients: victims, victims' family members or representatives, victim-serving agencies, and other stakeholders. The OFOVC served a total of 644 clients during the reporting period.

Results Achieved for Justice System Support

Departmental Result	Performance Indicators	Target	Date to Achieve Target	2018-19 Actual Results	2019-20 Actual Results	2020-21 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 2021	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 2023	Not available ³⁵	Not available ³⁶	Not available ³⁷
	Number of times duty counsel provide assistance in criminal matters	1,000,000 or greater	March 2021	1,020,718 ³⁸	1,036,525 ³⁹	Not available ⁴⁰
	Number of full service criminal legal aid applications approved	270,000 or greater	March 2021	270,274 ⁴¹	253,786 ⁴²	Not available ⁴³
	Percentage of Office of the Federal Ombudsman for Victims of Crime (OFOVC) client inquiries or complaints that are assessed and acted upon	100%	March 2021	100%	100%	100%

N.B.: The Department is currently conducting an in-depth review of its departmental result indicators, including target dates. This review will assess and amend indicators, as appropriate, with a view to ensuring they are regularly supported with high-quality and available data.

The results above show that the percentage of federal funds accessed by provinces, territories, non-governmental organizations and other stakeholders to deliver targeted services in support of federal priorities is consistent with that of previous reporting periods. Though slightly below the departmental target, the results remain consistent at 98% despite the COVID-19 pandemic.

³⁵ Departmental result indicator under review. The Indigenous Courtwork Program client survey is administered every five years in the course of program evaluations. The next evaluation is scheduled to be completed in fiscal year 2022-23.

³⁶ See note 35.

³⁷ See note 35.

³⁸ [Legal Aid in Canada 2018-19 \(https://canada.justice.gc.ca/eng/rp-pr/jr/aid-aide/1819/index.html\)](https://canada.justice.gc.ca/eng/rp-pr/jr/aid-aide/1819/index.html).

³⁹ [Legal Aid in Canada 2019-20 \(https://canada.justice.gc.ca/eng/rp-pr/jr/aid-aide/1920/index.html\)](https://canada.justice.gc.ca/eng/rp-pr/jr/aid-aide/1920/index.html).

⁴⁰ Results for 2020-21 will be published in the annual report for Legal Aid in Canada 2020-21, which is anticipated to be released in 2022.

⁴¹ See note 38.

⁴² See note 39.

⁴³ See note 40.

The decrease in criminal legal aid applications is linked to broad changes in provincial policies and legal aid service delivery, as well as other factors. It does not indicate a reduction in legal aid services. For example, in Quebec, a program allowing defence lawyers and the Crown to deal with lesser offences outside of the court system is gaining in popularity, and decreases in social assistance recipients and in criminal offending may also play a role. Alberta now provides enhanced duty counsel services in more court locations, to try to resolve issues before trial. The province also provides duty counsel in specialized courts, and has streamlined its application process to pre-screen clients to determine eligibility for legal aid. As a result, ineligible clients no longer fill out applications.

Results above relating to the OFOVC indicate that the percentage of client inquiries or complaints assessed and acted upon is successfully maintained at 100%, in accordance with the established target.

Gender-Based Analysis Plus

To help reduce inequality in Canada and address the diverse needs of different groups of people and foster fair and inclusive outcomes for Canadians, the Department took [Gender-Based Analysis Plus](#)^{clix} (GBA Plus) considerations into account throughout different programs and initiatives under the Justice System Support core responsibility.

Justice Canada negotiators continued to integrate a GBA Plus lens in their work on administration-of-justice agreements with Indigenous peoples, from the development and negotiation phase to the final agreements and their implementation.

Furthermore, the Department applied a GBA Plus lens in its work in drafting the federal narrative on Justice with respect to the [National Action Plan](#)^{clx} in response to the [Final Report of the MMIWG National Inquiry](#)^{clxi}. More specifically, the narrative discusses the barriers faced by Indigenous women, girls and 2SLGBTQQIA+ persons. The complete federal narrative informed the development of the federal chapter of the National Action Plan ([the Federal Pathway](#)^{clxii}), together with input from all key partners, including provincial and territorial governments, Indigenous leaders, and families and survivors.

In support of the modernization of the [Privacy Act](#)^{clxiii}, the Department led collaborative, inclusive and context-sensitive policy development, with a specific focus on privacy issues of importance to Indigenous persons and communities. This work involved holding an accessible, online public consultation to obtain a broad variety of perspectives and input. The consultation included targeted outreach to Indigenous partners, with a view towards developing a better understanding of Indigenous perspectives on public sector privacy.

To support the integration of GBA Plus into criminal justice programs, policies and legislation, the State of the Criminal Justice System initiative published several new data and analytical products assessing the gendered experiences of women as victims, survivors, accused and offenders. The [2020 State of the Criminal Justice System report](#)^{clxiv}, which focuses on women, takes a GBA Plus approach to reporting on criminal justice system performance, by examining the prevalence and nature of criminal justice system involvement through a gender lens. Where available, the analysis examines the intersection of gender and other characteristics such as age,

Indigeneity, immigrant status, disability, sexual orientation, and ethnicity. Along with the report, the online [State of the Criminal Justice System dashboard](#)^{clxv} was updated with a new population-based theme on women, which includes a pre-filtered view of performance indicators that can be disaggregated by sex or gender as well as pages specifically focused on the experiences of Indigenous women and girls. This initiative will help to ensure that policy makers have the data that they need to better tailor interventions to address the needs of women interacting with the criminal justice system.

Experimentation⁴⁴

The Department remains committed to innovation and improvements in program design and delivery. It also continues to seek opportunities to improve the accessibility of justice information, engagement and outreach, and delivery of services.

Justice Canada continues to experiment with pilot projects for stand-alone administration-of-justice agreements with Indigenous peoples that are not part of the [Recognition of Indigenous Rights and Self-Determination discussion tables](#)^{clxvi}. The Department is also negotiating stand-alone administration-of-justice agreements with several First Nations, and these agreements are flexible enough to work with both small and large Indigenous communities. Regardless of the size of the negotiation table, the Department is mindful of the specific needs of each First Nations as they assume control of targeted areas of governance. Whether the discussion is about capacity building or enforcement, the tables are ambitious and demonstrate a degree of collaboration that is novel and could be models for other tables.

