

# BUSINESS PLAN 2016–19

## Justice and Solicitor General

### ACCOUNTABILITY STATEMENT

This business plan was prepared under my direction, taking into consideration the government's policy decisions as of March 17, 2016.

*original signed by*

Kathleen Ganley, Minister

### MINISTRY OVERVIEW

The ministry consists of the Department of Justice and Solicitor General, the Victims of Crime Fund and the Human Rights Education and Multiculturalism Fund. Within the department's budget, funding is provided for the following agencies, boards and commissions: Alberta Human Rights Commission, Alberta Review Board, Criminal Injuries Review Board, Fatality Review Board, Judicial Council, Law Enforcement Review Board, Notaries Public Review Committee, Provincial Court Nominating Committee, Rules of Court Committee and Victims of Crime Programs Committee. The Property Rights Advocate Office and the Office of the Chief Medical Examiner have specific legislated functions to carry out independently from the department, but operate through the department in other areas.

Justice and Solicitor General helps ensure that all Albertans can live in safe and resilient communities while having access to a fair and innovative justice system. It ensures that public affairs are administered according to law. Working alongside its partners in law enforcement, family justice, the judiciary and other stakeholders, the ministry has a direct or shared responsibility in all elements of the justice system in Alberta. Its programs and services help ensure Albertans' security and access to justice through efficient functioning of courts, corrections and law enforcement. The ministry provides the Alberta Crown Prosecution Service, the administration of the courts in Alberta, information and dispute resolution options for people accessing the court system, legal and related strategic services to government, and effective custody and community supervision services. The ministry also provides oversight of the provincial police service (Royal Canadian Mounted Police) and supports, educates and trains police commissions and policing committees who oversee municipal police services. The ministry has a role to play in delivering legal aid to Albertans through an agreement with the Law Society of Alberta and Legal Aid Alberta. The ministry works together with Human Services to help families adjust their changing legal relationship and their lasting obligations that go along with those changes.

A more detailed description of Justice and Solicitor General and its programs and initiatives can be found at [www.justicesolgen.alberta.ca](http://www.justicesolgen.alberta.ca).

## STRATEGIC CONTEXT

The outcomes and key strategies identified in this business plan are aligned with the strategic direction of the Government of Alberta.

Driven by strong interprovincial and international migration and increasing numbers of births, Alberta's population has almost doubled over the past 35 years with its growth being the highest amongst the provinces in the past four years. Delivering services to this growing and diverse population presents both opportunities and challenges as the province navigates volatile oil and gas revenue sources.

To increase the likelihood of achieving the outcomes identified below, the ministry must consider and manage the risks that may impact its ability to implement its strategies and complete its day-to-day business. For instance, a key factor that may decrease the use of non-court based resolution is that courts are more familiar to Albertans and may be perceived as more credible than non-court based options. To address this risk the ministry's new service delivery model will focus on directing Albertans to appropriate pathways that will give them a wider range of resolution options for legal issues.

An additional risk factor that needs to be considered and managed is the capability and capacity of the ministry's technology systems. Many of the strategies involve technological advancements that will require investment, process changes, updates to existing technology infrastructure and training for users of the new systems.

The ministry also aims to improve access to justice through an integrated service delivery approach that focuses on individuals' unique needs and circumstances. The ministry must ensure engagement and collaboration with different partners and stakeholders in the delivery of these services in order to effectively meet the needs of Albertans.

Despite fiscal challenges, the government is committed to achieving better outcomes to ensure communities are safe, and the justice system is accessible and responsive to Albertans' needs.

## OUTCOMES, KEY STRATEGIES AND PERFORMANCE MEASURES

### **Outcome One: Vulnerable Albertans are safe and supported during interactions with the justice system**

It is a priority for the ministry and the Government of Alberta to ensure the safety and well-being of vulnerable Albertans including newly arriving immigrants, Indigenous peoples, victims of crime, self-represented litigants, and low-income Albertans. The ministry works closely with First Nations communities through probation, court services and crime prevention programming, and is committed to continuing to work with Indigenous communities and service providers to address root causes of crime, taking into consideration Indigenous cultural experiences and approaches. As all Albertans need access to the justice system, regardless of their location and ability to pay, the ministry is committed to improving legal aid. In collaboration with federal counterparts, the ministry is working to ensure victims' rights are protected and they are supported so they can recover and move forward with their lives. A continuum of services that spans the spectrum of prevention through to intervention is required to ensure vulnerable people receive the support they need.

