Justice

BUSINESS PLAN 2006-09

ACCOUNTABILITY STATEMENT

The business plan for the three years commencing April 1, 2006 was prepared under my direction in accordance with the *Government Accountability Act* and the government's accounting policies. All of the government's policy decisions as of February 23, 2006 with material economic or fiscal implications of which I am aware have been considered in preparing the business plan.

The Ministry's priorities outlined in the business plan were developed in the context of the government's business and fiscal plans. I am committed to achieving the planned results laid out in this business plan.

[Original Signed]

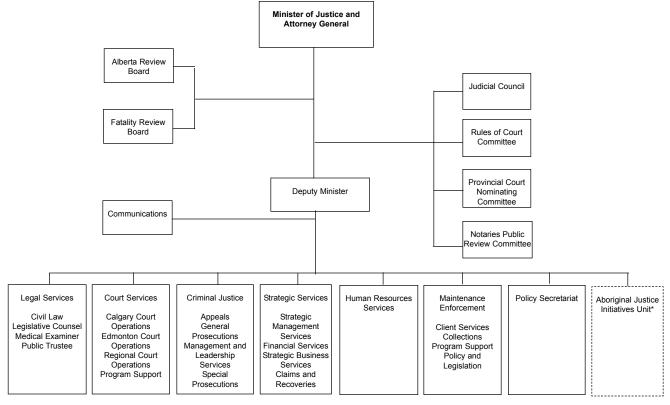
Ron Stevens, QC, Minister of Justice and Attorney General March 1, 2006

THE MINISTRY

The Ministry of Justice includes the Department of Justice as an entity for government reporting purposes, as well as the Alberta Review Board, the Fatality Review Board, the Judicial Council, the Notaries Public Review Committee, the Provincial Court Nominating Committee, and the Rules of Court Committee. The Alberta Review Board makes or reviews dispositions concerning any accused person for whom a verdict of "not criminally responsible because of mental disorder" or "unfit to stand trial" is rendered. The Board also has the responsibility for determining whether a person should be subject to a detention order or conditional discharge or be granted an absolute discharge. The Fatality Review Board is responsible for reviewing certain deaths investigated by the Medical Examiner's Office and recommending to the Minister of Justice and Attorney General whether a public fatality inquiry should be held. The Provincial Court Nominating Committee provides recommendations to the Minister of Justice on the appointment of individuals to the

Provincial Court of Alberta, and the Rules of Court Committee makes recommendations to the Minister of Justice on amendments to the Rules of Court under the Court of Appeal Act, the Court of Queen's Bench Act, and the Civil Enforcement Act.

The Department of Justice is responsible for prosecutions, court administration, providing legal advice to government on Alberta's laws, the provision of legal services to government, and ensuring the justice system meets the needs of Albertans. The Department protects the legal interests of Albertans in need through the Maintenance Enforcement Program, Public Trustee services and support for legal aid. The Department also provides policy coordination, development, advice, and research. Strategic Services, Aboriginal Justice Initiatives Unit, and Human Resource Services provide strategic support to the Ministry. A more detailed description of the Ministry can be found on our Web site at http://www.justice.gov.ab.ca/.



*Aboriginal Justice Initiatives provides services to both Justice and Solicitor General and Public Security

VISION

A fair and safe society supported by a trusted justice system.

MISSION

To protect the rights of all individuals in Alberta and advance the interests of society by fostering:

- Safe communities
- Access to justice
- Respect for the law
- Understanding of and confidence in the justice system
- The legal foundation for social cohesion and economic prosperity

LINK TO THE GOVERNMENT OF ALBERTA STRATEGIC BUSINESS PLAN

The Ministry's core businesses and goals are aligned with and support a number of government goals and priorities. Alberta Justice plays a key role in Goal 10 of the Government of Alberta business plan - *Alberta will be a fair and safe place to work, live and raise families* by supporting a trusted justice system that promotes law and order for the purpose of protecting individuals, securing justice for victims, and ensuring offenders are held accountable. The Ministry also plays a key role in Goal 6: *Albertans will be self-reliant and independent and those unable to provide for their basic needs will receive help* by ensuring that low-income Albertans have access to legal services that they would not otherwise be able to obtain.