2030 Agenda for Sustainable Development

Justice Canada's Access to Justice Secretariat supports the Department in its leadership role for advancing Sustainable Development Goal 16 and provides a focal point for the Government's efforts to promote access to justice for all, domestically and internationally, through partnerships with government and civil society representatives at home and abroad. As part of these efforts, Justice Canada organized a [virtual Global Week for Justice in 2020](#)^{clxvii} in collaboration with Pathfinders for Peaceful, Just and Inclusive Societies, the Organisation for Economic Co-operation and Development (OECD), and the Open Government Partnership. This event brought together justice leaders from around the world to discuss ways to advance SDG 16 and access to justice in the context of the pandemic response and recovery. Justice Canada also co-hosted the [OECD Virtual Global Roundtable on Accessible and People-Centered Justice](#)^{clxviii} in 2021, which provided OECD countries with an opportunity to share best practices and innovations that promote people-focused justice.

The Department is working with Statistics Canada and several other federal departments to implement the [Canadian Legal Problems Survey](#)^{clxix}. This large-scale survey will make it possible to estimate the prevalence and nature of serious legal problems in Canada, as well as provide information on whether and how problems have been resolved. The initiative aims to garner a greater understanding of the legal problems that Canadians are experiencing and the mechanisms they are using to resolve these problems. This will then help inform justice initiatives and, more broadly, foster greater access to justice. Survey sampling methods have been designed to ensure that the experiences of Indigenous people can be compared with those of

⁴⁴ [Experimentation](#) is defined in the "[Appendix: Definitions](#)" section of this report.

non-Indigenous people.

Other Justice Canada initiatives that contribute to advancing SDGs include:

- work relating to the [implementation of the *Divorce Act* official language provision](#), to promote the right for Canadians in every part of the country to obtain a divorce in the official language of their choice (SDG 16);
- implementation of the federal government responses to the [TRC Calls to Action](#)^{clxxx} and the [MMIWG National Inquiry's Final Report](#)^{clxxxi}, including negotiations of administration-of-justice agreements (SDGs 3, 10, 16);
- work with respect to [Bill C-15](#)^{clxxxii}, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples* (SDGs 3, 10, 16);
- [review and modernization of the *Privacy Act*](#) (SDGs 16, 17);
- engagements to explore the development of an [Open Justice Commitment](#)^{clxxxiii} as part of [Canada's Fifth National Action Plan on Open Government](#)^{clxxxiv}, as well as participation in the [Open Government Partnership's Coalition on Justice](#)^{clxxxv} (SDG 16);
- negotiation and adoption of the [14th UN Congress on Crime Prevention and Criminal Justice](#)^{clxxxvi} [Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development](#)^{clxxxvii} (SDGs 5, 11, 16, 17);
- support for efforts by the UN Office on Drugs and Crime to mainstream gender in the implementation of the [UN Convention against Transnational Organized Crime](#)^{clxxxviii} (SDGs 5, 16);
- support for the implementation of the [UN Convention against Corruption](#)^{clxxxix} (SDGs 5, 16);
- preparations for and participation in:
 - o various working groups of the [Conference of the Parties to the UN Convention against Transnational Organized Crime](#) including its [working group on trafficking in persons and its working group on international cooperation](#)^{clxxx} (which resulted in the adoption of recommendations on the use of joint investigative teams and special investigative techniques)
 - o the Committee of Experts of the Mechanism for Follow-Up on Implementation of the [Inter-American Convention against Corruption](#)
 - o the [OECD Bribery Working Group](#)^{clxxxxi} (i.e. to implement and enforce the [OECD Anti-Bribery Convention](#) and the 2009 Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions) (SDG 16);
- representing Canada in the [negotiation of a proposed Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity and War Crimes](#)^{clxxxii} (SDG 16).

Budgetary Financial Resources (dollars)

2020-21 Main Estimates	2020-21 Planned Spending	2020-21 Total Authorities Available for Use	2020-21 Actual Spending (authorities used)	2020-21 Difference (Actual Spending minus Planned Spending)
478,120,142	478,120,142	510,580,471	497,598,856	19,478,714*

*The variance between planned spending and actual spending is primarily explained by an increase in contribution spending⁴⁵, specifically in the following programs: the Immigration and Refugee Legal Aid Program and the Victims Fund.

Human Resources (full-time equivalents)

2020-21 Planned Full-Time Equivalents	2020-21 Actual Full-Time Equivalents	2020-21 Difference (Actual Full-Time Equivalents minus Planned Full-Time Equivalents)
293	308	15*

*The variance between planned and actual full-time equivalents is mainly explained by a realignment of resources from the Legal Services core responsibility to the Justice System Support core responsibility for legal policy work related to Indigenous matters. In addition, resources were hired for the development and introduction of [Bill C-15](#)^{clxxxiii}.

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

⁴⁵ For additional information on Grants and Contributions funding and spending, refer to the [Details on Transfer Payment Programs Supplementary Information Tables](#).

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 the 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
- ▶ Material Management Services
- ▶ Management and Oversight Services
- ▶ Real Property Management Services

Results

Initiatives under the Department of Justice Canada's Internal Services program contributed to business and legal excellence with a focus on the Department's workforce and modernization efforts.

Supporting Employees

During the reporting period, the Department of Justice Canada established a new Anti-Racism and Anti-Discrimination Secretariat to lead efforts across the Department to identify and eliminate all forms of systemic discrimination. The Secretariat focuses on outcome-driven initiatives, including those detailed in the departmental Employment Equity Plan, to improve representation, career development, anti-racism training, measurement, and accountability. This work involves internal collaboration with equity and diversity advisory committees, bargaining agents, functional communities, senior leaders, and diversity champions, as well as external collaboration with central agencies, other departmental secretariat leads, and employee groups. The Secretariat's work supports the Department in becoming a representative, diverse and inclusive organization and influences policy and process development to enable all Canadians to have equitable access to justice.

The Department also established a task force and began consultations for the development of its first Accessibility Plan. The consultations sought to identify barriers to accessibility and initiate steps to address them in such areas as program and service delivery, employment, the built environment, information and communications technology, and procurement. One of the pillars of the Accessibility Plan focuses on improving access to justice, as well as the accessibility of our public communications. As part of these efforts, the Department released a braille version of the *Criminal Code* and new plain-language content on its website.

