



Department of Justice  
Canada

Ministère de la Justice  
Canada

# **2016–17 Departmental Results Report**

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.  
Minister of Justice and Attorney General of Canada

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## Minister's message

I am pleased to present the Department of Justice's 2016-17 Departmental Results Report, which sets out the details of what it has accomplished in this period.

Over the past year, the Department continued to carry out its mandate to provide high-quality advisory, legislative, and litigation services to the federal government and to ensure that Canada's justice system is fair, relevant, and accessible for all.

In doing so, the Department helped support many of the Government of Canada's key priorities, notably in renewing the relationship with Canada's Indigenous peoples. These included helping to develop a strategy for addressing their overrepresentation in the criminal justice system and supporting the Government's commitment to implement the United Nations Declaration on the Rights of Indigenous People.

The Department of Justice also played a prominent role in the ongoing broad review of the criminal justice system, including sentencing, to ensure our laws are up to date and consistent with the Canadian Charter of Rights and Freedoms.

The Department's support also helped enable the Government to follow through on the commitments to legalize and strictly regulate cannabis, reform the impaired driving regime and end discrimination based on gender identity or expression.

Ensuring that Canada's judiciary is robust, highly qualified, diverse, and independent is an important priority for the Government. Justice staff played a central part in developing and implementing new processes for making appointments to the Supreme Court of Canada and to superior courts across Canada.

In supporting my role as Attorney General, the Department did valuable work to develop an approach for reviewing the Government's litigation strategy, which will ensure that we make the best use of resources in this area.

As part of its broad responsibilities for policy in matters relating to the administration of justice, departmental staff provided extensive support to the Government in meeting its commitment to uphold Canada's Constitution and the rule of law and in carrying out its policy objectives, on both the domestic and international fronts.



Moreover, throughout this period the Department continued its efforts to modernize its organizational structure to support business and legal excellence, notably by making wider and more efficient use of technology and taking a digital-by-default approach wherever possible.

I would like to thank all Justice employees for the professionalism and expertise they bring to all of their work and for their dedication to public service and improving Canada’s justice system.

*Gilakas'la.*

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The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.  
Minister of Justice and Attorney General of Canada

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## Results at a glance

For more information on the Department's plans, priorities and results achieved, see the [“Results: what we achieved”](#) section of this report.

### ▶ **What funds were used?**

\$689,819,446 actual spending.

### ▶ **Who was involved?**

4,311 full-time equivalents (FTEs).

### ▶ **Results Highlights**

Key achievements of the Department:

- Engaged in the implementation of the Truth and Reconciliation Commission of Canada's Calls to Action.
- Supported the Government's commitment to the United Nations Declaration on the Rights of Indigenous People informed by Section 35 of the Constitution Act.
- Provided legal advice to the Minister of Justice in support of her role as chair of the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples.
- Developed an approach for the Minister of Justice and Attorney General for the review of the Government's litigation strategy.
- Furthered the Government's key initiative of reviewing the criminal justice system including the creation of a dedicated Criminal Justice System Review Secretariat.
- Assisted the Minister of Justice with the introduction of the proposed [Cannabis Act](#)<sup>i</sup> on April 13, 2017.
- Introduced Bill C-16 in May 2016 to strengthen legal protections for transgender and gender-diverse Canadians against discrimination and hate crime.
- Facilitated the Government's implementation of a new process for Supreme Court of Canada appointments (including the establishment of an Independent Advisory Board), which resulted in the appointment of Justice Malcolm Rowe in late October 2016.
- Supported official languages minority communities by providing funding to 48 projects to enhance the capacity of the Canadian justice system to offer services in both official languages.
- Provided support related to the Government's Cyber Security Strategy and the tabling of legislation establishing the National Security and Intelligence Committee of Parliamentarians.



## Raison d'être, mandate and role: who we are and what we do

### Raison d'être

The [Department of Justice](#)<sup>ii</sup> has the mandate to support the dual roles of the [Minister of Justice and the Attorney General of Canada](#).<sup>iii</sup>

Under Canada's federal system, the administration of justice is an area of shared jurisdiction between the federal government and the provinces and territories. The Department supports the [Minister of Justice's](#)<sup>iv</sup> responsibilities for 53 statutes and areas of federal law by ensuring a bilingual and bijural national legal framework, principally within the following domains: criminal justice (including justice for victims of crime and youth criminal justice), family justice, access to justice, Indigenous justice, public law, and international private law.

The Department also supports the Attorney General as the chief law officer of the Crown, both in terms of the ongoing operations of government and the development of new policies, programs, and services for Canadians. The Department provides legal advice to the Government and federal government departments and agencies, represents the Crown in civil litigation and before administrative tribunals, and drafts legislation and regulations.

### Mandate and role

The Department of Justice was officially established in 1868, when the [Department of Justice Act](#)<sup>v</sup> was passed in Parliament. The Act sets out the roles and responsibilities of the Department as well as those of the Minister of Justice and Attorney General of Canada.

The Department of Justice fulfills three distinctive roles within the Government of Canada. It acts as:

- a policy department with broad responsibilities for overseeing all matters relating to the administration of justice that fall within the federal domain - in this capacity, it strives to ensure a fair, relevant, and accessible Canadian justice system for all Canadians;
- a provider of a range of legal advisory, litigation and legislative services to government departments and agencies; and
- a central agency responsible for supporting the Minister in advising Cabinet on all legal matters.

The Department of Justice has approximately 4,300 dedicated FTEs, and 59 percent of Justice employees are located in the National Capital Region. The other 41 percent provide a strong national presence through a network of regional offices and sub-offices positioned across the country.

Over half of departmental employees are lawyers. The other half comprises a broad range of professionals including: policy analysts, paralegals, social scientists, program managers, communications specialists, and administrative services personnel.

For more general information about the Department, see the [“Supplementary information”](#) section of this report. For more information on the Department’s organizational mandate letter commitments, see the [Minister’s mandate letter](#).<sup>vi</sup>

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## Operating context and key risks

### Operating context

The Department's operating context is ever-evolving, with a few key factors in particular influencing government and Department of Justice priorities.

Demographic realities continue to have an impact on access to justice and the Department's delivery of programs. Canada's society is aging, living longer and becoming more diverse both culturally and linguistically. The Indigenous population is younger than the overall Canadian population and, while growing as a segment of the national population, is overrepresented in the criminal justice system. The intersection of race, ethnicity, gender, education, and differing social supports means that more complex legal policy approaches must be developed to best respond to Indigenous issues. This has required increased collaboration, consultation, and partnership with various federal government departments, provinces, territories, and other stakeholders. Examples of this collaboration include the work of the Task Force on Constitutional Relations with Indigenous Nations and the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples. Also, the Criminal Justice System Review Secretariat was established to provide advice to the Minister on the direction of the criminal justice system review and to look at ways of reducing the overrepresentation of vulnerable populations in the criminal justice system.

Improvements in the sharing and management of information have enabled new ways of communicating and working, but have also created additional demands and pressures. The Department has continued to implement its Information at Justice Strategy, including Digital Workspace and other technological innovations to transform current work practices across the whole organization. Justice has continued to adopt new technologies while also being better prepared to respond to threats to privacy and information security.

Canadians have come to expect access to government and information 24 hours a day and seven days a week through a variety of communications channels, including social media. In response, the Department continued to implement an open-by-default information environment, with digital-by-design approaches to information sharing and digital integration, offering integrated departmental content across multiple channels in order to meet the broad range of information needs from the public. Examples of this include new web sections for proposed legislation featuring user-friendly information architecture, plain language content, Charter statements, infographics, and social media, as well as Periscope and Facebook broadcasts of ministerial events.

Complex legal policy issues (such as medical assistance in dying, the legalization of cannabis, the response to violence against Indigenous women and girls, the protection of rights and freedoms, and trade liberalization) require a faster legislative response that must be balanced with the need to consult stakeholders and carefully develop legal positions to most appropriately respond to these issues. The Department continues to respond by improving consultation with client organizations, employing early intervention in the policy/regulation and/or legislative development process, and using diverse professionals including paralegals. In 2016-17, Justice continued to adapt to its operating context and improved the management of legal service needs

by expanding the Centre for Labour and Employment Law and by creating the Centre of Expertise in Procurement Law.

In 2016-17, the Department helped advance international human rights through policy advice and legal services in support of the negotiation of international norms, treaties, and conventions; the development of legal cooperation programs; and the provision of legal technical assistance to foreign countries seeking to reform their justice systems. This work contributed to the promotion of democracy, respect for human rights, effective governance, and international security.

## Key risks

The accelerated pace at which new policy issues emerge or unfold is an ongoing source of uncertainty, posing challenges for timely policy and program responses. Additionally, as noted in the description of the operating context, the broad scope of justice issues and the multi-tiered nature of Canada's justice system require the involvement and collaboration of many partners and stakeholders, including the provinces and territories, other federal departments, non-governmental organizations, stakeholder communities, and international institutions. At times, these relationships may be affected by the need to balance expectations and interests.

To manage these existing risks, the Department has continued to monitor emerging trends to inform its forward planning and maintain policy responsiveness. This has included conducting regular policy-focused planning sessions. The Department has also continued succession planning and knowledge-management activities to develop the proper knowledge, skills, and expertise to readily navigate within this operating environment.

Another ongoing area of risk concerns the Department's responsibility to provide effective and fiscally sustainable legal services to the federal government. A certain degree of uncertainty is inherent in this responsibility since legal work is increasingly complex and cross-cutting and the practice of law is not static. In addition, the Department's workload is greatly shaped by the activities and decisions of client organizations, who share responsibility for managing legal risks. More specifically, demands for legal service may evolve, depending on the priorities clients pursue, their level of tolerance toward legal risk, and their choices about when to engage Justice's services. Meeting these evolving legal needs is made more challenging as departments seek to contain spending on legal services.

