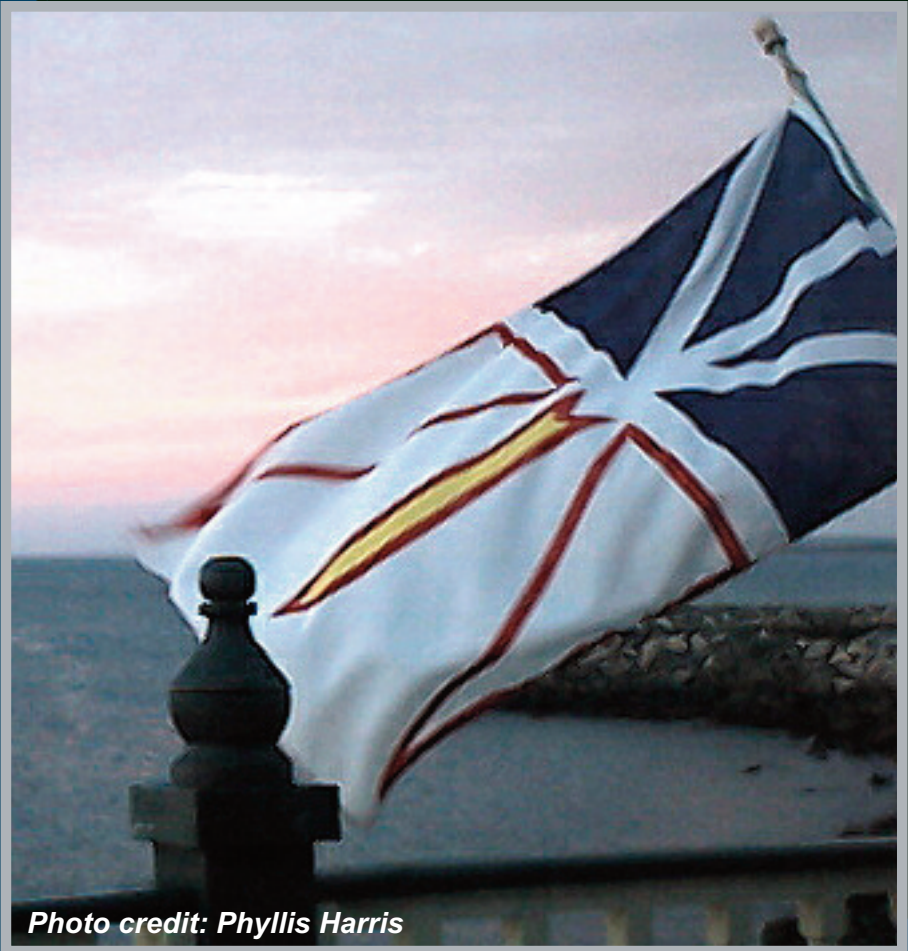


# *Department of Justice*



*Annual Report 2009-10*

*Photo credit: Winston White*



*Photo credit: Phyllis Harris*

# *Table of Contents*

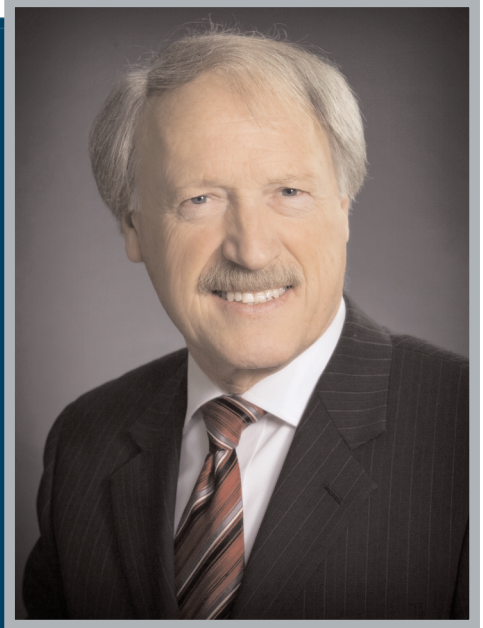
<b>Message from the Minister</b>	<b><i>i</i></b>
<b>Vision, Mission Statement and Values</b>	<b><i>ii</i></b>
<b>Departmental Overview</b>	<b>1</b>
<b>Shared Commitments</b>	<b>5</b>
<b>Highlights and Facts of Interest</b>	<b>10</b>
<b>Report on Performance 2009-10</b>	<b>24</b>
<i>Strategic Issue 1: Family Violence</i>	<b>25</b>
<i>Strategic Issue 2: Public Prosecutions Revitalization</i>	<b>28</b>
<i>Strategic Issue 3: Labrador and Aboriginal Responses</i>	<b>31</b>
<i>Strategic Issue 4: Criminal Justice System Efficiencies</i>	<b>34</b>
<b>Opportunities and Challenges Ahead</b>	<b>37</b>
<b>Appendices</b>	<b>39</b>
<i>Appendix A: Financial Statements</i>	<b>40</b>
<i>Appendix B: Strategic Directions</i>	<b>42</b>
<i>Appendix C: Public Entities</i>	<b>45</b>
<i>Appendix D: Electoral Boundaries Commission</i>	<b>46</b>
<i>Appendix E: Newfoundland and Labrador - Where We Work</i>	<b>47</b>



# *Message from the Minister*

The purpose of the annual report is to update the public on progress towards the achievement of goals and objectives as identified in the department's three-year strategic plan. In January, 2010 a revised plan for 2008-11 was tabled in the House of Assembly. This was due to a change in the department's strategic approach to adult alternative justice.

During the past year, there has been a significant focus on the Adult Corrections Division. Through the efforts of departmental staff, in partnership with other departments and community-based individuals and agencies throughout the province, much progress has been made in implementing reforms within the provincial correctional system during the past year. These reforms were initiated in response to *Decades of Darkness: Moving Towards the Light*, the independent review of the provincial prison system. Improvements include additional staff resources, enhanced staff training, enhanced inmate programming and infrastructure upgrades.



The Department of Justice is committed to ensuring that it delivers services as efficiently and effectively as possible. This work is complex and must address the diverse needs of clients and the public overall. The ongoing partnerships which have been developed internally, cross-departmentally, nationally and internationally are invaluable to achieving the department's vision of *a justice system that is accessible and understood, and which plays a key role in creating a fair, equitable and safe society where all people can pursue their lawful rights and freedoms.*

As Minister of Justice and Attorney General, and in accordance with the Provincial Government's commitment to accountability, I hereby submit the Department of Justice Annual Report 2009-10. This Report was prepared under my direction, and my signature below indicates my accountability for the results reported.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

**Felix Collins**  
Minister of Justice and  
Attorney General

# Vision

A justice system that is accessible and understood, and which plays a key role in creating a fair, equitable and safe society where all people can pursue their lawful rights and freedoms.

# Mission Statement

By 2011, the Department of Justice will have enhanced services and responses in the provincial justice system to improve public access to and confidence in the system.

# Values

<b>Accountability</b>	Each person accepts responsibility for his/her actions and follows through on requests and commitments.
<b>Integrity</b>	Each person maintains the highest professional and ethical standards in dealings with clients and each other.
<b>Impartiality and Fairness</b>	Each person deals fairly, respectfully and equitably with individuals and organizations to protect the rights and interests of all parties involved in criminal and civil matters.
<b>Excellence</b>	Each person excels through continuous learning, strong partnerships and personal initiative to deliver services for the good of the people of Newfoundland and Labrador.
<b>Collaboration</b>	Each person strives to create a working environment where resources and energies are shared within the justice system, with our partners, and with the public that we serve in order to achieve enhanced responses.
<b>Accessibility</b>	Each person provides understandable, available and affordable justice services to the citizens of Newfoundland and Labrador.

# Departmental Overview

## *Mandate*

The mandate of the Department of Justice derives primarily from the *Executive Council Act*. This mandate reflects the dual responsibilities of its Minister as both Minister of Justice and the Attorney General for Newfoundland and Labrador. While several other Canadian jurisdictions have separate ministries for Justice and Attorney General, the structure is consolidated in Newfoundland and Labrador. The department includes responsibility for administering the province's legal system. The principal components include administration of the courts, policing, adult corrections, secure youth justice services and victim services.

Reflecting the role and authority of the Attorney General, the Department of Justice provides legal services to the Crown including legal advice to departments, litigation, prosecution and legislative drafting services. Within this role, the department's central agency function requires it to provide ongoing policy advice and direction. This occurs within the department as well as throughout government and its agencies on matters of public interest and concern.

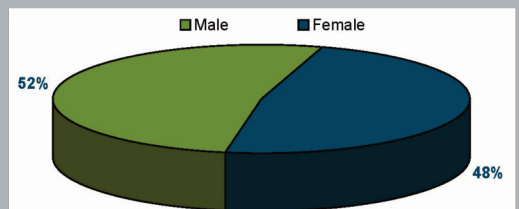
While the *Executive Council Act* is the primary legislative authority for the Department of Justice mandate, the policies, services and programs are also governed by 96 pieces of legislation which the Department of Justice is responsible for administering.

## *Employees*

The department employs approximately 1,597 individuals including the Royal Newfoundland Constabulary (RNC). Additionally, pursuant to the Provincial Policing Services Agreement between the Provincial Government and the Federal Government, the Royal Canadian Mounted Police (RCMP) employs approximately 438 RCMP officers and 109 support staff to provide frontline policing services in over 50 locations throughout the province.

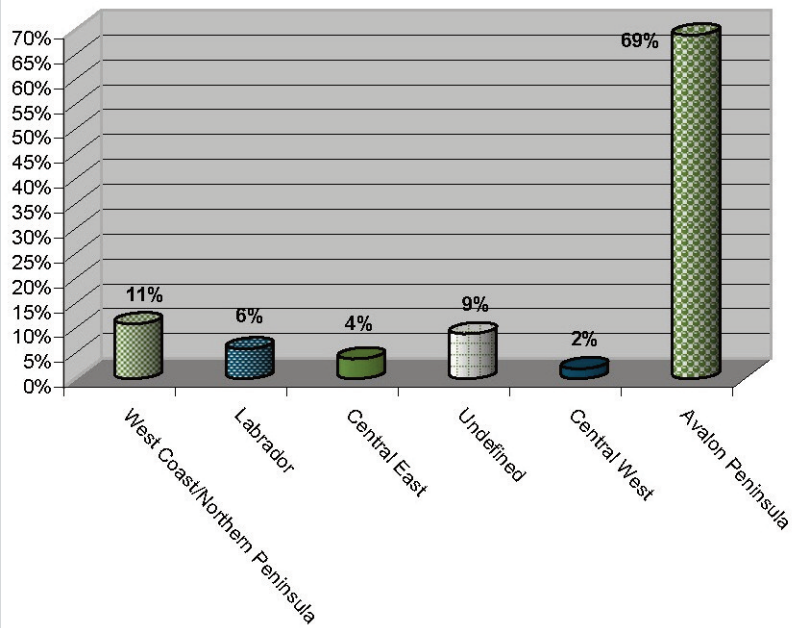
The overall gender breakdown for staffing in the department is approximately 48% female and 52% male. Advances are being made towards employment equity within sectors of justice that have historically been composed of disproportionate numbers of males to females. For example, the RNC and RCMP are pleased to report that female officers now comprise 19% of uniformed officers. This is now on par with national rates. The RCMP have established an Employment Equity and Leadership Committee to eliminate barriers in the workplace so that no person is denied employment opportunities for reasons unrelated to abilities.

*Gender Breakdown of Department of Justice Staff*



Department of Justice officials and employees can be found throughout the province. The Department of Justice employs lawyers, police officers, social workers, psychologists, correctional officers, youth counsellors, deputy sheriffs, inland fish enforcement officers, information management specialists, administrators, financial managers, nurses and educators.

