

GOVERNMENT OF ALBERTA

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# Annual Report

## Justice

### 2022-2023

Ministry of Justice, Government of Alberta | Ministry of Justice 2022–2023 Annual Report

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## Preface

The Public Accounts of Alberta are prepared in accordance with the *Financial Administration Act* and the *Fiscal Planning and Transparency Act*. The Public Accounts consist of the annual report of the Government of Alberta and the annual reports of each ministry.

On October 24, 2022, the government announced new ministry structures. As such, the responsibilities of the former Ministry of Justice and Solicitor General were transferred to the Ministry of Justice and Ministry of Public Safety and Emergency Services. The 2022-23 Annual Report reflects the 2022-25 ministry business plans, the Government of Alberta Strategic Plan, as well as the ministry's activities and accomplishments during the 2022-23 fiscal year, which ended on March 31, 2023.

The Annual Report of the Government of Alberta contains Budget 2022 Key Results and the audited Consolidated Financial Statements and Performance Results, which compares actual performance results to desired results set out in the government's strategic plan.

This annual report of the Ministry of Justice contains the Minister's Accountability Statement, the ministry's Financial Information and Results Analysis, and a comparison of actual performance results to desired results set out in the ministry business plan. This ministry annual report also includes:

- the financial statements of entities making up the ministry, including the Human Rights Education and Multiculturalism Fund, for which the minister is responsible; and
- other financial information as required by the *Financial Administration Act* and *Fiscal Planning and Transparency Act*, as separate reports, to the extent that the ministry has anything to report.

All Ministry Annual Reports should be considered along with the Government of Alberta Annual Report to provide a complete overview of the government's commitment to openness, accountability, and fiscal transparency.

## Minister's Accountability Statement

The ministry's annual report for the year ended March 31, 2023, was prepared under my direction in accordance with the *Fiscal Planning and Transparency Act* and the government's accounting policies. All of the government's policy decisions as at June 9, 2023, with material economic or fiscal implications of which I am aware have been considered in the preparation of this report.

[Original signed by Honourable Mickey Amery, KC, ECA]  
Minister of Justice

## Message from the Minister



The 2022-2023 fiscal year saw the former Ministry of Justice and Solicitor General split into two new ministries: the Ministry of Public Safety and Emergency Services and the Ministry of Justice. This change did not disrupt the ministry's ability to maintain a fair and efficient justice system.

Indeed, over the past fiscal year, the Alberta government took several important steps to protect the province. As it entered its second year of operations, the Alberta Chief Firearms Office proved itself as a powerful defender of the rights of law-abiding firearms owners in the face of federal plans to ban, confiscate or buy back a wide assortment of rifles, shotguns and handguns. Alberta's Chief Firearms Officer was a welcome voice of reason in the debate, helping even Albertans who do not own guns understand the flaws in this costly federal plan and making the case that it would do little to increase safety, prevent crime or reduce gun violence. The government backed up the efforts of the Chief Firearms Office with the introduction of the *Alberta Firearms Act*, which allows for the enactment of regulations placing limits on how the federal legislation will be administered in Alberta.

Bail reform is another topic that has occupied much of this ministry's attention over the past year. This is not solely an Alberta issue—in fact, justice ministers from every province and territory in Canada travelled to Ottawa in March 2023 to meet with the federal justice minister. During the conversation, ministers expressed concerns about the ease with which repeat offenders, many with a demonstrated history of violence, get bail, and urged him to strengthen bail legislation and help restore order to our streets.

Within Alberta's courts, maintaining a high quality of prosecutions relies on the ability to attract and retain quality Crown prosecutors. Following the lifting of the multi-year salary freeze at the end of 2021, the department took steps to ensure that pay rates for Alberta Crown prosecutors are competitive with similar positions in other provinces. This fiscal year, the ministry helped ensure a more sustainable workload for our existing Crown prosecutors by continuing to hire new Crown prosecutors, setting up competitions to fill vacancies, and continuing our efforts to place articling students in regional offices.

Measures such as pre-charge assessments and the Justice Transformation Initiative (which diverts minor first-time impaired driving charges out of the courts) have also eased the burden on Crown prosecutors and increased access to justice. The demands of the job can take a toll on legal professionals, and this understanding is reflected in the agreement the government signed with the Alberta Crown Attorneys' Association to reduce Crown caseloads and provide additional mental health supports.

This year, the government also provided for the creation of two additional judicial positions in the Court of King's Bench and four new judicial positions in what is now called the Alberta Court of Justice, as well as filling eight Alberta Court of Justice vacancies across the province. Once these positions are filled, cases may proceed more swiftly through the judicial system, further reducing delays. In December, our government approved a 25 per cent increase to the tariff rate for legal aid lawyers, ensuring that these legal professionals are properly compensated for their important work.

This past year also saw the passage of several important pieces of legislation, including the *Alberta Sovereignty within a United Canada Act*, the *Alberta Firearms Act* and the *Property Rights Statutes*

*Amendment Act.* These measures were put in place to protect provincial areas of responsibility and Albertans' rights, including property rights. They exemplify the skill with which the ministry analyzes legal issues and crafts legislation that benefits all Albertans.

All this work would not have been possible without the effort of the Ministry of Justice staff and others from across the justice system. I'm grateful to every person whose talents have contributed to this ministry over the past year, and I hope they take pride in everything that was accomplished together.

[Original signed by Honourable Mickey Amery, KC, ECA]  
Minister of Justice



## Management's Responsibility for Reporting

The Ministry of Justice includes the Department of Justice and the Human Rights Education and Multiculturalism Fund.

The executives of the individual entities within the ministry have the primary responsibility and accountability for the respective entities. Collectively, the executives ensure the ministry complies with all relevant legislation, regulations, and policies.

Ministry business plans, annual reports, performance results and supporting management information are integral to the government's fiscal and strategic plan, annual report, quarterly reports, and other financial and performance reporting.

Responsibility for the integrity and objectivity of the accompanying ministry financial information and performance results for the ministry rests with the Minister of Justice. Under the direction of the Minister, I oversee the preparation of the ministry's annual report, which includes the financial information, performance results on all objectives and initiatives identified in the ministry Business Plan, and performance results for all ministry-supported commitments included in the 2022-25 Government of Alberta Strategic Plan. The financial information and performance results, out of necessity, include amounts that are based on estimates and judgments. The financial information is prepared using the government's stated accounting policies, which are based on Canadian public sector accounting standards. The performance measures are prepared in accordance with the following criteria:

- Reliable – information used in applying performance measure methodologies agrees with the underlying source data for the current and prior years' results.
- Understandable – the performance measure methodologies and results are presented clearly.
- Comparable – the methodologies for performance measure preparation are applied consistently for the current and prior years' results.
- Complete – outcomes, performance measures, and related targets match those included in the ministry's *Budget 2022*.

As Deputy Minister, in addition to program responsibilities, I am responsible for the ministry's financial administration and reporting functions. The ministry maintains systems of financial management and internal control, which consider costs, benefits, and risks that are designed to:

- provide reasonable assurance that transactions are properly authorized, executed in accordance with prescribed legislation and regulations, and properly recorded so as to maintain accountability of public money;
- provide information to manage and report on performance;
- safeguard the assets and properties of the province under ministry administration;
- provide the Executive Council, the President of Treasury Board and Minister of Finance, and the Minister of Justice the information needed to fulfill their responsibilities; and
- facilitate preparation of ministry business plans and annual reports required under the *Fiscal Planning and Transparency Act*.

In fulfilling my responsibilities for the ministry, I have relied, as necessary, on the executives of the individual entities within the ministry.

[Original signed by Susanne Stushnoff, KC]  
Acting Deputy Minister of Justice  
June 9, 2023

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# Results Analysis

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## Ministry Overview

The Ministry of Justice helps ensure all Albertans have access to a fair and accessible justice system where the rule of law is upheld and government undertakings are administered according to law. In collaboration with the judiciary, law enforcement, public safety, and health, the ministry provides programs and services that ensure access to justice and support the needs of Albertans involved in the justice system.

The ministry is responsible for the administration of courts in Alberta and provides criminal prosecution services as well as legal and related strategic services to the government. The Ministry of Justice also oversees the delivery of legal aid to Albertans through an agreement with the Law Society of Alberta and Legal Aid Alberta. Further, it supports the Office of the Chief Medical Examiner in its role in providing forensic death investigations into sudden, unexpected, or unexplained deaths in Alberta. The ministry supports the administration of federal firearms legislation, advocates for Alberta's lawful firearms owners, and promotes firearms safety through the Alberta Chief Firearms Office.

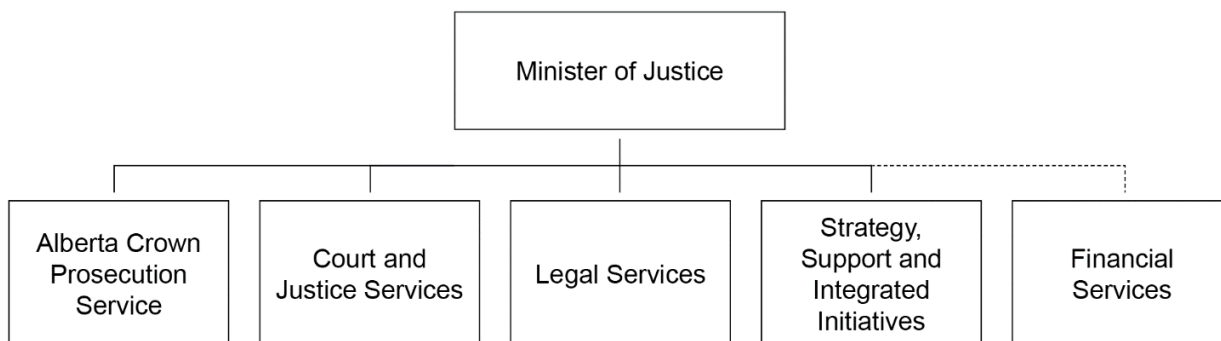
Additionally, the Ministry of Justice provides programs and services to help Albertans address their legal issues, including family law matters. This includes information services, referrals, dispute resolution, and court assistance. The ministry further supports Albertans dealing with family law issues by collecting and enforcing court-ordered child, spousal, and partner support.

In collaboration with other ministries and community organizations, the ministry supports the delivery of alternatives to traditional judicial processes, including diversion and restorative justice programs and specialized courts that provide a therapeutic and culturally appropriate approach to justice. The ministry also provides culturally relevant programming and initiatives to support Indigenous people in contact with the justice system.

In 2022-23, the ministry worked to achieve the following outcomes:

- **Outcome 1:** Albertans are safe and protected
- **Outcome 2:** Alberta's justice system is fair and effective
- **Outcome 3:** Albertans are supported in their interactions with the justice system

## Organizational Structure



## Operational Overview

The Ministry of Justice comprises three operating divisions: Alberta Crown Prosecution Service, Court and Justice Services, and Legal Services. The Strategy, Support and Integrated Initiatives Division and Financial Service Division are shared between the Ministry of Justice and the Ministry of Public Safety and Emergency Services.

### ***Alberta Crown Prosecution Service***

The Alberta Crown Prosecution Service is responsible for prosecuting persons charged under the *Criminal Code*, the *Youth Criminal Justice Act*, and provincial statute offences.

The Alberta Crown Prosecution Service handles criminal appeals in the Court of Appeal of Alberta and the Supreme Court of Canada on behalf of Alberta's Attorney General. Additionally, the Alberta Crown Prosecution Service develops criminal law policy for its Crown prosecutors and supports criminal law consultation with other provinces, territories, and the Government of Canada.

The authority to conduct prosecutions, including all the discretionary decisions that must be made in every case, originates with the office of the Attorney General. With this role also comes the duty to remain independent. Crown prosecutors are appointed to act for the Attorney General and administer justice at the local level. The Attorney General empowers agents to perform their prosecutorial duties through these appointments.

### ***Court and Justice Services***

Court and Justice Services provides resolution and court administration services to Albertans with legal issues and court services to support the operations of Alberta's three courts. The division's broad range of services includes information services, referrals to legal resources, dispute resolution, and court assistance. Court and Justice Services also facilitates the enforcement of court-ordered child, spousal, and partner support. The division supports Albertans in family, surrogate, civil, criminal, and traffic matters by facilitating fine payments, document filing, scheduling, and trials.

Court and Justice Services implements policies, programs, and legislative and regulatory initiatives related to several areas focused on the courts, judicial officers, and justice services.

## ***Legal Services***

Legal Services supports the minister in fulfilling the minister's role as Attorney General, including providing legal advice to the Premier and Cabinet. With a comprehensive understanding of government's legislative and regulatory frameworks, policy objectives and key programs, the Legal Services solicitors, litigators, and legislative counsel provide legal representation for, legal advice to, and draft all legislation for all government departments. The division provides legal and related strategic advice and representation to the Government of Alberta and supports the administration of public affairs according to the law. Legal Services' Legislative Counsel Office drafts legislation, regulations, and orders in council.

## ***Strategy, Support and Integrated Initiatives***

Strategy, Support and Integrated Initiatives provides a number of supports for government business and public-facing programs, including the Office of the Chief Medical Examiner and the Alberta Chief Firearms Office. The division supports policy and planning, engagement, service innovation and digitization, research, evaluation, data analytics, and strategic reporting. The division also manages and is responsible for the notaries public, commissioners for oaths, and the documentation authentication programs. It provides records and information management support, crime prevention, restorative justice, specialized courts, Indigenous policy and services, and the Alberta Law Libraries. This division provides governance and oversight of agencies, boards and commissions, and oversight of a tri-partite agreement with the Law Society of Alberta and Legal Aid Alberta in delivering legal aid to Albertans.

## ***Financial Services***

Financial Services provides a full range of financial support functions for the ministry, including compliance, budgeting, auditing, facilities and fleet services, procurement, and planning. These services are provided to the entire ministry to establish and maintain strategic priorities and optimize operating efficiency, while ensuring division, ministry, and Government of Alberta goals are aligned.

## ***Agencies, Boards, and Commissions***

### ***Alberta Human Rights Commission***

The Minister of Justice is responsible for the *Alberta Human Rights Act* (AHR Act), which establishes the Alberta Human Rights Commission (Commission). Reporting to the Minister, but independent of the Government of Alberta, the Commission protects human rights across the province by resolving complaints made under the AHR Act. Human rights tribunals adjudicate complaints that cannot be resolved. The Commission works to eliminate discrimination and barriers to full participation in society through education and community engagement. The Chief of the Commission and Tribunals, members of the Commission, and the Director of the Commission are appointed through order in council.

### ***Alberta Law Libraries Board***

The Alberta Law Libraries Board is responsible for making recommendations about Alberta Law Libraries, setting policy governing their operation, and oversight of the law library system.

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### ***Criminal Code Review Board***

The Criminal Code Review Board makes or reviews dispositions concerning any accused adult or young person for whom a verdict of “not criminally responsible because of mental disorder” or “unfit to stand trial” is rendered, according to the provisions of the *Criminal Code*. The board is also responsible for determining whether such a person should be subject to a detention order or granted either a conditional or an absolute discharge. The board members are appointed through order in council.