To address this fundamental uncertainty, the Department has continued to focus on joint planning with clients, including the sharing of information on effective management of legal risks, the triggers and costs of legal services, and the appropriate role of legal counsel. This work has been informed by the Legal Services Review, which was undertaken to manage demand for legal services and to ensure the fiscal sustainability of those services in the long term. The Legal Services Review measures, approved by the Treasury Board Secretariat in June 2014, have been a major driver for efficiency in the Department. These measures focused on redefining legal services, building partnerships with clients, and streamlining business performance.

## Key risks

Risks	Mitigating strategy and effectiveness	Link to the Department's Programs	Link to mandate letter commitments or to government-wide and departmental priorities
<p><b>Responsiveness to new and emerging policy priorities.</b></p> <p>There is a risk that the broad scope and complexity of the justice system pose ongoing challenges for timely policy and program responses. <i>(Existing Risk)</i></p>	<ul style="list-style-type: none"> <li>• Maintained a close dialogue with partners and stakeholders (e.g., through targeted or public consultations).</li> <li>• Continued to monitor, research and analyze emerging trends to inform forward planning.</li> <li>• Conducted regular departmental planning sessions to promote information sharing and coordinated consideration of key policy issues.</li> <li>• Conducted succession planning through knowledge management and skill/leadership development.</li> <li>• Created the Criminal Justice System Review Secretariat and engaged with Canadians to validate policy directions and learn from innovative practices.</li> </ul>	<p><b>Program 1.1 – Stewardship of the Canadian Legal Framework</b></p>	<ul style="list-style-type: none"> <li>• Commitment to advancing reconciliation with Indigenous peoples.</li> <li>• Interdepartmental collaboration and speed of delivery of mandate letter commitments.</li> <li>• Review of the criminal justice system.</li> <li>• Ensuring that Canadians' rights and privacy are respected.</li> <li>• Legalization and regulation of cannabis.</li> <li>• Amendments to the legal framework governing anti-terrorism efforts.</li> </ul>
<p><b>Maintaining partnerships necessary for policy and program development and delivery.</b></p> <p>There is a risk that relationships with essential justice system partners and</p>	<ul style="list-style-type: none"> <li>• Increased dialogue and collaboration with provinces and territories including at the Ministerial and Deputy Minister levels.</li> <li>• Maintained and deepened</li> </ul>	<p><b>Program 1.1 – Stewardship of the Canadian Legal Framework</b></p>	<ul style="list-style-type: none"> <li>• Commitment to advancing reconciliation with Indigenous peoples.</li> <li>• Review of the criminal justice system.</li> <li>• Reducing the over-representation of Indigenous people.</li> </ul>

Risks	Mitigating strategy and effectiveness	Link to the Department's Programs	Link to mandate letter commitments or to government-wide and departmental priorities
<p>stakeholders could weaken if not actively maintained. <i>(Existing Risk)</i></p>	<p>relationships with key partners (e.g., Task Force on Constitutional Relations with Indigenous Nations and the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples).</p> <ul style="list-style-type: none"> <li>• Continued to develop and implement stakeholder engagement plans for policy development and funding programs.</li> <li>• Continued to provide secretariat and other support to the National Action Committee on Access to Justice in Civil and Family Matters.</li> <li>• Continued to explore innovative forums for collaboration.</li> </ul>		<ul style="list-style-type: none"> <li>• Interdepartmental collaboration on: implementation of Medical Assistance in Dying legislation; the legalization and regulation of cannabis; and development and the implementation of a national reconciliation framework informed by the Truth and Reconciliation Commission.</li> </ul>

Risks	Mitigating strategy and effectiveness	Link to the Department's Programs	Link to mandate letter commitments or to government-wide and departmental priorities
<p><b>Meeting evolving demands for legal services.</b></p> <p>There is a risk that unanticipated changes in the volume or nature of legal service requests, as well as changes in law practice management, could impact the Department's ability to deliver effective and fiscally sustainable services.</p> <p><i>(Existing Risk)</i></p>	<ul style="list-style-type: none"> <li>• Collaborated with client departments and agencies, including joint planning to meet government priorities and manage legal risks in a cost-effective manner.</li> <li>• Continued to improve the cost recovery process.</li> <li>• Refined the Department's service delivery model through innovation and continual improvement of departmental practices.</li> </ul>	<p><b>Program 2.1</b> – Legal Services to Government Program</p>	<ul style="list-style-type: none"> <li>• Amendments to the legal framework governing anti-terrorism efforts.</li> <li>• Implementation of Bill C-14 Medical Assistance in Dying legislation.</li> <li>• Legalization and regulation of cannabis.</li> <li>• Renewal of Canada's Cyber Security Strategy.</li> <li>• Review of the criminal justice system.</li> <li>• Review of the nation-to-nation relationship between Canada and Indigenous peoples and advancing reconciliation.</li> <li>• Economic development of Indigenous peoples.</li> <li>• Canada Revenue Agency commitment to crack down on tax evasion and combat tax avoidance.</li> <li>• Legal and policy advice in the area of privacy and access to information.</li> <li>• Government's litigation strategy review, collaborating with client departments on litigation positions.</li> </ul>



## Results: what we achieved

### Strategic Outcome 1: A Fair, Relevant, and Accessible Canadian Justice System

The Department plays a stewardship role in ensuring a fair, relevant and accessible Canadian justice system. This Strategic Outcome is a shared responsibility among a broad range of players, including Parliament, the judiciary, federal departments and agencies, partners in provincial, territorial and municipal governments, a broad range of non-governmental organizations and stakeholders, and, ultimately, all Canadians.

#### **Program 1.1: Stewardship of the Canadian Legal Framework**

##### **Description**

The Department fulfils its stewardship role by ensuring a bilingual and bijural national legal framework for the administration of justice that contributes to a safe and just society for all Canadians and confidence in Canada's justice system. The Department develops and tests innovative approaches to strengthen the legal framework within the following domains: criminal law, youth criminal justice, sentencing, official languages, marriage and divorce, access to justice, bijuralism, human rights, privacy, access to information, and Aboriginal justice. In addition, in view of the federal government's shared interest in a sustainable justice system, the Department promotes and facilitates ongoing dialogues with the provinces and territories in the areas of shared jurisdiction and provides funding for the delivery of programs that directly support federal policy objectives.

##### **Results**

In 2016-17, the Department spent \$409,973,313 on the Stewardship of the Canadian Legal Framework Program and employed 256 FTEs. These resources were spent on activities aimed at three organizational priorities: renewing the relationship with Indigenous peoples; criminal law; and public law. Through coordination, consultation, and collaboration with various partners and stakeholders, the Department continued to work toward the advancement of government priorities, as presented in the Minister's mandate letter. These priorities included the review of the criminal justice system; legalizing, strictly regulating, and restricting access to cannabis; medical assistance in dying; criminal law reform; strengthening security and better protecting Canadians' rights; changes to immigration and refugee protection that support Canada's humanitarian tradition; and supporting official languages minority communities.

##### Renewing the Relationship with Indigenous Peoples

The Department continued to make progress in renewing Canada's nation-to-nation relationship with Indigenous peoples based on recognition of rights, respect, cooperation, and partnership.

The Department worked with provincial and territorial partners to involve Indigenous representatives in federal-provincial-territorial (FPT) discussions and continued to co-chair the FPT Working Group on Aboriginal Justice to discuss Indigenous justice issues, including reconciliation and violence against Indigenous women and girls.

Also of note is the Department's work through the Task Force on Constitutional Relations with Indigenous Nations, which, together with other parts of the Department, articulated the legal theory to support a renewed relationship, and supported the implementation of the [Truth and Reconciliation Calls to Action](#)<sup>vii</sup> and of the [United Nations Declaration on the Rights of Indigenous Peoples](#)<sup>viii</sup> informed by Section 35 of the Constitution Act.

In particular, the Department:

- articulated the foundation for the Government's vision of a renewed relationship with Indigenous peoples;
- supported the Minister of Justice in her work with Cabinet colleagues and as Chair of the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples in translating this vision into policy renewal and direction across the government; and
- laid the foundation for the development, through the Task Force, of Justice's Review of Laws and Policies Secretariat.

The Department also continued to support a variety of existing initiatives, including the Federal Victims Strategy, which aims to give victims and survivors of crime a more effective voice in the criminal justice system. Justice continued to work in collaboration with Indigenous and Northern Affairs Canada and Status of Women Canada to implement year two of the [Action Plan to Address Family Violence and Violent Crimes Against Aboriginal Women and Girls](#)<sup>ix</sup> to increase access to specialized supports including victim services for Indigenous victims and survivors of crime.

### Criminal Law

In ensuring that legislation meets the highest standards of equity, fairness and respect for the rule of law, the Department supported several initiatives, including reviewing the criminal justice system, leading a process to respond to the Supreme Court of Canada decision on medical assistance in dying, and working to create a process that will lead to the legalization and regulation of cannabis.

The Department established a dedicated Criminal Justice System Review Secretariat to review the criminal justice system and support engagement, coordination, transparency, and tracking of progress. The Secretariat has been in place since April 2016 and has provided advice to the Minister on the direction of the criminal justice review, and has established a program of engagement with provincial and territorial partners, stakeholders, and the public. Public consultation has been via a public information platform/portal through which progress on the mandate can be tracked, information received and input provided directly to the Secretariat.