Justice Canada continued to foster a psychologically healthy, safe, respectful, and inclusive workplace through the implementation of its Psychological Health and Safety Management System, Mental Health Strategy, and Mental Health Action Plan. However, the Department acknowledges that workload is a long-standing issue in many areas of the Department and that the circumstances over 2020-21 were very challenging and stressful for all employees.

The Department also implemented the changes brought by [Bill C-65^{clxxxv}](#), *An Act to amend the Canada Labour Code (harassment and violence)*, the *Parliamentary Employment and Staff Relations Act* and the *Budget Implementation Act, 2017, No. 1*, and related regulations, to address harassment and violence in the workplace.

Furthermore, the Department established an internal Ombuds office to provide employees with a trusted and safe space to talk about workplace issues and help them navigate existing resources to find support and solutions. Justice Canada continued its efforts to ensure the health and safety of employees during the pandemic by providing timely communications, tools and training, along with access to a broad array of external resources.

To promote stability, the Department enhanced its emergency preparedness, business continuity management, and ability to deliver critical services. Frequent task force and committee meetings, careful management of building occupancy, and continual improvement in the area of virtual work ensured departmental readiness to respond to changing circumstances related to the pandemic. The Department also prepared a plan for a future easing of workplace restrictions, which is being continually adjusted in accordance with the most up-to-date public health recommendations.

The Department strengthened its workforce through recruitment, professional development and talent management strategies. It built expertise in emerging areas, provided opportunities for continuous learning, and improved the retention of employees with the skills and competencies to meet its business needs. Among other examples, the Department established a training and development program for junior-level counsel. The program included the use of a GBA Plus lens, which resulted in a curriculum where participants must complete GBA Plus learning to meet the required competencies.

The Department continued to implement strategies to improve support for employees experiencing pay-related issues and to minimize future problems. Dedicated resources were put in place to improve internal processes and build awareness of new and existing tools. Justice Canada also implemented new tracking and measurement processes, which enhanced analytical capacity and performance monitoring.

Modernization

Modernization of staffing processes and implementation of a new electronic assessment tool also continued. Using Microsoft Power BI, the tool supports feedback to candidates and further informs our departmental learning needs.

To improve collaboration within the organization, across government, and with external partners, the Department continued to promote digital information sharing and technology. This included communicating across multiple platforms to engage Canadians in conversations about key

Justice Canada priorities. During the fiscal year, the Department gained more than 30,100 new followers across its multiple social media platforms, an increase of 23 percent. Offering visually compelling, digitally based content that can be easily accessed and understood continues to drive the Department's communications efforts and its ability to engage with its audiences.

Throughout the COVID-19 pandemic, the Department's digital platforms and technology structure have continued to be instrumental in connecting, engaging, and sharing critical information with – and maintaining the confidence of – employees, other government departments, the legal community, stakeholders, and the general public.

The Department made great progress on improved network infrastructure, access to new software, and reliable digital platforms, which supported the transition to remote work during its emergency response. A forward-thinking approach to risk assessment also contributed to information management and information technology readiness and allowed Justice Canada to enhance service delivery. In addition, the development of the departmental National Workplace Accommodations Strategy continued, informed by lessons learned from the experience of prolonged remote work throughout the pandemic, to provide a vision for workplace modernization that drives the legal profession into the future.

Justice Canada supported the objectives of the [Federal Public Service Data Strategy Roadmap](#)^{clxxxvi} through the implementation of its own five-year Data Strategy, improving capacity for evidence-based decision making and greater openness and transparency. The Strategy first focused on establishing principles and guidelines to define data-related roles and responsibilities for employees and to manage data quality, usability, privacy, and access.

In support of the [Federal Sustainable Development Strategy 2019-2022](#)^{clxxxvii}, the Department developed the [Justice Sustainable Development Strategy 2020-2023](#)^{clxxxviii} to build a strong sustainable development culture and continue the shift to low-carbon, climate-resilient and green government.

Budgetary Financial Resources (dollars)

2020-21 Main Estimates	2020-21 Planned Spending	2020-21 Total Authorities Available for Use	2020-21 Actual Spending (authorities used)	2020-21 Difference (Actual Spending minus Planned Spending)
80,423,780	80,423,780	110,122,055	107,148,024	26,724,244*

*The variance between planned spending and actual spending is primarily explained by increased expenditures relating to projects within real property management, information technology (IT) and information management service categories. In addition, an increase in salary expenditures was attributable to the ratification of collective agreements.

Human Resources (full-time equivalents)

2020-21 Planned Full-Time Equivalents	2020-21 Actual Full-Time Equivalents	2020-21 Difference (Actual Full-Time Equivalents minus Planned Full-Time Equivalents)
1,070	1,053	(17)*

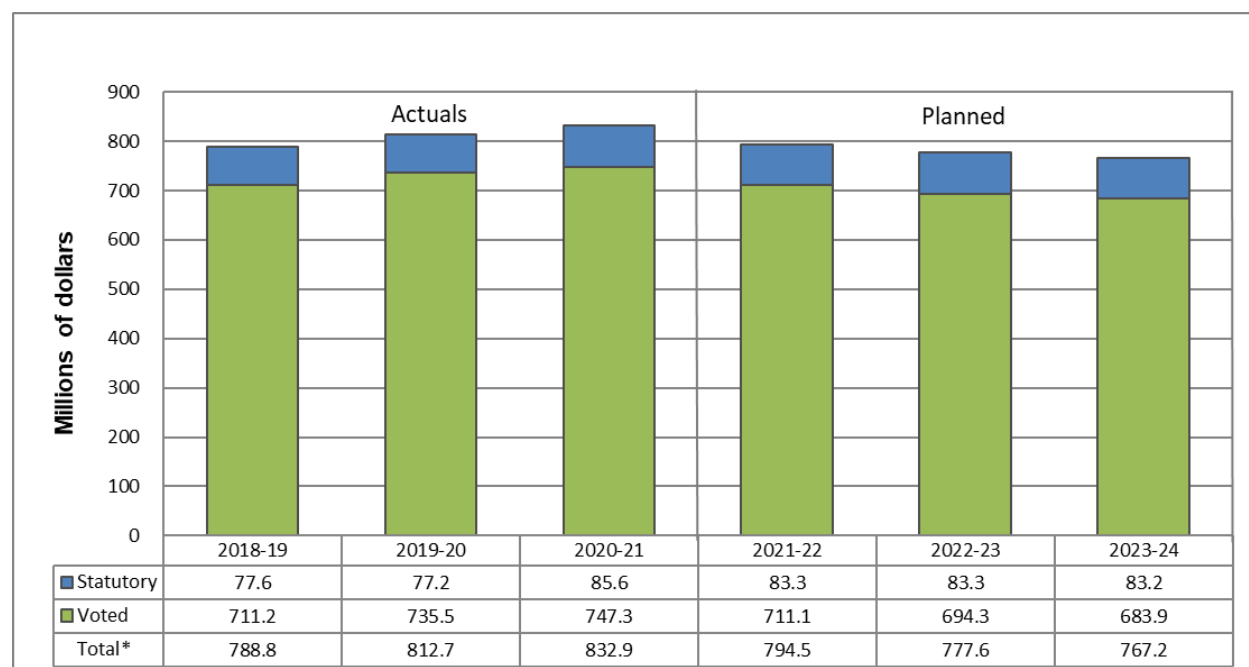
*The variance between planned and actual full-time equivalents is primarily explained by delays in staffing positions as a result of the COVID-19 pandemic.