#### **Key Strategies:**

- 1.1 Conduct a review of legal aid to create a cost-effective, sustainable legal aid program.
- 1.2 Continue to work with partners and Indigenous people to provide timely and effective Gladue reports to allow courts to consider the unique circumstances of Indigenous people.
- 1.3 Identify and implement Government of Alberta policy, program and process changes in response to the *Canadian Victims Bill of Rights*, which was passed by the federal parliament in 2015 to establish victims' statutory rights to information, protection and participation in the criminal justice process and to seek restitution.

Performance Measure	Last Actual 2014-15	Target 2016-17	Target 2017-18	Target 2018-19
1.a Percentage of victims satisfied with services provided by employees and volunteers within the criminal justice system	84%	86%	86%	87%

### Linking Performance Measures to Outcomes:

1.a Indicates the ministry's success in supporting victims in their interactions with the justice system.

### Performance Measures under Development:

A measure is under development to demonstrate the ministry's support for Indigenous peoples in their interactions with the justice system related to the submission of Gladue pre-sentence reports to the Courts.

### Outcome Two: Justice system partners collaborate to make best use of resources to protect Albertans through prevention, intervention and rehabilitation

The justice system is complex and multifaceted and must strive to strike the right balance between complex and competing priorities. The ministry aims to shift over time from a reactive model to a preventative model. The preventative model promotes community safety by addressing the underlying drivers of crime and emphasizing rehabilitation which reduces recidivism. This model requires a systems approach. In collaboration with Alberta Health Services, Human Services, Education and other government partners, the ministry works to ensure individuals get the support they need. Where prevention fails, intervention occurs. The ministry works with law enforcement partners to provide court security, traffic safety enforcement, commercial vehicle safety enforcement and fish and wildlife enforcement. Justice system resourcing must be balanced and proportionate to the legal matters under consideration. With collective effort, innovation and a shared understanding of desired outcomes, justice system partners will work to create an integrated, adaptable, efficient and effective, citizen-focused system.

### Key Strategies:

- 2.1 In collaboration with partners, explore options to provide system-wide preventative services and engage in a more holistic approach to criminal justice that ensures individuals involved with the justice system, including those with addiction and mental health issues, have access to appropriate and timely supports.
- 2.2 Work with partners to enhance rehabilitative policies and programs for individuals involved in the justice system by ensuring the services and supervision provided are responsive and coordinated, given varying needs and risks.
- 2.3 Explore new technology to enable enhanced management of individuals under correctional jurisdiction and to provide individuals easy access to their legal and programming information.
- 2.4 Examine policies, processes and practices regarding alternatives to incarceration to ensure ministry efforts are focused on individuals with the highest needs, enhancing the safety of Albertans.
- 2.5 Work with Human Services to explore ways to better protect victims of domestic violence.

Performance Measures	Last Actual 2014-15	Target 2016-17	Target 2017-18	Target 2018-19
2.a Percentage of Albertans who feel safe walking alone in their area after dark <sup>1</sup>	81%	84%	n/a	85%
2.b Percentage of Albertans satisfied with policing in Alberta over the past 12 months <sup>1</sup>	81%	85%	n/a	86%
2.c Number of escapes from secure custody or during transport	1	0	0	0
2.d Percentage of offenders successfully completing their sentence while on temporary absence without incurring new criminal charges	100%	100%	100%	100%

### Note:

<sup>1</sup> Beginning in 2015-16, this measure is based on a biennial survey with targets and results available every other year.

### Linking Performance Measures to Outcomes:

- 2.a Demonstrates the ministry's commitment to promoting safe, secure and resilient communities and better use of resources aimed at crime prevention.
- 2.b Indicates the public's perception of policing. As policing partners play a critical role in crime prevention and intervention, this measure supports the ministry's policing oversight role and enables better use of resources.
- 2.c Ensuring inmates/prisoners remain in secure custody while they are incarcerated or being transported to a secure facility is a measure of the ministry's success in providing effective public safety and prevention of further criminal activity.
- 2.d The Temporary Absence Program is an early release program targeting low-risk offenders and provides these individuals with an opportunity to pursue employment or rehabilitative programming in the community, when they would have otherwise been incarcerated.

### Performance Measures under Development:

A measure related to the effectiveness of rehabilitative support and programming is under development to demonstrate the ministry's continued commitment to preventing an individual's further involvement in criminal activity.