Also, a Deputy Minister-led task force on data and metrics was established and is tasked with looking at ways of reducing the overrepresentation of vulnerable populations in the criminal justice system. As part of this effort, the Secretariat explored the feasibility of developing a multi-dimensional measurement framework.

With regard to Medical Assistance in Dying, Bill C-14 received Royal Assent on June 17, 2016. This legislation provides clear rules around eligibility, provides safeguards to be followed with respect to medical assistance in dying, and creates a monitoring regime. The Minister of Justice and the Minister of Health announced, on December 13, 2016, that the Council of Canadian Academies (CCA) will be undertaking independent reviews on medical assistance in dying to

examine three particularly complex types of requests that were identified for further review and study. These cases include requests from mature minors, advance requests, and requests where mental illness is the sole underlying medical condition. In these reviews, the CCA will compile and assess information and evidence to inform the ongoing policy discussion on the issues related to medical assistance in dying in these three circumstances. These reviews will be made public in December 2018.

Other bills introduced in support of the Minister’s mandate commitments include Bill C-28, An Act to amend the Criminal Code (victim surcharge); Bill C-32, An Act related to the repeal of section 159 of the Criminal Code; and Bill C-39, An Act to amend the Criminal Code (unconstitutional provisions) and to make consequential amendments to other Acts.

### Public Law

Through a variety of initiatives, the Department developed public law policy to advance the Government’s commitment to upholding the Constitution and the rule of law, and the Government’s domestic and international legal and policy interests.

Justice provided ongoing support to the Minister to help ensure that the Government demonstrated the greatest possible commitment to respecting the Charter. This included an innovative initiative to pilot “Charter Statements” on Department of Justice bills to provide more information to Parliament and the public about the effects of proposed legislation on Charter-protected rights and freedoms. Six Charter Statements were tabled in 2016-17.

The Department supported the Government in implementing a new Supreme Court of Canada appointment process, announced in August 2016, which is more open, inclusive, independent, accountable, and centered on an open application process. This included an Independent Advisory Board that recommends a shortlist of candidates to the Prime Minister based on public assessment criteria. This process upholds a strong, independent, meritorious and diverse judiciary, and a fair, efficient and accessible court system that responds to the needs of Canadians. The new appointment process led to the appointment of Justice Malcolm Rowe in late October 2016. Both the process and the appointment itself were well-received and delivered on the Government’s commitment to strengthen the Supreme Court of Canada appointment process and to ensure that new appointees are functionally bilingual.

In June 2016, the Department released a consultation paper on reform of the judicial discipline process and engaged key stakeholders. Reform proposals were developed and further stakeholder discussions held. Proposed reforms aim to further confidence in the judiciary by improving the discipline process’s fairness, timeliness, accountability, transparency, and cost-effectiveness, while upholding judicial independence. As well, in 2016, the Minister received the Report of the 2015 Judicial Compensation and Benefits Commission and, resulting from this, Budget 2017 announced the intention to proceed with legislative amendments to review judicial compensation in a manner consistent with judicial independence.

The initial groundwork was laid for expanding Unified Family Courts (UFCs), including canvassing provincial and territorial jurisdictions in April 2016 as to their interest in taking part. Justice then worked with interested jurisdictions to begin developing their proposals. The Department also engaged with central agencies to clarify the parameters of the initiative, with a view to launching a formal request for detailed proposals in spring 2017. Justice also met with various stakeholder groups and made presentations to relevant audiences as part of continued

engagement. The creation of UFCs depends on willing provincial and territorial partners, which in turn depends on the conditions of participation. An identified challenge for expanding the UFCs includes the lack of early decisions, which could negatively impact uptake by jurisdictions and delay or inhibit fulfillment of the commitment. Another challenge is that the number of UFC judges requested may exceed available federal funding.

In the area of human rights policy, the Department supported the Minister in her policy responsibility for the Canadian Human Rights Act. This included delivering on the Government's commitment to strengthen legal protections for transgender and gender diverse Canadians against discrimination and hate crime under [Bill C-16<sup>x</sup>](#), introduced in May 2016.

The Department worked with Canadian Heritage officials to restore a modern Court Challenges Program, which was publicly announced in February 2017. Also, the Department worked to raise awareness of the Canadian Charter of Rights and Freedoms through a social media campaign celebrating the Charter's 35<sup>th</sup> anniversary.

Justice provided policy support for the Government's review of the Access to Information Act, including the commitment to apply the law appropriately to administrative bodies that support the federal courts. In March 2016, the Department consulted with the Office of the Registry of the Supreme Court of Canada, the Courts Administration Service, the Office of the Commissioner for Federal Judicial Affairs, and the Canadian Judicial Council to begin discussions on how to meet this commitment. In addition, Justice provided assistance relating to the protection of personal information in the public sector, including a review of the Privacy Act.

The Department promoted official languages development and vitality in minority communities in compliance with Part VII of the Official Languages Act. The first five-year integrated Departmental Official Languages Action Plan, for which adoption is expected in 2017, was also developed using policy and legal expertise.

### Evaluations

Through grants and contribution funding, the Department continued to facilitate access to the justice system by enabling Canadians to obtain assistance and legal information in order to resolve their legal issues, whether in the formal justice system or through alternative resolution mechanisms. Justice conducted a series of evaluations in its efforts to maximize the efficiency and effectiveness of departmental functions and programs. Information on these evaluations follows:

- The Department worked collaboratively with horizontal partners to support the implementation of recommendations from the [Special Advocates Program Evaluation<sup>xi</sup>](#) of the Immigration and Refugee Protection Act Division 9 initiative. This included exploring possibilities to diversify the scope of resources and assistance provided to special advocates within the current legislative framework.
- The Department conducted an [Evaluation of the Legal Aid Program<sup>xii</sup>](#), which promotes access to justice by contributing toward the cost of delivering legal aid services to economically disadvantaged and otherwise vulnerable persons facing serious criminal charges. The evaluation included case studies that identified several promising practices and innovative service delivery methods and confirmed the ongoing need for the Legal Aid Program.

- The [Youth Justice Initiative \(YJI\) Evaluation](#)<sup>xiii</sup> confirmed the ongoing relevance and effectiveness of the YJI as a support to provinces and territories in developing and implementing programs and services in keeping with the Youth Criminal Justice Act and the objectives of the YJI. Provinces and territories are encouraged to take a lead role in working toward a coordinated and innovative response to youth justice issues as they emerge. Recommendations from the evaluation have been implemented by the Department.
- The [Evaluation of the Aboriginal Justice Strategy](#)<sup>xiv</sup> (now known as the Indigenous Justice Program) found that the Strategy offers a cost-efficient alternative to the mainstream justice system. For example, in 2014-15, the immediate and future yearly cost savings to the justice system was approximately \$20.5 million represented by the reduced rates of recidivism following participation in a community-based justice program that year. Furthermore, a recidivism study found that rates of re-offending for individuals who completed a community-based justice program are significantly lower than those who did not participate. Specifically, 70% of program participants had not re-offended eight years following participation, compared to 53% of those who did not participate.

## Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2016–17 Actual results	2015–16 Actual results	2014–15 Actual results
Justice laws and policies promote a fair, relevant, and accessible justice system in Canada	Canada's international ranking with respect to fairness of the justice system	10th <sup>1</sup>	March 2017	12th	11th	15th

<sup>1</sup> The Department's performance target is an international ranking of tenth place or better for Canada (source: World Competitiveness Yearbook).

## Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
400,491,696	400,491,696	420,670,448	409,973,313	*9,481,617

\* The variance between Actual spending and Planned spending is primarily explained by the receipt of funding through the 2016-17 Supplementary Estimates process ([Supplementary Estimates](#)<sup>xv</sup>)

## Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
258	256	-2

Information on the Department of Justice's lower-level programs is available on the [Department of Justice website](#)<sup>xvi</sup> and in the [TBS InfoBase](#).<sup>xvii</sup>

## Program 1.2: Office of the Federal Ombudsman for Victims of Crime

### Description

The [Office of the Federal Ombudsman for Victims of Crime](#)<sup>xviii</sup> (OFOVC) was created to provide a voice for victims of crime at the federal level and to ensure that the federal government meets its commitments to victims. The Office provides direct information, referral and complaint-review services to its primary clients: victims, victims' family members or representatives, victim-serving agencies, and other related stakeholders. The Office also helps raise awareness of systemic issues among all criminal justice and victim-serving personnel, and provides related recommendations and advice to the Government of Canada through the Minister of Justice. In order to fulfill its mandate, the Office promotes access by victims to existing federal programs and services for victims; addresses complaints of victims about compliance with the provisions of the [Corrections and Conditional Release Act](#);<sup>xix</sup> promotes awareness of the needs and concerns of victims and the applicable laws that benefit victims of crime, including Canadian Victim Bill of Rights and the principles set out in the Canadian Statement of Basic Principles of Justice for Victims of Crime; identifies and reviews emerging and systemic issues that negatively impact victims of crime; and facilitates access by victims to existing federal programs and services by providing them with information and referrals. The Ombudsman reports directly to the Minister of Justice and, as such, the Office falls outside the Department's governance framework.

### Results

As the OFOVC falls outside the Department's governance framework, information regarding activities performed in 2016-17 is made available in the Office of the Federal Ombudsman for Victims of Crime 2016-17 Annual Report. For further information regarding the 2016-17 activities, please refer to the OFOVC's [website](#).<sup>xx</sup>

### Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2014-15, 2015-16, 2016-17 Actual results
Victims of crime access information on their rights and the federal programs and services that are available to them and/or access a complaint review process to address complaints about federal programs, services, laws, or policies regarding victims of crime.	Year-over-year percentage increase of client contacts with OFOVC.	2	March 2017	Please refer to the OFOVC website.