The Ministry is primarily linked to the fourth opportunity - Making Alberta the Best Place to Live, Work and Visit. The Ministry will continue to invest in Alberta's communities to make them among the safest in North America by getting tougher on those who commit violent offences. The Ministry will play a leadership role in establishing a more responsive justice system by expanding the availability and scope of dispute resolution options and using technology to strengthen the justice system. It will also continue to pressure the federal government to take tough positions against violent crimes and those who commit them.

SIGNIFICANT OPPORTUNITIES AND CHALLENGES

Recognizing trends, identifying new challenges, and being aware of changes in diverse socio-economic sectors is an important part of setting the Ministry's strategic priorities and addressing justice concerns for Albertans. A number of these opportunities and challenges are complex and involve other stakeholders and jurisdictions. The Ministry is presented with the challenge of being held accountable for outcomes for which the Ministry does not have sole responsibility. The following factors will influence the Ministry in developing future goals and strategies.

Children, Youth, Families & Family Violence

Family violence continues to be a significant issue in Alberta. In 2004, women living in Alberta were the most likely in Canada to report spousal violence, while men in Alberta were the second most likely. Family violence impacts those directly involved, the children who witness the violence, the community, and society as a whole. It is estimated that 60 - 70 percent of child welfare cases come from violent homes, and that many physical, mental, emotional and financial concerns are rooted in family violence.

Child Sexual Exploitation

Possessing child pornography is not a victimless crime. Child pornography has devastating effects on children and youth, both those who are exploited in the actual pictures and those who view it. It is permanent proof of the sexual abuse of a child. Although child pornography is not new, the internet has enabled purveyors and collectors of this material to distribute it in an unprecedented manner.

Identity Theft

Identity theft is one of the fastest growing, and potentially one of the most economically destructive, forms of criminal behaviour in Alberta, Canada and the world. With the increasing sophistication of the criminal element and the growth in the use of advanced technology by criminals, it is easier than ever to create a completely false identity, assume the identity of a deceased person or use personal information of an existing person to commit criminal offences.

Impact of Gang Crime

Across Canada there has been an increase in senseless and unprovoked acts of violence committed by gangs, and Alberta has not been immune to these criminal acts. Particular groups that can be characterized as gangs may or may not fall within the legal definition of criminal organization or conform in their methods to traditional patterns of organized crime. They

are groups that carry out acts of violence or commit property offences associated with motives of gain and drug trafficking. Gangs are involved in the illegal manufacture, trafficking and use of drugs, including crystal methamphetamine. The increased prevalence of offences committed by drug users may require distinctive policing, prosecution and court strategies. Emerging groups are often inter-provincial and pursue criminal activities in both urban and rural settings.

Traffic Safety

Alberta has a traffic injury and fatality rate that has been above the national average as recently as 2004. The Alberta government has taken a very public stance on the issue of traffic safety, especially with respect to impaired drivers. Alberta's slogan is "Alberta is getting tough on Impaired Drivers". Traffic injuries and deaths have a profound impact on government, through provision of health care, loss of productivity, insurance issues, enforcement and prosecution, and road construction and maintenance. The impact on the lives and quality of life of Albertans is immeasurable.

Access to Justice

All Albertans are entitled to fair and equitable access to and treatment by the justice system. They want to be able to resolve conflicts with the least amount of time, cost, and complexity, and they want to do it close to their own communities. Issues affecting access to justice include: an increasing number of self-represented litigants in the family and civil courts; the inability of low income persons to access the justice system; and an increasing demand for alternatives to litigation that are fair while remaining affordable; and challenges specific to remote areas.

Aboriginal Initiatives

Aboriginal people are the youngest and fastest growing population in Alberta, with one-third of the Aboriginal population 14 years of age or younger. The disproportionate representation of Aboriginal people at all stages in the criminal justice system, both as victims and offenders, continues to be a significant issue.

Public Engagement and Confidence

With Albertans increasingly demanding a greater role in government decision-making processes, constructive engagement is becoming of greater importance in ensuring that services, programs, and information meet their needs in the most effective and efficient ways possible. Engaging and informing Albertans about the justice system through public legal education has the potential to improve Albertans' understanding of the structures and processes of the justice system, and it also has the capacity to instill a greater respect for the rule of law. Understanding the law and the notion that no individual, group or organization is above the law is fundamental to a free and democratic society.

STRATEGIC PRIORITIES 2006-09

Through the Ministry's review of external and internal challenges, the following strategic priorities have been identified. The prioritites are equally important to the Ministry.