### *Regional Allocation of Department of Justice Staff*

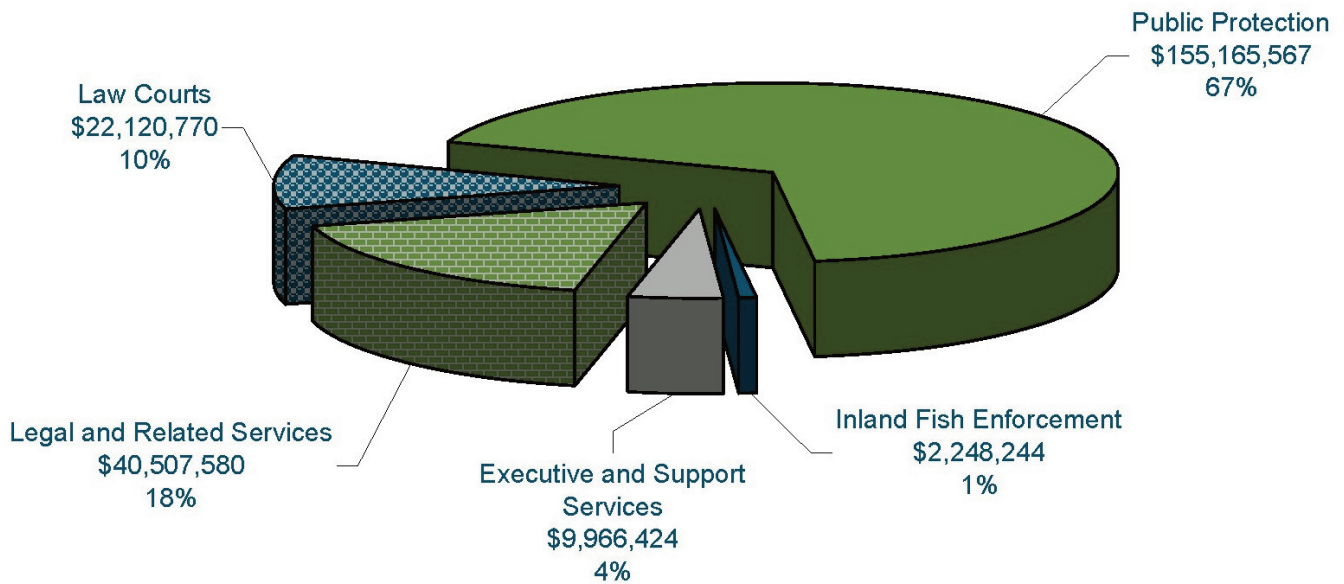




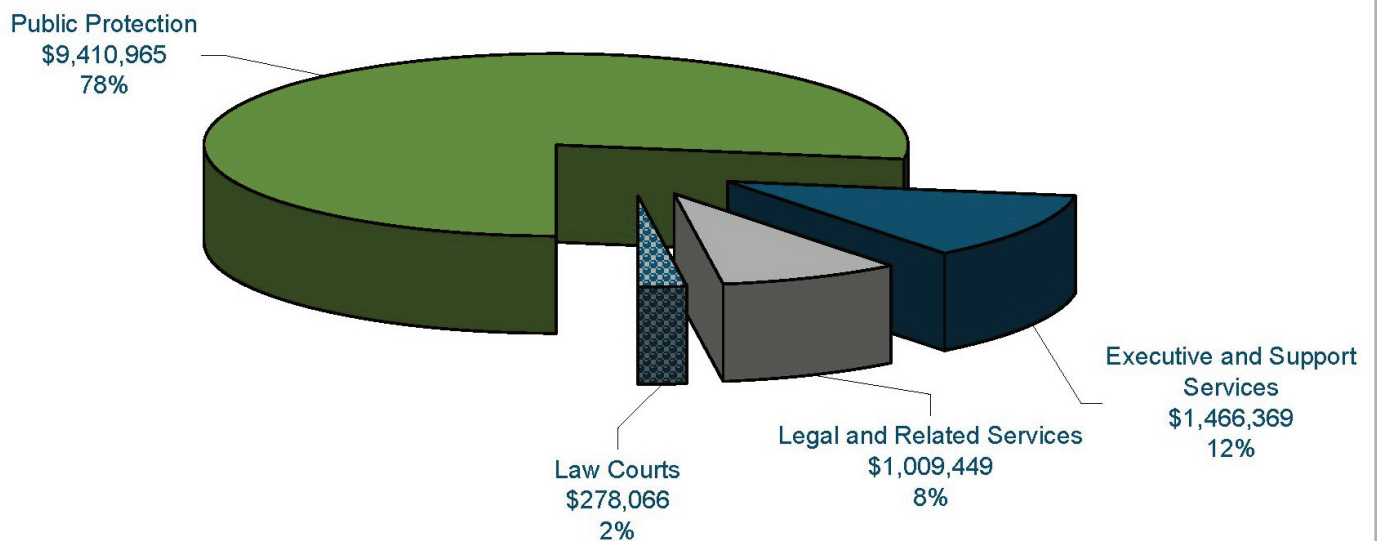
# Budget

According to the Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2009-10, the Department of Justice budget is \$222,846,100.

*Department of Justice Actual Expenditures at a Glance Year Ended 31 March 2010*



*Department of Justice Actual Revenues at a Glance Year Ended 31 March 2010*



## *Lines of Business*

The Department of Justice serves the province and fulfills its mandate through the following lines of business:

- **Office of the Legislative Counsel** provides legislative drafting services to government. Additionally, in conjunction with the Office of the Queen's Printer and the House of Assembly, it ensures the publication and dissemination of Provincial legislation.
- **Policing Services** are delivered through the province's two policing agencies: the Royal Newfoundland Constabulary (RNC) and the Royal Canadian Mounted Police (RCMP). Through a broad range of policing services, both police forces are responsible for fostering and maintaining peaceful and safe communities.
- Additional **Enforcement Services** include the Office of the High Sheriff which provides administrative, jury and security services to the Supreme and Provincial Courts; the Support Enforcement Program which collects and distributes court-ordered funds for support; and Inland Fish Enforcement which focuses on activities related to illegal poaching and fishing.
- **Corrections and Community Services** has responsibility for offenders as well as for victims of crime. It is responsible for the safe and secure custody of young and adult offenders; for providing adult community corrections in the form of probation services; and for providing services to victims of crime involved in the criminal justice system.
- **Public Prosecutions** is responsible for prosecuting all *Criminal Code* of Canada and provincial statute matters in the province. Prosecutors appear in every level of court in the province and in the Supreme Court of Canada.
- **Civil Law Division** is responsible for providing legal services to government departments and agencies. These services include providing legal opinions, drafting commercial and financial documents and representing government and its agencies in negotiations and civil actions before administrative tribunals, all levels of court and judicial inquiries.
- **Access to Information and Protection of Privacy Office** provides assistance to public bodies to which the implementation of the *Access to Information and Protection of Privacy Act* applies. This legislation is designed to enhance openness and accountability in the public sector.
- **Court Services** is responsible for providing infrastructure and administrative support to the Supreme Court of Newfoundland and Labrador and the Provincial Court of Newfoundland and Labrador.

# *Shared Commitments*

The Department of Justice is pleased to work with partners to contribute to the fulfillment of its mandate and to support Government's broad policy directions. The partnerships highlighted here are those which support the achievement of the department's strategic directions and is not meant to be an exhaustive list.

## *Ongoing Partnerships*

### *Partnerships with Cross-Department/Horizontal Initiatives*

#### *Northern Strategic Plan (NSP)*

The NSP spans a period of five years, from 2007-12. The plan is a response to address Labrador's social and economic needs, to remove barriers to development and to advance Labrador's tremendous potential for growth. March 31, 2010 marked the end of the third year of the plan. The Department of Justice is an active partner in this initiative as demonstrated by:

- Permanent funding secured for the Fetal Alcohol Spectrum Disorder (FASD) position for the Labrador Correctional Center and a second Aboriginal Court Clerk Position;
- Additional staff hired at the Labrador West office of Legal Aid, the Labrador Correctional Center and both the Labrador West and Happy Valley-Goose Bay offices of Family Justice Services;
- Land Based Program implemented at the Labrador Correctional Center;
- Developmental opportunities delivered for Inuttitut and Innu-aimun interpreters;
- Interpreting equipment purchased for the Provincial Court in Happy Valley-Goose Bay and circuit courts in Labrador;
- Ongoing discussions were held with the Sheshatshiu Innu Band Council and contracts were negotiated and signed for a Victim Services Community Worker, Community Adult Probation Office, Court Interpreter and Prison Liaison Worker;
- Housing units for RNC staff were purchased in Labrador West; and,
- The Victim Services' court preparation video for children and youth was translated into Inuttitut and both dialects of Innu-aimun.

**Cartwright Sunset**



*Photo credit: Phyllis Harris*

## *Violence Prevention Initiative*

The Violence Prevention Initiative (VPI) is a six year, multi-departmental, government-community partnership to find long-term solutions to the problem of violence against those most at risk in our society. These include women, children, seniors, persons with disabilities and other vulnerable people who are victims of violence because of their race, ethnicity, sexual orientation or economic status. In 2009-10 the Department of Justice contributed to the initiative in the following ways:

- Participated on the Ministers' Committee and the Deputy Ministers' Committee;
- The Public Prosecutions Division continued with the "Project Sunrise" information sessions to crisis shelter staff and Women's Center staff on court procedures and the law pertaining to family violence and sexual assault;
- The Family Violence Intervention Court pilot completed a full year of operation and was evaluated externally;
- Victim Services released its children's court preparation DVD in French, Inuttitut, Mushuau Innu-aimun and Sheshatshiu Innu-aimun. The translated versions are available on the Department of Justice website;
- Probation and Classification staff completed training on working with family violence offenders;
- RNC and RCMP completed collaborative training with social workers on family violence and child abuse; and,
- Justice Minister's Committee on Violence Against Women continued to meet and serve an advisory function to the Minister.

## *Healthy Aging Strategy*

The Healthy Aging Policy Framework of the Department of Health and Community Services outlines the key issues and strategic directions which will prepare our province to embrace the potential of and respond to the needs of seniors now and in the future. The Department of Justice is one of the partners and contributors to this horizontal initiative. The department participates on:

- The Deputy Ministers' Committee;
- The Interdepartmental Working Group on Healthy Aging;
- The Working Group on the Financial Well-being of Older Persons; and
- The Long-term Care and Community Support Working Group.

Other activities that support the framework are:

- The RNC and RCMP address the personal safety of seniors through presentations on topics such as safety at home, safe driving and telephone fraud; and,
- The Department of Justice, RNC and RCMP have been partners in the Violence Prevention Initiative and have been active participants in sharing information and promoting awareness aimed at preventing violence against older adults.

## *Poverty Reduction Strategy*

The Poverty Reduction Strategy (PRS) is a Government-wide approach to transform Newfoundland and Labrador from a province with the most poverty to one with the least over a ten year period. The strategy, led by the Department of Human Resources, Labour and Employment, includes initiatives and programs which target the groups most vulnerable to poverty. As an active partner in this strategy, the Department of Justice:

- Participated on the Ministers' Committee, the Deputy Ministers' Committee and the Interdepartmental Working Group; and,
- Implemented and evaluated the pilot of the Family Violence Intervention Court in St. John's. Through this court project, PRS funding supported victim and offender interventions, programming, training and additional positions. Through breaking cycles of violence, individuals and families can lead more productive lives and engage in their communities in more meaningful ways.

## *Immigration and Multiculturalism*

The Office of Immigration and Multiculturalism promotes immigration to our province, and supports a diverse and multicultural society. It works with provincial government departments and community organizations to establish effective partnerships which promote multicultural activities. The department and the RNC organized presentations for staff, with the assistance of the Association for New Canadians. Additionally Victim Services participated in staff training on cultural awareness.