Expected results	Performance indicators	Target	Date to achieve target	2014-15, 2015-16, 2016-17 Actual results
Federal departments, agencies and other stakeholders are provided with OFOVC recommendations on how to effect change for victims of crime.	Percentage of OFOVC recommendations submitted and acknowledged and/or acted upon.	100	March 2017	Please refer to the OFOVC website.
Stakeholders have access to timely and relevant information about the OFOVC and its activities.	Percentage of all pre-identified key stakeholders contacted annually.	100	March 2017	Please refer to the OFOVC website.
	Year-over-year percentage increase of visits to the OFOVC website.	5	March 2017	Please refer to the OFOVC website.

Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
1,324,227	1,324,227	1,338,475	1,008,746	-315,481

Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
10	9	-1

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## Strategic Outcome 2: A Federal Government that is Supported by High-Quality Legal Services

Under the [Department of Justice Act](#),<sup>xxi</sup> the Minister of Justice and Attorney General of Canada provides high-quality legal services to the federal government and its departments and agencies. According to section 4 of the Act, the Minister is the legal member of the [Queen's Privy Council](#)<sup>xxii</sup> responsible for seeing that the administration of public affairs is in accordance with the law. Under section 4.1 of the Act, the Minister is responsible for examining all government bills introduced in or presented to the House of Commons and, subject to the [Statutory Instruments Act](#),<sup>xxiii</sup> all government regulations to ascertain whether any of their provisions are inconsistent with the [Canadian Charter of Rights and Freedoms](#).<sup>xxiv</sup> Additionally, under section 5 of the Department of Justice Act, the Attorney General is responsible for advising the heads of government departments on all matters of law and for conducting all litigation for any federal department or agency of the Crown with respect to any subject within the authority or jurisdiction of Canada.

### Program 2.1: Legal Services to Government Program

#### Description

The Department of Justice provides an integrated suite of high-quality legal advisory, litigation, and legislative services to the Minister of Justice and to all federal departments and agencies to support them in meeting the Government's policy and programming priorities and to advance the overall objectives of the Government. Services are provided through a network of departmental legal services units co-located with client departments and agencies, specialized legal capacities within national headquarters, and a network of regional offices and sub-offices providing legal advisory and litigation services to federal departments and agencies across the country.

#### Results

Through the Legal Services to Government Program, \$198,793,560 was spent, including 3,096 FTEs, on activities supporting the provision of high-quality legal services to the Government and federal departments and agencies. The Department continued to support federal departments and agencies in the delivery of their legislative agenda in the areas of economic affairs, social affairs, international affairs, and government affairs.

#### Economic Affairs

In support of economic affairs, the Department provided legal services to help implement initiatives that invest in Canada and Canadians in an effective and fiscally responsible way, so as to deliver a growing economy that works for every Canadian. Initiatives included major infrastructure investments as well as efforts to reduce barriers to internal trade, investment and worker mobility between provinces and territories through the Canadian Free Trade Agreement. Justice supported the drafting of amendments to the Metal Mining Effluent Regulations to address diamond mines, two Budget Implementation Acts (Bill C-15 and Bill C-29), and Bill C-23 on the Preclearance Act to support the flow of people and goods between Canada and United States.

With a view to advancing the Government’s priority of reconciliation with Indigenous peoples, the Department provided legal services regarding the economic development of Indigenous peoples through various efforts including the [Federal Framework for Aboriginal Economic Development](#)<sup>xxv</sup> and priorities in the area of Indigenous lands. Justice supported the negotiation of settlement agreements under the Specific Claims Policy, assisting Indigenous and Northern Affairs Canada in securing authority to modify the assessment approach for specific claims to better reflect risk management principles and increase the potential for claims to be accepted for negotiation. This included providing legal opinions in regard to 33 specific claims and one special claim filed by an Indigenous group not presently recognized as a First Nation, and representing the Government before the Specific Claims Tribunal. Justice also provided advice and expertise for the implementation of the new [Cabinet Directive on the Federal Approach to Modern Treaty Implementation](#)<sup>xxvi</sup> and renewing the Comprehensive Land Claims Policy. Collaboration involving multiple departments continued in the areas of resource development, major oil sands, gas pipelines, and Northern mining projects. The Department provided legal, policy, and strategic advice for the negotiation of the Nunavut Devolution, the implementation of the Northwest Territories Devolution Agreement, the development of the new Nutrition North program, land and water administration, clean-up of contaminated sites, and legislative reform.

#### Social Affairs

In the domain of social affairs, the Department worked in collaboration with Health Canada to pass Bill C-14 Medical Assistance in Dying, which received Royal Assent on June 17, 2016. With regard to the legalization and regulation of cannabis, Justice, working with Health Canada and Public Safety, has focused on developing new regimes for the legalization, regulation, and restriction of access to cannabis for non-medical purposes in order to protect youth and keep profits away from organized crime.

For the implementation of the Indian Residential Schools Settlement Agreement, the Department provided services for the development of a resolution strategy for other Indigenous childhood claims. Also, Justice contributed to alternative legislation such as the First Nations Education Act, First Nations Land Management Act, and First Nations Fiscal Management Act. As a further contribution to the Government’s reconciliation agenda, the Department hosted a two-day workshop on Indigenous Legal Traditions in January 2017 that promoted diversity awareness and multiculturalism.

The Department supported the Minister in reviewing and rethinking the Government of Canada’s litigation strategy, with a focus on three main themes: respecting the Canadian Charter of Rights and Freedoms, recognizing the rights of Indigenous peoples, and making decisions consistent with the Government’s priorities and Canadian values. Legal analysis took into consideration legal and public policy implications beyond the particular cases before the courts. In collaboration with various federal departments and agencies, Justice directed that litigation with Indigenous peoples be conducted respectfully, in light of the important relationship between the Crown and Indigenous peoples. One example of the change in approach was the effort to make admissions wherever possible, including both admissions of fact and admissions relevant to the establishment of Indigenous rights and title. This resulted in a narrowing of the issues in dispute, and signals Canada's respect for and recognition of Indigenous rights. Furthermore, the Department of Justice instructed litigators to work closely with their departmental clients to explore avenues for reconciliation both within the litigation process and in out-of-court forums.

As a result, Canada is engaged in good-faith settlement negotiations in relation to some of its most complex and long-standing litigation with Indigenous Peoples.

### International Affairs

In the area of international affairs, the Department's work contributed to initiatives to combat crime, terrorism, and tax evasion and avoidance, as well as extradition and mutual legal assistance. The Department provided legal services in support of reforms to Canada's economic sanctions regimes for North Korea, Ukraine and Russia and to programs to ensure the safety of citizens and to defend its sovereignty. In addition, the Department played a major part in international trade through Bill C-30 [Canada-European Union Comprehensive Economic and Trade Agreement Implementation Act](#)<sup>xxvii</sup>; Bill C-31 [Canada-Ukraine Free Trade Agreement Implementation Act](#)<sup>xxviii</sup>; and in preparation for renegotiation of the North American Free Trade Agreement. At the World Trade Organization, Canada successfully challenged Chinese measures on dissolving pulp. Justice also continued to engage in international private law activities, including negotiations, and the implementation, application and operation of international private law instruments in collaboration with federal, provincial and territorial counterparts.

Also in international affairs, the Department played a key role in advancing work on reenergizing Canadian diplomacy and leadership on key international issues (diversity, human rights, and rights of women and refugees), notably working with Global Affairs Canada in activities promoting gender equality, addressing violence against women, and promoting equality for the LGBTQ2 community. Justice also provided support for Canada's presentation of reports to the United Nations on women's rights and the rights of persons with disabilities, as well as advancing work on the potential ratification by Canada of additional human rights treaties.

### Government Affairs

The Department was also engaged in initiatives pertaining to government affairs, such as amendments to private and public pension legislation and regulations. A key achievement was successful labour negotiations for public service collective agreements renegotiation. Justice also managed legal issues and risks for clients including the preparation of the federal Budget 2017 and the supervision of federally regulated financial institutions. Specifically, the Department provided advice on the implementation of the risk-based compliance initiative and the administrative monetary penalties regime, notably the Government's review and appeal process under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act.

The Department supported the introduction of Bill C-39 to remove unconstitutional provisions in the Criminal Code and Bill C-42 on veterans' well-being. Justice was instrumental in the policy and legislative development related to the Government's Cyber Security Strategy and national security law reform, as well as the tabling of legislation establishing the National Security and Intelligence Committee of Parliamentarians and the tabling of preclearance and entry/exit legislation. As well, the Department provided support to the Minister of Justice and the Cabinet Committee on Litigation Management as part of the Government's litigation strategy. To date, there have been a number of settlements of cases and abandoned appeals, as well as holds on cases while parties negotiate. For more on the progress made on the review of the Government of Canada's litigation strategy, please see the [Litigation Year in Review 2016](#)<sup>xxix</sup>.

The Department played a key role in assisting client departments to manage significant litigation, including national security litigation, administrative segregation litigation, Charter challenges to provisions of the Criminal Records Act and Sex Offender Registry Act, as well as the RCMP harassment settlement. Also, Justice worked to enable the tabling of legislation amending the Citizenship Act.

Justice defended the Government's position in over 8,000 tax litigation files and provided legal services in support of new legislative measures and tax changes to improve the integrity of the tax system. This contributed to ensuring that everyone pays their fair share of tax and helped to combat tax evasion and tax avoidance. Tax law-related legal services also included contributing to improving the quality of investigative work that targets criminal tax evaders, and enhancing the quality of cases going to the Public Prosecution Service of Canada.