### ***Fatality Review Board***

The Fatality Review Board is responsible for the review of investigations under the *Fatality Inquiries Act* (FI Act). The board determines whether there is a need to hold a legal proceeding before a Court of Justice judge that helps clarify the circumstances of a death (known as a public fatality inquiry). The board also reviews complaints concerning misbehaviour, incompetence, or neglect of duty by medical examiners or the inability of medical examiners to perform their duties under the FI Act. The board members are appointed through order in council.

### ***Judicial Council***

The Judicial Council considers proposed appointments of persons as applications judges, Alberta Court of Justice judges, and justices of the peace and reports its recommendations to the Minister of Justice. In addition, the Judicial Council has jurisdiction to deal with complaints against applications judges, Alberta Court of Justice judges, and justices of the peace, and establishes rules relating to conflicts of interest and a code of ethics relating to these positions. The Judicial Council is composed of six members, two of whom are appointed by Ministerial Order and four designated under the *Judicature Act*.

### ***Notaries Public Advisory Committee***

The Notaries Public Advisory Committee reviews applications for notary public appointments and makes recommendations to the Minister. The committee acts as an appeal panel and monitors lay notaries' appointments. Members are appointed by Ministerial Order.

### ***Provincial Court Nominating Committee***

The Provincial Court Nominating Committee makes recommendations to the Minister of Justice regarding the appointment of individuals to the Alberta Court of Justice. The committee comprises 11 members, eight of whom are appointed by Ministerial Order, and includes representatives from the legal profession and members of the public. The remaining three committee members are the Chief Justice of the Alberta Court of Justice, the President of the Law Society of Alberta, and the President of the Canadian Bar Association (Alberta Branch) or their representatives. By way of convention, the Minister of Justice uses this committee's recommendations in making recommendations to Cabinet for the appointment of new judges and justices of the peace.

### ***Rules of Court Committee***

The Rules of Court Committee makes recommendations to the Minister of Justice on the Alberta Rules of Court, which deals with civil litigation, family law, and civil appeals. The Family Law Rules Advisory Subcommittee makes recommendations to the committee for improvements to the existing family law rules, as well as other rules and forms used in family law matters in the Court of King's Bench and the Court of Appeal. The Family Law Rules Advisory Subcommittee also makes recommendations to the Chief Justice of the Alberta Court of Justice for changes to family law

process and forms in that court. Additionally, the Surrogate Rules Advisory Subcommittee makes recommendations to the Rules of Court Committee for improving the rules and forms used in wills and estate and other surrogate matters in the Court of King's Bench.



## Key Highlights

In 2022-23, the Ministry of Justice delivered on commitments identified in the Justice and Solicitor General 2022-25 Business Plan and continued day-to-day operations to support Albertans.

Key achievements towards desired outcomes in the 2022-25 Business Plan and key priorities in the Government of Alberta 2022-25 Strategic Plan include:

Utilize court and prosecution resources efficiently and effectively	<p>Completed hiring 50 new Crown prosecutors and additional support staff and expanded its articling program to 20 law students to help ensure criminal matters are dealt with in a timely and appropriate manner.</p> <p>Continued to implement a pre-charge assessment system that ensures charges are reviewed by a prosecutor before police determine whether to lay charges. Fourteen Royal Canadian Mounted Police (RCMP) detachments and seven municipal police services are currently using the pre-charge assessment system.</p>
Advocate for law-abiding firearms owners	<p>Passed the <i>Alberta Firearms Act</i> to give the province more tools to protect areas of provincial jurisdiction over firearms, while expanding the role of the Alberta Chief Firearms Office.</p> <p>Established virtual services for Fort McMurray to ensure maximum service levels and a physical presence to serve the Vegreville area.</p> <p>Issued a Practice Protocol to Crown prosecutors with guidance and direction in relation to the evaluation of public interest. This helps ensure that criminal charges of possession of prohibited firearms covered by the federal firearms ban do not proceed against otherwise law-abiding citizens after the expiration of the amnesty period.</p>
Expand drug treatment court capacity	Expanded drug treatment court capacity by opening a seventh site in Fort McMurray, thus concluding the drug treatment court expansion project.
Protect the rights and interests of Albertans	Passed the <i>Alberta Sovereignty within a United Canada Act</i> to address federal legislation and policies that violate Albertans' <i>Charter</i> rights, or that affect or interfere with provincial constitutional jurisdiction.
Continue to defend the constitutional jurisdiction of the province	<p>To protect Albertans' constitutional rights, Alberta's counsel successfully challenged the federal <i>Impact Assessment Act</i> in the Court of Appeal of Alberta. Counsel presented Alberta's legal arguments in defence against Canada's appeal to the Supreme Court of Canada regarding the Court of Appeal of Alberta decision.</p> <p>Legal Services counsel successfully sought Alberta's intervener status and made its legal submissions in Federal Court in six ongoing cases on non-constitutional issues as part</p>

	of Alberta's opposition to federal firearms legislation seeking to ban over 1,500 models of firearms.
Continue to implement digital transformation	Under Justice Digital, new digital services were introduced, resulting in the digitization of over one million transactions within the courts to date. The new digital services reflect a significant transformational change in how Albertans, the legal community, and other organizations interact with justice services.
Enhance restorative justice capacity	Supported the Alberta Courts' Restorative Justice project to increase referrals to restorative justice programs. For 2022-23, the Alberta Community Restorative Justice Grant offered \$720,000 for direct restorative justice service provision. Grants up to \$50,000 were awarded to 16 restorative justice organizations located throughout the province. This funding has helped increase the capacity of the existing community restorative justice service providers in the province to accommodate increases in program referrals. Restorative justice programs facilitate a reparative dialogue between the victim, offender, and community, allowing the offender to take accountability for their actions outside of the traditional justice system.
Protect Albertans' property rights	Passed the <i>Property Rights Statutes Amendment Act</i> to prevent people who are not the registered owners of a piece of property from taking ownership of it through claims of adverse possession after openly and publicly occupying it for at least 10 years.
Strengthen Albertans' right to know	Passed the <i>Public's Right to Know Act</i> to improve public safety by making it easier for Albertans to access crime data so they can make informed decisions about protecting themselves and their communities.

## Discussion and Analysis of Results

### Actions that support the priorities of the Government of Alberta Strategic Plan

#### **Key Priority One: Enhancing government services now and for the future**

##### **Objective 1.4: Enhancing the justice system to make it fairer, faster, and more effective**

Albertans deserve an accessible and sustainable justice system that protects them and their loved ones. This government will protect Albertans by making the justice system fairer, faster, and more effective. Government is committed to providing Albertans with improved digital services to access justice, address COVID-related system backlogs, and promote justice system sustainability.

For detailed reporting on supporting initiatives, please refer to:

- Page 21 – Crown prosecutor capacity
- Page 28 – Justice Digital
- Page 31 – Drug treatment court

#### **Key Priority Two: Growing Alberta's economy**

##### **Objective 2.5: Advancing a fair deal for Alberta**

Alberta has been the biggest contributor to Canada's economic growth and success in recent decades, and a driver of job creation. Wealth from Alberta's oil and gas sector has been a key factor in an improved standard of living for all Canadians. That is why this government continues to engage constructively with the federal government to protect Canada's economic interests. Alberta will continue to seek a fair deal on equalization and stabilization and protect our key industries.

For detailed reporting on supporting initiatives, please refer to:

- Page 25 – *Alberta Sovereignty within a United Canada Act*
- Page 25 - Alberta Chief Firearms Office
- Page 26 – *Alberta Firearms Act*
- Page 26 – Oppose federal legislation

## Red Tape Reduction

The Ministry of Justice remains committed to regulatory approaches and program delivery that reduce unnecessary government oversight. The ministry emphasizes outcomes to improve access to government services, attract investment, support innovation and competitiveness, and grow Alberta businesses.

The Government of Alberta has set an ambitious target of a one-third reduction of regulatory requirements across government by 2023. While the Ministry of Justice supported this priority commitment by eliminating seven per cent from the ministry's baseline of regulatory requirements, the department also added requirements resulting in a net addition of 16.73 per cent since 2019. These additions result from several government priority and platform commitments that are required to strengthen the justice system and ensure effective and fair elections.

Justice also continues to advance several other initiatives to streamline and improve processes for Albertans, with the aim of making the justice system more accessible. While this does not necessarily count towards the total number of reduced regulatory requirements, these initiatives alleviate administrative burdens and are an important component of the ministry's efforts. A key success has been the Justice Digital initiative that improves access to court and justice services. For more information about Justice Digital achievements, see the results analysis for Key Objective 3.2.

The *Red Tape Reduction Statutes Amendment Act* received Royal Assent in March 2023. Changes under this bill include amendments to the *Trespass to Premises Act* and *Petty Trespass Act*, clarifying that this legislation also applies to agents of the Government of Canada.

**COVID-19/Recovery Plan**

In 2022-23, the Government of Canada provided additional legal aid funding to provinces and territories to address legal aid backlogs associated with COVID-19 and to foster ongoing innovation. The Government of Alberta oversees the delivery of legal aid to Albertans, including the grant to Legal Aid Alberta. In 2022-23, the province received additional federal funding of \$6.1 million for Legal Aid Alberta as part of this grant. Legal Aid Alberta used this funding to implement:

- technical infrastructure to support early criminal resolution;
- technical infrastructure and requirements to support alternative COVID-19 pandemic operations; and
- technology to support the delivery of virtual appearances and Justice Digital.

Looking forward, Legal Aid Alberta will continue to improve access to justice for Albertans through innovation and technology projects to ensure clients receive quality legal representation.

## **Actions that Support Ministry of Justice 2022-25 Business Plan Outcomes**

### **Outcome One: Albertans are safe and protected**

The Ministry of Justice is committed to ensuring Albertans feel safe and protected in their communities. The ministry petitioned the Government of Canada to strengthen bail legislation and launched a webpage to inform Albertans about recent changes to federal bail laws and how they impact public safety. Amendments to legislation were completed to allow Legislative Assembly Security Services to carry firearms in and around the legislature to improve public safety and protect the integrity of Alberta's legislative process.

The ministry also introduced new legislation that provided Albertans with access to crime data, supporting them in protecting themselves and their communities. Further work to improve community safety included advancing applications for Community Safety Orders that target problem properties being used for specific illegal activity, including drug trafficking and child exploitation.

### **Key Objectives**

#### **1.1 Continue to work with policing partners and municipal leaders to address drivers of crime, including focused work on rural crime, organized crime, drug trafficking, and proceeds of crime.**

### **Bail Reform**

It is critical that the bail system functions effectively to maintain public confidence in the administration of justice. Canada's bail system is set out in the *Criminal Code*, which can only be amended by the federal government. In 2019, the Government of Canada updated federal legislation, making it easier for individuals to receive bail. These updated laws require peace officers and judicial officers to default to releasing people on bail at the earliest opportunity with the least onerous conditions. On January 13, 2023, premiers from all 13 provinces and territories sent a letter to the Prime Minister urging action to fix Canada's bail system. Alberta supports the view that the bail system must strike a balance between the *Charter* right to reasonable bail and to ensure the highest levels of community safety. The ministry also strongly supports *Criminal Code* bail reforms targeting repeat, violent offenders, including those charged with offences involving firearms or other weapons in circumstances where there are public safety risks.

### **Legislative Assembly Act Amendments**

In 2022-23, to prevent issues seen in other jurisdictions, the Ministry of Justice developed amendments to the *Legislative Assembly Act* to ensure the safety of the Legislative Assembly of Alberta and its members, staff, and visitors. These amendments designate members of the Legislative Assembly Security Services as peace officers, allowing them to carry firearms in and around the legislature building. While the Legislative Assembly Security Services are already supported by armed sheriffs, this change enhances the independence of the legislative assembly by providing access to additional law enforcement tools to protect the integrity of Alberta's legislative process.

### **Public's Right to Know Act**

The *Public's Right to Know Act* (PRTK Act) received Royal Assent on April 22, 2022. It was proclaimed through an order in council on February 15, 2023. The PRTK Act requires annual

reporting of criminal justice system metrics that must be tabled in the legislature and posted on the Government of Alberta's website. Through annual reporting, the PRTK Act:

- serves to increase transparency and accountability with respect to the criminal justice system in Alberta;
- helps Albertans better understand the criminal justice system in Alberta; and
- ensures Albertans have information about the safety of their communities.

The first [Report on Crime and Justice Statistics: 2017-18 to 2021-22](#) was completed and made available to the public through the Open Government Portal in February 2023. It includes data from the Ministry of Justice, Ministry of Public Safety and Emergency Service, as well as data reported to Statistics Canada by police services across Alberta.

## Community Safety Orders

Alberta's Safer Communities and Neighbourhoods (SCAN) unit helps improve community safety by targeting and, if necessary, shutting down residential and commercial buildings used regularly for criminal activities. This includes activities such as producing, selling, or using illegal drugs, prostitution, solvent abuse or the unlawful sale and consumption of alcohol, gang activity, organized crime, and the exploitation of children.

When community members report a suspicious property, Legal Services counsel may apply to the courts for a Community Safety Order, requiring owners to meet several conditions or requiring the property to close for up to 90 days. Community Safety Orders issued by the courts bring positive changes to the properties. When properties are closed, violent crime and property theft, which often accompany illegal drug activity, are reduced. Threats to community safety posed by items such as weapons and biohazards (including used needles and other drug paraphernalia) are removed from neighbourhoods. Legal Services has an extremely high success rate when advancing Court of King's Bench applications for Community Safety Orders, typically greater than 90 per cent (100 per cent in 2022-23). During the fiscal year, Legal Services obtained three Community Safety Orders protecting communities and neighbourhoods throughout the province (Lethbridge, Medicine Hat and Slave Lake).

For further information on the SCAN unit, refer to the Public Safety and Emergency Services 2022-23 Annual Report.

### **1.2 Collaborate with partners to protect vulnerable Albertans, including those at risk of human trafficking or hate-motivated crime.**

The Ministry of Public Safety and Emergency Services is reporting on this key objective.

### **1.3 Review the delivery of policing services in the province, including further examination of a provincial police service, to ensure Albertans feel safe and confident in their communities.**

The Ministry of Public Safety and Emergency Services is reporting on this key objective.

#### **Performance Measure 1.a:**

#### **Violent and Property Crime Rates per 100,000 Population**

The Ministry of Public Safety and Emergency Services is reporting on this performance measure.

**Performance Measure 1.b:**  
**Violent and Non-violent Crime Severity Index**

The Ministry of Public Safety and Emergency Services is reporting on this performance measure.

**Performance Indicator 1.c:**  
**Number of provincially funded police officer positions**

The Ministry of Public Safety and Emergency Services is reporting on this performance indicator.