1. Stakeholder/Partner Engagement

Linkage: Goal 4

The Ministry must work with Albertans and justice stakeholders in a collaborative, consultative, and continuous way to coordinate efforts and clarify roles and responsibilities in order to be able to effectively respond to the key issues of Alberta's justice system. This includes providing increased opportunities for engagement and making stakeholder involvement an integral part of the policy and decision-making process. Strong partnerships with stakeholders are required for the Ministry to enhance Albertans' understanding of the rule of law and increase their confidence in the justice system.

2. Traffic Safety

Linkage: Goal 2

Alberta, in conjunction with the federal government and all provinces and territories, has committed to Road Safety Vision 2010 - a national strategy to make Canada's roads the safest in the world. The strategy includes aggressive targets to reduce fatalities and injuries on Canada's roadways. Justice is working closely with Infrastructure and Transportation, Solicitor General and Public Security, as well as non-government organizations to implement the Alberta Traffic Safety Plan. The Alberta Traffic Safety Plan provides new strategies, including legislation and increased enforcement, to reduce the number of injuries and deaths on Alberta's roads.

3. Family Violence and Protection of Children

Linkage: Goal 1

Since the Alberta Roundtable on Family Violence and Bullying in May 2004, Alberta has taken many positive steps toward prevention and effective intervention in family violence. However, Alberta continues to experience deaths as a result of intimate or ex-intimate partner relationships. Although Alberta has many agencies that address family violence, they are not all well positioned to deal with situations of high risk. The establishment of an Alberta Relationship Threat Assessment and Management Initiative would provide an expert resource to professionally assess threats and their level of lethality, formulate mitigation strategies and develop safety plans. This initiative is being coordinated with the Family Justice Strategy to ensure that these two initiatives support one another.

4. Dispute Resolution

Linkage: Goal 2

Justice has committed to providing high quality alternate dispute resolution processes to Albertans, to allow for resolution of disputes in efficient and effective ways.

5. Family Justice Strategy

Linkage: Goal 2

The Family Justice Strategy is focused on the alignment of family law and procedures. The long term goal is to have a family law system that offers a common set of procedures and appropriate services to all family law applicants, regardless of geography or the court to which they apply.

6. Legal Aid Service Delivery

Linkage: Goal 3

Issues of increasing demand and associated costs of providing legal aid services will be addressed by various strategies, including the implementation of a staff counsel pilot project in adult criminal court.

7. Aboriginal Self-Sufficiency

Linkage: Goal 5

Justice is a co-leader with Aboriginal Affairs and Northern Development in implementing one of the Government of Alberta's Top Priorties; Building Aboriginal Self-Sufficiency. This initiative seeks to provide clear policy parameters to guide provincial participation in self-government negotiations. As well, the participation of First Nations in economic and resource development on reserves can be promoted by the application of provincial regulatory standards.

CORE BUSINESSES, GOALS, STRATEGIES & PERFORMANCE MEASURES

Core Business One: Prosecutions

The Criminal Justice Division prosecutes persons charged with Criminal Code, Youth Criminal Justice Act, and provincial statute offences. The division promotes safe communities by vigorously prosecuting cases involving serious and violent crime and working with individuals and organizations in the community to identify and implement improved and alternative approaches to the administration of criminal justice. In addition, the division develops criminal law policy for the province and supports criminal law consultation with other levels of government.

GOAL ONE



Promote safe communities in Alberta

What it means

Through public consultations, Albertans have indicated that a high priority for them is safe communities in which they can live, work, and raise their families in safety and security without fear of crime or victimization. Crimes that threaten our communities are becoming more sophisticated and the criminal justice system must be positioned to investigate and prosecute these emerging crimes.

- 1.1 Advance Alberta's positions to the federal government and garner support from the other provincial/territorial governments to reform criminal law, including matters relating to: long term and dangerous offenders, peace bonds, bail provisions and mandatory minimum sentences for serious drug offenders and offences involving firearms.
- 1.2 Work with traffic safety partners to implement initiatives to improve road safety in Alberta and explore opportunities to enhance the effectiveness of investigating and prosecuting impaired driving cases.
- 1.3 Enhance the capacity of the Prosecution Service to align with increasing police resources to prosecute serious and violent crime to the fullest extent, including but not limited to the sexual exploitation of children, organized and economic crime, local gang violence, identity theft and crimes related to and arising from crystal methamphetamine and other drug abuse.
- 1.4 Work with partnering ministries, police service and community partners to advance the Alberta Relationship Threat Assessment and Management Initiative to reduce domestic violence related injuries and deaths.
- 1.5 Work with ministry and community partners to identify gaps in services and explore best practices to develop strategies that will improve the criminal justice system response to sexual assault.
- 1.6 Participate with Solicitor General and Public Security and other stakeholders in the implementation of the government-accepted recommendations of the MLA Report of the Alberta Victims of Crime Consultation.
- 1.7 Review and prepare proposals for controlling the ability of persons convicted of serious crimes to profit from the recounting of their crimes and to allow victims of crime to benefit from those profits.