### Audits

An audit of Regulatory Services was conducted in 2016-17 by the Department's Internal Audit Services. The internal audit made the following recommendations:

- that the Department leverage existing government-wide forums to improve horizontal prioritization through the use of tools and templates that gather and consolidate regulatory file prioritization information;
- that the Department improve consultation with the Revision Services and Bijuralism groups; and
- that the Department improve the information collected on regulatory services for reporting and decision making.

The Department agreed with the recommendations and set February 28, 2018, as the deadline for steps to be taken in relation to the first recommendation. For the remaining recommendations, Justice set December 31, 2017, as the deadline for measures to be taken, which include engaging central agencies and looking at best practices.

## Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2016–17 Actual results	2015–16 Actual results	2014–15 Actual results
Federal departments and agencies receive high-quality legal services.	Client satisfaction mean rating on the overall quality of legal advisory, litigation, legislative, and regulatory drafting services on a 10-point scale.	8.0	November 2016	Advisory: 8.5* Litigation: 8.3* Legislative: n/a** Regulatory: n/a**	Advisory: 8.4* Litigation: 8.3* Legislative: 8.5* Regulatory: 8.5*	
	Client satisfaction mean rating on the Department of Justice Canada performance against service standards for the delivery of legal services on a 10-point scale.	8.0	November 2016	Responsiveness / Accessibility: 8.7* Usefulness: 8.4* Timeliness: 8.2*	Responsiveness/ Accessibility: 8.6* Usefulness: 8.0* Timeliness: 7.9*	
The Crown's interest is represented before courts and tribunals.	Percentage of litigation files that have a successful outcome (settled and adjudicated).	70	April 2017	80***	81	71.1

\*The results presented reflect interim feedback collected during Cycle III of the Legal Services Client Feedback Survey (2016-2017). The Departmental Survey report will be completed in 2020. As the Survey only resumed in 2016-17, results for Cycle II (2009-2012) are reflected for 2014-15 and 2015-16.

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

\*\*\*All settlements of litigation are included as successful outcomes. Previously, there was a separation between settlements considered successful and others. As a result of the clarified methodology, there is a year-over-year increase in successful outcomes.

Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
199,619,747	199,619,747	207,124,393	198,793,560	-826,187

Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
3,039	3,096	57*

\*The variance between Actual FTEs and Planned FTEs is mostly explained by an internal reallocation of FTEs between activities.

Information on the Department’s lower-level programs is available on the [Department of Justice website<sup>xxx</sup>](#) and in the [TBS InfoBase<sup>xxxi</sup>](#).

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## Internal Services

### Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct service categories that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. The 10 service categories are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

### Results

In 2016-17, the Department spent \$80,043,827, including 950 FTEs, on Internal Services in support of the Department's two strategic outcomes. Initiatives under the Internal Services program contributed directly to responsible departmental financial management and the priority of managing organizational transformation in support of business and legal excellence.

In support of the [Federal Public Service Workplace Mental Health Strategy](#)<sup>xxxii</sup> and the priority of a psychologically healthy and safe environment, the Department provided employees with information and access to resources and training to support their mental health. As of March 2017, all managers completed “The Working Mind: Workplace Mental Health and Wellness” training, and additional mental health training was offered to all employees. Justice also ensured, through training and communiqués, that employees are aware of their obligations and expected behaviours under the Values and Ethics Code of the Department of Justice. The Department also put in place initiatives to support professionalism and creating a respectful workplace where conflict is resolved at the lowest level.

In order to maintain a safe and secure work environment, Justice continued to educate its workforce and raise awareness by providing training sessions such as the Armed Intruder Awareness Session. Working toward creating a more innovative workplace, in alignment with the Government of Canada [Workplace 2.0 standards](#)<sup>xxxiii</sup>, the Department continued to reduce its space utilization footprint. The execution of the National Accommodations Plan also supported the Department's efforts in meeting its objectives under the [2013-2016 Federal Sustainable Development Strategy](#).<sup>xxxiv</sup>

To enhance professional excellence and ensure that the workforce has the right capacity and is equipped to deliver its mandate, Justice developed a talent management vision and strategy as the cornerstone of its Human Resources Management Plan for 2017-20. Moreover, the following plans, programs and strategies were updated: the Employment Equity Plan for 2017-20, the Action Plan on Official Languages, the Flexible Career Development Initiative, the Legal Excellence Program, and the National Paralegal Strategy. As part of a more integrated departmental talent management strategy, collective staffing processes were undertaken to establish pools of qualified candidates for more efficient staffing and succession planning needs, and the use and role of paralegals across the Department were expanded. Additionally, new centres of expertise were created to provide single-window service for procurement law and labour and employment law.

In October 2016, a new Directive on Legal Project Management (LegalPM) was launched, providing a standardized approach and tools to manage certain legal files formally as projects. Additionally, through the implementation of the Professional Responsibility Service Initiative, the Department continued to engage its legal community on the importance of legal ethical issues in the practice of the law.

In alignment with Government of Canada priorities, Justice supported enterprise solutions such as GCDOCS and Shared Case Management and is implementing a new Legal Case Management System, providing more integrated and consistent performance information on legal services and better reporting and resource management. Furthermore, the first phase of “Open by Default” was launched in 2016-17 in support of Open Government, providing broader access across Justice to information and documents. To strengthen cybersecurity, Justice implemented the Government of Canada Secure Remote Access, took measures to prepare Justice to migrate to GC Identity and Credential and Access Management Services, and is piloting the GC Secret Infrastructure Network. Furthermore, Justice contributed to other Government of Canada initiatives such as data centre consolidation.

The implementation of [Blueprint 2020](#)<sup>xxxv</sup> was actively supported by Justice in 2016-17 through various initiatives, including further implementation of the Information@Justice Strategy. The Digital Workspace has been rolled out to all employees to promote collaboration, streamline Departmental business processes, achieve efficiencies, and enhance productivity. To support and promote inclusiveness for the 1,400 Justice employees who are co-located in the offices of other federal departments to whom they provide legal services, the Departmental Legal Service Units Connectivity project was launched, and has been successful in better connecting a first wave of Justice employees.

The Financial Management Planning module of Justice’s Integrated Financial Management System was also implemented to better track financial resources and to better align program spending with departmental priorities. In addition, the Department implemented the envelope funding and advanced billing processes, both of which reinforce and support collaboration between the Department and client departments in jointly planning and managing legal resources.

Finally, as noted by the Clerk in the [Twenty-Fourth Annual Report to the Prime Minister](#),<sup>xxxvi</sup> as part of the Government’s ongoing efforts to address the Phoenix Pay System issues, the Department has responded by establishing a centralized Trusted Source Liaison Unit. New processes have been implemented, training and information have been provided, and a helpline has been put in place to allow for regular communications with Justice employees. Much remains to be done in this area to address the accumulated backlog of queries and complaints.

## Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
77,424,860	77,424,860	95,250,612	80,043,827	2,618,967

## Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
1,004	950	-54*

\*The variance between Actual FTEs and Planned FTEs is mostly explained by an internal reallocation of FTEs between activities.

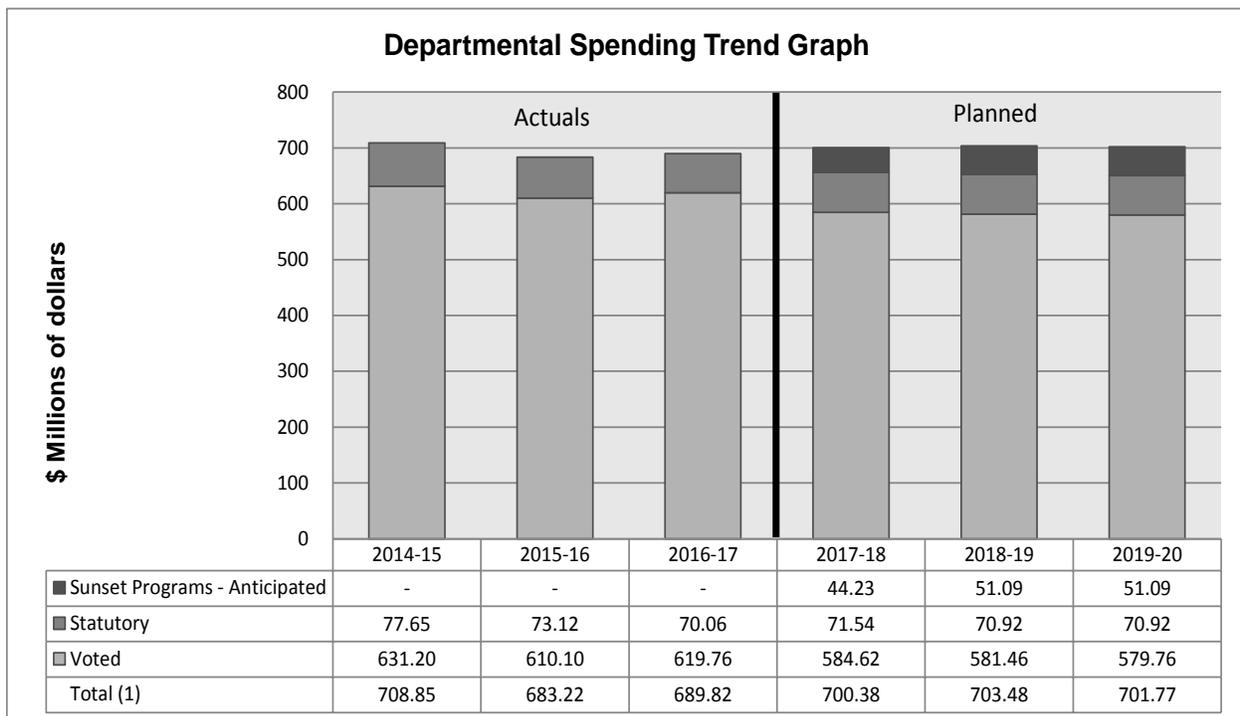


## Analysis of trends in spending and human resources

### Actual expenditures

#### Departmental spending trend graph

As depicted in the chart below, the Department's total spending is \$689.82 million for 2016-17, an increase of \$6.6 million from 2015-16. As the primary provider of legal services to federal government departments and agencies, the Department of Justice has a Vote Netted Revenue Authority to collect and spend revenue from such services. For the purpose of departmental reporting, the total amount of expenditures are reduced by the revenues received by the Department.