**Outcome Two: Alberta's justice system is fair and effective**

The ministry continues to ensure that Albertans have access to a fair, effective, and sustainable justice system. The ministry completed work to improve the efficiency of Crown prosecutions and court resources to ensure criminal matters are dealt with in a timely and appropriate manner. The Child Support Recalculation Program, which helps parents with child support orders meet their legal obligations to update the child support they pay based on their income, was improved through simplified program procedures. This program offers families an easy and inexpensive way to fulfil their legal obligation and allows court time to be dedicated to more complex family matters. Increases to the Albert Court of Justice civil claims limit were also introduced to help reduce costs for Albertans and free up time and resources in the Court of King's Bench.

The ministry continued to implement key democratic reforms to strengthen government accountability by addressing the Select Special Democratic Accountability Committee's 2020 recommendations to review matters pertaining to recall and citizens' initiatives. Work included drafting and proclaiming regulations under the *Recall Act* and the *Citizen Initiative Act*.

Efforts were made to ensure that Albertans have a fair deal in the Canadian federation through challenges to federal legislation and policies that interfere in areas of provincial jurisdiction. The ministry also supported firearms owners through the administration of federal firearms legislation by continuing to advocate for firearms policies and governance measures that protect Albertans, prosecute criminals, and deter illegal gun crime.

**Key Objectives**

**2.1 Streamline processes and reduce red tape to ensure a sustainable justice system that utilizes court, policing, and prosecution resources efficiently and effectively**

**Increasing Judicial Capacity**

In 2022-23, progress was made towards increasing judicial capacity to ensure that serious criminal matters are not dismissed due to delay and that Albertans have timely access to justice in civil and family matters. Since 2021-22, there has been a 10.5 per cent increase in the number of active criminal cases in the criminal court system. In response to this increasing demand, the Government of Alberta created four new judicial positions in the Alberta Court of Justice, the first expansion of the court since 2018. This increase brought the number of Justices in the Alberta Court of Justice to 140 full-time equivalent positions. In 2022-23, the Government of

**Quick Fact**

In the Alberta Court of Justice in 2022-23, there were approximately

- 100,000 criminal cases commenced;
- 17,000 family and child protection cases; and
- 10,500 civil claims filed.



Alberta appointed 17 Justices to vacant positions across the province.

In the Court of King's Bench, judicial positions are created by the province but funded and filled by the federal government. In September 2022, the Government of Alberta created two new positions for the Court of King's Bench, and petitioned the federal government to fund all four of the court's unfunded positions and make appointments to all six unfilled new positions. When filled, four of the vacant positions will serve the judicial districts of Grande Prairie and Red Deer.

### Crown Prosecutor Capacity

Additional prosecutors and support staff help address workload pressures that result in low employee engagement and high turnover and ensure criminal matters are dealt with effectively and efficiently. In 2022-23, the Government of Alberta continued its commitment to invest approximately \$10 million annually to fund new Crown prosecutor positions in response to the severe personnel shortage and case backlogs in the criminal justice system. A new initiative was undertaken to add 50 new Crown prosecutor positions over a period of four years, beginning in 2019-20. As of 2022-23, the government has fulfilled this commitment.

#### Performance Indicator 2.a: Number of trial Crown prosecutors

Prior Years' Results				2022-23 Actual
2018-19	2019-20	2020-21	2021-22	
Not Available*	305	329	345	363

\*Note: Historical data for this indicator is not available because the collection of data began in 2019-20. The previous year's business plan and annual report reflected the number of trial prosecutor positions available. The indicator noted here reflects the number of prosecutors on staff. The data for this indicator is a snapshot in time, and the 2022-23 result is as of March 31, 2023. The snapshot reflects new positions that were filled, vacancies elsewhere in the ACPS, and attempts to fill those vacancies.

This indicator was included in the 2019-23 Business Plan for the first time as the number of trial Crown prosecutor positions available. In the 2020-23 business plan, this was changed to the number of actual Crown prosecutors in positions. This indicator helps inform the capacity of prosecutors and tracks progress towards achievement of the government's commitment to hiring 50 new Crown prosecutors and their support staff. These additional Crown prosecutors strengthen the province's ability to respond to rural crime and prosecute matters effectively.

The Alberta Crown Prosecution Service actively works to fill vacancies that occur through normal attrition and hires additional support staff. Recruitment and retention of Crown prosecutors are essential to addressing increasing caseloads and ensuring that viable criminal cases can proceed. Recruitment and retention improved when the Government of Alberta lifted the salary freeze, addressed salary anomalies, and adjusted salaries pursuant to the agreement with the Alberta Crown Attorneys' Association. Vacancy rates fluctuate, and any one number is only a snapshot in time. In September 2021, the overall vacancy rate for trial Crown prosecutors was 10.3 per cent; by March 31, 2023, it fell to 5.2 per cent. Improved recruitment and retention of Crown prosecutors helps ensure criminal matters are dealt with effectively and efficiently.

## Pre-charge Assessment System

Expansion of the pre-charge assessment system will increase efficiency, leading to a more equitable, credible, and fair justice system by ensuring police and Crown resources focus on viable matters. It is estimated that pre-charge assessment could reduce the number of charges entering the criminal justice system by about 20 per cent. The Alberta Crown Prosecution Service worked with the Public Prosecution Service of Canada to implement pre-charge assessment with law enforcement agencies across the province. Pre-charge assessment is expected to enhance communication between police and prosecutors earlier in the justice process to build stronger cases that are less likely to collapse in court.

This system will also decrease the number of cases entering the court system that do not meet the prosecution standard, reducing court file volumes and the associated burdens on all criminal justice system stakeholders. The pre-charge assessment system requires investigative materials be reviewed by the Crown prosecutor before the police decide whether to lay charges to ensure evidence required to support a prosecution is complete and available at the earliest possible date. Where evidence does not meet the threshold for prosecution, and/or where there is no public interest to proceed, charges are not laid against an individual, and Albertans who would otherwise have had to pay to retain counsel or use Legal Aid for court appearances are not required to attend.

In March 2023, pre-charge assessment was implemented with eight additional RCMP detachments in Bonnyville, Lloydminster, Cold Lake, Elk Point, Chateh, Fort Vermilion, Fairview, and McLennan.

### Performance Measure 2.b:

#### Alberta Court of Justice lead time for serious and violent matters

Prior Years' Results				2022-23 Target	2022-23 Actual
2018-19	2019-20	2020-21	2021-22		
22.1 weeks	24.4 weeks	23.9 weeks	26.8 weeks	24 weeks	25 weeks

In 2022-23, the lead time to trial for serious and violent matters in the Alberta Court of Justice was 25 weeks, which was a week above the target of 24 weeks. This is a 6.7 per cent decrease compared to the 26.8 week lead time to trial for serious and violent matters in 2021-22.

Lead time to trial for serious and violent matters is a direct measure of the court's availability to process these types of criminal cases in the Alberta Court of Justice. In 2016, the Supreme Court of Canada released a decision involving the right to trial within a reasonable time (*R v Jordan*). The decision establishes that trials must be heard within 18 months after charges are laid for a province's main entry point into the court system (Alberta Court of Justice), unless exceptional circumstances justify it. Alberta Court of Justice lead times for serious and violent matters are well below this timeline (25 weeks), and the Alberta Crown Prosecution Service continues to monitor serious and violent cases to determine if they are at risk of exceeding the new time restrictions. The impact of court closures due to the COVID-19 pandemic has lessened, staffing levels in the Alberta Crown Prosecution Service are stabilizing, and the rollout of pre-charge assessment continues. As a result, lead times are expected to continue to decrease.

There are a variety of factors that may contribute to case processing times in the Alberta Court of Justice, including factors relating to the accused, such as types of charges and whether they have

legal representation. There are also factors relating to the operation of courts, such as the availability of court resources.

Alberta Crown Prosecution Service and Alberta Court of Justice have worked to collectively implement several policy and program changes to reduce serious and violent case lead time to trial, including the Court Case Management Program, hiring 50 new Crown prosecutor positions, and implementing a pre-charge assessment system. The impact of amendments to federal legislation on lead time, including the *Youth Criminal Justice Act* and the *Criminal Code* (Bill C-75), continues to be monitored. The trends reflect the cumulative impact of the above-mentioned initiatives and factors.

### Performance Indicator 2.c:

#### Number of *Jordan* applications granted

Prior Years' Results				2022-23 Actual	Cumulative Total as of March 31, 2023
2018-19	2019-20	2020-21	2021-22		
9	7	9	1	2	40*

\*The tracking of *Jordan* applications began in October 2016. Six applications were granted between October 2016 and March 2017 and are included in the cumulative total.

The number of *Jordan* applications granted within a fiscal year ranged from one to nine between 2017-18 and 2021-22. As of March 31, 2023, 40 cases (out of 423) were stayed by the courts due to unreasonable delay and represent 9.5 per cent of the *Jordan* applications filed since October 2016 when tracking began. From September 30, 2022, to March 31, 2023, thousands of new charges entered the system; of these, there were 17 applications filed, one granted by the court, and four proactively stayed by the Crown on the basis that they would not survive the application.

The Alberta Crown Prosecution Service monitors lead time for serious and violent cases to determine if they are at risk of exceeding the 18-month *Jordan* timeline. Staffing issues, the COVID-19 pandemic and associated court closures, and Alberta's high crime severity index (the sixth highest in Canada and the third highest among the provinces) have potentially influenced this metric. The continued rollout of pre-charge assessment is expected to help reduce lead time in the Alberta Court of Justice.

#### Quick Fact

Between October 25, 2016, and March 31, 2023, 423 *Jordan* applications were in Alberta courts:

- 3 are pending
- 125 were dismissed by the court
- 40 were granted
- 61 were abandoned by the defence
- 74 were proactively stayed by the Crown
- 120 were resolved unrelated to *Jordan*

The Alberta Crown Prosecution Service conducts an annual analysis of judicially-stayed cases and files that should be proactively stayed on the basis they would not survive a *Jordan* application. This analysis helps determine whether the Alberta Crown Prosecution Service should adjust its practices to mitigate the risk of future stays of proceeding resulting from delays. Four key recurring reasons were found to impact judicial stays as they relate to *R v Jordan*: the lack of availability of Crown and court resources; disclosure issues; police issues; and a culture of complacency. Issues that may be attributed

to police include delays in setting first appearance dates and delays in executing warrants. The Alberta Crown Prosecution Service continues to work alongside police to improve the quality and efficiency of its disclosure process.

### **Expand the Child Support Recalculation Program**

Since its establishment in 2010, the Child Support Recalculation Program has provided a low-cost, non-adversarial administrative service to adjust child support annually based on the guideline incomes of parents participating in the program.

The ministry is exploring effective and practical methods to expand participation in the program. In 2022-23, work commenced to increase awareness and understanding of the program through presentations to stakeholders in the family justice community, including family law service providers, community legal clinics, and members of the legal profession. A program review identified ways to improve the program, such as simplifying existing processes, eliminating current paper-based forms, and improving existing technology to expand program capacity. Program changes were initiated, such as modernizing and simplifying program policies and procedures and exploring more automation and digital solutions to reduce manual and paper-based work.

Following annual growth in the first few years of operations, the program maintains a steady annual participation rate at approximately 2,200 recalculation decisions issued per year. In 2022-23, the program issued 2,167 recalculation decisions, and new program registration increased by 10 per cent from 2021-22. Expenditures totalled \$707,000, and fee collections were \$305,000.

### **Civil Claims Streamlining**

In 2022-23, the ministry worked with the Alberta Court of Justice to allow for an increase to the civil monetary jurisdiction of the court. The *Justice Statutes Amendment Act, 2022 (No. 2)* (JSA Act), which came into force December 15, 2022, allows the government to increase the civil claim limit that can be filed through the Alberta Court of Justice from the current limit of \$50,000 up to a maximum of \$200,000. The JSA Act, which amended the *Provincial Court Act*, did not affect the existing option for individuals to pursue a claim in the Court of King's Bench.

On April 6, 2023, the ministry announced that the civil claims limit of the Alberta Court of Justice will increase to \$100,000, effective August 1, 2023. This increase to the civil claims limit will allow more Albertans to take their civil matters to the Alberta Court of Justice rather than the Court of King's Bench, permitting them to represent themselves more effectively and potentially save time and money on legal costs. The increase will also free up time and resources in the Court of King's Bench, as the higher limit means more matters can be heard in the Alberta Court of Justice.

## **2.2 Continue to implement key democratic reforms to strengthen government accountability, including drafting and proclaiming regulations under the *Recall Act* and the *Citizen Initiative Act*.**

### ***Recall Act and Citizen Initiative Act***

In June 2020, a Select Special Democratic Accountability Committee of the legislative assembly was formed to review matters pertaining to recall and citizens' initiatives. The committee issued its final report on recall and citizens' initiatives in November 2020.

The committee made 17 recommendations regarding recall, including recommending that Alberta adopt British Columbia's framework for recalling members of the legislative assembly along with

variations of that framework. The committee further recommended that similar recall legislation be enacted for the purpose of recalling municipal elected officials or school board trustees.

The committee also made 17 recommendations pertaining to citizens' initiatives, including that legislation be enacted to permit citizens to bring forward, by way of petition, proposals to be considered by the legislative assembly.

In response to these recommendations, Alberta enacted the *Citizen Initiative Act* and *Recall Act* and the regulations under those acts, all of which were proclaimed into force on April 7, 2022. This new legislation gives Albertans a mechanism to hold elected officials accountable during their term. It also provides them with a more direct role in the democratic system by enabling them to bring forward policy, legislative, and constitutional proposals on issues that affect them.

### **2.3 Implement approved Fair Deal Panel recommendations to ensure Alberta has a strong voice in Confederation.**

The ministry continues to fulfil recommendations from the 2019 Fair Deal Panel to ensure Alberta has a strong voice in Confederation. According to the Alberta Fair Deal Panel report released in May 2020, many Albertans do not believe they are receiving a fair deal from the federal government and support their government in reasserting its position in Confederation and minimizing the federal government's overreach.

#### ***Alberta Sovereignty within a United Canada Act***

In 2022-23, the government passed the *Alberta Sovereignty within a United Canada Act* (ASWAUC Act), which came into effect in December 2022. The ASWAUC Act provides Alberta with a legal framework to push back on federal laws or policies that negatively impact the province. It will help address federal legislation and policies that are unconstitutional, violate Albertans' *Charter* rights, or affect or interfere with provincial constitutional rights. The government will ensure all constitutional and legal requirements are met before steps are taken under the ASWAUC Act.

#### **Alberta Chief Firearms Office**

In 2021, in response to a key recommendation from the Fair Deal Panel, Alberta established its own Chief Firearms Office to administer the Canadian Firearms Program and appointed a Chief Firearms Officer.

As part of the foundational work conducted by the Alberta Chief Firearms Office, in 2022, the ministry:

- issued a protocol for Crown prosecutors concerning criminal prosecutions against firearms owners; and
- commenced the expansion of the Alberta Chief Firearms Office to take over work previously being done by the federal government.

A provincial firearms examination unit was also established to further improve firearms governance in the province and speed up the testing of guns seized as evidence in criminal investigations associated with illegal firearms use.