Performance Measures	Last Actual (2004-05)	Target 2006-07	Target 2007-08	Target 2008-09
1.a Public Perception of Safety in the Home The percentage of Albertans who feel "reasonably safe" to "very safe" in their homes after dark.	91%	91%	91%	91%
Public Perception of Safety in the Neighbourhood The percentage of Albertans who feel "reasonably safe" to "very safe" walking alone in their area after dark.	77%	82%	82%	82%

Source:

1.a and 1.b Annual Public Opinion Survey

Core Business Two: Courts

Alberta Courts are presided over by an independent judiciary. There are three courts in the province – the Court of Appeal, the Court of Queens' Bench and the Provincial Court. The Court Services Division provides administrative support to the courts. Court Services also provides policy advice and assistance to the Minister and the Ministry in relation to court issues. Stakeholders of Court Services include the public, the legal profession, law enforcement services, correctional authorities and various service providers.



Promote a fair and accessible civil and criminal justice system

What it means

Justice is responsible for helping to resolve criminal and civil disputes. This includes reasonable access to court resources and dispute resolution opportunities. Where appropriate, this includes alternatives to traditional court processes, such as mediation, judicial dispute resolution, and mini-trials. By speeding up the process and lowering costs, these alternatives can improve access.

- 2.1 Develop a long-term approach to move forward with a Justice Information Management System initiative that will address current and future business requirements of the Ministry and the Courts, focusing on technology as a means to strengthen the Justice system.
- 2.2 Develop and coordinate a strategy to integrate and streamline delivery of all aspects of Family Justice.
- 2.3 Develop, evaluate, improve and coordinate mediation and other dispute resolution initiatives.
- 2.4 Work with Infrastructure and Transportation and the judiciary to ease court crowding, modernize buildings and improve access to the justice system.
- 2.5 Work with Solicitor General and Public Security to enhance the integration and effectiveness of the Provincial Security Program, including perimeter security and/or enhanced security for all courts.
- 2.6 Develop a strategy to address increasing traffic ticket and bylaw volumes and ensure effective processing of these matters in the courts. This strategy includes electronic ticket processing.
- 2.7 Working in partnership with the Alberta Law Reform Institute, the Rules of Court Committee, and/or other stakeholders as appropriate, rewrite the Rules of Court to simplify and update them.
- 2.8 Improve access to justice for self-represented litigants by improving court information services for the public.
- 2.9 Review and prepare amendments to the existing provisions that provide for structured settlements (periodic payments), to be applied where courts award damages for personal injury or death.

Performance Measures	Last Actual (year)	Target 2006-07	Target 2007-08	Target 2008-09
2.a Median Elapsed Time from First to Last Appearance Median elapsed time from first to last appearance represents the midpoint in the time it takes to process a case in provincial criminal court from first to last appearance.	73 (Canadian median: 109 days) (2003-04)	Below the Canadian Median	Below the Canadian Median	Below the Canadian Median
Provincial Court Civil Mediation Settlement Rate The mediation settlement rate is the number of civil actions settled through the civil claims mediation program divided by the total number of civil actions mediated in the program.	63% (2004-05)	63%	63%	63%

Sources:

- 2.a Adult Criminal Court Survey, Canadian Centre for Justice Statistics
- 2.b Administrative data, Court Services Division

Core Business Three: Justice Services to Albertans

This core business includes Goals 3 and 4. The Ministry promotes fair and equitable access to the civil and criminal justice system by providing a broad range of justice services through the courts, prosecution, and appropriate dispute resolution mechanisms. Access to justice also means addressing barriers access the justice system by providing legal representation for Albertans who are in need of assistance and by providing Albertans with accurate and up-to-date information to help them increase their awareness and knowledge about the justice system. In addition, services such as maintenance enforcement, estate and trust administration services, and legal aid contribute to the preservation of a safe society for Albertans.