Analysis of Trends in Spending and Human Resources

Actual Expenditures

Departmental Spending Trend Graph

The following graph presents planned (voted and statutory) spending over time.



*Differences may arise due to rounding.

As illustrated in the graph above, the Department's actual spending shows a marginally increasing trend. The actual spending in 2020-21 (\$832.9 million) represents a 2.5% increase compared to 2019-20 (\$812.7 million).

The increase in spending from 2019-20 to 2020-21 was mainly due to:

- an increase in salary and related employee benefit plan expenditures, as a result of the increase in full-time equivalents (FTEs) early in 2020-21 and the ratification of various collective agreements and
- an increase in Grants and Contributions spending⁴⁶, with the most significant increases being under the following programs:
 - Criminal Legal Aid (Budget 2016)
 - Justice Partnership and Innovation Program, which incurred additional expenditures related to initiatives to address sexual harassment in the workplace (Budget 2018)
 - Legal Advice for Complainants of Workplace Sexual Harassment (Budget 2018)

⁴⁶ For additional information on Grants and Contributions funding and spending, refer to the [Details on Transfer Payment Programs Supplementary Information Tables](#).

Expenditures were partially offset by decreases in operating and maintenance expenditures, such as travel and office equipment, due to the Department's modified working environment in 2020-21 (i.e. remote work) as a result of the COVID-19 pandemic.

The Department's planned spending projects a decrease from 2021-22 (\$794.5 million) to 2023-24 (\$767.2 million). This \$27.3 million (or 3.4%) reduction is mainly attributable to the sunsetting of funding for the following initiatives and programs:

- Immigration and Refugee Legal Aid, under the Enhancing the Integrity of Canada's Borders and Asylum System initiative
- [National Inquiry into Missing and Murdered Indigenous Women and Girls' Final Report: Reclaiming Power and Place](#)^{clxxxix}, to extend the Family Information Liaison Units and community-based services under the Victims Fund (2022-23)

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

Core Responsibilities and Internal Services	2020-21 Main Estimates	2020-21 Planned Spending	2021-22 Planned Spending	2022-23 Planned Spending	2020-21 Total Authorities Available for Use	2018-19 Actual Spending (authorities used)	2019-20 Actual Spending (authorities used)	2020-21 Actual Spending (authorities used)
Legal Services	210,473,297	210,473,297	218,606,709	219,082,931	271,847,121	243,874,771	223,737,181	228,106,265
Justice System Support	478,120,142	478,120,142	491,424,229	474,142,197	510,580,471	448,180,851	485,250,753	497,598,856
Subtotal	688,593,439	688,593,439	710,030,938	693,225,128	782,427,592	692,055,622	708,987,934	725,705,121
Internal Services	80,423,780	80,423,780	84,439,375	84,395,769	110,122,055	96,751,723	103,733,100	107,148,024
Total	769,017,219	769,017,219	794,470,313	777,620,897	892,549,647	788,807,345	812,721,034	832,853,145

In 2020-21, the Main Estimates totaled \$769 million and the total authorities available for use amounted to \$892.5 million. The total authorities available for use included \$78.5 million of funding received through the [Supplementary Estimates](#)^{cxc} process and \$45 million of funding received in relation to compensation adjustments, the operating budget carrying forward of prior-year authorities, payroll expenditures (such as parental benefits), and other expenditures.

Of the \$78.5 million received through the Supplementary Estimates process, \$32.5 million was to fund programs, mainly the Immigration and Refugee Legal Aid Program and the Victims Fund to extend the Family Information Liaison Units and community-based services. The Department also received \$46 million to protect it from an unanticipated reduction in revenues directly linked to the decreased operations of the courts and associated reduction in litigation services due to the COVID-19 pandemic.

2020-21 Budgetary Actual Gross Spending Summary (dollars)

Core Responsibilities and Internal Services	2020-21 Actual Gross Spending	2020-21 Actual Revenues netted against Expenditures	2020-21 Actual Net Spending (authorities used)
Legal Services	536,805,937	308,699,672	228,106,265
Justice System Support	497,598,856	0	497,598,856
Subtotal	1,034,404,793	308,699,672	725,705,121
Internal Services	158,545,394	51,397,370	107,148,024
Total	1,192,950,187	360,097,042	832,853,145

Vote-Netted Revenue (dollars)

As the primary provider of legal services to federal government departments and agencies, the Department of Justice Canada has Vote-Netted Revenue (VNR) authority to collect responsible revenue. For the purpose of departmental reporting, VNR is the total amount of expenditures reduced by the revenues received by the Department.

Vote-Netted Revenue	2018-19 Actual	2019-20 Actual	2020-21 Planned*	2020-21 Actual	2021-22 Planned**	2022-23 Planned**
Total	330,115,613	345,233,102	327,000,000	360,097,042	366,800,000	366,800,000

*The 2020-21 planned VNR is based on the information provided in the [2020-21 Departmental Plan](#)^{cxci}.