## *Business Continuity Planning (BCP)*

The Department of Justice is a partner in government's Business Continuity Planning Initiative. The BCP enables the rapid and cost effective continuity or recovery of essential services in the event of a service disruption, emergency or disaster. This planning initiative involved all branches, divisions and programs of the Department of Justice and resulted in the identification of:

- Essential services;
- Critical infrastructure and processes;
- Impacts of threats and risks on these services from an all-hazards perspective;
- Current and recommended mitigation strategies;
- Minimum service levels and maximum allowable downtimes; and,
- Recovery strategies.

## *Red Tape Reduction/Regulatory Reform Initiative*

The Regulatory Reform Initiative strives to reduce administrative and regulatory inefficiencies while maintaining high standards, a level playing field for businesses, and improve the efficiency and effectiveness of government services to its citizens. The Department of Justice continues to support this initiative by monitoring and constantly assessing its regulatory burden.

The department has a number of partnerships that are long-standing and ongoing. There are a number of organizations that play a formal role in contributing to the achievement of the department's vision.

### *Other Cross-Departmental Partnerships*

- The Newfoundland and Labrador Youth Centre continued to partner with the Department of Health and Community Services to assist youth residents with rehabilitation services as well as the reintegration of residents back into the community;
- Adult Corrections partnered with Eastern Health for the provision of psychiatric services, vaccination services and infectious disease control for inmates;
- Joint Forces Operations continued between the RCMP and the RNC through initiatives such as Violent Crime Linkage Analysis Section (ViCLAS), the National Sex Offender Registry, Crime Stoppers and Criminal Intelligence Service NL;
- Family Justice Services is composed of a multidisciplinary team comprised of the Department of Justice, Supreme Court of Newfoundland and Labrador, Provincial Court of Newfoundland and Labrador, Department of Human Resources, Labour and Employment and Legal Aid Commission of Newfoundland and Labrador. It provided parent education, dispute resolution and counseling services to families working through issues involved with separation and divorce;
- RNC continued to partner with Memorial University to deliver the Policies Studies Diploma Program; and,
- Fines Administration Division continued to partner with the Motor Registration Division, Department of Government Services, for the collection of fines.

### *Inter-Provincial and Federal Partnerships*

- The Exchange of Services Agreement regarding Corrections has existed since Confederation. In 2009-10, under the Agreement, the province housed offenders falling under federal jurisdiction and in return the province received funding, services and training;
- The RCMP continued its partnership with the Canadian Coast Guard;
- Criminal legal aid services continued to be cost shared between the Provincial Government and the Federal Government, with the province paying for a significant portion of these costs;
- The Support Enforcement Division continued to partner with other jurisdictions to facilitate the reciprocal enforcement of court orders; and,
- Fines Administration Division interacted with the Canada Revenue Agency by selecting accounts electronically for this agency to intercept income tax refunds and GST rebates for the fine amount owing.

## *Federal/Provincial/Territorial Partnerships*

The department is a member on a number of Federal/Provincial/Territorial Committees. Some of these include:

- Coordinating Committees of Senior Officials (CCSO) for Criminal and Family Law;
- Working Group on Access to Justice in Both Official Languages;
- Aboriginal Justice Strategy;
- Aboriginal Court Worker Program;
- Committee of Officials on Human Rights;
- Heads of Corrections Working Group;
- Heads of Prosecutions Working Group;
- Victims of Crime Working Group;
- Committee on Prevention of Wrongful Convictions; and,
- Permanent Working Group on Legal Aid.

## *Community Partnerships*

The Department of Justice has long-term partnerships with various community agencies. These community agencies provide services to our mutual clients in areas such as family violence, sexual assault, mental health, addictions and support services. Some agencies also work with the department on various committees and provide information and consultant services. Some of these agencies include:

- Stella Burry Community Services;
- John Howard Society;
- Canadian Mental Health Association;
- Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre;
- Iris Kirby House;
- Turnings;
- Provincial Advisory Council on the Status of Women;
- Transition House Association of Newfoundland and Labrador; and,
- Labrador Aboriginal Legal Services.

# *Highlights and Facts of Interest*

## *Corrections and Community Services - Adult Corrections*

Significant improvements in staffing, staff training, inmate programming and correctional facility infrastructure have occurred in response to the correctional review, *Decades of Darkness: Moving Towards the Light*. The following are some highlights:

### *New Staffing and Employment Equity Initiatives*

- 15 permanent correctional officers were hired for provincial correctional institutions, of which six were gender-specific positions at Her Majesty's Penitentiary;
- 52 temporary correctional officers were hired across the province, of which 31% (or 16) were women. Additionally, this has provided employment opportunities in the five regions where correctional institutions are located; and,
- In May 2009 Her Majesty's Penitentiary (HMP) promoted the first woman, Imelda Earle, to the rank of Duty Captain at that facility.

### *Enhanced Staff Training*

- A variety of new training initiatives have been delivered to correctional staff. Specific examples include autism spectrum disorder awareness and critical incident stress management;
- All correctional officers received mental health awareness training, which enhances their ability to recognize and address symptoms of mental illness;
- In partnership with the Royal Newfoundland Constabulary, an Emergency Response Team was established at HMP. The role of this team is to enhance the safety and security of offenders and staff; and,
- Training and security enhancements at HMP contributed to the interception and seizure of drugs on 109 occasions and weapons on 12 occasions throughout the year.

Imelda Earle





## New Programming Initiatives

- All prisons implemented psychological services for inmates;
- The National Employability Skills Program continued and additional employability skills programs were introduced at all correctional institutions, including Workplace Hazardous Materials Information System (WHMIS), first aid, and flagman;
- A comprehensive intervention program was offered at HMP through the Canadian Mental Health Association of Newfoundland and Labrador;
- HMP hired an Addictions Coordinator;
- HMP implemented a continuous intake addictions program through a contract with the John Howard Society;
- Engaged Turnings to offer a 'Circles of Support and Accountability' program for high risk offenders preparing for release;
- Bishop's Falls Correctional Centre implemented enhanced programming for inmates by upgrading the part-time classification officer position to a full time position;
- Through a partnership with Stella Burry Community Services, implemented specialized programs at the Newfoundland and Labrador Correctional Centre for Women to address the needs of female inmates;
- Newfoundland and Labrador Correctional Centre for Women hired a part-time Aboriginal Prison Liaison Officer;
- A full-time Fetal Alcohol Spectrum Disorder Project Coordinator position was upgraded from contractual to permanent at the Labrador Correctional Centre; and,
- Labrador Correctional Centre established a land-based program. This program was designed to address the needs of Aboriginal inmates by supporting an enhanced connection to Aboriginal cultural heritage. It also fosters coping skills for issues inmates face in their daily lives.

Adult Correctional Facilities	
Admission type	#s
Provincial Terms	808
Provincial Intermittent	190
Federal Term	147
Federal Parole Suspension	123
Remand	740
Immigration Order	2
Provincial Parole Suspension	15
Judge's Order	2
<b>Totals # of Admissions:</b>	<b>2,027</b>
<b>Total # of Individuals Admitted:</b>	<b>1,322</b>



Photo credit: Paul Noble

## Infrastructure Improvements

- Renovated and reopened the third floor of the West Coast Correctional Centre. This increased the facility's capacity by 20 beds;
- Renovations at HMP resulted in the construction of a new program unit, improved the conditions of the medical unit and increased the quantity of programs available to offenders;
- Implemented security enhancements at the St. John's City Lock-up;
- Increased capacity at the Newfoundland and Labrador Correctional Centre for Women by four beds; and,

Adult Correctional Lock-ups (Corner Brook and St. John's)	
Admission type	#s
Arrests	942
Admissions under <i>Detained Intoxicated Persons Act</i>	739
Admissions under <i>Mental Health Act</i>	1
Warrant of Arrest	212
<b>Totals # of Admissions:</b>	<b>1,894</b>
<b>Total # of Individuals Admitted:</b>	<b>1,371</b>

## Corrections and Community Services - Newfoundland and Labrador Youth Centre

- Presented on the Substance Abuse Programming at the 2009 Atlantic Clinical Services for Youth Conference in Prince Edward Island. This programming was recognized in the 2008 Horizons Report where it was cited as having key elements of effective adolescent substance abuse programming;
- A total of 61 youth (43 males and 18 females) participated in the Pre-Trial Services Program as an alternative to being remanded into custody; and,

NLYC Admissions	
Admission type	#s
Overnight Arrests	139
Remand Admissions	70
Secure Custody	29
<b>Totals # of Admissions:</b>	<b>238</b>
<b>Total # of Individuals Admitted:</b>	<b>102</b>

- Continued the Neurofeedback/Biofeedback program. Federal funding was provided to expand the program to include Quantitative Electroencephalography (QEEG) equipment and programming. This program was used for conditions on the anxiety-affective disorder spectrum, attention and concentration problems, attachment issues, substance abuse and autism.

## Corrections and Community Services - Victim Services

- The court preparation video for children and youth was translated into French, Inuttitut, Mushuau Innu-aimun and Sheshatshiu Innu-aimun. The videos are available online by visiting: [http://www.justice.gov.nl.ca/just/victim\\_services/victim\\_services\\_program](http://www.justice.gov.nl.ca/just/victim_services/victim_services_program). This was funded in partnership with the Violence Prevention Initiative;
- Modified Victim Impact Statement guidelines for children and Youth;
- Held a professional development in-service for staff in October 2009. Key areas of focus for the in-service were risk assessment, working with adolescents and cultural awareness and sensitivity;
- Partnered with the Royal Newfoundland Constabulary to create a safety planning card for individuals in abusive relationships;
- Installed additional testimonial aids (i.e. video-conferencing equipment) at Supreme and Provincial Courts in Grand Falls-Windsor, as well as Provincial Courts in Clarenville, Harbour Grace and Grand Bank; and,
- Victim Services continued to assist eligible victims with transportation and other associated costs which enabled their attendance at pre-court preparation sessions, counseling sessions, and sentencing hearings to present their Victim Impact Statements. This was made possible through a multi-year funding contract with the Federal Government.



### Victim Services Referrals 2009-10

Location	#s
Carbonear	175
Clarenville	247
Corner Brook	215
Gander	220
Grand Falls-Windsor	302
Happy Valley-Goose Bay	291
Marystown	177
Nain	91
Port Saunders	68
St. John's	3,656
Stephenville	318
<b>Totals # of Referrals:</b>	<b>5,760</b>

# Corrections and Community Services - Adult Probation

- Staff were trained as trainers in the Level of Service/Case Management Inventory (LS/CMI). The LS/CMI is the primary assessment tool utilized within Adult Probation. It determines the offenders risk level and informs the development of case plans;
- Adult Probation Officers throughout the province continued to facilitate the Respectful Relationships Program, a psycho-educational program for domestic violence offenders;
- Further training in domestic violence intervention was provided to all Adult Probation Officers and a number of Classification Officers during March of 2010. Employees were trained in Narrative Therapy Abuse Intervention Program. This is a therapeutic intervention using a narrative therapy approach which can be provided to offenders on an individual and group basis;
- Adult Probation Officers and Classification Officers received training in Motivational Interviewing. This training provides the Officers with enhanced interviewing skills which are particularly useful when working with high risk, difficult to motivate clients; and,
- The Electronic Monitoring Program was expanded to include 10 more units. This brought the total capacity to electronically monitor up to 53 offenders.

FY 2009-10	
	#s
Offenders admitted to the Adult Probation System	2,261
Conditional Sentence Orders	476
Pre-Sentence Reports	731
Probation Orders	1,785

Forteau in Labrador



Photo credit: Phyllis Harris

# Civil Law Division

## Hibernia South Extension Agreement

- Assisted and advised the Department of Natural Resources in the negotiation of commercial royalties and benefits agreements to permit the Hibernia South Extension development to proceed.