Provide access to justice services for Albertans in need

What it means

Through its programs and services, the Ministry of Justice provides support and protection to vulnerable citizens, including families who depend on court-ordered maintenance payments, individuals unable to protect their financial interests, and individuals who cannot afford legal counsel. Helping those in need is essential to Alberta's success.

- 3.1 Conduct a feasibility study for a pilot project to encourage compliance with court ordered parenting time in Edmonton.
- 3.2 Continue public awareness activities to inform the general public about Maintenance Enforcement Program services.
- 3.3 Determine a model for administrative recalculation of maintenance by conducting a review of needs in Alberta and examining best practices in other jurisdictions.
- 3.4 Complete the expansion of the Tri-Departmental Assured Income for the Severely Handicapped (AISH) Benefits Administration Program. This program assists AISH recipients manage their AISH benefits where the individual has limited other resources and no one else who can assist in this regard.
- 3.5 In coordination with Seniors and Community Supports, review all submissions from the public and feedback from the stakeholder focus groups and draft a revised *Dependent Adults Act*.
- 3.6 Work with the Legal Aid Society of Alberta to implement a staff counsel pilot project in the adult criminal court in Edmonton, which will provide services to eligible clients.

Performance Measures	Last Actual (2004-05)	Target 2006-07	Target 2007-08	Target 2008-09
3.a Client Satisfaction with the Services of the Public Trustee's Office The percentage of clients "satisfied" to "very satisfied" with the services of the Public Trustee's Office	90%	87%	87%	87%
3.b Maintenance Enforcement Program: Dollars Due Compared to Dollars Received (% Collected) The program's collection rate on scheduled support and scheduled arrears payments.	84%	86%	87%	88%
3.c Client Satisfaction with Legal Aid Services The percentage of respondents who were either "satisfied" or "very satisfied" with the service they received from the Legal Aid Society of Alberta for all the services received through legal aid.	78%	80%	80%	80%

Sources:

- 3.a Client Satisfaction Survey, Public Trustee's Office
- 3.b Administrative data, Maintenance Enforcement Program
- 3.c Client Satisfaction Survey, Legal Aid Society



Improve understanding of and confidence in the justice system

What it means

Albertans identify that information and education about the justice system is important. Additionally, perceptions of crime in their communities and the province, along with the information they receive from the media, affect their understanding of and confidence in the justice system. The Ministry will continue to work with partners to find better ways of informing Albertans about the justice system, including the development of new strategies and working with Education and other stakeholders to develop justice education resources for Alberta classrooms. Recognizing the importance of the rule of law in the operation of government, this core business is central to the department's role in seeing that public affairs are administered according to law.

- 4.1 Consult with stakeholders whenever appropriate on programs, policies, and services in areas of provincial responsibility when contemplating significant changes that will impact the public.
- 4.2 Initiate and maintain partnerships with stakeholders to identify information gaps and to determine potential research opportunities and effective justice education strategies.
- 4.3 Develop and implement initiatives in consultation with partners to increase Albertans' awareness, understanding, and confidence in the rule of law and the justice system.
- 4.4 Work with Education and other stakeholders to develop justice education resources for Alberta classrooms.

Performance Measures	Last Actual (2004-05)	Target 2006-07	Target 2007-08	Target 2008-09
4.a Public Knowledge of the Justice System The percentage of Albertans who feel "somewhat knowledgeable" to "very knowledgeable" about the justice system in Alberta.	65%	65%	66%	67%
4.b Public Confidence in the Justice System The percentage of Albertans who feel "some confidence" to "a lot of confidence" in the justice system in Alberta.	78%	80%	80%	80%

Source:

4.a and 4.b Annual Public Opinion Survey

Core Business Four: Legal and Strategic Services to Government

Civil Law provides legal services to all government ministries and represents them in matters before the courts and tribunals. Constitutional and Aboriginal Law provides specialized services to the government in constitutional and Aboriginal law matters. Legal Research and Analysis provides advice on legislative policy. The Legislative Counsel Office is responsible for drafting government public bills, regulations and Orders in Council.





Assist government ministries to achieve their objectives through provision of effective legal and related strategic services

What it means

These roles involve relationships with individuals, families, communities, and other governments. Effective legal services reduce the potential for conflict involving the government, as well as protecting and advancing the interests of the government. By providing effective legal and related strategic services, Justice can assist other ministries in achieving their corporate goals and strategic priorities.