Prior to the office's establishment, an average of 30,000 Albertans completed mandatory firearms safety course training annually as a first step to obtaining their firearms licences. In 2021, this number increased to 38,000, indicating a significant upward trend in legal gun ownership in the province. In Alberta, firearms ownership is amongst the highest in Canada, with approximately

342,000 firearms licence holders, of which approximately 167,000 have restricted and or prohibited privileges. Those restricted or prohibited licencees have over 250,053 registered or prohibited firearms.

Since its establishment, the Alberta Chief Firearms Office has experienced continuous growth in the number of firearms licence applications and eligibility investigations. Within the first year of operation (May 1-December 31, 2021), the Alberta Chief Firearms Office experienced a backlog of more than 5,000 files. On September 8, 2022, the government responded by approving operating expense increases of \$700,000 to support staffing initiatives in 2022-23. Total funding commitments of \$8.5 million in 2023-24 and \$6.4 million each in 2024-25 and 2025-26 were also announced. This funding will expand the staffing complement from 30 to 70 and ensure licence applications and eligibility investigations are processed in a more timely and effective manner. The actual expenditures for 2022-23 were \$3.70 million.

The Alberta Chief Firearms Office also develops and supports strategies and programs to promote community education and stakeholder engagement. For example, in 2022-23, office staff participated in 40 gun shows, events, annual general meetings, range tours, and media interviews and podcasts.

### ***Alberta Firearms Act***

With the *Alberta Firearms Act* (AF Act) receiving Royal Assent on March 28, 2023, Albertans have more tools to protect areas of provincial jurisdiction over firearms, while expanding the role of the Alberta Chief Firearms Office. The AF Act provides flexibility for Alberta's government to develop regulations to protect provincial areas of responsibility for firearms and the rights of law-abiding firearms owners. The AF Act also raises awareness and strengthens the accountability of the Alberta Chief Firearms Office by requiring them to produce annual reports.

In December 2022, the Attorney General issued guidelines requiring Crown prosecutors to consider a general lack of public interest in prosecuting certain offences under Federal Bill C-21, *An Act to amend certain Acts and to make certain consequential amendments (firearms)*. And as of January 1, 2023, the Alberta Crown Prosecution Service has taken over the prosecution of firearms charges laid under the Federal Firearms Act.

### **Oppose Federal Legislation**

The Government of Alberta remains committed to protecting Albertans from federal legislation or policies that are unconstitutional or harmful to the province and its economic prosperity. In 2022-23, this commitment included many legal cases the province initiated, joined, or appealed across different issues that impact Albertans and their rights. Examples of these cases include:

*Assault Rifle Ban (federal SOR /2020-96 dated May 1, 2020, amending the regulation that governs the prohibition of firearms)*

In September 2022, Alberta intervened on constitutional issues raised in six challenges to the assault rifle ban established by federal regulation. On January 11, 2023, Alberta was granted leave to intervene on administrative arguments raised in those challenges. Alberta argued the Governor in Council exceeded jurisdiction granted under the Criminal Code and that the regulation is ultra vires the Constitution Act, 1867. The challenges were heard in April 2023, and Legal Services is awaiting the Federal Court's decision.

### ***Impact Assessment Act***



Alberta successfully challenged the *Impact Assessment Act*, Bill C-69, in the Court of Appeal of Alberta. Canada appealed the Court of Appeal of Alberta decision to the Supreme Court of Canada, while Alberta defended the decision. In the Supreme Court of Canada, Alberta's counsel argued that the federal government overstepped its constitutional limits with its environmental assessment legislation. The challenge was heard on March 21-22, 2023. The decision was reserved.

### *Emergencies Act*

Alberta participated in two challenges to the federal government's unprecedented use of its extraordinary powers under the federal *Emergencies Act* in February 2022. The *Emergencies Act* authorizes the federal government to use special temporary measures to ensure safety and security during national emergencies and to amend other acts in accordance with these measures.

- **Public Order Emergency Commission**

Alberta, withstanding as a party, participated in the inquiry into the federal government's declaration of an emergency under the federal *Emergencies Act*. Hearings were held from October 13 to December 2, 2022, with Alberta's witness providing evidence regarding Alberta's Coutts Border blockade response on November 10, 2022. Commissioner Paul Rouleau released the [report](#) to the public on February 17, 2023 [Final Report | Public Order Emergency Commission (POEC)].

- **Judicial Reviews**

Alberta intervened in judicial review applications in Federal Court by non-profit organizations and several individuals challenging a proclamation, order and regulation issued under the *Emergencies Act*. The challenges were heard in April 2023, and Legal Services is awaiting the Federal Court's decision.

### *Canadian Environmental Protection Act*

As part of challenging the federal government's decision to label plastics as "toxic substances", Alberta intervened in the judicial review of, and constitutional challenge to, three related decisions that together resulted in the addition of "Plastic Manufactured Items" to Schedule 1, the List of Toxic Substances, under the *Canadian Environmental Protection Act, 1999*. The hearing took place on March 7-9, 2023. The decision was reserved.

## **Outcome Three: Albertans are supported in their interactions with the justice system**

The ministry is committed to improving support for Albertans during their interactions with the justice system. The Ministry of Justice has developed innovative program delivery models and technical solutions to streamline Albertans' interactions with the justice system. Transformative initiatives, including Justice Digital and the Advanced Projects and Traffic Office, allow for online transactions and virtual interactions, increasing access to justice and creating efficiencies for Albertans and the courts.

The ministry employed strategies to provide services and supports to individuals and families in their interactions with the justice system. Recognizing the complex problems that can lead individuals down a path of crime, the ministry continues to support and grow targeted programs, including mental health and drug treatment courts, which provide wrap-around supports while holding offenders accountable. The ministry increased legal aid financial edibility guidelines and the legal aid tariff to allow more Albertans to access legal aid and support the maintenance of a large roster of legal aid lawyers.

## Key Objectives

### 3.1 Introduce a new model of victim service delivery to ensure victims have the help they need when they need it.

The Ministry of Public Safety and Emergency Services reports on this key objective.

### 3.2 Continue to implement digital transformation to improve Albertans' access to services, promote system sustainability and reduce red tape.

#### Justice Digital

In 2022-23, the Government of Alberta invested over \$10.1 million to continue transforming the justice system through Justice Digital, which provides faster and easier access to online and remote services to the public and legal community throughout the province. To date, these services have digitized over one million transactions. In 2022-23, two new digital services were introduced, and work continued to expand the functionality of three other services, including:

- King's Bench Family and Divorce Filing Digital Service (new);
- King's Bench Surrogate Digital Filing Service (new);
- King's Bench Digital Filing Service (expanded);
- King's Bench Court Case Management (Commercial List) Service (expanded); and
- Court of Justice Courtroom Digital Service (expanded).

These initiatives join the Traffic Ticket, Adjournment, and Transcript Digital Services, which have already been launched under the Justice Digital umbrella.

King's Bench Family and Divorce Filing Digital Service is a service that makes it simpler and more efficient for Albertans to file routine documents. In 2022-23, users of this filing system could typically access stamped documents within two business days, a 97 per cent decrease from the previous turnaround time of four to six weeks in 2021-22.

King's Bench Surrogate Digital Service is a new service that allows lawyers to complete their clients' probate applications online and submit documents for review by the Court of King's Bench before receiving the downloadable Grant of Probate (which enables estate distribution). Since its implementation in 2022, lawyers in Alberta have been mandated to file all applicable applications in the service. Processing times have been reduced by 90 per cent, from six months to approximately 17 days between initial release in 2021-22 and March 31, 2023.

King's Bench Filing Digital Service allows private sector lawyers and legal assistants who pay filing fees to upload selected documents for electronic filing and stamping in all King's Bench centres in Alberta. In 2022-23, the service was expanded to accept 168 document types and processed 149,200 files. Stamped documents are now accessible within two business days, a 97 per cent reduction in processing times.

King's Bench Court Case Management Digital Service enables lawyers to file and schedule Court of King's Bench commercial list matters online. In 2022-23, this service expanded to incorporate

#### Quick Fact

- In 2022-23, 3,985 probate applications were submitted, and 3,585 Grants of Probate were issued and released to counsel under the new King's Bench Surrogate Digital Service.



previously booked civil special hearings into the system. Between initial release in 2021-22 and March 31, 2023, wait times for filing were reduced from four to six weeks to 48 hours, and time to book a hearing was reduced by 50 per cent.

Court of Justice Courtroom Digital Service eliminates the need for clerks to move physical files and manually capture data in the courtroom for appearances, elections, pleas, adjournments, dispositions, and sentences. In 2022-23, this service expanded to allow the printing of court forms and increased digital information on Criminal matters for the judiciary. Between initial release in 2021-22 and March 31, 2023, this service reduced data entry for clerks by 90 per cent, and allowed court operations staff to make approximately 1.1 million digital notations on court files.

### **Performance Measure 3.a:**

#### **Number of court and justice services available online through Justice Digital**

Prior Years' Results				<b>2022-23 Target</b>	<b>2022-23 Actual</b>
<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>		
Not available	Not available	3	6	7	8

In 2022-23, Justice Digital introduced two new online services, making it faster and easier to access court services, including filing court applications and documents. Between 2020-21 and 2022-23, the Ministry introduced eight new digital services, exceeding the Ministry's target by one new digital service.

The initiative shows tangible benefits, with over one million transactions moving online since 2021.

### **Advanced Projects and Traffic Office**

The Advanced Projects and Traffic Office within the Alberta Crown Prosecution Service was established in 2022-23. This office consolidates all traffic prosecutions staff and functions into a new province-wide organization. The office is built and supported by the current number of provincial prosecutors, as well as a complement of new provincial prosecutors onboarded in February 2023 to various locations across Alberta. The Advanced Projects and Traffic Office uses technology and systems built under the Justice Transformation Initiative to modernize traffic ticket issuance, resolution, and trials.

With the Advanced Projects and Traffic Office, plea negotiations are available through the Traffic Ticket Digital Service – an online service made available by Justice Digital. In 2022-23, this service handled approximately 45,000 matters throughout the year and eliminated approximately 9,500 in-person visits to courthouses each month, freeing up court time for those serious matters that require trial or sentencing. Now, all Albertans can conduct plea negotiations in advance of the trial date, no matter where they live.

### **Interjurisdictional Support Orders Act Amendments**

Alberta worked with other provinces and territories to improve interjurisdictional enforcement of support orders to facilitate access to family justice.

A key piece of this work involved transitioning away from transferring physical copies of registration packages and court documents between designated authorities in different Canadian jurisdictions. Legislative amendments were required to allow for the registration and exchange of uncertified copies of court orders for enforcement, thereby enabling the electronic exchange of documents.

The *Interjurisdictional Support Orders Act* was amended in the fall 2022 legislative session, followed by the Interjurisdictional Support Orders Regulation in March 2023. These amendments removed the requirement that only certified copies or court orders from other jurisdictions could be registered for the purpose of enforcement. It also allows Alberta to provide uncertified copies to jurisdictions that no longer require certified copies.

Alberta is coordinating with its provincial and territorial counterparts to participate in the electronic exchange of documents. With the legislative amendments completed, the work to implement the electronic exchange of documents can proceed.

This change is part of the overall work to improve interjurisdictional enforcement as part of priority activities outlined in the *Strategic Framework on Family Justice*, which was approved at the June 2022 meeting of Federal, Provincial, and Territorial Deputy Ministers responsible for justice and public safety.

### **3.3 Work with the courts and other stakeholders to develop options for individuals and families interacting with the justice system who could benefit from targeted services, interventions, and supports, where appropriate.**

#### **Recovery-oriented System of Care Initiatives**

The Government of Alberta is developing a recovery-oriented system of care across the province in collaboration with partner ministries, Alberta Health Services, and community partners. The recovery-oriented system of care includes coordinated networks of community-based services and supports that are person-centred. It builds on the strengths and resilience of individuals, families, and communities to achieve wellness and quality of life for those who experience negative impacts related to mental health and substance use problems. This approach focuses on preventing and addressing mental health and addiction issues, while also keeping communities safe. In 2022-23, the ministry supported the following recovery-oriented system of care initiatives:

##### *Mental Health Court*

The Mental Health Court is a specialized court structured to address matters in which offenders with mental health issues connected to their criminal behaviour can be diverted from the traditional justice system and have their mental health issues supported by a network of health and social supports in the community. Alberta operates one Mental Health Court in Edmonton that acts as a justice hub for local mental health and community services. This Court provides a venue where these services can be better coordinated in keeping with the principles of Alberta's recovery-oriented system of care. The Court works with the Ministry of Justice and Alberta Health Services, with staffing and infrastructure resources provided with "in kind" expenditures by various programs within the Government of Alberta.

##### *Indigenous Courts*

Alberta's two Indigenous Courts operate in Calgary (opened on September 4, 2019) and Edmonton (opened on September 30, 2022) and provide a culturally relevant, restorative, and holistic system of justice for Indigenous persons involved in the justice system. These Courts support offenders,

victims, and the community to resolve harms caused by crime and provide cultural supports for Indigenous people to utilize during the court process.

These Indigenous Courts operate with the support of the Ministry of Justice, the courts, local Indigenous communities, and social justice organizations to address the needs of Indigenous peoples. This collaboration includes Indigenous Elder mentoring, healing plans, and peacemaking services to provide an approach to justice that better reflects Indigenous culture.

Similar to Mental Health Court, staffing, judicial, and infrastructure resources for these courts are provided with “in kind” expenditures by various programs within the Government of Alberta.

### *Drug Treatment Court*

Over the last three years, the ministry invested up to \$4 million annually to expand drug treatment court capacity and work with partner ministries to expand opportunities for criminally involved individuals with substance abuse concerns to access supports.

#### **Quick Fact**

Through the work of the expansion project, Alberta now has drug treatment courts serving:

- Calgary
- Edmonton
- Lethbridge (Southwest Alberta)
- Medicine Hat (Southeast Alberta)
- Red Deer (Central Alberta)
- Grande Prairie (Northwest Alberta)
- Fort McMurray (Northeast Alberta)

Alberta’s Drug Treatment Court Expansion Project was completed in 2022-23. The goal was to increase access to drug treatment court services that provide criminally addicted offenders facing jail sentences access to judicially supervised drug treatment and reintegration programming in the community. Drug treatment court is an intensive court-supervised program that holds participants accountable for their crimes and provides targeted supports to address their drug addiction and the criminal behaviours associated with their substance abuse.

Throughout 2022-23, the Drug Treatment Court Expansion Project worked with stakeholders to bring a seventh and final site to Alberta. This work culminated with the Fort

McMurray Drug Treatment Court opening in December 2022. This site is operational, with active participants engaged in its program. As a result of the expansion project, there are 180 new spaces available across the province (an increase from 40 spaces available in 2020). Impacts of the COVID-19 pandemic including sentencing backlogs and reduced remand admissions, contributed to fewer applications to Alberta’s drug treatment courts than expected. However, between January and March 2023 there was a steady rise in admissions. New sites are working on integrating into their respective community networks for addictions and justice services and in 2022-23 there was approximately a 32.7 per cent increase in admissions compared to 2021-22.