Performance Indicators	Actual 2010	Actual 2011	Actual 2012	Actual 2013	Actual 2014
2.a Crime Rate <sup>1</sup>					
• Violent Crime Rate					
o Alberta	1,474	1,403	1,385	1,282	1,244
o Canada	1,292	1,236	1,197	1,093	1,039
• Property Crime Rate					
o Alberta	4,909	4,370	4,293	4,286	4,309
o Canada	3,838	3,536	3,435	3,148	3,096
2.b Crime Severity Index <sup>2</sup>					
• Violent Crime Severity Index					
o Alberta	98	95	86	85	85
o Canada	89	86	82	74	70
• Non-violent Crime Severity Index					
o Alberta	98	85	85	85	86
o Canada	80	74	73	67	65

#### Notes:

- <sup>1</sup> Crime Rate per 100,000 population. Violent crime includes homicide, attempted murder, various forms of sexual assault, robbery and abduction. This does not include traffic incidents that result in death or bodily harm. Property crime includes theft, break and enter, fraud and possession of stolen goods. This does not include the use of threat of violence against an individual.
- <sup>2</sup> The Police Reported Crime Severity Index (PRCSI) measures changes in the level of severity of crime in Canada from year to year. In the index, all crimes are assigned a weight based on their seriousness. The level of seriousness is based on actual sentences handed down by the courts in all provinces and territories. More serious crimes are assigned higher weights, less serious offences lower weights. As a result, more serious offences have a greater impact on changes in the index. The PRCSI is standardized to 100 in base year 2006.

### Outcome Three: Albertans' civil, criminal and family legal issues are resolved quickly and appropriately

The ministry is committed to finding innovative solutions to improve access to justice. It aims to expand and improve case management, ensure courthouse infrastructure fits the needs for services and ensure an adversarial process is available to protect rights in serious cases. Improvements are required to deliver services more effectively and efficiently, to decrease the length of time it takes for cases to proceed through the courts and to ensure the justice system's response is proportionate to the seriousness of the matter.

#### Key Strategies:

- 3.1 Explore and implement actions to improve the Alberta Crown Prosecution Service's capacity to respond to serious and violent offences in a more timely manner.
- 3.2 Expand the web-based document management system and explore the implementation of additional case management offices, allowing defence counsel and unrepresented accused to request and receive case file information quickly and easily.
- 3.3 Develop an eCourts plan for Alberta to enhance the operations of the courts and their sustainability.
- 3.4 Continue to make policy, legislation and regulation changes to simplify processes and expand dispute resolution options in Provincial Court, enabling Albertans to resolve their matters in a timely, cost-effective manner.
- 3.5 Develop and implement a sustainable infrastructure plan for Alberta's courthouses, addressing critical deficiencies and improving accessibility to priority court programs and resolution services.
- 3.6 In partnership with the Alberta Courts and other stakeholders, reform the family justice system in Alberta to make it more open and responsive by providing families with coordinated services to resolve disputes when possible without having to go to court and, when court processes are required, making them less adversarial.

Performance Measures	Last Actual 2014-15	Target 2016-17	Target 2017-18	Target 2018-19
3.a Percentage of Albertans who agree that fair and impartial service is provided to prosecute people charged with a crime <sup>1</sup>	81%	83%	n/a	84%
3.b Median elapsed time from first to last appearance for a criminal case in Provincial Court and Court of Queen's Bench of Alberta <sup>2</sup>	127 days	123 days	123 days	123 days

#### Note:

- <sup>1</sup> Beginning in 2015-16, this measure is based on a biennial survey with targets and results available every other year.
- <sup>2</sup> Previous ministry business plans and annual reports indicate 2011-12 was the last actual available, as that was the most current data available from the Canadian Centre for Justice Statistics (CCJS). Since that time, CCJS has released more recent results.

#### Linking Performance Measures to Outcomes:

- 3.a Indicates the public perception of Alberta's prosecution service. When criminal legal issues are resolved quickly and appropriately, Albertans are more likely to agree that fair and impartial service is provided to prosecute people charged with a crime.
- 3.b Median elapsed time measures how long criminal cases take from first to last appearance in the Provincial Court and Court of Queen's Bench of Alberta. Persons charged with an offence have the right to be tried within a reasonable time, and resolving cases in a way that is both efficient and fair is in the interest of all stakeholders in the criminal justice system.

#### Performance Measures under Development:

A measure related to Criminal Lead Time in the Provincial Court is under development to demonstrate ministry commitment to reducing lead times to trial and improve access to justice.

**Outcome Four: Albertans have access to non-court based resolution options when it best suits their needs in the justice system**

The ministry is committed to delivering alternative dispute resolution pathways to enable Albertans to resolve their legal issues outside of the courts, where appropriate. Not all legal issues require court intervention to achieve resolution. Albertans will benefit from affordable and less adversarial options, including administrative alternatives to court processes, for less serious matters. At the same time, this allows justice and court resources to be focused on the timely resolution of serious or complex criminal, family and civil matters. Albertans will be educated and informed about resolution options that are faster and more efficient.