In 2016-17, \$306.30 million of Vote-Netted Revenue was collected, an increase of \$12.8 million compared to 2015-16. This increase is primarily due to fluctuations in legal services demand and to the new legal services rates structure approved by Treasury Board, effective April 1, 2016.

	2014–15 Actual	2015–16 Actual	2016–17 Planned	2016–17 Actual	2017–18 Planned	2018–19 Planned
Vote-Netted Revenue	297.18	293.53	296.2	306.3	296.2	296.2

## Budgetary performance summary for Programs and Internal Services (dollars)

Programs and Internal Services	2016–17 Main Estimates	2016–17 Planned spending	2017–18 Planned spending	2018–19 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2015–16 Actual spending (authorities used)	2014–15 Actual spending (authorities used)
<b>Strategic Outcome 1: A Fair, Relevant and Accessible Canadian Justice System</b>								
Program 1.1: Stewardship of the Canadian Legal Framework	400,491,696	400,491,696	385,118,141	386,176,639	420,670,448	409,973,313	384,331,448	383,759,270
Program 1.2: Office of the Federal Ombudsman for Victims of Crime**	1,324,227	1,324,227	1,312,105	1,312,105	1,338,475	1,008,746	1,115,554	1,080,165
<b>Subtotal</b>	<b>401,815,923</b>	<b>401,815,923</b>	<b>386,430,246</b>	<b>387,488,744</b>	<b>422,008,923</b>	<b>410,982,059</b>	<b>385,447,002</b>	<b>384,839,435</b>
<b>Strategic Outcome 2: A Federal Government that is Supported by High-Quality Legal Services</b>								
Program 2.1: Legal Services to Government Program	199,619,747	199,619,747	195,920,770	191,669,494	207,124,393	198,793,560	194,449,097	208,762,405
<b>Subtotal</b>	<b>199,619,747</b>	<b>199,619,747</b>	<b>195,920,770</b>	<b>191,669,494</b>	<b>207,124,393</b>	<b>198,793,560</b>	<b>194,449,097</b>	<b>208,762,405</b>
Internal Services	77,424,860	77,424,860	73,808,640	73,228,692	95,250,612	80,043,827	103,323,708	115,249,778
<b>Total<sup>†</sup></b>	<b>678,860,530</b>	<b>678,860,530</b>	<b>656,159,656</b>	<b>652,386,930</b>	<b>724,383,928</b>	<b>689,819,446</b>	<b>683,219,807</b>	<b>708,851,618</b>

\*Differences may arise due to rounding.

\*\*The Ombudsman reports directly to the Minister of Justice, and as such, the Office falls outside of the Department's governance framework.

As shown above, the Department's 2016-17 Main Estimates totaled \$678.86 million and its Total Authorities amounted to \$724.38 million. The Total Authorities include funding received through the 2016-17 Supplementary Estimates processes and Treasury Board Secretariat Central Votes (Compensation adjustments, Operating Budget Carry Forward, parental and maternity allowances, and entitlements on cessation of service).

The main variance between the Total Authorities and Actual Spending of 2016-17 is mostly explained by anticipated expenditures related to retroactive compensation payments resulting from expiring collective agreements that were deferred to 2017-18. This will cause an increase in expenditures for the Department in 2017-18 and will be presented in the 2017-18 Departmental Results Report.

## Actual human resources

Human resources summary for Programs and Internal Services  
(full-time equivalents)

Programs and Internal Services	2014–15 Actual	2015–16 Actual	2016–17 Forecast	2016–17 Actual	2017–18 Planned	2018–19 Planned
<b>Strategic Outcome 1: A Fair, Relevant and Accessible Canadian Justice System</b>						
Program 1.1: Stewardship of the Canadian Legal Framework	253	255	258	256	254	254
Program 1.2: Office of the Federal Ombudsman for Victims of Crime	9	9	10	9	9	9
<b>Subtotal</b>	262	264	268	265	263	263
<b>Strategic Outcome 2: A Federal Government that is Supported by High-Quality Legal Services</b>						
Program 2.1: Legal Services to Government Program	3,079	3,023	3,039	3,096	3,089	3,089
<b>Subtotal</b>	3,079	3,023	3,039	3,096	3,089	3,089
Internal Services	1,058	1,050	1,004	950	948	948
<b>Total</b>	4,399	4,337	4,311	4,311	4,300	4,300

## Expenditures by vote

For information on the Department of Justice's voted and statutory expenditures, consult the [Public Accounts of Canada 2017](#).<sup>xxxvii</sup>

## Alignment of spending with the whole-of-government framework

Alignment of 2016–17 actual spending with the [whole-of-government framework](#)<sup>xxxviii</sup> (dollars)

Program	Spending area	Government of Canada activity	2016–17 Actual spending
Program 1.1: Stewardship of the Canadian Legal Framework	Social Affairs	<a href="#">A safe and secure Canada</a> <sup>xxxix</sup>	409,973,313
Program 1.2: Office of the Federal Ombudsman for Victims of Crime	Social Affairs	<a href="#">A safe and secure Canada</a> <sup>xl</sup>	1,008,746
Program 2.1: Legal Services to Government Program	Government Affairs	<a href="#">Well-managed and efficient government operations</a> <sup>xli</sup>	198,793,560

## Total spending by spending area (dollars)

Spending area	Total planned spending	Total actual spending
Economic affairs	0	0
Social affairs	401,815,923	410,982,059
International affairs	0	0
Government affairs	199,619,747	198,793,560

## Financial statements and financial statements highlights

### Financial statements

The financial highlights presented within this Departmental Results Report are intended to serve as a general overview of the Department of Justice’s Statement of Operations and Statement of Financial Position as presented in the Department’s financial statements (unaudited). These statements are prepared in accordance with accrual accounting principles and, therefore, are different from reporting on the use of authorities, reflected in previous sections of this report. Reconciliation between authorities used and the net cost of operations is set out in Note 3 of the Department’s financial statements (unaudited). The Department of Justice’s financial statements (unaudited) for the year ended March 31, 2017, are available on the [departmental website](#).<sup>xlii</sup>

### Financial statements highlights

The financial results are shaped by the two [strategic outcomes](#) and associated internal services that aim to ensure a fair, relevant and accessible Canadian justice system and a federal government that is supported by high-quality legal services.

Condensed Statement of Operations (unaudited) for the year ended March 31, 2017 (dollars)

Financial information	2016–17 Planned	2016–17 Actual	2015–16 Actual	Difference (2016–17 actual minus 2016–17 planned)	Difference (2016–17 actual minus 2015–16 actual)
Total expenses	1,067,109,000	1,050,500,000	1,060,282,000	(16,609,000)	(9,782,000)
Total revenues	296,200,000	306,067,000	293,577,000	9,867,000	12,490,000
Net cost of operations before government funding and transfers	770,909,000	744,433,000	766,705,000	(26,476,000)	(22,272,000)

### Planned results

Planned Results are based on the Future-Oriented Financial Statements presented in the [2016-17 Report on Plans and Priorities](#)<sup>xliii</sup>. The \$16.6 million difference between planned expenses for 2016-17 and the actual expenses is mainly due to severance benefit expenses being lower than planned resulting from a change, this year, to the process used to determine these benefits. The change was made to reflect two things: that the accumulation of severance benefits for voluntary departures ceased and that settlements for immediate cash out were completed for substantially all eligible employees. This variance is offset by an increase in transfer payments resulting from the Budget 2016 announcement for the following programs:

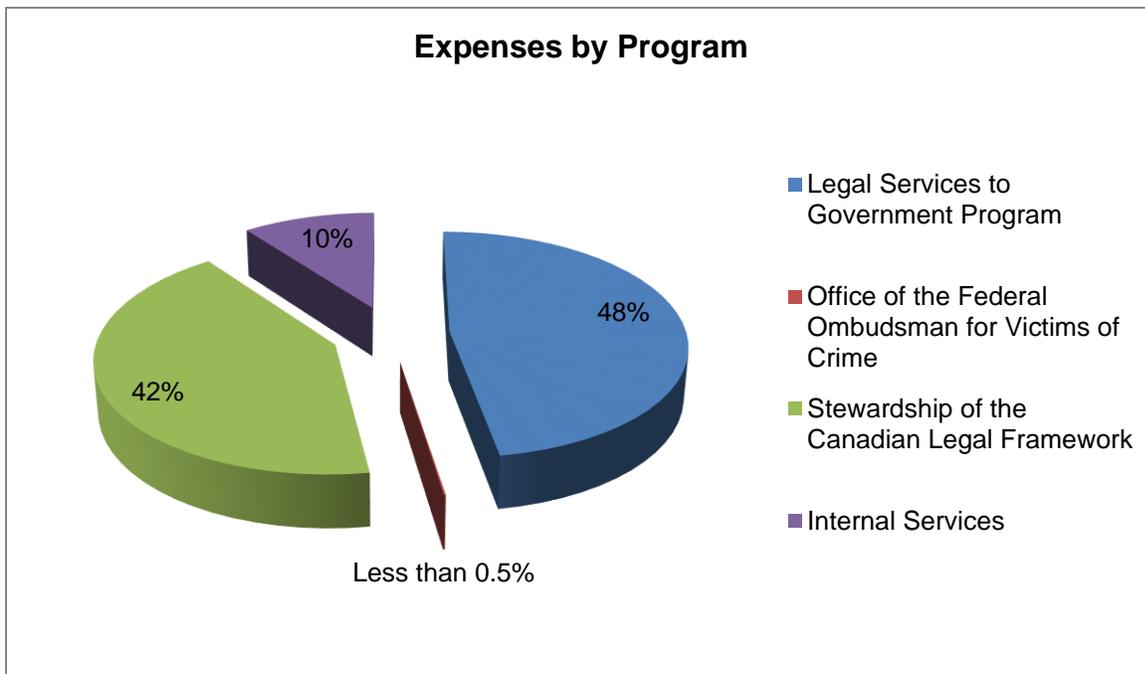
- funding for contributions to the provinces and territories for the delivery of legal aid to ensure access to justice for economically disadvantaged persons;