As court backlogs balance out and drug treatment courts build positive reputations in their communities, it is anticipated that admission to these programs will continue to increase at a steady rate.

In 2022-23, \$3.51 million was allocated to the operation of drug treatment courts, with actual expenditures of \$3.06 million. As programs were not at their maximum capacity, actual costs were lower than budgeted. This funding supports contracts with community organizations that manage each drug treatment court and provide drug treatment and intervention services for the participants of the programs.

**Performance Indicator 3.b:****Number of individuals admitted to drug treatment court**

Prior Years' Results				<b>2022-23 Actual</b>
<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	
49	56	49	55	73

A new drug treatment court site was added in Fort McMurray in 2022-23, bringing the total number of drug treatment courts to seven in Alberta. The Drug Treatment Court Expansion Project has increased drug treatment court capacity by 350 per cent since 2020 and is now considered complete.

**Restorative Justice**

During 2022-23, the Ministry of Justice began developing a Restorative Justice Strategy and program for Alberta. The program's goal is to offer restorative justice services to individuals across the province so that they can pursue reparations through a different channel than the traditional justice system. Work in 2022-23 focused on community engagement with community members, municipal leaders, social and justice service organizations, restorative justice service providers, and Indigenous communities to build an understanding of how best to structure and support restorative justice services in Alberta.

Restorative justice is an approach that aims to provide a more inclusive form of justice and conflict resolution. It provides opportunities for those in conflict to come together and discuss the conflict, hold those responsible for harms caused accountable, and decide with the community on the most appropriate ways to repair the harms done. Restorative justice empowers victims and communities to take a larger role in justice processes and provides offenders more meaningful consequences for criminal behaviour, while providing them supports to reduce the likelihood of future harm.

The Alberta Community Restorative Justice Grant provided \$720,000 for direct restorative justice service provision in 2022-23. Grants up to \$50,000 were awarded to 16 restorative justice organizations located throughout the province.

**Youth Justice Committees**

Section 18 of the *Youth Criminal Justice Act* (YCJ Act) allows for establishing committees of citizens, known as Youth Justice Committees. These volunteer committees may assist in any aspect of the administration of the YCJ Act in any program or service for young persons. These services include the provision of restorative justice, sentence advisory for the courts, administering the Extrajudicial Sanctions/Measures Programs, and public awareness and crime prevention. Youth Justice Committees provide a valuable public safety service by reducing recidivism of offenders through rehabilitative programs, integrating communities into criminal justice processes, and offering early intervention initiatives to support at-risk youth. Alberta currently has approximately 60 active Youth Justice Committees with over 500 volunteers provincially.

Youth Justice Committees are eligible to receive provincial grant funding annually based on the number of cases administered in a calendar year. In 2022-23, the ministry provided \$302,000 to support Youth Justice Committees in Alberta.

## Indigenous Programs and Services

In 2022-23, the ministry continued to provide culturally relevant programs and services that assisted the courts in determining appropriate and effective resolutions for Indigenous people involved in the justice system. These Indigenous programs and services support Indigenous people and include the Indigenous Court Work Program, the Gladue Report Program, and the Indigenous Justice Program.

Between 2020-21 and 2022-23, the proportion of Indigenous persons in adult custody remained steady.

### *Indigenous Court Work Program*

The Indigenous Court Work Program provides Indigenous litigants, their families, and Indigenous victims with services or assistance before, during, and after the court process.

This program promotes the use of alternative measures and community resources by Indigenous people. Court workers have in-depth knowledge of the programs, services, and restorative justice options available within the local community and provide critical information to the courts regarding the circumstances of the accused at the time of sentencing. The program also assists in reducing the number of Indigenous accused in remand by providing the court with release strategies that address an accused person's bail plan.

In 2022-23, Indigenous Court Work Program expenditures totalled \$4.59 million, cost-shared between Alberta (\$2.46 million) and Canada (\$2.14 million).

### *Gladue Report Program*

The Gladue Report Program supports the court in determining appropriate sentences for Indigenous offenders. Gladue reports outline Gladue factors, including an offender's unique history, intergenerational trauma caused by residential school experiences, historical trauma, effects of colonization, and socio-economic circumstances that the court must take into consideration during sentencing. The program supports provincial compliance with Supreme Court of Canada rulings in *Gladue* and *Ipeelee*.

In 2022-23, the department coordinated 981 Gladue report requests from the court, up from 747 reports in 2021-22. This increase was expected due to the opening of the Edmonton Indigenous Court in 2022, and the transition back to in-person court appearances following the end of the COVID-19 pandemic.

Expenditures for the Gladue Report Program were \$938,290 in 2022-23, with the costs shared between Alberta (\$438,290) and Canada (\$500,000).

### *Indigenous Justice Program*

The Indigenous Justice Program supports the administration of Indigenous community-based justice programs, which reflect Indigenous values and offers alternatives to the mainstream justice process. These programs offer alternatives to incarceration, including diversion, pre-sentencing options, sentencing alternatives, restorative justice, and offender reintegration services.

The Indigenous Justice Program currently funds 14 programs located in seven Métis Settlements, six First Nations communities in Alberta, and one program delivered across Alberta. The services provided to the Indigenous communities vary. Individual programs incorporate community

perspectives and capacity into mainstream justice processes. The federal government fully funds the program, with in-kind support provided by the ministry through an existing full-time resource.

### *Courts Located in Indigenous Communities*

Alberta has circuit courts located in Indigenous communities at Alexis Nakota Sioux Nation, Siksika Nation, and Tsuut'ina Nation. The Alexis Nakota Sioux Nation uses a restorative justice model that promotes community involvement in the court process. The courthouse on Siksika Nation has a judge of Indigenous heritage and a dedicated prosecutor who supports the provision of culturally sensitive prosecution services. The court at Tsuut'ina combines Alberta Court of Justice processes with traditional Peacemaker processes such as sentencing circles, workshops, and diversionary measures, with a dedicated court clerk who is knowledgeable in Indigenous culture, values, worldviews, and traditions. The ministry is exploring new ways to enable smudging in Indigenous courtrooms using existing heating, ventilation, and air conditioning (HVAC) systems. Indigenous Courts provide justice services that reflect the culture, values, and traditions of Indigenous persons.

### **Performance Indicator 3.c: Indigenous overrepresentation in correctional centres**

Prior Years' Results				<b>2022-23 Actual</b>
<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	
41.9%	41.2%	43.7%	43.6%	43.5%

This indicates the percentage of adults who identified as Indigenous in custody in Alberta correctional centres in comparison to Alberta's total in-custody population. To make the justice system fair, the ministry strives to monitor the representation of Indigenous peoples in the system and provide programs and services to address the overrepresentation of Indigenous peoples. It is connected to the government's commitment to improve life for Alberta's Indigenous peoples and contributes to monitoring the effectiveness of the government's efforts to help Indigenous peoples address social issues.

### **Access to Justice for Families**

#### *Family Violence Initiative*

"Over the past five years, family violence has continued to increase in Canada. In 2021, there were 127,082 victims of police-reported family violence (violence committed by spouses, parents, children, siblings, and extended family members), a rate of 336 victims per 100,000 population. From 2020 to 2021, this type of violence increased by three per cent. In 2021, police reported 114,132 victims of intimate partner violence (violence committed by current and former legally married spouses, common-law partners, dating partners, and other intimate partners) aged 12 years and older (344 victims per 100,000 population). It marked the seventh consecutive year of gradual increase in this type of violence. Compared with 2020, the rate of intimate partner violence increased by two per cent in 2021"<sup>1</sup>.

<sup>1</sup> *Victims of police-reported family and intimate partner violence in Canada, 2021*. Statistics Canada. Component of Statistics Canada catalogue no. 11-001-X.



The Family Violence Initiative began in October 2022 and aims to develop a court support service delivery model that will improve information sharing and increase access to services. The key deliverables in 2022-23 were the expansion of direct court supports in the highest-need locations, the research and implementation of new screening tools and models for all program areas, and the increased coordination of services between both government and community providers.

Supports for mitigating family violence were identified as a core need for families who require family law services. The Parenting after Separation and the Parenting after Separation High Conflict courses contributed to building a learning structure, while also adding information, tools, and resources for families experiencing family violence. The parenting after separation coordinator is also connected with the Parent Education Groups across Canada to determine what other provinces utilize for programming related to families experiencing family violence during and following separation and/or divorce.

By partnering with family violence organizations and other professionals in the community, health, education, and justice sectors, the Family Violence Initiative developed a collaborative approach to increase the awareness of family violence and provide families and children with the appropriate tools to address family violence. The focus is on promoting public education and prevention to change attitudes on family violence and implementing trauma and violence-informed training and cultural competency training for justice system professionals. Justice is also working towards increasing training and awareness of trauma and violence-informed practices for frontline staff.

Family court counsellors provide access to justice and court diversion supports to self-represented litigants that wish to make *Family Law Act* applications in the Court of Justice. During 2022-23, the contingent of Family Court Counsellors was increased across the province, specifically in Grande Prairie, Fort McMurray, Calgary, and Medicine Hat. These locations were chosen based on current case volumes and staffing levels, with additional consideration of the community supports available to self-represented litigants experiencing family violence in those regions. It was critical to place staffing in regional areas as limited resources and supports are available for families experiencing family violence in these communities. In total, five family court counsellors, two program advisors, and one part-time program support were hired to support these locations. All areas are piloting these enhanced practices, increasing the detection and support for Albertans experiencing family violence.

In 2022-23, the Family Violence Initiative received \$840,000 in federal funding as part of a \$3.1 million agreement over five years through the Justice Partnership and Innovation Program – a program that supports activities that respond effectively to changing conditions within Canadian justice policy.

#### *Harmonization of the Child Support Resolution Program*

The Child Support Resolution Program is available in Calgary and Edmonton and provides a timely and cost-effective dispute resolution process as an alternative to court for the resolution of child support disputes. It ensures that families receive clear and specific information about their child support obligations and resolution options. When an agreement is reached at the Child Support Resolution Program, a court order is generated without requiring the parties to attend court.

#### **Quick Fact**

Quick Fact Child Support Resolution Program Resolution Rates:

- 2019-20: 60 per cent
- 2020-21: 65 per cent
- 2021-22: 63 per cent
- 2022-23: 65 per cent

In 2022-23, the Child Support Resolution Programs in Edmonton and Calgary aligned their processes and procedures to create a single integrated

program. The harmonization of services in the two locations reduced confusion for clients and improved program capacity. The harmonization will support the future expansion of the program to other locations.

With the harmonization of the programs, wait times for participants to access Child Support Resolution Program services decreased in Calgary from nine weeks to three weeks, aligning them with wait times that Edmonton had already achieved and the program's capacity to support matters directed by the Alberta Court of Justice improved.

In 2022-23, the program had 392 consultations with a resolution rate of 65 per cent. The cost to the Government of Alberta was approximately \$280,000. Similar court resources to resolve these cases are estimated to cost \$1.69 million. The program is delivered by a roster of volunteer family law lawyers and three government employees.

### **Increase in the Legal Aid Tariff**

In 2022-23, funding for Alberta's legal aid plan was increased by \$15.8 million for a total grant of \$110.1 million. During the year, the ministry committed to conducting a comprehensive review of Alberta's legal aid tariff rate and financial eligibility guidelines. While the ministry conducted this review, the government provided interim increases to the legal aid tariff rate paid to roster lawyers from \$92.40 per hour to \$125 per hour and the financial eligibility guidelines from \$20,021 to \$21,668 for a single person. These increases provided positive results for Albertans by ensuring more people are eligible to access legal aid, thus supporting access to justice. In addition, increasing the tariff helps ensure Albertans have access to a roster of dedicated lawyers.



## Performance Measure and Indicator Methodology

### **Performance Indicator 2.a: Number of trial prosecutors**

Source: Ministry of Justice Administrative Data, Alberta Crown Prosecution Service

The number identified in the 2022-25 Business Plan is the number of positions, and the number identified in this annual report is the actual number of people. The number is a point-in-time as of a specific date, and it changes throughout the fiscal year due to staffing turnover. The number is obtained from an internal database managed by the Director of Workforce Planning with the Alberta Crown Prosecution Service. Not included in the trial prosecutor count are Bail Crown, Appellate Counsel, Education/Policy Counsel, Project Counsel, and Executive Directors.

### **Performance Measure 2.b: Alberta Court of Justice lead time to trial for serious and violent matters**

Source: Ministry of Justice Administrative Data, Alberta Crown Prosecution Service and Court and Justice Services

Alberta Court of Justice lead time to trial for serious and violent matters is the average number of weeks between the date serious and violent cases are set for trial and the date that the trial or hearing is scheduled to occur. This average is not impacted by the trial or hearing not proceeding on the date scheduled. This measurement of lead times includes only serious and violent *Criminal Code* charges. Serious and violent crimes include sexual offences against children; possessing/publishing/creating/distributing/selling child pornography; criminal negligence; manslaughter; murder; discharging of firearms; administering a noxious thing; dangerous driving; dangerous operation of a motor vehicle; impaired driving causing bodily harm or death; criminal harassment; threats; assault; sexual assault; kidnapping; human trafficking; robbery with violence/assault/weapon; intimidation; and arson.

The ministry uses data from Justice Business Intelligence Datamart, which pulls its data from Justice Online Information Network (JOIN). Alberta Court of Justice lead-time data is calculated through a query to the Justice Information Management System (JIMS) Datamart. The time between the date a case is set for trial and the date that the trial or hearing is scheduled to occur is obtained for each case that involves a serious and violent crime. The average lead time is then calculated for all cases with serious and violent offences in that year.

### **Performance Indicator 2.c: Number of *Jordan* applications granted**

Source: Ministry of Justice Administrative Data, Alberta Crown Prosecution Service

On a weekly basis, a report is run from JOIN to identify the cumulative cases where a *Jordan* application is filed with the Alberta Court of Justice and the Court of King's Bench. This information is tracked and monitored on an ongoing basis using the Prosecution Information and Scheduling Management System (PRISM) and follow-up with the *Jordan* prosecution coordinators. The status of *Jordan* applications as they make their way through the judicial system is reported to the executive leadership of Alberta Crown Prosecution Service on a semi-annual basis. The number of successful *Jordan* applications annually is calculated by subtracting the total of cumulative successful applications as of March 31 of the previous fiscal year from the total of cumulative successful applications identified on March 31 of the current fiscal year.

**Performance Measure 3.a:**

**Number of court and justice services available online through Justice Digital**

Source: Ministry of Justice Administrative Data, Court and Justice Services

This figure represents the number of court and justice services made available online through Justice Digital status reporting. Regular biweekly status reports outlining the progress of each digital service under development are maintained by the Justice Digital Program Management Office.

