Results at a glance

Evaluation of Advisory Services

Providing advisory services is a core function of Justice Canada, recognized in the *Department of Justice Act*. These services support federal departments and agencies in pursuing their respective mandates in accordance with the rule of law. Advisory services may take the form of a conversation, a meeting, an email, a short memo, or a lengthier and more formal legal opinion relating to a proposed program or policy, an interdepartmental initiative, a legislative project, a proposed contract or agreement, a potential or an actual litigation matter, or any other scenarios where legal insights may be needed. The role also extends to providing training and other general information that may increase the general awareness and understanding of legal risks and legal considerations among the personnel of client departments and agencies.

WHAT WAS FOUND

- The demand for advisory services increased in volume and complexity during the evaluation period, due in part to the impact of the COVID-19 pandemic, and an ambitious set of government initiatives and priorities.
- Justice Canada responded well to the increased and more complex demand for advisory services; however, its ability to address demand in times of crisis also created new expectations from client departments and agencies.
- Justice Canada has succeeded in maintaining strong advisory teams. Many issues, particularly in relation to workload and work-life balance, require careful attention. Maintaining strong capacity also requires the effective integration of paralegals.
- The integration of new technologies such as those based on artificial intelligence is a key component of a sustainable strategy for Justice Canada to effectively meet the increasing demand for advisory work.
- The current knowledge management tools used by Justice Canada, notably Justipedia, are not systematically meeting the needs of those providing advisory work. As a result, some groups have initiated their own knowledge management strategy.
- Planning advisory services includes a certain degree of uncertainty, as the range of issues that the government will face cannot be fully predicted. There is also a need to collect data that can better support management decision-making and planning processes.
- Challenges exist in coordinating advisory work on larger files. There is no process or framework that currently ensures that, when multiple departments and agencies are collaborating on a file, the assigned advisory groups are coordinating their work.
- The current performance data collected in relation to advisory services does not meet the full range of information needs of Justice Canada or the client departments and agencies. This has a direct impact on the ability to plan and monitor the delivery of advisory services.
- Justice Canada continued to deliver high-quality advisory services that meet the needs of its client departments and agencies. Some challenges around the timeliness and consistency of some of the advice provided were identified, but these are not widespread issues.
- Justice Canada has succeeded in being a strategic partner that enables its client departments and agencies to successfully pursue their mandate and priorities.
- While the measurement of efficiency in the legal profession continues to be challenging, client departments and agencies consider that they do get good value for money, and some best practices can be followed to support an efficient use of legal resources.

RECOMMENDATIONS

- **Recommendation 1:** Performance data: Improve performance data on the use of advisory resources to support strategic planning and ongoing management.
- **Recommendation 2:** Knowledge Management: Strengthen the use of departmental knowledge management tools and leverage new technologies, to enable a strategic knowledge transfer approach and avoid duplication of work.
- **Recommendation 3:** Coordination of Advisory Services: Establish mechanisms to ensure effective coordination between advisory groups, particularly for interdepartmental files.
- **Recommendation 4:** Workload management: To better balance workload and improve work-life balance, (1) identify tools that would better support counsel in their work and (2) explore ways to optimize work distribution among available resources.

ABOUT THE EVALUATION: The Evaluation of Advisory Services was conducted by the Department of Justice Canada's Evaluation Branch and covered fiscal year 2019-20 to 2023-24. It examined the relevance, design and delivery, effectiveness, and efficiency of Advisory Services in accordance with the Treasury Board's *Policy on Results* (2016).