**The 2021-22 and 2022-23 planned VNR corresponds to the Departmental VNR authority.

In 2020-21, \$360.1 million of VNR was collected, an increase of \$14.9 million compared to 2019-20 (\$345.2 million). This increase was primarily due to the following:

- an increase in the legal services rates to account for the increase in salary costs from recent collective agreement settlements and
- growth in the FTEs associated with the increased demand from various departments and agencies, such as Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada.

The increase to VNR was lower than anticipated due to the temporarily reduced operations of courts and the associated reduction in litigation services in some areas resulting from the COVID-19 pandemic.

Actual Human Resources

Human Resources Summary for Core Responsibilities and Internal Services

Core Responsibilities and Internal Services	2018-19 Actual Full-Time Equivalents	2019-20 Actual Full-Time Equivalents	2020-21 Planned Full-Time Equivalents	2020-21 Actual Full-Time Equivalents	2021-22 Planned Full-Time Equivalents	2022-23 Planned Full-Time Equivalents
Legal Services	3,122	3,243	3,275	3,361	3,370	3,370
Justice System Support	291	284	293	308	308	308
Subtotal	3,413	3,527	3,568	3,669	3,678	3,678
Internal Services	973	1,043	1,070	1,053	1,042	1,042
Total	4,386	4,570	4,638	4,722	4,720	4,720

The actual FTEs increased by 152 from 2019-20 (4,570) to 2020-21 (4,722). The most significant increases were in the Justice System Support and Legal Services core responsibilities, where demand for legal services has increased over the years, and is projected to increase in the future.

Expenditures by Vote

For information on the Department of Justice Canada's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2020-2021](#)^{cxcii}.

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 [GC InfoBase](#)^{cxci}.

Financial Statements and Financial Statement Highlights

Financial Statements

The Department of Justice Canada's Financial Statements (unaudited) for the year ended March 31, 2021, are available on the [departmental website](#)^{cxci}. 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 2020-21 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 2020-21 Departmental Financial Statements (unaudited).

Financial Statement Highlights

The financial results are driven by delivering on the Department's core responsibilities and associated internal services. The two core responsibilities aim to ensure a fair, relevant, accessible, and effective 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, 2021
(dollars)**

Financial Information	2020-21 Planned Results	2020-21 Actual Results	2019-20 Actual Results	Difference (2020-21 Actual Results minus 2020-21 Planned Results)	Difference (2020-21 Actual Results minus 2019-20 Actual Results)
Total Expenses	1,178,091,000	1,307,152,915	1,257,033,133	129,061,915	50,119,782
Total Revenues	327,000,000	360,079,897	344,973,410	33,079,897	15,106,487
Net Cost of Operations before Government Funding and Transfers	851,091,000	947,073,018	912,059,723	95,982,018	35,013,295

Planned Results

Planned results are based on the [Future-Oriented Statement of Operations](#)^{cxv} presented alongside the [2020-21 Departmental Plan](#)^{cxvi}. The actual expenses for 2020-21 were \$129.1 million higher than planned expenses, mainly due to the following:

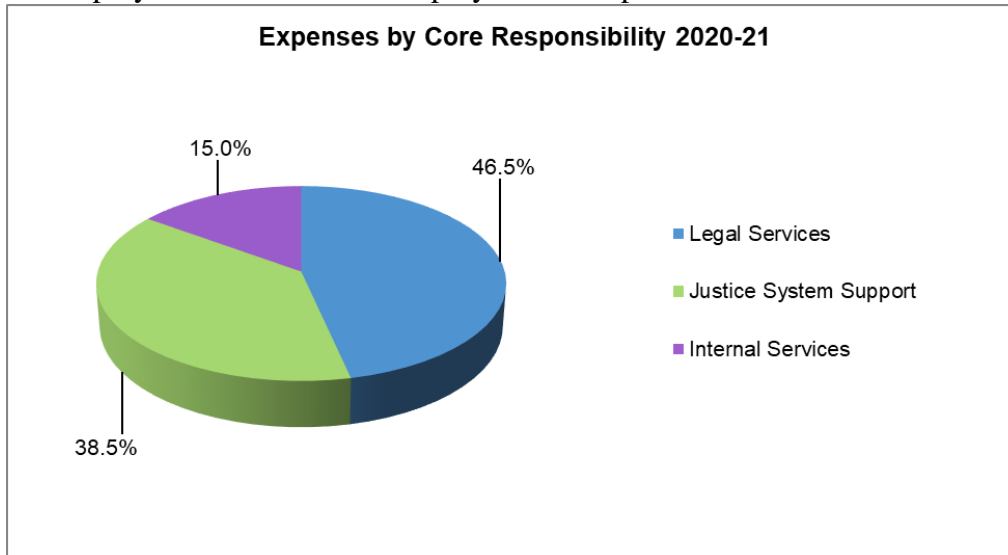
- increased expenses related to new funding received during the year, mainly for the Immigration and Refugee Legal Aid Program, responses to the [National Inquiry into Missing and Murdered Indigenous Women and Girls' Final Report: Reclaiming Power and Place](#)^{cxvii}, and engagement on legislation for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
- increased workforce and retroactive compensation payments and in-year increments related to the ratification of various collective agreements; and
- increased expenses for accrued vacation pay due to the postponement of the automatic cash-out of vacation and compensatory leave and for employer contributions to employee benefit plans.

The actual revenues for 2020-21 were \$33.1 million higher than planned revenues. This is mainly attributable to an increase in the provision of legal services to a broad range of clients and the increase in legal services rates during the year.