- funding to assist Indigenous people facing the criminal justice system; and
- funding to support culturally-responsive victim services as well as Family Information Liaison Units for families of missing or murdered Indigenous women and girls.

The 2016-17 planned revenues were \$9.9 million lower than the 2016-17 actual revenues mainly due to an increase in the demand for legal services and to the new legal services rates structure that was approved by Treasury Board, effective April 1, 2016.

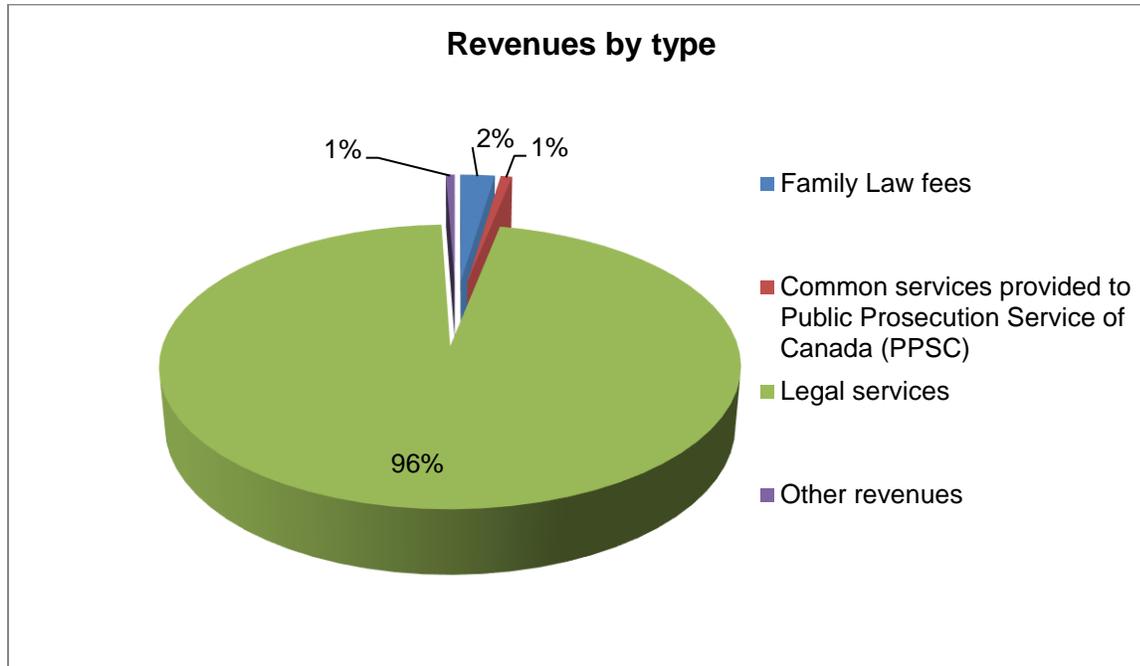
### Expenses

Total departmental expenses were \$1.1 billion in 2016-17, a decrease of \$9.8 million from 2015-16. This reduction is mainly because of a decrease of the severance benefits expense for the year, as described in the previous section. This decrease is offset by an increase in grants and contributions funding to the provinces and territories resulting from the Budget 2016 announcements, as described in the previous section, including the Contributions for Access to Justice Services to the Territories.



## Revenues

Total departmental revenues were \$306 million in 2016-17, a net increase of \$12.5 million from 2015-16. This variance is mainly due to the increase of legal services revenues.

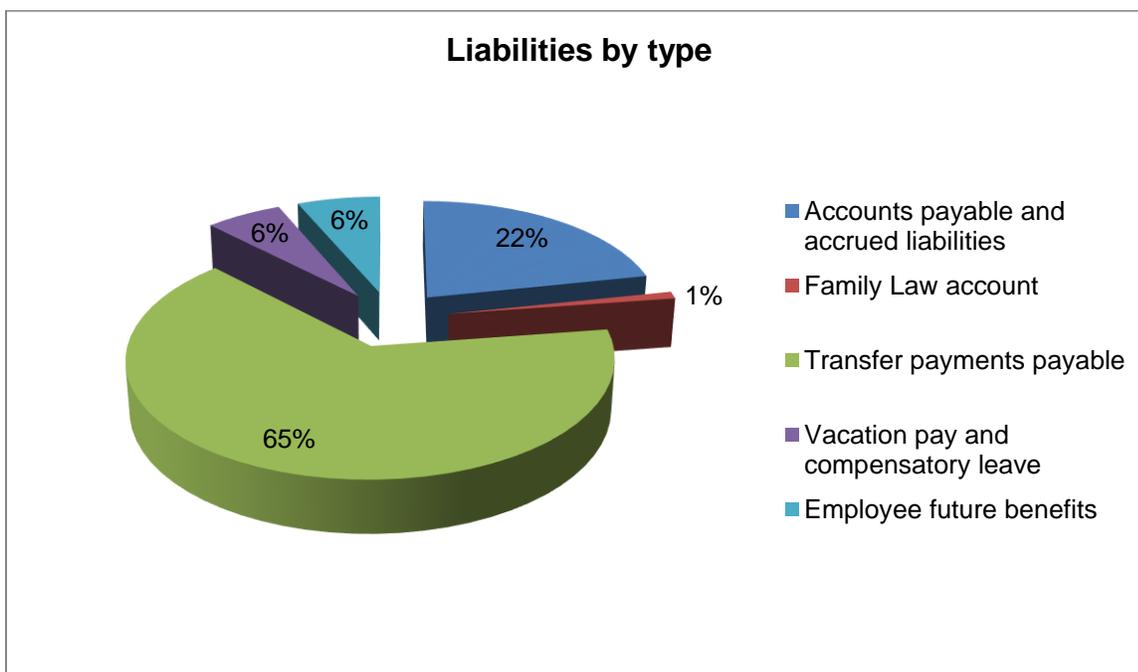


### Condensed Statement of Financial Position (unaudited) as at March 31, 2017 (dollars)

Financial Information	2016–17	2015–16	Difference (2016–17 minus 2015–16)
Total net liabilities	359,662,000	417,309,000	(57,647,000)
Total net financial assets	322,792,000	351,026,000	(28,234,000)
Departmental net debt	36,870,000	66,283,000	(29,413,000)
Total non-financial assets	33,725,000	34,171,000	(446,000)
Departmental net financial position	(3,145,000)	(32,112,000)	28,967,000

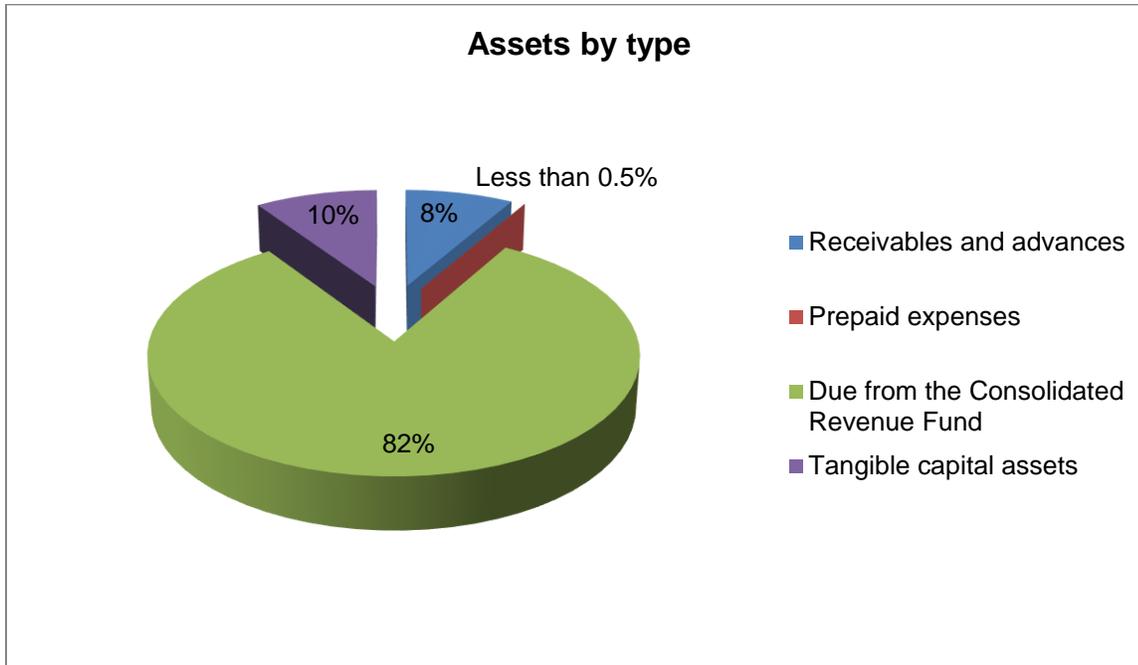
## Liabilities

Total net liabilities were \$360 million for 2016-17, a decrease of \$57.6 million from 2015-16. The variance is mainly because of a decrease in transfer payments payable for contributions to the provinces and territories in support of the youth justice services, contributions to the provinces to assist in the operation of the Legal Aid systems, and contributions to support the implementation of official languages requirements under the Contraventions Act resulting from timing variation of financial claims submitted from year to year. The variance is also due to a decrease in employee future benefits payable. These decreases are offset by two factors: an increase in accounts payable to employees as a result of the implementation of the Government of Canada’s Phoenix pay system; and an increase in accounts payable to other government departments mainly as a result of the new legal services billing model that was implemented April 1, 2016, as part of the Legal Services Review initiatives.