**Key Strategies:**

- 4.1 Collaborate with partners to help Albertans navigate the court system, providing a single point of contact to identify user needs and provide direction to the appropriate services in a manner that is efficient, effective and client focused.
- 4.2 Explore and, where possible, implement administrative and electronic processes for driving offences (including traffic tickets), increasing the justice system’s capacity to handle more serious crimes in a timely way.

Performance Measure	Last Actual 2014-15	Target 2016-17	Target 2017-18	Target 2018-19
4.a Maintenance Enforcement Program’s regularity of payment rate on cases enrolled, by regular monthly payments	72%	70%	70%	72%

**Linking Performance Measures to Outcomes:**

- 4.a The Maintenance Enforcement Program enforces court-ordered family support on behalf of recipients, providing Albertans with a cost-free and efficient means of ensuring court orders are followed.

## STATEMENT OF OPERATIONS

(thousands of dollars)

	Comparable			2016-17 Estimate	2017-18 Target	2018-19 Target
	2014-15 Actual	2015-16 Budget	2015-16 Forecast			
<b>REVENUE</b>						
Transfers from Government of Canada	35,946	33,530	33,530	<b>33,342</b>	33,342	33,342
Investment Income	1,402	970	970	<b>970</b>	995	995
Motor Vehicle Accident Claim Fees	22,774	23,600	23,600	<b>23,400</b>	23,700	24,000
Other Premiums, Fees and Licences	16,577	23,253	23,253	<b>23,273</b>	23,273	23,273
Fines and Penalties	145,915	203,507	203,507	<b>209,307</b>	215,307	221,607
Maintenance Enforcement	15,189	14,974	14,974	<b>14,977</b>	15,012	15,046
Other Revenue	24,080	23,800	23,800	<b>32,405</b>	31,977	32,198
Ministry Total	261,883	323,634	323,634	<b>337,674</b>	343,606	350,461
Inter-Ministry Consolidations	(564)	(525)	(525)	<b>(525)</b>	(525)	(525)
Consolidated Total	261,319	323,109	323,109	<b>337,149</b>	343,081	349,936
<b>EXPENSE</b>						
Ministry Support Services	64,517	64,659	64,659	<b>60,887</b>	61,347	63,832
Resolution and Court Administration Services	204,327	209,764	209,764	<b>205,353</b>	206,622	211,844
Legal Services	55,443	55,498	55,498	<b>54,847</b>	54,580	55,788
Alberta Crown Prosecution Service	97,095	92,698	92,698	<b>90,980</b>	88,062	90,247
Support for Legal Aid	64,310	66,000	66,000	<b>68,500</b>	68,500	68,500
Justice Services	41,227	42,035	42,035	<b>41,139</b>	40,929	41,880
Public Security	476,594	497,493	497,493	<b>544,870</b>	540,357	552,252
Correctional Services	266,244	267,280	275,280	<b>266,801</b>	266,329	272,023
Alberta Human Rights	8,530	8,424	8,424	<b>8,397</b>	8,381	8,561
Motor Vehicle Accident Claims	21,063	21,237	21,237	<b>21,058</b>	20,985	20,985
Victims of Crime Fund	30,144	33,197	33,197	<b>33,257</b>	34,944	36,744
Ministry Total	1,329,494	1,358,285	1,366,285	<b>1,396,089</b>	1,391,036	1,422,656
Inter-Ministry Consolidations	(308)	(525)	(525)	<b>(525)</b>	(525)	(525)
Consolidated Total	1,329,186	1,357,760	1,365,760	<b>1,395,564</b>	1,390,511	1,422,131
Net Operating Result	(1,067,867)	(1,034,651)	(1,042,651)	<b>(1,058,415)</b>	(1,047,430)	(1,072,195)
<b>CAPITAL INVESTMENT</b>						
Ministry Support Services	3,690	1,105	1,105	<b>549</b>	549	549
Resolution and Court Administration Services	554	1,000	1,000	<b>1,000</b>	1,000	1,000
Legal Services	25	-	-	-	-	-
Alberta Crown Prosecution Service	171	-	-	-	-	-
Justice Services	180	620	620	<b>620</b>	620	620
Public Security	90,023	67,234	56,196	<b>36,663</b>	7,362	4,933
Correctional Services	128	150	150	<b>150</b>	150	150
Victims of Crime Fund	-	25	625	<b>25</b>	25	25
Total	94,771	70,134	59,696	<b>39,007</b>	9,706	7,277