Expenses

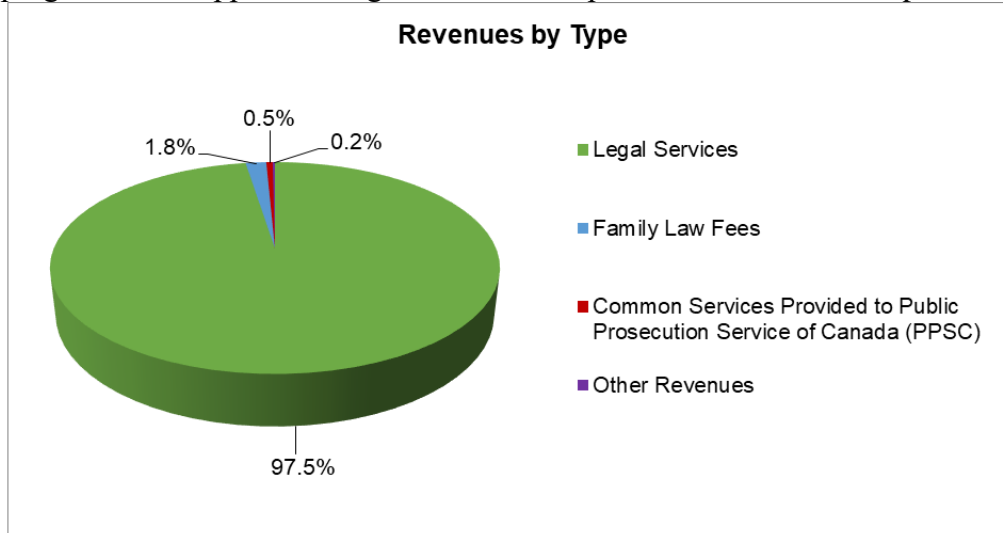
Total departmental expenses were \$1.3 billion in 2020-21, which represents an increase of \$50.1 million from 2019-20. The variance is explained by increases in the following accounts:

- expenses for cost-shared programs with provinces and territories, namely Criminal Legal Aid;
- salary expenses and employee benefits related to an increase in the workforce and yearly compensation adjustments due to the ratification of various collective agreements;
- accrued vacation and compensatory leave; and
- employer contributions to employee benefit plans.



Revenues

Total departmental revenues were \$360.1 million in 2020-21, a net increase of \$15.1 million from 2019-20. This variance is mainly explained by an increase in legal services revenues resulting from increased demand, supported by an increase in the workforce, especially for new programs that supported the government’s response to the COVID-19 pandemic.



Condensed Statement of Financial Position (unaudited) as of March 31, 2021 (dollars)

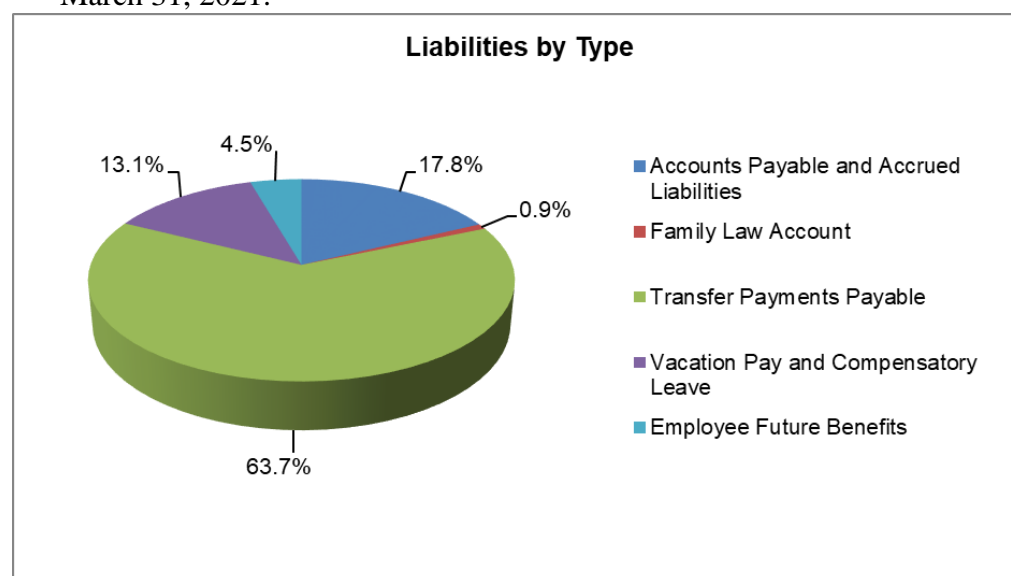
Financial Information	2020-21	2019-20	Difference (2020-21 minus 2019-20)
Total Net Liabilities	437,373,880	473,183,101	(35,809,221)
Total Net Financial Assets	377,154,865	428,602,451	(51,447,586)
Departmental Net Debt	60,219,015	44,580,650	15,638,365
Total Non-Financial Assets	32,741,192	38,502,452	(5,761,260)
Departmental Net Financial Position	(27,477,823)	(6,078,198)	(21,399,625)

From 2019-20 to 2020-21, the departmental net financial position decreased by \$21.4 million due to a number of factors, which are reflected in the information presented below.

Liabilities

The Department's total net liabilities were \$437.4 million in 2020-21, which represented a decrease of \$35.8 million from 2019-20. The variance is mainly explained by decreases in:

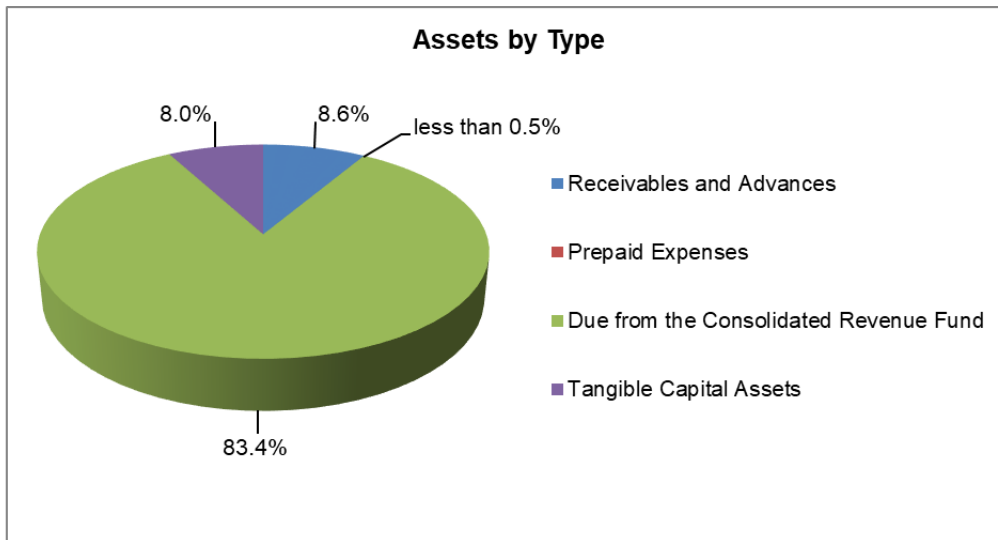
- transfer payments payable due to timing of payments, particularly for contributions to provinces and territories in support of youth justice services;
- the family law account, in relation to the absence of the one-time supplemental COVID-19 GST/HST credit that was garnished and payable in the previous year; and
- regular salaries and wages accrued for pay earned in the final pay period but not paid by March 31, 2021.