**Performance Indicator 3.b:**

**Number of individuals admitted to drug treatment court**

Sources: Administrative Data – Calgary Drug Treatment Court; Edmonton John Howard Society; McMan Youth, Family and Community Services (Lethbridge Drug Treatment Court); McMan Youth, Family and Community Services (Medicine Hat Drug Treatment Court), John Howard Society of Red Deer (Central Alberta Drug Treatment Court), and John Howard Society of Grande Prairie (Grande Prairie Drug Treatment Court).

The number of individuals admitted to drug treatment court is the aggregate of the number of participants reported by each provincial drug treatment court during the fiscal year. Each drug treatment court tracks clients as part of an administrative process. This fiscal year, the total includes data from Calgary, Edmonton, Lethbridge, Medicine Hat, Central Alberta, Grande Prairie, and Fort McMurray drug treatment courts.

**Performance Indicator 3.c:**

**Indigenous over-representation in correctional centres**

Source: Offender Records and Correctional Administration (ORCA) - Adult Offender Population Report

This indicator reflects the percentage of the average daily custody population represented by Indigenous people. It is calculated by dividing the average number of Indigenous persons in custody by the average number of persons in custody, multiplied by 100. Indigenous inmates are defined as those inmates who self-identify as Aboriginal (Status), Aboriginal (Non-Status), Métis, or Inuit. Daily counts are averaged over 365 days. The indicator includes inmates in a provincial correctional facility and those temporarily in hospital, out to court or in transit to another Alberta provincial correctional facility. It does not include inmates who are under custodial supervision but out of the centre on temporary absence programs, in mental health hospitals, in police cells, on provincial parole, or intermittent servers on non-reporting days. The source of information is the Offender Records and Correctional Administration Adult Offender Population Report, which identifies the average number of persons in custody in Alberta's adult correctional centres during a given time period.

# Financial Information

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## Reporting Entity and Method Consolidation

The financial information is prepared in accordance with government's stated accounting policies, which are based on Canadian Public Sector Accounting Standards.

The reporting entity is the ministry for which the Minister of Justice is accountable. The accounts of the Ministry, which includes the department of Justice and the Human Rights Education and Multiculturalism Fund, are fully consolidated using the line-by-line method, with the accounting policies described below.

Under this method, accounting policies of the consolidated entities are adjusted to conform to government accounting policies and the results of each line item in their financial statements (revenue, expense, assets and liabilities) are included in government's results. Revenue and expense, capital, investing and financing transactions and related asset and liability balances between the consolidated entities have been eliminated.

A list of the individual entities making up the ministry are shown on the "Management's Responsibility for Reporting" statement included in this annual report.

## Ministry Financial Highlights

### Statement of Revenues and Expenses (unaudited)

Year ended March 31, 2023

	2023		2022	Change from	
	Budget	Actual	Restated Actual	Budget	2022 Actual
	<i>In thousands</i>				
<b>Revenues</b>					
Federal government grants	\$ 26,676	\$ 28,686	\$ 23,665	\$ 2,010	\$ 5,021
Premiums, fees and licences	26,660	26,054	21,389	(606)	4,665
Investment income	1,125	2,468	443	1,343	2,025
Other	235,932	167,593	164,789	(68,339)	2,804
Ministry total	290,393	224,801	210,286	(65,592)	14,515
Inter-ministry consolidation adjustments	(4,000)	(323)	-	3,677	(323)
Adjusted ministry total	286,393	224,478	210,286	(61,915)	14,192
<b>Expenses - directly incurred</b>					
<b>Programs</b>					
Ministry Support Services	7,639	7,633	7,218	(6)	415
Court and Justice Services	216,695	242,710	201,447	26,015	41,263
Legal Services	45,613	43,789	40,312	(1,824)	3,477
Alberta Crown Prosecution Service	98,817	131,390	97,553	32,573	33,837
Strategy, Support & Integrated Initiatives	130,371	156,632	110,719	26,261	45,913
Alberta Human Rights	6,918	6,911	6,447	(7)	464
Ministry total	506,053	589,065	463,696	83,012	125,369
Inter-ministry consolidation adjustments	-	(29)	-	(29)	(29)
Adjusted ministry total	506,053	589,036	463,696	82,983	125,340
<b>Annual Deficit-before inter-ministry consolidation adjustments</b>	(215,660)	(364,264)	(253,410)	(148,604)	(110,854)
Inter-ministry consolidation adjustments	(4,000)	(294)	-	3,706	(294)
<b>Adjusted annual deficit</b>	<b>\$ (219,660)</b>	<b>\$ (364,558)</b>	<b>\$ (253,410)</b>	<b>\$ (144,898)</b>	<b>\$ (111,148)</b>

## Revenue and Expense Highlights

### Revenues

#### Budget to Actual

Ministry revenues in 2022-23 are \$224.8 million, which is \$65.6 million or 23 per cent lower than budgeted. The decreased revenues are mainly the result of:

- \$65.1 million less than budget in Fines and Penalty, primarily due to lower revenue in than anticipated payments for Traffic Safety Act tickets.
- \$5 million less than budget in Maintenance Enforcement Program, primarily due to reduced enforcement and traffic volumes.
- \$0.6 million less than budget in Premiums, Fees and Licenses, primarily due to deduction of Court Fees combined with transcript fees, and other premiums, fees and licenses.

Offset by:

- \$2 million increase in Federal Government Grants for Legal Aid.
- \$1.8 million increased in Unclaimed Amounts, combined with other revenues.
- \$1.3 million increase in Investment Income.

#### Actual to Actual

Actual revenues in 2022-23 reflect an increase of \$14.5 million or 7 per cent:

- \$5 million increase in Federal Government Grants for Legal Aid.
- \$4.7 million increase in Premiums, Fees, and Licenses primarily due to an increased Transcript Fees for \$4 million and Court Fees for 0.6 million.
- \$2.4 million increase in Fines and Penalty as a result of less of pandemic restrictions in comparison to 2021-22.
- \$2 million increase in Investment Income.

### Expenses

#### Budget to Actual

The total operating expense in 2022-23 was \$589.1 million, which is \$83 million or 16.4 per cent higher than budget.

- \$32.6 million over budget in Alberta Crown Prosecution Services primarily due to crown prosecutors' salary increases and Public Safety Initiatives previously incurred under Victims of Crime and Public Safety Fund.
- \$26.3 million over budget in Strategic, Support and Integrated Initiatives, primarily due to staffing pressures and grant increase to Legal Aid Alberta to raise the tariff rate paid to roster defense lawyers.
- \$25.9 million over budget in Court and Justice Services, primarily for retroactive judiciary compensation and modernization of the Courts' technology.

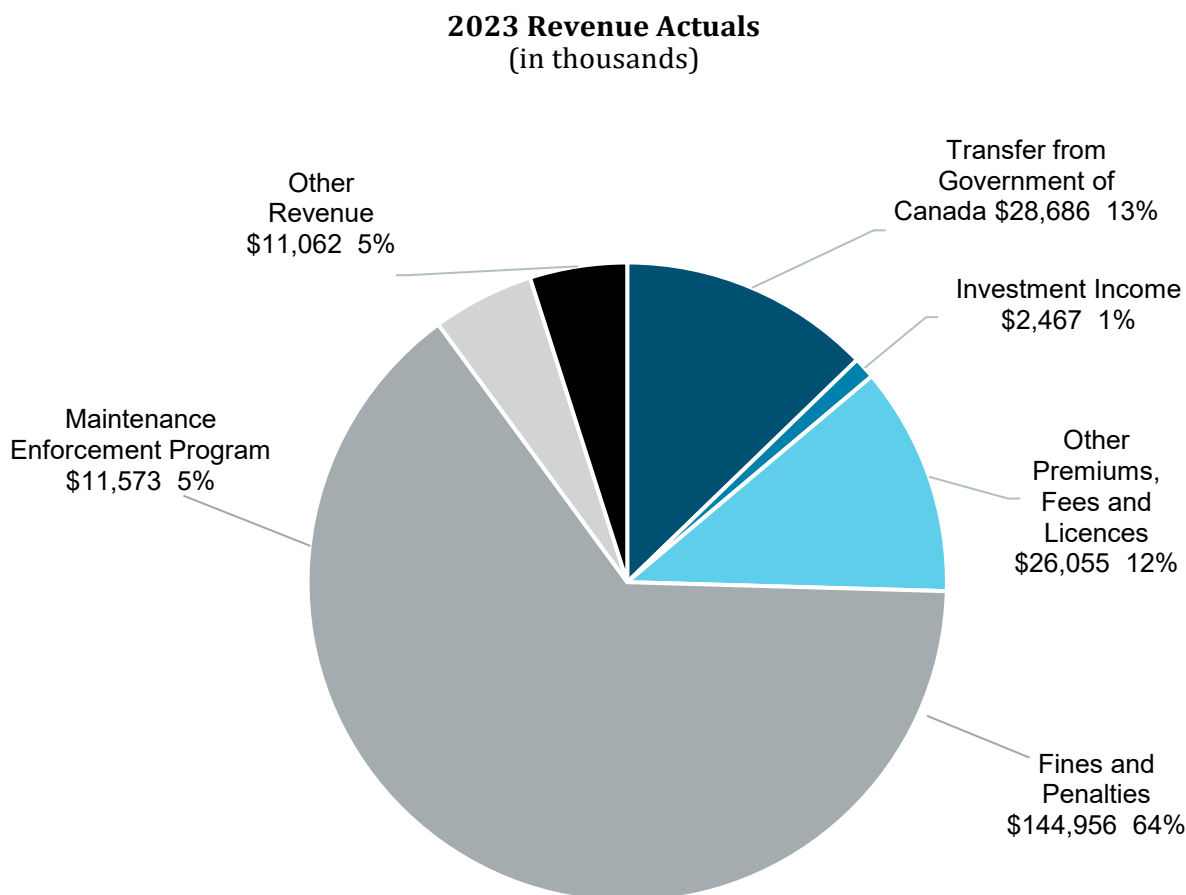
**Actual to Actual**

Actual operating expenses were \$125.4 million or 27 per cent higher than 2021-22. The increase in expenses is mainly the result of:

- \$45.9 million increase in Strategy, Support and Integrated Initiatives, primarily due to staffing pressures and grant increase to Legal Aid Alberta to raise the tariff rate paid to roster defense lawyers.
- \$41.2 million increase in Court and Justice Services, primarily due to retroactive judiciary compensation and modernization of the Courts' technology.
- \$33.8 million increased in Alberta Crown Prosecution Services, primarily due to crown prosecutors' salary increases and Public Safety Initiatives previously incurred under Victims of Crime and Public Safety Fund.
- \$3.5 million increase in Legal Services.

### Breakdown of Revenues (unaudited)

The following information presents detailed revenues of the ministry. The objective of detailed revenues disclosure is to provide information that is useful in understanding and assessing the financial impact of government's revenue raising and for enhancing legislative control.



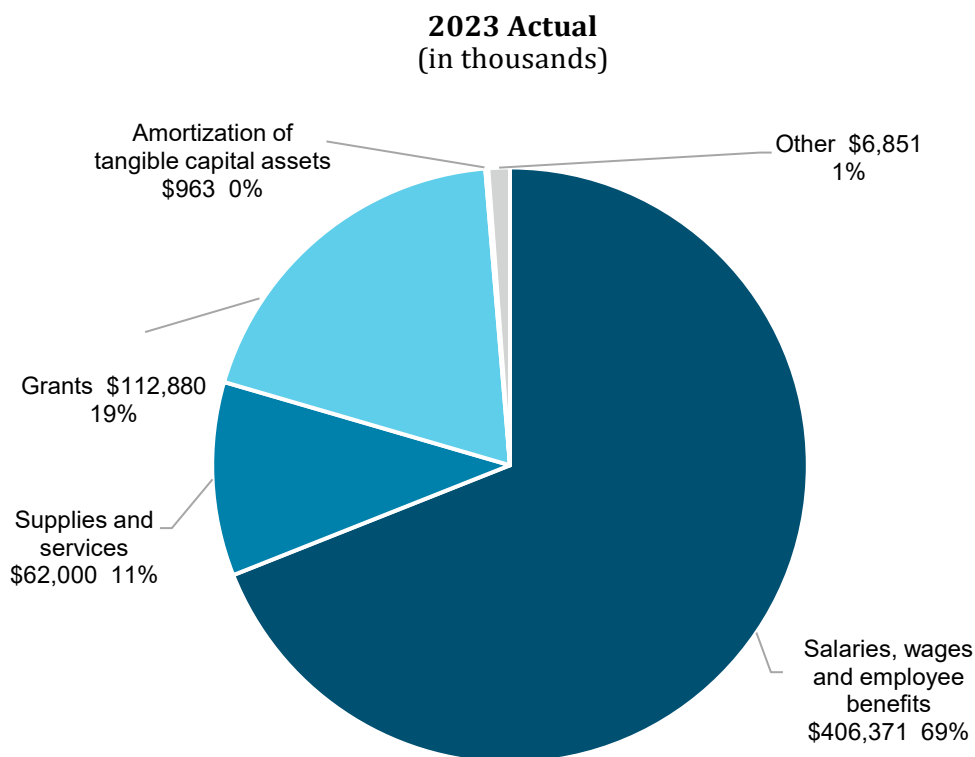
- **Fines and Penalties** (\$145 million). Overall, Traffic Safety Act fines make-up the majority of this category, and includes the following:
  - Ticket Processing Retention fee - 40% of all *Traffic Safety Act* fines across the province as well as the full amount of fines levied by Highway Traffic Sheriffs on Alberta highways; and
  - Late Payment Penalty collected when tickets not paid on time.
- **Transfers from Government of Canada** (\$28.7 million). Revenue from federal agreements, primarily in support of Legal Aid services, Child Centered Family Justice and Indigenous Court Worker Program.
- **Other Premiums, Fees, and Licences** (\$26.1 million). Resolution and Court Administration Services is responsible for collecting fees for some of the services provided to the public, including bankruptcy, civil commencement, trial, search, surrogate and transcript fees. Security Services and Investigator fees, official documents and appointments application and license fees, Medical Examiner autopsy and toxicology fees.



- **Maintenance Enforcement** (\$11.6 million) comprised mainly of amounts subrogated by the Crown's Family Support Order Services for the Maintenance Enforcement Program.
- **Investment Income** (\$2.5 million) comprised mainly of interest earned on the Human Rights Education and Multiculturalism Fund and department funds invested in the Consolidated Cash Investment Trust Fund and Consolidated Liquidity Solutions.
- **Other Revenue** (\$11.1 million). Mainly from Unclaimed Amounts, Bail forfeited and other revenues.

### Expenses – Directly Incurred Detailed by Object (unaudited)

The following information presents expenses of the ministry that were directly incurred by object. The objective of disclosure of expenses by object is to provide information that is useful in evaluating the economic impact of government acquiring or consuming various types of resources.