## Mistaken Point Ecological Reserve Expansion

- Worked with the Department of Environment and Conservation to accomplish the Mistaken Point Ecological Reserve Expansion. This is one of the world's most significant fossil sites with fossils 575 million years old.

## Negotiation of the Innu – Newfoundland and Labrador Land Claims Agreement-in-Principle

- Worked closely with the Department of Labrador and Aboriginal Affairs to conclude this Agreement which addresses the future governance of land, resources and Innu participation within Innu treaty lands. It was initiated by the Innu Nation of Labrador and the province on February 16, 2010.

## Civil Settlements with Tobacco Companies

- Representing the Department of Finance, worked with the federal and other provincial/territorial governments to negotiate civil settlement agreements with tobacco manufacturers JTI-Macdonald Corp. (JTI-MC) and R.J. Reynolds Tobacco Company (RJR). Newfoundland and Labrador received \$10.2 million as a part of the settlement package to compensate for lost revenues as a result illegal smuggling activities by the tobacco companies.

## Offshore Helicopter Safety Inquiry

- Represented the province at the Offshore Helicopter Safety Inquiry. This Inquiry was established by the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) in response to the tragic helicopter crash offshore Newfoundland and Labrador on March 12, 2009, in which 17 people were killed. The Inquiry will make recommendations regarding the safety regime to ensure the risks of helicopter transportation of offshore workers are as low as reasonably practicable.

## Main River Waterway Provincial Park

- With the Department of Environment and Conservation worked towards the establishment of this Park on the west coast. The Main River has been designated a Canadian Heritage River and flows 57 kilometers from the base of the Northern Peninsula to Sop's Arm.

The Civil Law Division is Government's law firm and provides legal services to Government departments, agencies, and Crown Corporations, which include:

- Provision of legal advice necessary for the day to day operation of Government;
- Provision of legal advice to Government on matters relating to inter-provincial and international trade, including Canada-EU trade negotiations and NAFTA issues;
- Provision of legal advice necessary for the review and implementation of legislation;
- Team participation in complex commercial transactions;
- Drafting of commercial and financial documentation;
- Representing Government and its agencies in negotiations;
- Representing Government and its agencies in civil actions before administrative tribunals, judicial inquires and all levels of court including the Supreme Court of Canada; and,
- Representing Regional Directors of Child, Youth and Family Services in matters of child protection and family services before all courts throughout the province.

## Support Enforcement

- Collected \$31.3 Million, an increase of 5% over the previous year;
- 93,583 support cheques issued during the year, an increase of 4% over last year. 76% of these were issued via electronic funds transfer;
- 7,221 active cases, the number is down 1% from last year;
- 2,375 Support Orders processed, 76% under the *Family Law Act* and 24% under the *Divorce Act*;
- 43,775 total web portal visits which is a 15% increase over the previous year. Of these, 37,674 visits were by the creditor, 2,892 visits were by the debtor and 3,209 visits were by reciprocating jurisdictions;
- An interface was developed and implemented with the Canadian Centre for Justice Statistics for reporting performance results to the Canadian Survey of Maintenance Enforcement Programs;
- File transfer protocol developed and implemented with the federal Family Orders and Assistance Enforcement Agency to streamline the process for transmitting garnishment notices and tracing applications; and,
- New web application launched to assist clients with selecting the right forms when preparing an Interjurisdictional Support Application.

## Office of the High Sheriff

- 5,138 court orders and money judgements registered;
- 6,327 document service requests received; 10,701 jury summonses issued with 9552 (89%) served;
- Hired 17 new recruits. These recruits will graduate in April 2010 and be posted to various locations throughout the province;
- \$2.19 million in revenues collected; and,
- \$3.49 million in trust funds collected.

### Office of the High Sheriff Court Security Division conducted:

	#s
Offender court escorts	11,723
Persons taken into custody	454
Court order releases	1,693
Offender vehicle transports	7,476



## Public Prosecutions

- The provision of professional development opportunities for prosecutors was a significant focus in 2009-10. The annual meeting was held in October 2009. The purpose of this meeting was to provide continued education for prosecutors, as well as opportunities for prosecutors to share knowledge with each other. Additionally, prosecutors attended a variety of training seminars throughout the country as well as via webcast;
- Additional human resources were acquired during the year. A Legal Policy Advisor position was created and filled in September 2009. Additionally, Working Group Managers were hired for all regions except Labrador. The job competition is ongoing in Labrador and the position will be filled early in fiscal year 2010-11;
- Prosecutors continued to deliver the presentation entitled “Project Sunrise” throughout the province. This a joint initiative with the Violence Prevention Initiative to provide information to frontline community staff regarding the court process specifically as it relates to domestic violence and sexual assault. It also provides an opportunity for prosecutors to enhance community awareness of their role; and,
- A Performance Evaluation and Review Techniques (PERT) system was created to assist in enhancing the training and placement of individual prosecutors within the Division. It complements the new structure of the Division and assists in identifying mentors as well as areas of required training.

Photo credit: Phyllis Harris



Fall Berries at L'Anse au Clair Beach

## Fines Administration

- \$11 million was collected, of which \$9.4 million was provincial revenue and \$1.6 million was collected on behalf of third parties. This was an increase of \$1.3 million in total receipts over the previous fiscal year;
- \$785,000 was collected in Victim Fine Surcharge from automatic assessment plus \$5,000 from imposition in court; and,
- The benefit of filing fines with Canada Revenue Agency was realized this year with collections from this source totalling \$867,000.

# Inland Fish Enforcement (IFE)

- Continued efforts to address the more serious offences negatively impacting fishing stocks, specifically organized poaching and the commercialization of salmon. A majority of the violations dealt with by the IFE team involved the illegal netting of Atlantic salmon in coastal waters. Special Investigations were a major component of IFE operations this past year and will continue to be in the future;
- IFE has engaged the College of the North Atlantic (CNA) to deliver a Certificate Program in Conservation Law Enforcement Training. This program provides training in areas such as interviews and interrogations, arrest, search and seizure, safe boat operations and court room procedures. Six officers received this certificate on June 17, 2009. All IFE officers are currently participating in training and are expected to complete the Certificate; and,
- In support of continued public information and awareness initiatives, IFE initiated a 24/7 toll free poaching hotline, embarked upon a television advertising campaign and also circulated its 2009 Overview highlighting operations and activities for the year. The commercials and 2009 Overview can be viewed at [www.stoppoaching.ca](http://www.stoppoaching.ca).

## 41 Officers and Staff accomplished:

	#s
Fish related offences addressed	358
Charges laid	283
Offences under other legislation*	242
Persons charged	96
Seized	#s
Illegal Nets	18
Atlantic salmon	88
Boats	9
Vehicles (includes ATVs)	4
Total fines for fish related violations exceeded:	\$72,000

\* Wild Life Act, Motorized Snow Vehicles & All-Terrains Vehicles Act, the federal Criminal Code and the Controlled Drugs & Substances Act.





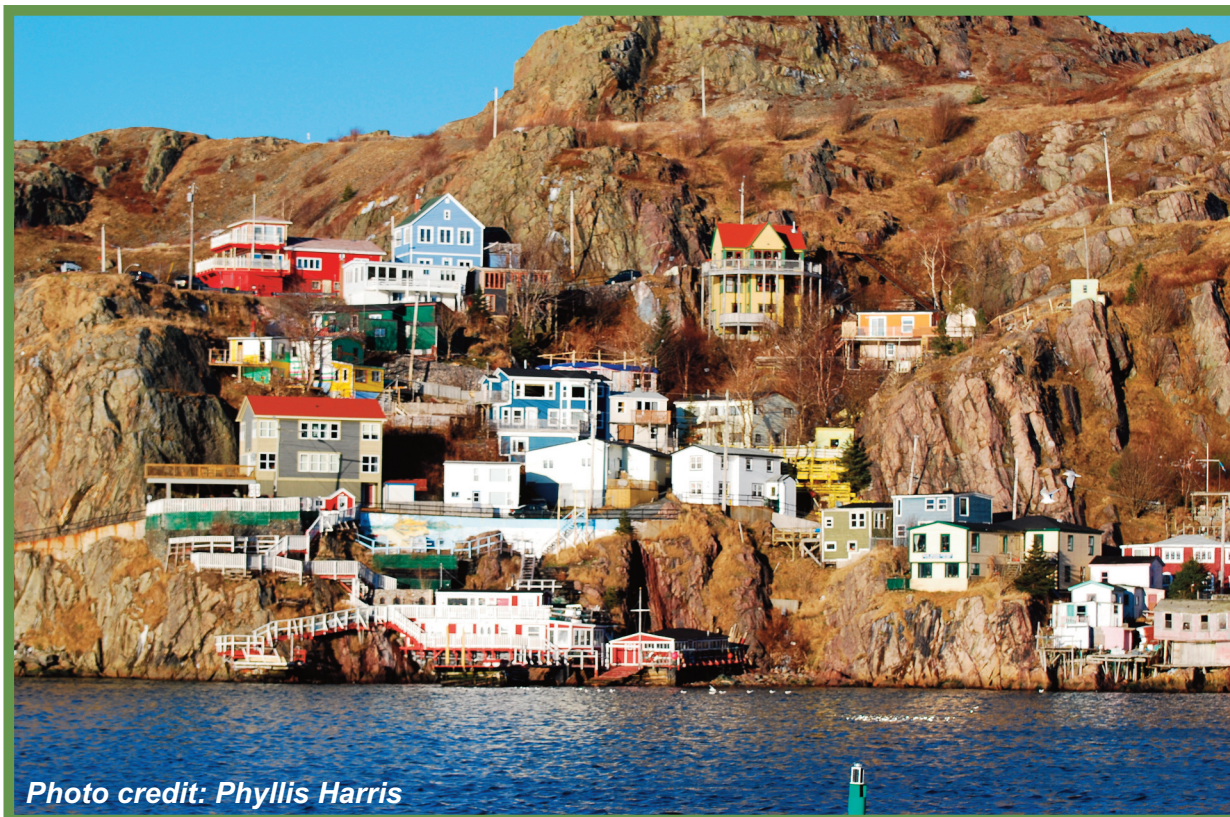


Photo credit: Phyllis Harris

St. John's

## Office of the Legislative Counsel

- Produced 61 pieces of legislation all of which passed through the Legislature in 2009 affecting the provincial statutes and regulations as follows:
  - 17 new Acts;
  - 86 Acts and 8 Regulations were amended; and,
  - 125 Proclamations, 70 Orders, 52 Acts, 12 Regulations, 18 Notices, 1 Report and 1 By-law were repealed.
- Produced 122 pieces of subordinate legislation which were published in the Gazette affecting the provincial statutes and regulations as follows:
  - 34 new Orders, 18 new Regulations, 5 new Proclamations and 3 new Notices;
  - 9 Proclamations bringing Acts into force;
  - 51 Regulations were amended; and,
  - 22 Regulations, 9 Orders and 4 Notices were repealed.