- 5.1 Enhance alignment of legal service resources with government ministries by continuing to:
 - Modify legal service protocol agreements to meet the ongoing needs of client ministries and Justice.
 - Improve our corporate counsel services to meet the needs of client ministries.
- 5.2 Provide legal and related strategic advice to the Deputy and Assistant Deputy Minister committees in relation to Aboriginal self-government and the regulatory framework for economic activities on reserves.
- 5.3 Establish and maintain a network of Alberta Government legislative planners to facilitate the sharing of information on principles, processes and best practices in relation to the development of legislative proposals.

Performance Measures	Last Actual (2004-05)	Target 2006-07	Target 2007-08	Target 2008-09
5.a Client Satisfaction with Legal Services The percentage of client ministries "satisfied" to "very satisfied" with the legal services provided by the Legal Services Division, Civil Law.	90%	87%	87%	87%
5.b Client Satisfaction with Assistance in Meeting Corporate Goals The percentage of client ministries "satisfied" to "very satisfied" that the legal services provided by the Legal Services Division, Civil Law helped them achieve their Department's corporate goals.	87%	83%	83%	83%

Source:

5.a and 5.b Client Satisfaction Survey, Legal Services Division

EXPENSE BY CORE BUSINESS

(thousands of dollars)

	C	Comparable				
	2004-05	2005-06	2005-06	2006-07	2007-08	2008-09
	Actual	Budget	Forecast	Estimate	Target	Target
Prosecutions	41,618	44,634	45,774	52,985	53,315	52,862
Courts	122,465	137,597	137,344	151,627	157,432	157,844
Justice Services to Albertans	92,433	100,805	102,110	114,080	116,364	117,474
Legal and Strategic Services to Government	22,768	27,048	27,729	29,381	29,170	29,165
MINISTRY EXPENSE	279,284	310,084	312,957	348,073	356,281	357,345

MINISTRY STATEMENT OF OPERATIONS

(thousands of dollars)

		Comparable				
	2004-05	2005-06	2005-06	2006-07	2007-08	2008-09
	Actual	Budget	Forecast	Estimate	Target	Target
REVENUE						
Transfers from Government of Canada	14,724	13,536	13,536	12,747	12,747	12,747
Investment Income	596	425	425	425	425	425
Premiums, Fees and Licences	36,220	36,258	36,258	35,873	36,167	36,931
Other Revenue	68,615	70,101	70,101	76,124	76,874	77,674
MINISTRY REVENUE	120,155	120,320	120,320	125,169	126,213	127,777
EXPENSE	•					
Program						
Ministry Support Services	12,639	17,472	17,484	22,385	22,333	22,333
Court Services	121,029	133,728	133,703	143,901	149,608	150,023
Legal Services	73,355	83,561	85,346	93,289	93,918	93,897
Support for Legal Aid	31,898	30,998	30,998	43,196	45,346	45,346
Public Trustee	8,978	10,341	11,407	11,863	11,285	11,849
Medical Examiner	5,713	6,177	6,218	6,032	6,084	6,090
Motor Vehicle Accident Claims	26,155	26,958	26,952	26,558	26,858	26,958
Valuation Adjustments and Other Provisions	(483)	849	849	849	849	849
MINISTRY EXPENSE	279,284	310,084	312,957	348,073	356,281	357,345
Gain (Loss) on Disposal of Capital Assets	-	-	-	-	-	-
NET OPERATING RESULT	(159,129)	(189,764)	(192,637)	(222,904)	(230,068)	(229,568)

CONSOLIDATED NET OPERATING RESULT

(thousands of dollars)

		Comparable					
	2004-05	2005-06	2005-06	2006-07	2007-08	2008-09	
	Actual	Budget	Forecast	Estimate	Target	Target	
Ministry Revenue	120,155	120,320	120,320	125,169	126,213	127,777	
Inter-ministry consolidation adjustments		-	-	-	-	-	
Consolidated Revenue	120,155	120,320	120,320	125,169	126,213	127,777	
Ministry Expense	279,284	310,084	312,957	348,073	356,281	357,345	
Inter-ministry consolidation adjustments		-	-	-	-	-	
Consolidated Expense	279,284	310,084	312,957	348,073	356,281	357,345	
Gain (Loss) on Disposal of Capital Assets	-	-	-	-	-		
CONSOLIDATED NET OPERATING RESULT	(159,129)	(189,764)	(192,637)	(222,904)	(230,068)	(229,568)	