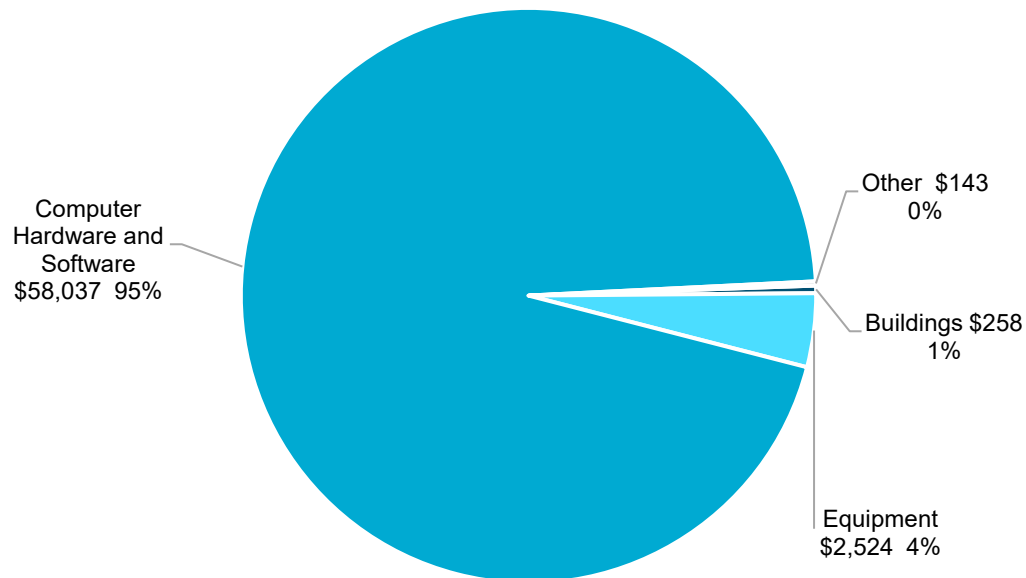


- Salaries, wages and employee benefits expenses of \$406.4 million are the ministry's largest operating expense, or 69 per cent of total operating expense. The ministry provides frontline programs and services that ensure Albertans have protected communities and fair access to the justice system. Funding primarily covers positions in Crown prosecutors, judicial and court staff, legal counsel, and other justice services staff.
- Grants spending of \$112.9 million or 19.2 per cent of total spending provides operational funding for delivery of services by key stakeholders and partners via support to individuals, organizations and communities through Justice grant programs. This includes the operating grant to LAA to ensure low-income Albertans have access to legal services.
- Supplies and services spending of \$62 million or 10.5 per cent of total spending is primarily for contract services; the ministry purchases all materials and supplies for courthouses and facilities across the province.
- The remainder of ministry expenses were classified as amortization of tangible capital assets (\$1 million) and other expenses (\$6.9 million).

## Supplemental Financial Information

### Tangible Capital Assets (unaudited)

#### Net Book Value as of March 31, 2023 (in thousands)



- The ministry's largest category of tangible capital assets, Computer Hardware and Software, represents 95.2 per cent (\$58 million) of the Net Book Value (NBV). This category is primarily comprised of Justice System Technology Renewal, Justice Digital, and the Justice Transformation Initiative, as well as additional technology for courtrooms.
- Equipment, with a value of \$2.5 million (4.1 per cent), includes x-ray equipment for the Office of the Chief Medical Examiner and additional equipment in the courts and other divisions.

## Financial Statements of Other Reporting Entities

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## Human Rights Education and Multiculturalism Fund

### Financial Statements

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# Independent Auditor's Report

To the Minister of Justice



## Report on the Financial Statements

### Opinion

I have audited the financial statements of Human Rights Education and Multiculturalism Fund (the Fund), which comprise the statement of financial position as at March 31, 2023, and the statements of operations, change in net financial assets, and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In my opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Fund as at March 31, 2023, and the results of its operations, its changes in net financial assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for opinion

I conducted my audit in accordance with Canadian generally accepted auditing standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Fund in accordance with the ethical requirements that are relevant to my audit of the financial statements in Canada, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

### Other information

Management is responsible for the other information. The financial statements of the Fund are included in the *Annual Report of the Ministry of Justice*. The other information comprises the information included in the *Annual Report of the Ministry of Justice* relating to the Fund, but does not include the financial statements of the Fund and my auditor's report thereon. The *Annual Report of the Ministry of Justice* is expected to be made available to me after the date of this auditor's report.

My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information identified above and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I will perform on this other information, I conclude that there is a material misstatement of this other information, I am required to communicate the matter to those charged with governance.

### Responsibilities of management and those charged with governance for the financial statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Fund's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless an intention exists to liquidate or to cease operations, or there is no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Fund's financial reporting process.

### **Auditor's responsibilities for the audit of the financial statements**

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, I exercise professional judgment and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Fund's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Fund to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

[Original signed by W. Doug Wylie FCPA, FCMA, ICD.D]  
Auditor General  
June 9, 2023  
Edmonton, Alberta



# Statement of Operations

## Human Rights Education and Multiculturalism Fund

Year ended March 31, 2023

	2023		2022	
	Budget	Actual	Actual	
<i>In thousands</i>				
<b>Revenues</b>				
Internal Government Transfer				
Department of Justice	\$ -	\$ -	\$ -	-
Investment income	25	128		10
Other Premiums and Fees	25	10		5
	50	138		15
<b>Expenses - Directly incurred (Note 2(a) and Schedule 1)</b>				
<b>Programs</b>				
Support to Community Groups	-	-		-
Education Initiatives	-	1		2
Administration	-	-		-
General	-	-		-
	-	1		2
<b>Annual surplus</b>	\$ 50	\$ 137	\$	13

The accompanying notes and schedules are part of these financial statements.

## Statement of Financial Position

### Human Rights Education and Multiculturalism Fund

As at March 31, 2023

	2023	2022
	<i>In thousands</i>	
<b>Financial assets</b>		
Cash and cash equivalents (Note 3)	\$ 4,321	\$ 4,199
Accounts receivable	16	-
	<u>4,337</u>	<u>4,199</u>
<b>Liabilities</b>		
Accounts payable and accrued liabilities (Note 4)	1	-
	<u>4,336</u>	<u>4,199</u>
<b>Net financial assets</b>		
	<u>4,336</u>	<u>4,199</u>
<b>Non-financial assets</b>		
Tangible capital assets (Note 5)	-	-
<b>Net assets</b>	<u>\$ 4,336</u>	<u>\$ 4,199</u>
<b>Net assets at beginning of year</b>	\$ 4,199	\$ 4,186
Annual surplus	137	13
<b>Net assets at end of year</b>	<u>\$ 4,336</u>	<u>\$ 4,199</u>

The accompanying notes and schedules are part of these financial statements.

## Statement of Change in Net Financial Assets

### Human Rights Education and Multiculturalism Fund

Year ended March 31, 2023

	2023		2022
	Budget	Actual	Actual
<i>In thousands</i>			
<b>Annual surplus</b>	\$ 50	\$ 137	\$ 13
Amortization of tangible capital assets (Note 5)	-	-	2
<b>Increase in net financial assets</b>	50	137	15
<b>Net financial assets at beginning of year</b>	-	4,199	4,184
<b>Net financial assets at end of year</b>	\$ 50	\$ 4,336	\$ 4,199

The accompanying notes and schedules are part of these financial statements.

## Statement of Cash Flows

### Human Rights Education and Multiculturalism Fund

Year ended March 31, 2023

	2023	2022
	<i>In thousands</i>	
<b>Operating transactions</b>		
Annual surplus	\$ 137	\$ 13
Non-cash items Included in annual surplus		
Amortization of tangible capital assets (Note 5)	-	2
	137	15
 (Increase)/decrease in accounts receivable	(16)	1
Increase in accounts payable and other accrued liabilities (Note 4)	1	-
Cash provided by (applied to) operating transactions	122	16
 <b>Increase in cash and cash equivalents</b>	122	16
<b>Cash and cash equivalents at beginning of year</b>	4,199	4,183
<b>Cash and cash equivalents at end of year</b>	\$ 4,321	\$ 4,199

The accompanying notes and schedules are part of these financial statements.

# Notes to the Financial Statements

## Human Rights Education and Multiculturalism Fund

March 31, 2023

(in thousands)

### NOTE 1 AUTHORITY

The Human Rights Education and Multiculturalism Fund (the fund) operates under the authority of the Alberta Human Rights Act, Chapter A-25.5, Revised Statutes of Alberta 2000.

The purpose of the fund is to promote equality, increase understanding and acceptance of Alberta's diverse racial and cultural composition, and inform Albertans about their rights and responsibilities under the Alberta Human Rights Act.

The fund is owned by the Crown in Right of Alberta and as such has a tax exempt status.

### NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND REPORTING PRACTICES

These financial statements are prepared in accordance with Canadian Public Sector Accounting Standards, which use accrual accounting. The Fund has adopted PS3450 Financial Instruments. As the Fund does not have any transactions involving financial instruments that are classified in the fair value category, there is no statement of remeasurement in gains and losses.

#### (a) Basis of Financial Reporting

##### Revenues

All revenues are reported on the accrual basis of accounting.

##### Government Transfers

Transfers from all levels of governments are referred to as government transfers.

Government transfers and the associated externally restricted investment income are recognized as deferred contributions if the eligibility criteria for the transfer, or the stipulations together with the fund's actions and communications as to the use of transfers, create a liability. These transfers are recognized as revenue, as the stipulations are met and, when applicable, the fund complies with its communicated uses of these transfers.

All other government transfers, without stipulations for the use of the transfer, are recognized as revenue when the transfer is authorized and the fund meets eligibility criteria (if any).

##### Expenses

##### Directly Incurred

Directly incurred expenses are those costs the fund has primary responsibility and accountability for, as reflected in the government's budget documents.

## Notes to the Financial Statements

### Human Rights Education and Multiculturalism Fund

March 31, 2023

(in thousands)

#### NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND REPORTING PRACTICES (Cont'd)

##### (a) Basis of Financial Reporting (Cont'd)

##### Expenses (Cont'd)

##### Directly Incurred (Cont'd)

In addition to program operating expenses such as salaries, supplies etc., directly incurred expenses also include amortization of tangible capital assets.

##### Grant Expense

Grants are recognized as expenses when authorized, eligibility criteria, if any, are met by the recipients and a reasonable estimate of the amounts can be made.

##### Valuation of Financial Assets and Liabilities

Fair value is the amount of consideration agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

The fair values of cash and cash equivalents, accounts receivable and accounts payable and other accrued liabilities are estimated to approximate their carrying values because of the short- term nature of these instruments.

##### Financial Assets

Financial assets are assets that could be used to discharge existing liabilities or finance future operations and are not for consumption in the normal course of operations.

Financial assets are the fund's financial claims, such as advances to and receivables from other organizations and other individuals, as well as the below listed assets.

##### Cash and cash equivalents

Cash comprises of cash on hand and demand deposits. Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of cash and that are subject to an insignificant risk of change in value. Cash equivalents are held for the purpose of meeting short-term commitments rather than for investment purposes.

##### Accounts receivable

Accounts receivable are recognized at the lower of cost or net recoverable value. A valuation allowance is recognized when recovery is uncertain.

# Notes to the Financial Statements

## Human Rights Education and Multiculturalism Fund

March 31, 2023

(in thousands)

### NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND REPORTING PRACTICES (Cont'd)

#### (a) Basis of Financial Reporting (Cont'd)

##### Liabilities

Liabilities are present obligations of the fund to external organizations and individuals arising from past transactions or events occurring before the year end, the settlement of which is expected to result in the future sacrifice of economic benefits. They are recognized when there is an appropriate basis of measurement and management can reasonably estimate the amounts.

##### Related Party Transactions

The fund paid or collected certain taxes and fees set by regulation for premiums, licenses and other charges. These amounts were incurred in the normal course of business and reflect charges applicable to all users.

##### Non-Financial Assets

Non-financial assets are acquired, constructed, or developed assets that do not normally provide resources to discharge existing liabilities, but instead:

- a) are normally employed to deliver government services;
- b) may be consumed in the normal course of operations; and
- c) are not for sale in the normal course of operations.

Non-financial assets are limited to tangible capital assets.

##### Tangible capital assets

Tangible capital assets of the fund are recognized at cost less accumulated amortization and amortized on a straight-line basis over the estimated useful lives of the assets. The threshold for capitalizing new systems development is \$250,000 and the threshold for major systems enhancements is \$100,000. The threshold for all other tangible capital assets is \$5,000.

Amortization is only charged if the tangible capital asset is put into service.

## Notes to the Financial Statements

### Human Rights Education and Multiculturalism Fund

March 31, 2023

(in thousands)

#### NOTE 3 CASH AND CASH EQUIVALENTS

(in thousands)

Cash and cash equivalents include deposits in the Consolidated Liquidity Solution (CLS). Effective July 4, 2022, the CLS replaces the Consolidated Cash Investment Trust Fund (CCITF) as the Government of Alberta's cash pooling structure. The new CLS structure will enhance the effectiveness and efficiency from Government of Alberta's cash management perspective. A CLS participant is paid interest on monthly basis on their cash balance at an interest rate based on 12 week rolling average of the Government of Alberta's 3 month cost of borrowing.

#### NOTE 4 ACCOUNTS PAYABLE AND OTHER ACCRUED LIABILITIES

(in thousands)

	2023	2022
Other Program Expenses	\$ 1	\$ -

#### NOTE 5 TANGIBLE CAPITAL ASSETS

(in thousands)

	2023	2022
	<b>Equipment</b>	
	3-40 years	
<b>Estimated useful life</b>		
<b>Historical cost</b>		
Beginning of year	\$ 17	\$ 17
Additions	-	-
Disposals including write-downs	-	-
	17	17
<b>Accumulated amortization</b>		
Beginning of year	17	15
Amortization expense	-	2
Effect of disposals including write-downs	-	-
	17	17
<b>Net book value at March 31, 2023</b>	\$ -	
<b>Net book value at March 31, 2022</b>	\$ -	



## Notes to the Financial Statements

### Human Rights Education and Multiculturalism Fund

March 31, 2023

(in thousands)

#### **NOTE 6 CONTRACTUAL OBLIGATIONS AND COMMITMENTS**

*(in thousands)*

Contractual obligations represent a legal obligation of the fund to others that will become liabilities in the future when the terms of those contracts or agreements are met.

As at March 31, 2023, the fund has no obligations under contracts and programs. (2022 - \$0).

#### **NOTE 7 APPROVAL OF FINANCIAL STATEMENTS**

The deputy minister and the senior financial officer approved these financial statements.