### *Did You Know?*

The Provincial Government currently has:

**392** Consolidated Statutes; and  
**1,456** Consolidated Regulations.

# Royal Newfoundland Constabulary (RNC)

- The Operational Support section conducted a review of collision patterns in all RNC jurisdictions. As a result, the Traffic section enhanced enforcement at intersections with high collision rates. The RNC also developed a program titled “Safe Roads, Safer Communities” which will be implemented in 2010-11. Through this program the RNC’s Traffic Services and Patrol Divisions will dedicate more time to educate the public about enforcing the *Highway Traffic Act*;
- The Drug Abuse Resistance (DARE) program was delivered to 90 grade 6 classes within schools in RNC jurisdictions;
- Completed the delivery of the Students Taking Responsibility in Violence Education (STRIVE) program to 102 classes in 20 junior high schools in the RNC jurisdictions. Approximately 2,500 students have received this program;
- Phase 1 of the RNC Headquarters Redevelopment project neared completion;
- The tender for Phase 2 of the HQ Redevelopment project was issued on March 3, 2010. Phase 2 is expected to be completed by 2012-13 and Phase 3 is expected to be completed in 2014-15;
- In September 2009, 8 living quarters were purchased in Wabush for police officers serving in Western Labrador;
- Researched Police responses to domestic violence, and tracked and monitored domestic violence cases. As a result new programs were developed to better analyze intimate partner violence by gender, level of injury, relationship, and weapon type;
- Seven training sessions were delivered on the Collaborative Approach to the Investigation of Family Violence. In total, 54 police officers were trained;
- Two training courses in the Collaborative Approach to Investigating Child Sexual Abuse were delivered in the North East Avalon. As a result 20 police officers were trained in this program;
- Partnered with Dr. Brent Snook at Memorial University to deliver PEACE training to 41 police officers. PEACE is an acronym for a model of Investigative Interviewing used with victims, witnesses and suspects. It was developed in the United Kingdom during the 1990s and stands for: **P**reparation and Planning; **E**ngage and Explain; **A**ccount; **C**losure; and **E**valuation.



Review of calls for service and police reported incidents:	
	%
Calls for service increased	+5
Overall police reported incidents increased	+6
Crimes against persons increased	+1
Property crimes increased	+5
Controlled drug and substances offences increased	+1
Criminal Code traffic/Impaired offences decreased	-1
Provincial traffic offences increased	+9
Motor vehicle accidents increased	+8

- On January 12, 2010, through “Operation Razorback” police seized approximately \$500,000 cash, six vehicles and \$1 million worth of illegal drugs. Police arrested nine individuals in St. John's, Mount Pearl and Conception Bay South. Police arrested 12 men and one woman who were charged with various offences including, Trafficking in a Controlled Substance, Possession



of a Controlled Substance for the Purpose of Trafficking, Laundering Proceeds of Crime and Commission of Offence for Criminal Organization. Another individual in Whitehorse was arrested under a warrant in connection with the same investigation;

- In February 2010, the investigation into drug trafficking within Her Majesty's Penitentiary, code named “Operation Safeguard,” resulted in the arrest of one individual and the seizure of narcotics, marijuana and other contraband;
- The drug section seized 205 kg of marijuana, 11.44 kg of cocaine, and 8,197 pills with a street value of \$3.9 million. Police also seized \$578,511;
- To enhance its staffing complement of female officers, the RNC held three recruitment sessions targeted to women. The sessions were attended by approximately 70 women. Additional women also participated in the general recruitment sessions. Two sessions were held at Memorial University in September and one session was held at Sir Wilfred Grenfell College in Corner Brook in October;
- Three Physical Abilities Requirement Evaluation (PARE) preparation sessions were held for women in December 2009. 22 female police cadet candidates attended;
- On March 8, 2010, the RNC proudly marked International Women's Day by hosting simultaneous events in each RNC jurisdiction. These events involved meetings with women's organizations to discuss the RNC's action on women's equality, violence against women and any other issues of concern. The meetings were followed by a reception for all staff where the regional commander addressed the gathering;
- Cst. Sharon Warren was awarded with the Police Officer of the Year Award at the Atlantic Women in Law Enforcement conference held in Stellarton, Nova Scotia in October 2009; and,
- Newfoundland and Labrador will host the 2012 conference of the International Association of Women Police (IAWP). The sponsorship package was redeveloped and the organizing committee partnered with the OCIO to redesign the official IAWP 2012 website.

## *Did You Know?*

In September 2009, 22 police cadets were hired by the RNC. 32% of these new positions were held by women.



## Royal Canadian Mounted Police (RCMP)

Each of the RCMP's 750+ employees in Newfoundland and Labrador play a vital role in the policing of over 430 communities in the province. Some accomplishments in 2009-10 include:

- The RCMP has 671.5 established positions in "B" Division (Newfoundland and Labrador). That equates to 524 Regular Member, 55 Civilian Member and 92.5 Public Service positions. Established positions are permanently established Division positions. This number does not reflect the total number of employees working in the province since it does not include casual employees such as the Guards and Matrons or persons working in the province under the Atlantic Region establishment;
- The RCMP Patrol Vessel *Murray* continued to be a presence in Newfoundland and Labrador waters. Responding to a general assistance call from the Canadian Coast Guard in August, the *Murray* located a disabled vessel with the operator and his two young children. The children were transferred to the police vessel where they were given the care they needed. The disabled vessel was towed to a safe port;
- In late 2009, members of the RCMP Drug Section at St. John's teamed up with the RNC Drug Section to dismantle an organized crime group transporting drugs from Vancouver, BC to Newfoundland and Labrador. Thirteen persons were arrested, and approximately \$1 million worth of cocaine was seized;



- Members of Clarenville Bonavista District were kept busy in March when an ice storm ravaged the region. It was the worst storm to hit the Bonavista Peninsula in 25 years. RCMP members ensured the safety of the communities most vulnerable residents, with the aid of the RCMP's Mobile Command Post;
- The RCMP celebrated 35 years of female members in the Force. The first troop of 32 female Regular Members (Troop 17) arrived at the RCMP Academy on September 16th, 1974 to commence training. Newfoundlanders and Labradorians Cheryl LaFosse, Gail Courtney and Rosemary Russell-Coffey were among this ground-breaking troop;

- Cpl. Ann Noel of the Gander RCMP Drug and Organized Crime Awareness Section, with financial assistance from the Gander area Rotary Club, took a magical approach to educating our youth about drug use and good decision making. Magician Gary Summers was brought to the Grand Falls-Windor and Gander Districts to visit 11 schools, in five communities, and connected with over 3,000 students from preschool to grade 10;
- RCMP Labrador District organized and sponsored a visit to Labrador by award winning author/journalist/producer Brian Vallée. Since the publication of his latest books *The War on Women* and *Life With Billy*, Mr. Vallée has been the keynote speaker on criminal domestic violence at several events and conferences across the country. Mr. Vallée was the special guest speaker at the Violence Prevention Labrador Conference in October 2009, and travelled to communities in southern Labrador where he spoke with several groups on the topic of intimate partner violence;
- The RCMP joined forces with Eastern Health in the implementation of the Mobile Crisis Response Team (MCRT). This pilot project provides a mobile crisis response for people experiencing a mental health crisis. Focused primarily in the St. John's area, the team will travel to the Avalon East District communities of Holyrood and Bay Bulls, and will work in partnership with RCMP members in the district;
- RCMP members have made excellent use of their Standardized Field Sobriety Test/Drug Recognition Expert (SFST/ DRE) training and are one of the country's leaders in the detection and prosecution of drug impaired drivers. In 2009, nine RCMP and 13 RNC members attended the RCMP's national training program. The 37 SFST/DRE evaluations conducted by the RCMP and the RNC are indicative of the teamwork and dedication to making Newfoundland and Labrador's roads and communities safer;
- On June 1st, 2009, Roving Traffic Unit (RTU) members made one of the largest seizures of tobacco in the province when they stopped a motor home in the Steady Brook area and subsequently located 330 bags of contraband cigarettes, valued at \$157,500; and,
- The Provincial Road Safety Vision (RSV) 2010 goal is to reduce the number of annual fatalities and serious injuries to 112 (or fewer). The total fatalities for 2009 was 107, a decrease of 20 over the previous year and below the 2010 goal. 33% fewer fatalities and serious injuries occurred on our roadways in 2009, compared to a six year average of 162. We will continue to emphasize the importance of Traffic Safety in 2010.



# Report on Performance 2009-10

The section provides information on the department's progress towards achieving the goals and objectives as identified in its strategic plan. The *Department of Justice Strategic Plan 2008-11 (revised)* can be found by visiting:

[http://www.justice.gov.nl.ca/just/publications/doj\\_strat\\_plan\\_2010.pdf](http://www.justice.gov.nl.ca/just/publications/doj_strat_plan_2010.pdf)

Northern Ranger, Goose Bay Dock



*Photo credit: Phyllis Harris*

## Strategic Issue 1: *Family Violence*

**Goal 1:** By 2011, the Department of Justice will have developed a provincial planning process for Specialized Family Violence Intervention Courts.

### Measure

Specialized Family Violence Intervention Court provincial planning process developed

The Family Violence Intervention Court is based on the principles of early intervention, victim safety and offender accountability. It is a contributing initiative towards the achievement of the Minister's strategic direction entitled *Public Protection, Order and Safety*. With support from the Poverty Reduction Strategy, the pilot court opened its doors on March 25, 2009 and has been operational since that time. *Budget 2010* announced additional funding through the Poverty Reduction Strategy to continue this pilot for an additional year.

A request for evaluation proposals was advertised publicly in December 2009. By the end of January 2010 the successful consultant was hired, an evaluation framework was submitted to the evaluation committee for review and the evaluation framework was finalized. The evaluation was completed and the final report was submitted on March 25, 2010, exactly one year to the day of implementation. The report will be available in FY 2010-11.

The Department of Justice recognizes the important role partnerships have played in bringing this pilot to fruition. Specifically, the following internal and external partners played a key role in the preparation and implementation of the Family Violence Intervention Court pilot:

- Provincial Court of Newfoundland and Labrador;
- Public Prosecutions Division;
- Legal Aid Commission;
- Community Corrections;
- Victim Services;
- Royal Newfoundland Constabulary;
- Royal Canadian Mounted Police;
- Poverty Reduction Strategy;
- Violence Prevention Initiative;
- John Howard Society;
- Iris Kirby House; and,
- Transition House Association of Newfoundland and Labrador.

Baine Harbour

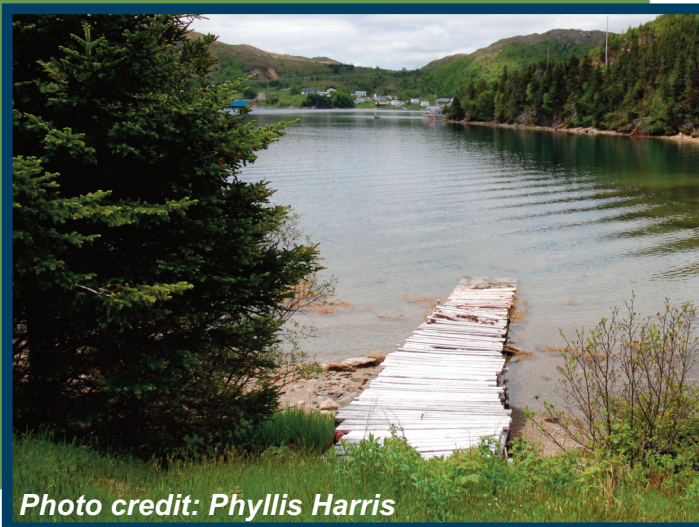


Photo credit: Phyllis Harris

**Objective 1.2** By 2010, the Department of Justice will have evaluated the piloted Specialized Family Violence Intervention Court.

**Measure**

Specialized Family Violence Intervention Court evaluated

**Indicators**

**Actual Results**

<p>Evaluator engaged</p>	<ul style="list-style-type: none"> <li>• A request for proposals was advertised to engage an evaluator and the successful consultant was hired in January 2010.</li> </ul>
<p>Evaluation framework finalized</p>	<ul style="list-style-type: none"> <li>• The consultant submitted an evaluation framework to the evaluation committee. This framework was finalized in January 2010.</li> </ul>
<p>Evaluation report completed and submitted</p>	<ul style="list-style-type: none"> <li>• The evaluation was completed in March 2010, with the evaluation report having been submitted on March 25, 2010.</li> </ul>

St. John's



*Photo credit: Phyllis Harris*



## 2010-11 Indicators

**Department of Justice Annual Report 2010-11  
will report on the indicators identified below.**

### **Objective 1.3**

By 2011, the Department of Justice will have developed a provincial planning process for Specialized Family Violence Intervention Courts.