## Financial and non-financial assets

Total net financial assets were \$323 million at the end of 2016-17, a decrease of \$28.2 million from 2015-16. This variance is mainly because of a decrease in the amount due from the Consolidated Revenue Fund, which represents net cash the Department is entitled to from the Receiver General for Canada in order to discharge its liabilities. This variance is also due to a decrease in other government departments' receivables, mainly resulting from the new legal services billing model. This decrease is offset by a net increase in receivables from employees as a result of the implementation of the Government of Canada's Phoenix pay system.





## Supplementary information

### Corporate information

#### **Organizational profile**

**Appropriate minister:** Jody Wilson-Raybould

**Institutional head:** Nathalie G. Drouin

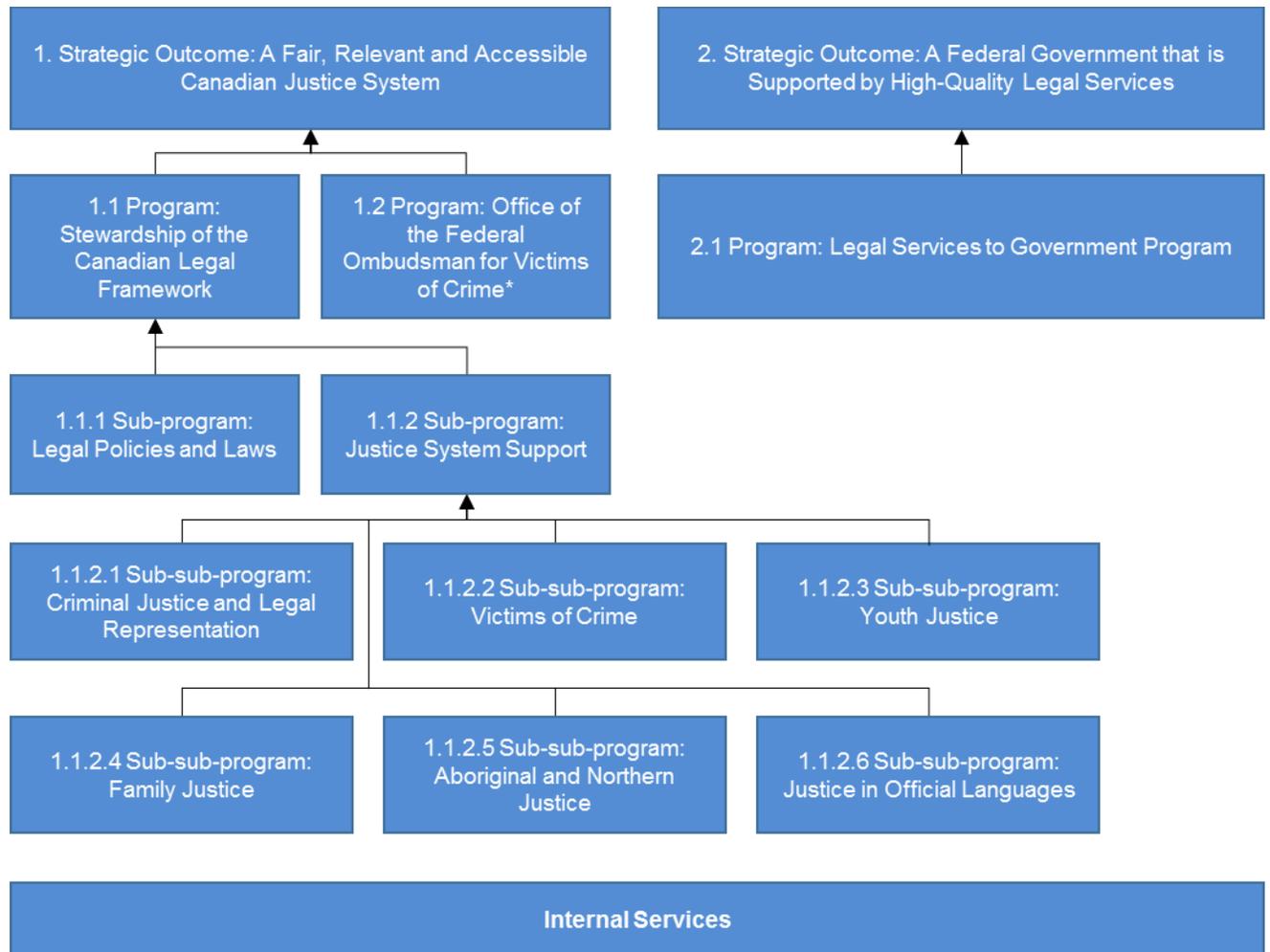
**Ministerial portfolio:** Justice

**Enabling instrument:** [Department of Justice Act](#)<sup>xliv</sup>

**Year of incorporation / commencement:** 1868

## Reporting framework

The Department of Justice Canada’s Strategic Outcomes and Program Alignment Architecture of record for 2016–17 are shown below.



\*The Office of the Federal Ombudsman is included in the Department’s Program Alignment Architecture for administrative purposes; however, the Ombudsman reports directly to the Minister of Justice and, as such, the Office falls outside the Department’s governance framework.

## Supporting information on lower-level programs

Supporting information on lower-level programs is available on the [Department of Justice’s website](#)<sup>xlv</sup> and in the [TBS InfoBase](#).<sup>xlvi</sup>

## Supplementary information tables

The following supplementary information tables are available on [Department of Justice’s website](#).<sup>xlvii</sup>

- ▶ Departmental Sustainable Development Strategy
- ▶ Details on transfer payment programs of \$5 million or more
- ▶ Horizontal initiatives
- ▶ Internal audits and evaluations
- ▶ Responses to parliamentary committees and external audits
- ▶ User fees, regulatory charges, and external fees

## Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals, and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the [Report on Federal Tax Expenditures](#).<sup>xlviii</sup> This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information, and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

## Organizational contact information

### **Public Inquiries:**

Communications Branch  
Telephone: 613-957-4222  
TDD/TTY: 613-992-4556  
Email: [webadmin@justice.gc.ca](mailto:webadmin@justice.gc.ca)

### **Media Inquiries:**

Communications Branch  
Telephone: 613-957-4207  
Email: [media@justice.gc.ca](mailto:media@justice.gc.ca)



## Appendix: definitions

### **appropriation (crédit)**

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

### **budgetary expenditures (dépenses budgétaires)**

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

### **Core Responsibility (responsabilité essentielle)**

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

### **Departmental Plan (Plan ministériel)**

Provides information on the plans and expected performance of appropriated departments over a three-year period. Departmental Plans are tabled in Parliament each spring.

### **Departmental Result (résultat ministériel)**

A Departmental Result represents the change or changes that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

### **Departmental Result Indicator (indicateur de résultat ministériel)**

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

### **Departmental Results Framework (cadre ministériel des résultats)**

Consists of the department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

### **Departmental Results Report (Rapport sur les résultats ministériels)**

Provides information on the actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

### **Evaluation (évaluation)**

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine

questions related to relevance, effectiveness and efficiency. Depending on user needs, however, evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

**full-time equivalent (équivalent temps plein)**

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

**government-wide priorities (priorités pangouvernementales)**

For the purpose of the 2017–18 Departmental Plan, government-wide priorities refers to those high-level themes outlining the government’s agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

**horizontal initiatives (initiative horizontale)**

An initiative where two or more federal organizations, through an approved funding agreement, work toward achieving clearly defined shared outcomes, and which has been designated (for example, by Cabinet or a central agency) as a horizontal initiative for managing and reporting purposes.

**Management, Resources and Results Structure (Structure de la gestion, des ressources et des résultats)**

A comprehensive framework that consists of an organization’s inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

**non-budgetary expenditures (dépenses non budgétaires)**

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

**performance (rendement)**

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

**performance indicator (indicateur de rendement)**

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

**performance reporting (production de rapports sur le rendement)**

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

**planned spending (dépenses prévues)**

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

**plans (plans)**

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

**priorities (priorité)**

Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

**program (programme)**

A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

**Program Alignment Architecture (architecture d'alignement des programmes)**

A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

**results (résultat)**

An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization’s influence.

**statutory expenditures (dépenses législatives)**

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

**Strategic Outcome (résultat stratégique)**

A long-term and enduring benefit to Canadians that is linked to the organization’s mandate, vision and core functions.

**sunset program (programme temporisé)**

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

**target (cible)**

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

**voted expenditures (dépenses votées)**

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

## Endnotes

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