Financial and Non-Financial Assets

Total net financial assets and non-financial assets were \$409.9 million at the end of 2020-21, which represents a decrease of \$57.2 million from 2019-20. The variance is mainly explained by decreases in:

- amounts due from the Consolidated Revenue Fund (CRF) for expenses incurred but not paid from the CRF and revenue recognized but not yet collected and/or deposited to the CRF at March 31, 2021;
- accounts receivable at March 31, 2021, with the Canada Revenue Agency in relation to the absence of the one-time supplemental COVID-19 GST/HST credit that was garnished and payable in the previous year; and
- tangible capital assets following the removal of items that no longer provided any future benefits.



Corporate Information

Organizational Profile

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

Institutional Head: A. François Daigle

Ministerial Portfolio: Justice

Enabling Instrument: *Department of Justice Act*^{cxviii}

Year of Incorporation / Commencement: 1868

Raison D'être, Mandate and Role: Who We Are and What We Do

“Raison D'être, Mandate and Role: Who We Are and What We Do” is available on the [Department of Justice Canada's website](#)^{cxix}.

For more information on the Department's organizational mandate letter commitments, see the [Minister's mandate letters](#)^{cc}.

Operating Context

Information on the operating context is available on the [Department of Justice Canada's website](#)^{cci}.

Reporting Framework

The Department of Justice Canada's Departmental Results Framework and Program Inventory of record for 2020-21 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.
			<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 	Internal Services	

Supporting Information on the Program Inventory

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

Supplementary Information Tables

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

- ▶ [Reporting on Green Procurement](#)^{cciii}
- ▶ [Details on Transfer Payment Programs](#)^{cciv}
- ▶ [Gender-Based Analysis Plus \(GBA Plus\)](#)^{ccv}
- ▶ [Responses to Parliamentary Committees and External Audits](#)^{ccvi}

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](#)^{ccvii}. This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs as well as to evaluations and GBA Plus of tax expenditures.

Organizational Contact Information

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Website: www.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 usually tabled in Parliament each spring.

departmental priority (*priorité*)

A plan or project that a department 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 departmental results.

departmental result (*résultat ministériel*)

A consequence or outcome that a department seeks to achieve. A departmental result is often outside a department's immediate control, but it should be influenced by program-level outcomes.

departmental result indicator (*indicateur de résultat ministériel*)

A quantitative measure of progress on a departmental result.

departmental results framework (*cadre ministériel des résultats*)

A framework that connects the department's core responsibilities to its departmental results and departmental result indicators.

Departmental Results Report (*rapport sur les résultats ministériels*)

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

experimentation (*expérimentation*)

The conducting of activities that seek to first explore, then test and compare the effects and impacts of policies and interventions in order to inform evidence-based decision-making, and improve outcomes for Canadians, by learning what works, for whom and in what circumstances. Experimentation is related to, but distinct from innovation (the trying of new things), because it involves a rigorous comparison of results. For example, using a new website to communicate

with Canadians can be an innovation; systematically testing the new website against existing outreach tools or an old website to see which one leads to more engagement, is experimentation.

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. For a particular position, the full-time equivalent figure is the ratio of number of hours the person actually works divided by the standard number of hours set out in the person's collective agreement.

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

An analytical process used to assess how diverse groups of women, men and gender-diverse people experience policies, programs and services based on multiple factors including race, ethnicity, religion, age, and mental or physical disability.

government-wide priorities (*priorités pangouvernementales*)

For the purpose of the 2020-21 Departmental Results Report, those high-level themes outlining the Government's agenda in the 2019 Speech from the Throne, namely: Fighting climate change; Strengthening the middle class; Walking the road of reconciliation; Keeping Canadians safe and healthy; and Positioning Canada for success in an uncertain world.

horizontal initiative (*initiative horizontale*)

An initiative where two or more federal organizations 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 to the expected result.

planned spending (*dépenses prévues*)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts 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.

program (*programme*)

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

program inventory (*répertoire des programmes*)

Identifies all the department's programs and describes how resources are organized to contribute to the department's core responsibilities and results.

result (*résultat*)

A 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.

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.