### **Measure**

Provincial planning process developed

### **Indicators**

Regional meetings held

Meeting results compiled and analyzed

Report prepared

## Strategic Issue 2: *Public Prosecutions Revitalization*

**Goal 2:** By 2011, the Department of Justice will have revitalized the Public Prosecutions Division.

### Measure

Public Prosecutions Division revitalized

The recommendations of the Lamer Commission of Inquiry in June 2006 prompted the implementation of many enhancements to the operations of the Public Prosecutions Division. Furthermore, an internal review of the Division resulted in 39 additional recommendations.

Some of the enhancements made in 2008-09 included increased case supports and supervision for prosecutors, the establishment of unit working groups and the implementation of a mentoring process.

In 2009-10, further work was completed. New document handling procedures were implemented, central registry staff were hired, standards and mechanisms were established for the management of information and the central file registry was operationalized.

This work is consistent with the Minister's strategic direction entitled *Public Trust and Confidence*.



Photo credit: Phyllis Harris

Labrador Rainbow

**Objective 2.2** By 2010, the Public Prosecutions Division will have implemented new document handling procedures.

**Measure**

New document handling procedures implemented

**Indicators**

**Actual Results**

<p>Central registry staff hired</p>	<ul style="list-style-type: none"> <li>All positions related to the Central File Registry have now been filled. There are four staff persons including one supervisor.</li> </ul>
<p>Standards and mechanisms established for the management of information</p>	<ul style="list-style-type: none"> <li>Standards and mechanisms have been established for the management of information. A manual outlining the proper procedures for the use of the Central File Registry has been completed. At year end it was being reviewed by the Eastern Regional Office prior to its implementation.</li> <li>A committee with Prosecutions' representatives from across the province has been established to review the standards within each office as they relate to file maintenance and organization. This committee has successfully implemented standards for commonly used documents to ensure uniformity throughout the Division. It continues to work to ensure consistent standards in all of the Public Prosecutions Offices and to implement changes as required.</li> <li>The Division has expanded the use of its Intranet site. This facilitates the mentoring of junior prosecutors by increasing accessibility to internal documents created by other prosecutors across the province. This helps to ensure consistency in practice throughout all of the regional offices.</li> </ul>
<p>Central file registry operational</p>	<ul style="list-style-type: none"> <li>The central file registry is operational. It is providing more effective management of files through the Eastern Office, which has approximately 2,000 active files on a daily basis.</li> </ul>

**Department of Justice Annual Report 2010-11  
will report on the indicators identified below.**

**Objective 2.3**

By 2011, the Public Prosecutions Division will have addressed all recommendations from the Lamer Inquiry, the Phoenix Report and the Marshall Review.

**Measure**

All recommendations from the Lamer Inquiry, the Phoenix Report and the Marshall Review addressed

**Indicators**

Lamer Inquiry recommendations addressed

Phoenix Report recommendations addressed

Marshall Review recommendations addressed

## Strategic Issue 3: *Labrador and Aboriginal Responses*

**Goal 3:** By 2011, the Department of Justice will have further enhanced the interpretation and translation capacity and services within the justice system.

### Measure

Enhanced access to the provincial justice system for Aboriginal people

Labrador and Aboriginal responses continue to be a priority for the Department of Justice and this is consistent with the Minister's strategic direction entitled *Labrador and Aboriginal Responses*. There have been many enhancements to the interpretation and translation capacity within the justice system. Some of the achievements to date include the development of legal glossaries in Inuttitut, Mushuau Innu-aimun and Sheshatshiu Innu-aimun for both criminal and family law. Course curriculum was developed for Criminal and Family Law Interpretation. Courses were delivered in interpreting for both Criminal and Family Law. Staff sessions were held on cultural awareness and best practice in the use of interpreters. In 2009-10 sessions were made available to interpreters to support best practices in interpreter skills. Additionally, the department entered into a contract with the Sheshatshiu Innu First Nation to deliver interpreting services in Provincial Court in Happy Valley-Goose Bay. The service will become operational early in April 2010.

The Department of Justice has gained a new level of understanding and appreciation for language issues as a result of extensive efforts in the area of oral interpretation and written translation. The department has willingly shared these lessons (such as the distinct meanings of interpreting and translation and their associated skill sets) with other departments and our partner agencies.

### Mealy Mountains



Photo credit: Phyllis Harris

**Objective 3.2** By 2010, the Department of Justice will have designed and delivered instruction and training on the use of translation resources.

**Measure**

Instruction and training on the use of translation resources designed and delivered

**Indicators**

**Actual Results**

Instruction and training identified or designed, as required

- A DVD and resource guide entitled *Ethical Challenges for Court and Community Interpreters* was identified and purchased from the Vancouver Community College. Three facilitators were contracted to deliver training sessions based on this resource material in Sheshatshiu, Nain and Natuashish. The identification of the resource materials made it unnecessary to develop new materials.
- Sessions took place in Nain (March 23, 2010) and Sheshatshiu (March 30, 2010). Due to unforeseen circumstances, the Natuashish session was delayed and will now be held early in FY 2010-11.

Sessions held for staff on best practices in the use of interpreters in the justice system

- Work towards the achievement of this indicator began earlier than anticipated in March 2009. Three consultants were contracted to deliver sessions with staff on best practices in the use of interpreters. One of the sessions incorporated cultural information. In addition to these sessions, a session occurred with justice officials in Happy Valley-Goose Bay on March 31, 2010. An agenda item for this meeting was to share information regarding the interpreter refresher sessions which had occurred in Nain (March 23, 2010) and Sheshatshiu (March 30, 2010).



Photo credit: Winston White

# 2010-11 Indicators

<b>Department of Justice Annual Report 2010-11 will report on the indicators identified below.</b>
<b>Objective 3.3</b>
By 2011, the Department of Justice will have completed an evaluation of programs and services designed to improve interpretation and translation for Aboriginal people.
<b>Measure</b>
Evaluation of programs and services designed to improve interpretation and translation for Aboriginal people completed
<b>Indicators</b>
Evaluation framework developed
Evaluation conducted
Report of findings and recommendations provided

## *Strategic Issue 4: Criminal Justice System Efficiencies*

**Goal 4:** By 2011, the Department of Justice will have enhanced efficiencies within the criminal justice system in St. John's.

### **Measure**

Enhanced criminal justice system efficiencies

*"The mandate of the Task Force was to examine the operation of the criminal justice system in St. John's, Newfoundland and Labrador with particular emphasis on the processing of cases in St. John's Provincial Court and to make practical recommendations to increase efficiency and reduce delay without compromising fundamental principles of justice."*

Report of the Task Force on Criminal Justice Efficiencies

Since the release of the Report of the Task Force on Criminal Justice Efficiencies in 2008, significant effort has gone into realizing the changes identified in the report. Through these changes, improvements have been achieved in timeframes when accused persons are released by police to appear in court; improved information about and access to Legal Aid through a new Legal Aid office in Provincial Court and through police information and referral practices; improved disclosure procedures; the development of a Crown Guidebook which provides direction to Prosecutors on a range of issues addressed in this and other reviews/reports which make recommendations on Crown practices; appointment of retired judges to serve as required; and greater use of technology. This progress has been possible because of a dedicated group of individuals and their organizations who have worked and continue to work to see these changes implemented. The organizations/offices that have worked on their own internal practices as well as collectively to advance these changes include the police, Public Prosecutions, Legal Aid, the private bar, and of course Provincial Court. While the original focus was and remains St. John's Provincial Court some of the changes are also occurring in other centres as a matter of practice on the part of many of the partner agencies. Significant work continues in the area of electronic disclosure and scheduling.



**Objective 4.2** By 2010, the Department of Justice will have implemented recommendations of the Task Force on Criminal Justice Efficiencies.

**Measure**

Recommendations of the Task Force on Criminal Justice Efficiencies implemented

**Indicators**

Court Utilization Manager hired at Provincial Court

Central electronic scheduling system utilized at Provincial Court

Case Assignment and Retrieval system (CAAR) implemented at Provincial Court

Electronic disclosure implemented

**Actual Results**

- A Court Utilization Manager was hired at Provincial Court in December 2009.
- The requirements for the scheduling system have been researched, assessed and determined. This process took longer than originally anticipated and the request for proposals for the required system will now be issued early in FY 2010-11.
- The Case Assignment and Retrieval system has been implemented at the Provincial Court in St. John's.
- The RNC implemented electronic disclosure in February, 2010 for impaired driving and shoplifting charges. Results and any associated issues will be reviewed after a sufficient period of time. The Crown has also begun utilizing electronic disclosure for some of its larger files. This occurred in St. John's and in other regions. Progress and developments continue in this area.

**Baine Harbour**



*Photo credit: Phyllis Harris*

# 2010-11 Indicators

**Department of Justice Annual Report 2010-11 will report on the indicators identified below.**

**Objective 4.3**

By 2011, the Department of Justice will have evaluated the success of the implementation of the Task Force recommendations for St. John's, and will have prioritized roll out plans for other centres in the criminal justice system.

**Measure**

Implementation of recommendations evaluated and roll out plans for other centres prioritized

**Indicators**

Evaluation steering committee established

Evaluation framework developed

Evaluation completed

Evaluation report finalized

Priority and feasibility for broader implementation assessed

# *Opportunities and Challenges Ahead*

Both Federal and Provincial governments have introduced significant amendments to legislation which are expected to come into force within the next several years. These changes require coordinated efforts by all justice participants to ensure smooth implementation of the new legislation.

Increased use of technology provides opportunity for more efficient practices and information sharing amongst justice participants. It also creates challenges for the organization because of the pace at which technology changes. There is a constant requirement to remain up-to-date with the implementation of new technology and to meet the associated training requirements.

Access to technology also impacts the frequency of certain types of crime including international crime. This is evidenced by arrests of international visitors who, for example, are importing child pornography through technological devices or who are engaging in internet relationships with children or youth through visits to this country. Population growth and the vibrant economy may have the effect of attracting different sorts of crime and this has to be continuously monitored in order to determine the best approaches to deter and address such activity.

Justice is an area that garners much media attention. This can present challenges to ensure that appropriate information is provided, balanced with the recognition of the rights of all clients of the justice system. It has the additional affect of identifying areas where more public education would be beneficial.



Photo credit: Paul Noble

## *Adult Corrections*

The department is continuing to move forward with the implementation of the recommendations contained in the independent review of the provincial prison system. During the past year, substantial progress has been made, with 73 of the 77 recommendations having been either completed or in varying degrees of progress. In 2010-11 new staffing resources such as correctional officer positions will be created in rural areas, further specialized programming and development will take place to address the needs of Aboriginal offenders, and infrastructure improvements are planned for facilities such as the Newfoundland Labrador Correctional Centre for Women. Also, the department is in the process of drafting new legislation to replace two Acts: the *Prisons Act* and the *Adult Corrections Act*. The purpose of the new legislation will be to provide the legal framework necessary to provide a safe, secure, and humane environment for inmates and staff.

It is important to note that while there have been many accomplishments, there is still further work that needs to be done. Significant effort and long-term planning are necessary to achieve the desired cultural shift. This shift will need ongoing support and monitoring.

## *Access to Information and Protection of Privacy Act Review*

The *Access to Information and Protection of Privacy Act* came into force in January 2005 and is now scheduled for a mandatory five year review of its provisions and operations. On March 17, 2010 the Minister of Justice appointed John Cummings, Q.C. as the Commissioner. The review process will invite public feedback through a provincial public hearing process. The report of findings and recommendations is due in late Fall 2010. The hearings will provide a valuable opportunity for public input and inclusion in a significant legislative review process.