## Schedule 1: Expenses - Directly Incurred Detailed by Object

### Human Rights Education and Multiculturalism Fund

Year ended March 31, 2023

	2023		2022
	Budget	Actual	Actual
	<i>In thousands</i>		
Supplies and services	\$ -	\$ 1	\$ -
Grants	-	-	-
Amortization of tangible capital assets (Note 5)	-	-	2
Total expenses	\$ -	\$ 1	\$ 2

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## Other Financial Information

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## Other Financial Information

Certain disclosures (unaudited) required by legislation and regulations, and financial information relating to trust funds include the following where applicable:

- Statement of Compromises and Write-offs [FAA S.23]
- Civil Law Legal Services Delivery
- Fine Activity Information – Updated information to be provided

In addition to the above, other schedules (unaudited) that form part of this section include the following and the presentation:

- Statement of Credit or Recovery [FAA S.24(3)]
- Lapse / Encumbrance [FAA S.28(5) and 28.1(4)]
- Payments Based on Agreements [FAA Sec. 25(3)]

# Statement of Compromises and Write-Offs

## Department of Justice

Year ended March 31, 2023

(in thousands)

The following Statement of Compromises and Write-offs has been prepared pursuant to Section 23 of the *Financial Administration Act*.

	2023	2022 (Restated)
<b>Write-offs</b>		
Maintenance Enforcement	\$ 1,294	\$ 2,945
<b>Total Write-offs</b>	<u>\$ 1,294</u>	<u>\$ 2,495</u>

## Civil Law Legal Services Delivery (unaudited)

### Current and Prior Year Comparison

#### Staff Providing Services

Civil Law provides legal and related strategic services to all government ministries. Civil Law maintains a time keeping system to enable its lawyers, paralegals and articling students to record and report the hours of legal services provided in total to each ministry and their respective programs. In 2022-23, 302 lawyers, paralegals and articling students recorded in excess of 319,862 hours of provided legal services and in 2021-22, 299 such staff recorded more than 315,570 hours. The total hours of service to each Ministry are used as the basis to allocate legal services costs.

#### Cost of Legal Services

The costing methodology to estimate the costs for providing legal services for allocation to all client ministries includes the total cost of Civil Law less expenditures on contracted services and grants to third parties. A proportionate amount for support services provided by Corporate Support Services is included in the estimate. The estimate includes accommodation costs for office space in government owned or leased buildings as paid by and reported by the Ministry of Infrastructure and also includes all or part of salary and benefit costs for lawyers paid directly by client ministries. The estimated costs are allocated to each ministry based on the hours of service received. The Ministry of Justice, as a service provider, sends the legal services cost information to each ministry for disclosure in the Related Party Transactions Schedule and the Allocated Costs Schedule to the Financial Statements of each ministry's annual report.

### Current and Prior Year Comparison

The table below summarizes the estimated cost of allocated legal services, the number of hours allocated and the average hourly cost.

Cost Estimates	2022-23	2021-22
Total Civil Law Costs	40,100,687	37,295,215
Deduct: Contract Services, Grants, and Amortization	889,082	500,361
	39,211,605	36,794,854
Add: Support Services	375,936	633,104
Accommodation	2,648,442	2,483,276
Client Cost for Lawyers	14,322,835	13,124,614
Total Legal Services Costs for Allocation	56,558,818	53,035,848
Number of Hours of Services Provided	319,862	315,750
Average Hourly Cost	176.82	167.97

## Fine Activity Information (unaudited)

### Federal and Provincial Statute Offences and Municipal Bylaw Offences

A management information report summarizes fine activity by the recipients entitled to the fine or penalty revenue. The municipalities receive specific provincial statute offence fines and all municipal bylaw fines for offences occurring within municipal boundaries. The majority of municipal fine activity occurs in cities, towns, counties and municipal districts. The Alberta government receives fine revenue for provincial statute offences occurring on primary highways and other specific provincial statute offences. The Alberta government receives any late payment penalties on overdue fines and some fines under the *Criminal Code of Canada*. Effective April 1, 2020, the Alberta government retains 40 percent of *Traffic Safety Act* fines. The Victims of Crime and Public Safety Fund receives a 20 percent surcharge on all provincial statute fines and a 30 per cent surcharge on selected federal statute offences. These surcharge revenues are used to fund victims' programs in Alberta. The federal government receives fine revenue for federal statute offences and selected fines under the *Criminal Code*.

The tables below summarize fines payments for the twelve months from April 2022 to March 2023 and for the twelve months from April 2021 to March 2022 by the recipient level of government.

#### Fine Payments – April 2022 to March 2023

Recipient	Number of Fine Payments	Dollar Value of Fine Payments	Percent of Total Dollar Value
Municipalities	1,487,701	\$ 130,811,470	42.3%
Alberta Government	146,375	22,765,392	7.4%
Victims of Crime and Public Safety Fund	Note	43,491,477	14.1%
Federal Government	449	1,057,747	0.3%
Late Payment Penalty	800,594	26,026,831	8.4%
Fine Retention	Note	85,246,723	27.6%
Total	2,435,119	\$ 309,399,640	100.0%

#### Fine Payments – April 2021 to March 2022

Recipient	Number of Fine Payments	Dollar Value of Fine Payments	Percent of Total Dollar Value
Municipalities	1,617,812	\$ 136,740,205	43.4%
Alberta Government	153,637	23,190,872	7.4%
Victims of Crime and Public Safety Fund	Note	43,184,893	13.7%
Federal Government	523	476,718	0.2%
Late Payment Penalty	840,820	26,810,287	8.5%
Fine Retention	Note	84,442,617	26.8%
Total	2,612,792	\$ 314,845,592	100.0%

Note: The Number of Fine Payments for Victims of Crime and Public Safety Fund and Fine Retention have been accounted for in the other recipient categories.

## Statement of Credit or Recovery (unaudited)

### Department of Justice

Year ended March 31, 2023

(in thousands)

The following has been prepared pursuant to Section 24(3) of the *Financial Administration Act*.

	2023				
	Authorized Spending	Actual Revenue Recognized	Unearned Revenue	Total Revenue Received/ Receivable	(Shortfall)/ Excess <sup>(1)</sup>
	<i>In thousands</i>				
Maintenance Enforcement <sup>(3)</sup>	\$ 7,493	\$ 1,131	\$ -	\$ 1,131	\$ (6,362)
Provincial Civil Claims <sup>(4)</sup>	1,500	7,017	-	7,017	5,517
	<u>\$ 8,993</u>	<u>\$ 8,148</u>	<u>\$ -</u>	<u>\$ 8,148</u>	<u>\$ (845)</u> <sup>(2)</sup>

(1) Shortfall is deducted from current year's corresponding funding authority.

(2) The revenue of each credit or recovery is included in the Statement of Revenues and Expenses.

(3) Family Support Order Services revenues represent Maintenance Enforcement revenues from deterrent penalties and service fees to promote timely payment of maintenance to improve and expand services available for clients.

(4) Alberta Court of Justice revenues represent Provincial Civil Claims revenues for funding from fees levied to commence action in excess of seven thousand five hundred dollars in Provincial Court. These revenues are dedicated towards the costs of processing these claims.



# Lapse/Encumbrance (unaudited)

## Department of Justice

Year ended March 31, 2023

(in thousands)

The following has been prepared pursuant to Section 24(4) of the *Financial Administration Act*.

	Voted Estimate <sup>(1)</sup>	Supplementary Estimate	Adjustments <sup>(2)</sup>	Adjusted Voted Estimate	Voted Actuals <sup>(3)</sup>	Over Expended (Unexpended)
<b>EXPENSE VOTE BY PROGRAM</b>						
<b>Ministry Support Services</b>						
1.1 Minister's Office	\$ 836	\$ -	\$ -	\$ 836	\$ 705	\$ (131)
1.2 Deputy Ministers' Offices	769	-	-	769	775	6
1.3 Corporate Services	6,031	-	-	6,031	6,224	193
	7,636	-	-	7,636	7,704	68
<b>Court and Justice Services</b>						
2.1 Business and Resolution Services	32,366	7,941	-	40,307	36,772	(3,535)
2.2 Family Support Order Services	16,509	-	-	16,509	15,327	(1,182)
2.3 Alberta Court of Justice (Provincial Court of Alberta)	116,745	21,745	-	138,490	142,672	4,182
2.4 Alberta Court of King's Bench	35,375	1,600	-	36,975	37,156	181
2.5 Alberta Court of Appeal	7,600	-	-	7,600	7,336	(264)
	208,595	31,286	-	239,881	239,263	(618)
<b>Legal Services</b>						
3.1 Civil Law	40,056	-	-	40,056	39,375	(681)
3.2 Legislative Counsel	5,033	-	-	5,033	3,854	(1,179)
3.3 Law Reform	500	-	-	500	500	-
	45,589	-	-	45,589	43,729	(1,860)
<b>Alberta Crown Prosecution Service</b>						
4.1 Operations and Bail Prosecutions	9,894	11,800	-	21,694	20,376	(1,318)
4.2 Appeals and Specialized Prosecutions	17,770	3,300	-	21,070	21,842	772
4.3 Criminal and Youth Prosecutions	70,994	14,200	-	85,194	86,688	1,494
4.4 Advanced Projects and Traffic Office	-	-	-	-	2,596	2,596
	98,658	29,300	-	127,958	131,502	3,544

## Lapse/Encumbrance (unaudited-cont'd)

### Department of Justice

Year ended March 31, 2023

(in thousands)

	Voted Estimate <sup>(1)</sup>	Supplementary Estimate	Adjustments <sup>(2)</sup>	Adjusted Voted Estimate	Voted Actuals <sup>(3)</sup>	Over Expended (Unexpended)
<b>Strategy, Support and Integrated Initiatives</b>						
5.1 Agency Governance and Oversight	1,744	-	-	1,744	1,021	(723)
5.2 Community Justice and Integrated Services	15,375	10,838	-	26,213	24,066	(2,147)
5.3 Office of the Chief Medical Examiner	16,080	1,600	-	17,680	17,128	(552)
5.4 Alberta Chief Firearms Office	1,112	3,100	-	4,212	3,695	(517)
5.5 Support for Legal Aid	94,292	15,813	-	110,105	110,107	2
	128,603	31,351	-	159,954	156,017	(3,937)
<b>Alberta Human Rights</b>	6,913	-	-	6,913	6,916	3
<b>Total</b>	495,994	91,937	-	587,931	585,131	(2,800)
Credit or Recovery (Shortfall)			(845)	(845)		845
<b>(Lapse)/Encumbrance</b>						<u>(1,955)</u>

#### CAPITAL INVESTMENT VOTE BY PROGRAM

Ministry Support Services	-	-	-	-	-	-
Court and Justice Services	3,975	-	-	3,975	2,006	(1,969)
Legal Services	-	-	-	-	38	38
Alberta Crown Prosecution Service	2,380	-	-	2,380	1,810	(570)
Strategy, Support and Integrated Initiatives	11,119	-	2,000	13,119	10,583	(2,536)
Alberta Human Rights	-	-	-	-	-	-
<b>Total</b>	17,474	-	2,000	19,474	14,437	(5,037)
Credit or Recovery (Shortfall)			-	-		-
	\$ 17,474	\$ -	\$ 2,000	\$ 19,474	\$ 14,437	\$ (5,037)
<b>(Lapse)/Encumbrance</b>						<u>\$ (5,037)</u>

- (1) As per "Expense Vote by Program", "Capital Investment Vote by Program" page 150 and 151 of 2023-24 Government Estimates on February 28, 2023.
- (2) Adjustments include encumbrances, capital carry forward amounts, transfers between votes and credit or recovery increases approved by Treasury Board and credit or recovery shortfalls. An encumbrance is incurred when, on a vote-by-vote basis, the total of actual disbursements in the prior year exceed the total adjusted estimate. All calculated encumbrances from the prior year are reflected as an adjustment to reduce the corresponding voted estimate in the current year.
- (3) Actuals exclude non-voted amounts such as amortization and valuation adjustments as no cash disbursement is required (non-cash amounts), or because the Legislative Assembly has already provided the funding authority pursuant to a statute other than an appropriation act. Non-cash amounts (such as amortization, valuation adjustments, and other provisions) are excluded as these amounts do not require any expenditure or payment of public money. Year-end expense accruals & payables which will immediately require a cash outlay (payment of public money) to settle or otherwise extinguish the liabilities are included in Actuals.

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## Payments Based on Agreements

### Department of Justice

Year ended March 31, 2023

(in thousands)

The Department has entered into agreements to deliver programs and services that are fully funded by the Government of Northwest Territories (GNWT), the Government of Nunavut (GN), the Government of Yukon Territory (Yukon) and the Government of Canada (GC). The Department previously had agreements with the Government of Saskatchewan (GS), and the Government of British Columbia (GBC). Costs based on these agreements are incurred by the Department under authority in Section 25 of the *Financial Administration Act*. Accounts Receivable includes \$78 (2022 - \$61) from the GNWT, \$72 (2022 - \$52) from the GN, \$0 (2022 - \$6) from Yukon, and \$114 (2022 - \$93) from the GC relating to payments based on agreements.

The agreements with the GNWT and the GN, are for services provided by the Medical Examiner's Office. Services include examination of remains, medico-legal autopsy, toxicology analysis, and expert testimony in court or at a coroner's inquest.

The agreement with the GC is for enhanced French language training in order to prepare Alberta Provincial Court judges to sit on the Itinerant Francophone Provincial Court Bench.

Amounts paid and payable based on agreements with program sponsors are as follows:

	<b>2023</b>		<b>2022</b>	
Medical Examiner - GNWT	\$	202	\$	245
Medical Examiner - GN		161		86
Medical Examiner - Yukon		6		6
Enhanced French Language Training - GC		114		93
	\$	483	\$	430

## Annual Report Extracts and Other Statutory Reports

The *Criminal Code* requires the Minister of Justice to report annually on the following parts of the Act.

### ***Criminal Code s.83.31 – Anti-Terrorism Act***

Section 83.31 of the *Criminal Code* requires the Attorney General of Alberta to publish an annual report on the operation of those parts of the Act dealing with investigative hearings and recognizance with conditions.

This constitutes the annual report of the Attorney General of Alberta covering the period from December 24, 2021 to December 24, 2022.

#### **I. Report on the Operation of sections 83.28 and 83.29**

(Investigative Hearing)

The Attorney General of Alberta reports that there were no applications initiated under these sections of the *Criminal Code*. As such, there is no data to report in relation to the reporting requirements under paragraphs 83.31(1)(a) to (c) of the *Criminal Code*.

#### **II. Report on the Operation of Section 83.3**

(Recognizance with Conditions)

The Attorney General of Alberta reports that there were no cases initiated under this section of the *Criminal Code*. As such, there is no data to report in relation to the reporting requirements in paragraphs 83.31(2)(a) to (f) of the *Criminal Code*.

### ***Public Interest Disclosure (Whistleblower Protection) Act***

Section 32 of the *Public Interest Disclosure (Whistleblower Protection) Act* requires the chief officer of a department to report annually on all disclosures made to the designated officer of the department, public entity or office of the Legislature for which the chief officer is responsible.

This constitutes the annual report of the chief officer of the department covering the period of April 1, 2022 to March 31, 2023.

Chief Officer Report as at March 31, 2023

In relation to the reporting requirements under section 32 of the *Public Interest Disclosure (Whistleblower Protection) Act*, designations for April 1, 2022 to March 31, 2023 include:

- Number of disclosures of wrongdoing: zero
- Number of investigations and reports submitted: zero
- Number of wrongdoings identified: zero