Endnotes

- ⁱ Women and Gender Equality Canada, Gender-based Analysis Plus (GBA+), <https://women-gender-equality.canada.ca/en/gender-based-analysis-plus.html>
- ⁱⁱ Justice Laws Website, *Quarantine Act*, <https://laws-lois.justice.gc.ca/eng/acts/q-1.1/page-1.html>
- ⁱⁱⁱ Justice Laws Website, *Food and Drugs Act*, <https://laws-lois.justice.gc.ca/eng/acts/f-27/>
- ^{iv} Parliament of Canada, Bill C-7, *An Act to amend the Criminal Code (medical assistance in dying)*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-7/royal-assent>
- ^v Parliament of Canada, LEGISinfo, House Government Bill, Bill C-6, *An Act to amend the Criminal Code (conversion therapy)*, <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=en&Mode=1&billId=10871883>
- ^{vi} Justice Laws Website, *Greenhouse Gas Pollution Pricing Act*, <https://laws-lois.justice.gc.ca/eng/acts/G-11.55/>
- ^{vii} Parliament of Canada, Bill C-15, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-15/royal-assent>
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- ^{ix} 2021 Missing and Murdered Indigenous Women, Girls and 2SLGBTQQIA+ People National Action Plan: Ending Violence Against Indigenous Women, Girls, and 2SLGBTQQIA+ People, <https://mmiwg2splus-nationalactionplan.ca/>
- ^x Department of Justice, Systemic change informed by *Gladue* Principles to address Indigenous overrepresentation in the criminal justice system, <https://canada.justice.gc.ca/eng/fund-fina/home-accueil.html?wbdisable=true>
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- ^{xii} Parliament of Canada, LEGISinfo, House Government Bill, Bill C-23, *An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures)*, <https://www.parl.ca/legisinfo/BillDetails.aspx?Language=E&billId=11102980>
- ^{xiii} Justice Laws Website, *The Constitution Acts, 1867 to 1982*, <https://laws-lois.justice.gc.ca/eng/const/page-15.html>
- ^{xiv} Justice Laws Website, *Department of Justice Act*, <https://laws-lois.justice.gc.ca/eng/acts/j-2/index.html>
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- ^{xvi} Justice Laws Website, *Aeronautics Act*, <https://laws-lois.justice.gc.ca/eng/acts/a-2/>
- ^{xvii} Justice Laws Website, *Canada Shipping Act, 2001*, <https://laws-lois.justice.gc.ca/eng/acts/c-10.15/>
- ^{xviii} Justice Laws Website, *Food and Drugs Act*, <https://laws-lois.justice.gc.ca/eng/acts/f-27/>
- ^{xix} Justice Laws Website, *Railway Safety Act*, <https://laws-lois.justice.gc.ca/eng/acts/R-4.2/>
- ^{xx} Parliament of Canada, LEGISinfo, House Government Bill, Bill C-2, *An Act relating to economic recovery in response to COVID-19*, <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=10867434>
- ^{xxi} Parliament of Canada, Bill C-4, *An Act relating to certain measures in response to COVID-19*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-4/royal-assent>
- ^{xxii} Parliament of Canada, Bill C-14, *An Act to implement certain provisions of the economic statement tabled in Parliament on November 30, 2020 and other measures*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-14/royal-assent>
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- ^{xxiv} Parliament of Canada, Bill C-17, *An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2021*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-17/royal-assent>
- ^{xxv} Parliament of Canada, LEGISinfo, House Government Bill, Bill C-19, *An Act to amend the Canada Elections Act (COVID-19 response)*, <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=11031427>
- ^{xxvi} Parliament of Canada, Bill C-20, *An Act respecting further COVID-19 measures*, <https://parl.ca/DocumentViewer/en/43-1/bill/C-20/royal-assent>
- ^{xxvii} Parliament of Canada, LEGISinfo, House Government Bill, Bill C-23, *An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures)*, <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=11102980>

- ^{xxviii} Parliament of Canada, Bill C-24, *An Act to amend the Employment Insurance Act (additional regular benefits), the Canada Recovery Benefits Act (restriction on eligibility) and another Act in response to COVID-19*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-24/royal-assent>
- ^{xxix} Parliament of Canada, LEGISinfo, House Government Bill, Bill C-25, *An Act to amend the Federal-Provincial Fiscal Arrangements Act, to authorize certain payments to be made out of the Consolidated Revenue Fund and to amend another Act*, <https://www.parl.ca/LegisInfo/BillDetails.aspx?Language=E&billId=11195880>
- ^{xxx} Government of Canada, Canada Recovery Benefit (CRB), <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-benefit.html>
- ^{xxxi} Government of Canada, Canada Recovery Sickness Benefit (CRSB), <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-sickness-benefit.html>
- ^{xxxii} Government of Canada, Canada Recovery Caregiving Benefit (CRCB), <https://www.canada.ca/en/revenue-agency/services/benefits/recovery-caregiving-benefit.html>
- ^{xxxiii} Government of Canada, Canada Emergency Response Benefit (CERB): Closed, <https://www.canada.ca/en/services/benefits/ei/cerb-application.html>
- ^{xxxiv} Government of Canada, Canada Emergency Student Benefit (CESB), <https://www.canada.ca/en/revenue-agency/services/benefits/emergency-student-benefit.html>
- ^{xxxv} Government of Canada, Canada Emergency Wage Subsidy (CEWS), <https://www.canada.ca/en/revenue-agency/services/subsidy/emergency-wage-subsidy.html>
- ^{xxxvi} Government of Canada, Canada Emergency Rent Subsidy (CERS), <https://www.canada.ca/en/revenue-agency/services/subsidy/emergency-rent-subsidy.html>
- ^{xxxvii} Government of Canada, Canada Emergency Business Account (CEBA), <https://ceba-cuec.ca/>
- ^{xxxviii} Government of Canada, Canada Recovery Hiring Program (CRHP), <https://www.canada.ca/en/revenue-agency/services/subsidy/recovery-hiring-program.html>
- ^{xxxix} Government of Canada, 10% Temporary Wage Subsidy for Employers, <https://www.canada.ca/en/revenue-agency/services/subsidy/temporary-wage-subsidy.html>
- ^{xl} Justice Laws Website, *Employment Insurance Act*, <https://laws-lois.justice.gc.ca/eng/acts/e-5.6/>
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- ^{xliii} Crown-Indigenous Relations and Northern Affairs Canada, Recognition and Reconciliation of Rights Policy for treaty negotiations in British Columbia, <https://www.rcaanc-cirnac.gc.ca/eng/1567636002269/1567636037453>
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- ^{xlv} Fisheries and Oceans Canada, Government of Canada and the A-Tlegay Member Nations Sign the Reconciliation Framework Agreement for Fisheries Resources, <https://www.canada.ca/en/fisheries-oceans/news/2021/02/government-of-canada-and-the-a-tlegay-member-nations-sign-thereconciliation-framework-agreement-for-fisheries-resources.html>
- ^{xlvi} Fisheries and Oceans Canada, Blue Economy Strategy, <https://www.dfo-mpo.gc.ca/campaign-campagne/bs-seb/index-eng.html>
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- ^{xlix} Justice Laws Website, *Indian Act*, <https://laws-lois.justice.gc.ca/eng/acts/i-5/index.html>
- ^l Truth and Reconciliation Commission of Canada: Calls to Action, https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf
- ^{li} Parliament of Canada, Bill C-8, *An Act to amend the Citizenship Act (Truth and Reconciliation Commission of Canada's call to action number 94)*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-8/royal-assent>
- ^{lii} Parliament of Canada, Bill C-7, *An Act to amend the Criminal Code (medical assistance in dying)*, <https://parl.ca/DocumentViewer/en/43-2/bill/C-7/royal-assent>
- ^{liii} Justice Laws Website, *Tobacco and Vaping Products Act*, <https://laws-lois.justice.gc.ca/eng/acts/t-11.5/>
- ^{liv} Justice Laws Website, *Cannabis Act*, <https://laws-lois.justice.gc.ca/eng/acts/c-24.5/>
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