Flatrock



*Photo credit: Phyllis Harris*

# *Appendices*

# Financial Statements

## DEPARTMENT OF JUSTICE STATEMENT OF EXPENDITURE AND RELATED REVENUE FOR THE YEAR ENDED 31 MARCH 2010 (Unaudited)

Expenditure and revenue figures included in this document are based on public information provided in the “Report of the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year ended 31 March 2010” (unaudited). You can view the full report at <http://www.fin.gov.nl.ca/ComptrollerGeneral/publications.htm>.

or contact: **Comptroller General’s Office**  
**P.O. Box 8700**  
**St. John’s, NL**  
**A1B 4J6**

**Phone: 709.729.2341**

		Estimates		
		Actual	Amended	Original
		(\$)	(\$)	(\$)
1.1.01.	Minister’s Office	281,464	284,600	281,800
1.2.01.	Executive Support	1,168,800	1,174,200	1,202,500
1.2.02.	Administrative and Policy Support	2,178,904	2,304,100	2,591,000
	Less Related Revenue (Federal)	(544,909)	(127,900)	(127,900)
	Less Related Revenue (Provincial)	(137,308)	(63,000)	(63,000)
1.2.03.	Strategic Human Resource Management	1,550,571	1,595,300	1,424,500
1.2.04.	Legal Information Management	1,021,839	1,025,500	993,500
	Less Related Revenue (Provincial)	(32,000)	(29,000)	(29,000)
1.2.05.	Administrative Support	2,661,465	4,709,800	4,536,400
1.3.01.	Fines Administration	1,103,381	1,113,500	1,031,600
	Less Related Revenue (Provincial)	(752,152)	(700,000)	(700,000)
2.1.01.	Civil Law	9,376,019	9,862,800	9,300,200
	Less Related Revenue (Provincial)	(23,828)	(-)	(-)
2.1.02.	Sheriff’s Office	4,421,666	4,442,800	4,458,800
	Less Related Revenue (Provincial)	(760)	(-)	(-)

		Estimates		
		Actual (\$)	Amended (\$)	Original (\$)
2.1.03.	Support Enforcement	871,317	884,400	921,900
2.1.04.	Access to Information and Protection of Privacy	357,489	379,900	641,400
2.1.05.	Family Justice Services	1,855,047	2,028,500	2,382,100
	Less Related Revenue (Federal)	(806,445)	(561,500)	(561,500)
2.2.01.	Criminal Law	7,273,648	7,315,200	7,692,200
	Less Related Revenue (Federal)	(28,598)	(-)	(-)
2.3.01.	Legal Aid and Related Services	14,050,288	14,320,600	14,320,600
	Less Related Revenue (Federal)	(147,515)	(2,313,900)	(2,313,900)
2.3.02.	Commissions of Inquiry	58,451	58,500	1,000
2.3.03.	Office of the Chief Medical Examiner	620,563	694,600	740,800
2.3.04.	Human Rights	1,083,379	1,116,600	1,165,200
	Less Related Revenue (Provincial)	(2,303)	(-)	(-)
2.4.01.	Legislative Counsel	539,713	544,400	575,300
3.1.01.	Supreme Court	5,016,666	5,053,000	4,804,600
	Less Related Revenue (Federal)	(27,389)	(15,600)	(15,600)
	Less Related Revenue (Provincial)	(250,677)	(272,000)	(272,000)
3.2.01.	Provincial Court	9,781,813	9,800,300	10,355,400
3.3.01.	Court Facilities	7,322,291	7,643,000	7,643,000
4.1.01.	Royal Newfoundland Constabulary	45,217,268	45,379,800	45,334,100
	Less Related Revenue (Federal)	(812,940)	(888,300)	(888,300)
	Less Related Revenue (Provincial)	(361,446)	(369,000)	(369,000)
4.1.02.	Royal Canadian Mounted Police	59,348,297	59,369,700	59,369,700
	Less Related Revenue (Federal)	(646,583)	(650,000)	(650,000)
	Less Related Revenue (Provincial)	(-)	(190,200)	(190,200)
4.1.03.	Public Complaints Commission	252,859	267,800	281,400
4.1.04.	Royal Newfoundland Constabulary (Capital)	7,057,881	8,926,000	10,500,000
4.2.01.	Adult Corrections	35,836,639	36,110,100	33,310,900
	Less Related Revenue (Federal)	(4,462,539)	(3,636,000)	(3,636,000)
	Less Related Revenue (Provincial)	(945,190)	(564,000)	(564,000)
4.2.02.	Youth Secure Custody	7,452,623	7,547,800	8,026,300
	Less Related Revenue (Federal)	(2,182,267)	(3,023,600)	(3,023,600)
5.1.01.	Inland Fisheries Enforcement	2,248,244	2,297,300	2,363,900
	<b>Total Expenditures - Department of Justice</b>	230,008,585	236,250,100	236,250,100
	<b>Total Related Revenue</b>	(12,164,849)	(13,404,000)	(13,404,000)
<b>TOTAL: DEPARTMENT</b>		217,843,736	222,846,100	222,846,100

*Appendix B:*

# *Strategic Directions*

Strategic directions are the articulation of desired physical, social or economic outcomes and normally require action by more than one government entity. These directions are generally communicated by Government through platform documents, Throne and Budget Speeches, policy documents, and other communiqués. The *Transparency and Accountability Act* requires departments and public bodies to take into account these strategic directions in the preparation of their performance-based plans. This action will facilitate the integration of planning practices across Government and will ensure that all entities are moving forward on key commitments.

The directions related to the Department of Justice are provided in the tables that follow. Each strategic direction is comprised of a number of components or focus areas. These focus areas will be addressed through the various planning processes of the department. As indicated in the following tables, some have been addressed in this activity plan while others are addressed in the operational and/or work planning processes.

Blue Jay



Photo credit: Phyllis Harris



<b>1. Title:</b>	<b>Public Protection, Order and Safety</b>			
<b>Outcome Statement:</b>	Improve public protection, order and safety for the people in Newfoundland and Labrador.			
This outcome supports the policy direction of government and will require systematic intervention in the following areas:				
Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/divisional work plans of the department
Police deployment, recruitment and training			√	√
Planning for new facilities			√	
Court Security				√
Responses to family violence		√	√	√
Organized Crime			√	

<b>2. Title:</b>	<b>Access to Justice</b>			
<b>Outcome Statement:</b>	Improved access to the justice system which includes enhanced responses for vulnerable groups.			
This outcome supports the policy direction of government and will require systematic intervention in the following areas:				
Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/divisional work plans of the department
Court facilities			√	
Specialized Courts		√		
Videoconferencing			√	

<b>3. Title:</b>	<b>Public Trust and Confidence</b>			
<b>Outcome Statement:</b>	Improve public trust and confidence in the justice system.			
This outcome supports the policy direction of government and will require systematic intervention in the following areas:				
Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/divisional work plans of the department
Public Prosecutions Revitalization		√		
Adult Corrections Planning			√	
Gender Equity			√	√

**4. Title: Labrador and Aboriginal Responses**

**Outcome Statement:** Enhanced justice services in Labrador that are sensitive to the culture and needs of Aboriginal people and communities.

This outcome supports the policy direction of government and will require systematic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/divisional work plans of the department
Enhanced interpreting and translation capacity		√	√	
Culturally appropriate programming			√	
Labrador justice facilities			√	

**5. Title: Innovation and Efficiencies**

**Outcome Statement:** Innovative approaches that enhance efficiencies in the justice system.

This outcome supports the policy direction of government and will require systematic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/divisional work plans of the department
Legal Aid			√	√
Civil Law			√	
Task Force on Criminal Justice Efficiencies		√		
Information Management			√	

**Beach at Northwest River, Labrador**



*Photo credit: Phyllis Harris*

*Appendix C:*  
*Public Entities*

The following public entities report to the House of Assembly through the Minister of Justice. Their annual reports are prepared separately from that of the Department of Justice and can be found by visiting: <http://www.justice.gov.nl.ca/just/publications/publications.htm>.

- **Board of Commissioners of Public Utilities**
- **Consumer Advocate**
- **Criminal Code Mental Disorder Review Board**
- **Electoral Boundaries Commission\***
- **Human Rights Commission**
- **Human Rights Commission Panel of Adjudicators**
- **Newfoundland and Labrador Legal Aid Commission**
- **Office of the Commissioner of Lobbyists**
- **Office of the Chief Medical Examiner**
- **Royal Newfoundland Constabulary Public Complaints Commission**
- **Royal Newfoundland Constabulary Public Complaints Commission Panel of Adjudicators**

\*The Electoral Boundaries Commission is active every 10 years. See a description of this entity in Appendix D.

# *Electoral Boundaries Commission*

The Electoral Boundaries Commission was active in 2006, however, it is currently disbanded. The Electoral Boundaries Commission will be appointed again in 2016, at which time, it will meet its planning and reporting requirements as appropriate under the *Transparency and Accountability Act*.

In the interim, this appendix will serve to describe the activities of the Commission when it is active as prescribed in the *Electoral Boundaries Act*.

## *Overview*

The *Electoral Boundaries Act* states the Electoral Boundaries Commission shall consist of five members. The chairperson is to be appointed by the Chief Justice of Newfoundland and Labrador and the additional four members are to be appointed by the Speaker of the House of Assembly.

The Commission is responsible to the Minister of Justice and its financial information is included in the financial information for the Department of Justice.

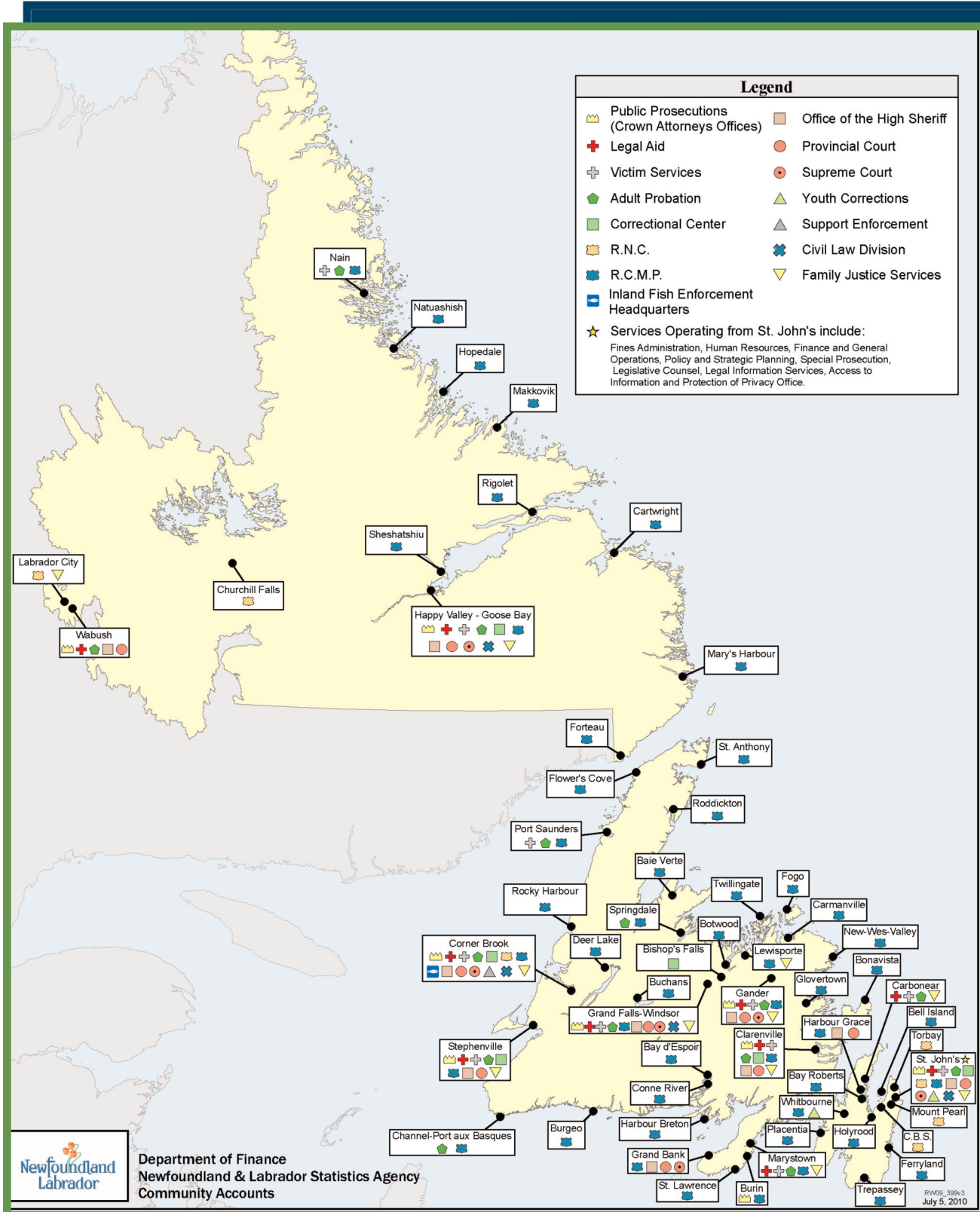
## *Mandate*

The Commission is directed to divide the province into 48 proposed 1-member districts. The *Act* provides that the Commission divide the Labrador portion of the province into four proposed districts and shall describe the boundaries of those districts in such a manner that the proposed new districts conform as closely as practicable to the present districts. With regard to the island portion of the province, the Commission shall determine the boundaries by obtaining a quotient for each proposed district by dividing the total population of the province (except that portion of the total population living within the area of the province comprising Labrador) by the number 44.

The Commission shall assume that the proportion of electors to the general population is constant throughout the province. Where the Commission considers it necessary to do so, they may depart from the quotient not to a greater extent than 10% more or 10% less of the quotient. The Commission may also recommend the creation of a district with a population that departs from the quotient up to 25% more or 25% less of the quotient, where the Commission concludes that the departure is warranted by special geographic considerations.

The Commission will submit a report to the Minister of Justice setting out its recommendations concerning the division of the province, the description of the boundaries and the name to be given to each district, which names shall incorporate the historical and geographical factors that the Commission considers appropriate.

# Newfoundland and Labrador - Where We Work

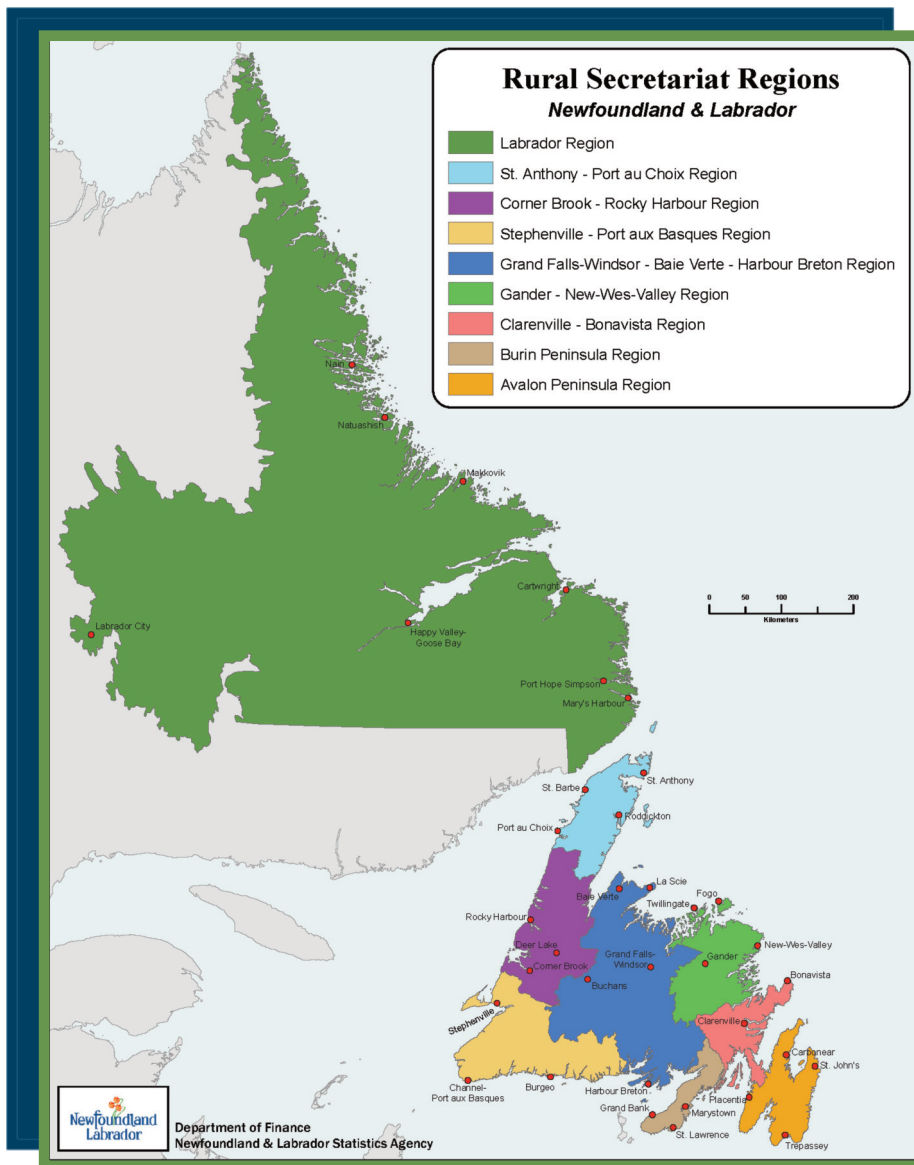


This section is intended to provide some information about the Province of Newfoundland and Labrador in order to provide a context for where the Department of Justice delivers services. The information provided here is divided based on the nine regions of the Rural Secretariat.

The Rural Secretariat is a unique and innovative provincial government entity that strives to advance the sustainability of rural Newfoundland and Labrador communities and regions. It does this by: supporting the development of citizen-based policy advice; engaging citizens in the future of their province; and by supporting collaboration between and among rural stakeholders including governments. For more information on the Rural Secretariat please visit <http://www.exec.gov.nl.ca/rural/>.

The following information was provided by the Community Accounts. This innovative information system provides users with a reliable source of community, regional and provincial data. The Community Accounts provides users with a single comprehensive source of community, regional, and provincial data that would normally not be readily available, too costly to obtain, or too time consuming to retrieve and compile.

Under this structure, information can be retrieved according to 400 communities, 80 census consolidated subdivisions (local areas), 20 economic development zones, and the province. Information can also be retrieved at the level of Rural Secretariat Regions, Health Authorities, School Districts, and Human Resources Development Canada Regions.



The Community Accounts is the first Internet-based data retrieval and exchange system in Canada with unrestricted access to view and analyze data down to the community level. It provides citizens and policy makers with a single comprehensive source of key social, economic, and health data and indicators that would not be readily available, too costly to obtain, or too time consuming to manually or otherwise retrieve and compile. For more information on the Community Accounts please visit: <http://www.communityaccounts.ca/communityaccounts/onlinedata/getdata.asp>.

## Newfoundland and Labrador

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
([www.communityaccounts.ca](http://www.communityaccounts.ca))

Population (2009)	508,925
Projected Population Change (2009-2025)	1.6%
Seniors Population Change (2009-2025)	69.8%
Labour Force Population Change (2009-2025)	-12.3%
Median Age	42 yrs
Number of Immigrants (2001)	8,030
Median Family Income (2006)	\$38,100

### Rigolet



Photo credit: Phyllis Harris

## Labrador

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
([www.communityaccounts.ca](http://www.communityaccounts.ca))

Population (2009)	26,522
Projected Population Change (2009-2025)	0.9%
Seniors Population Change (2009-2025)	98.1%
Labour Force Population Change (2009-2025)	-8.8%
Median Age	35 yrs
Number of Immigrants (2001)	405
Median Family Income (2006)	\$56,600

## St. Anthony - Port au Choix

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
(www.communityaccounts.ca)

Population (2009)	12,472
Projected Population Change (2009-2025)	-11.6%
Seniors Population Change (2009-2025)	76.2%
Labour Force Population Change (2009-2025)	-30.1%
Median Age	43 yrs
Number of Immigrants (2001)	110
Median Family Income (2006)	\$36,700

## Corner Brook Law Courts



Photo credit: Judge Kymil Howe

## Corner Brook - Rocky Harbour

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
(www.communityaccounts.ca)

Population (2009)	46,122
Projected Population Change (2009-2025)	3.2%
Seniors Population Change (2009-2025)	62.6%
Labour Force Population Change (2009-2025)	-11.2%
Median Age	43 yrs
Number of Immigrants (2001)	635
Median Family Income (2006)	\$37,400



## Stephenville - Port aux Basques

*Source: Economic Research and Analysis, Department of Finance and Community Accounts  
(www.communityaccounts.ca)*

Population (2009)	30,093
Projected Population Change (2009-2025)	-13.2%
Seniors Population Change (2009-2025)	74.5%
Labour Force Population Change (2009-2025)	-33.4%
Median Age	45 yrs
Number of Immigrants (2001)	280
Median Family Income (2006)	\$30,600

## Boutte du Cap (The Boot) at Cape St. George



*Photo credit: Sam Organ*

## Grand Falls-Windsor - Baie Verte - Harbour Breton

*Source: Economic Research and Analysis, Department of Finance and Community Accounts  
(www.communityaccounts.ca)*

Population (2009)	47,667
Projected Population Change (2009-2025)	-9.1%
Seniors Population Change (2009-2025)	63.8%
Labour Force Population Change (2009-2025)	-25.0%
Median Age	44 yrs
Number of Immigrants (2001)	315
Median Family Income (2006)	\$35,100

## Gander - New-Wes-Valley

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
([www.communityaccounts.ca](http://www.communityaccounts.ca))

Population (2009)	46,177
Projected Population Change (2009-2025)	-8.7%
Seniors Population Change (2009-2025)	61.4%
Labour Force Population Change (2009-2025)	-24.7%
Median Age	44 yrs
Number of Immigrants (2001)	475
Median Family Income (2006)	\$35,900



## Clarenceville - Bonavista

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
([www.communityaccounts.ca](http://www.communityaccounts.ca))

Population (2009)	27,952
Projected Population Change (2009-2025)	-8.0%
Seniors Population Change (2009-2025)	70.0%
Labour Force Population Change (2009-2025)	-25.3%
Median Age	44 yrs
Number of Immigrants (2001)	225
Median Family Income (2006)	\$34,500

## Burin Peninsula

Source: Economic Research and Analysis, Department of Finance and Community Accounts  
([www.communityaccounts.ca](http://www.communityaccounts.ca))

Population (2009)	20,824
Projected Population Change (2009-2025)	-16.2%
Seniors Population Change (2009-2025)	91.8%
Labour Force Population Change (2009-2025)	-34.3%
Median Age	43 yrs
Number of Immigrants (2001)	170
Median Family Income (2006)	\$36,200

### Northern Flicker



Photo credit: Phyllis Harris

## Avalon Peninsula

















Source: Economic Research and Analysis, Department of Finance and Community Accounts  
([www.communityaccounts.ca](http://www.communityaccounts.ca))

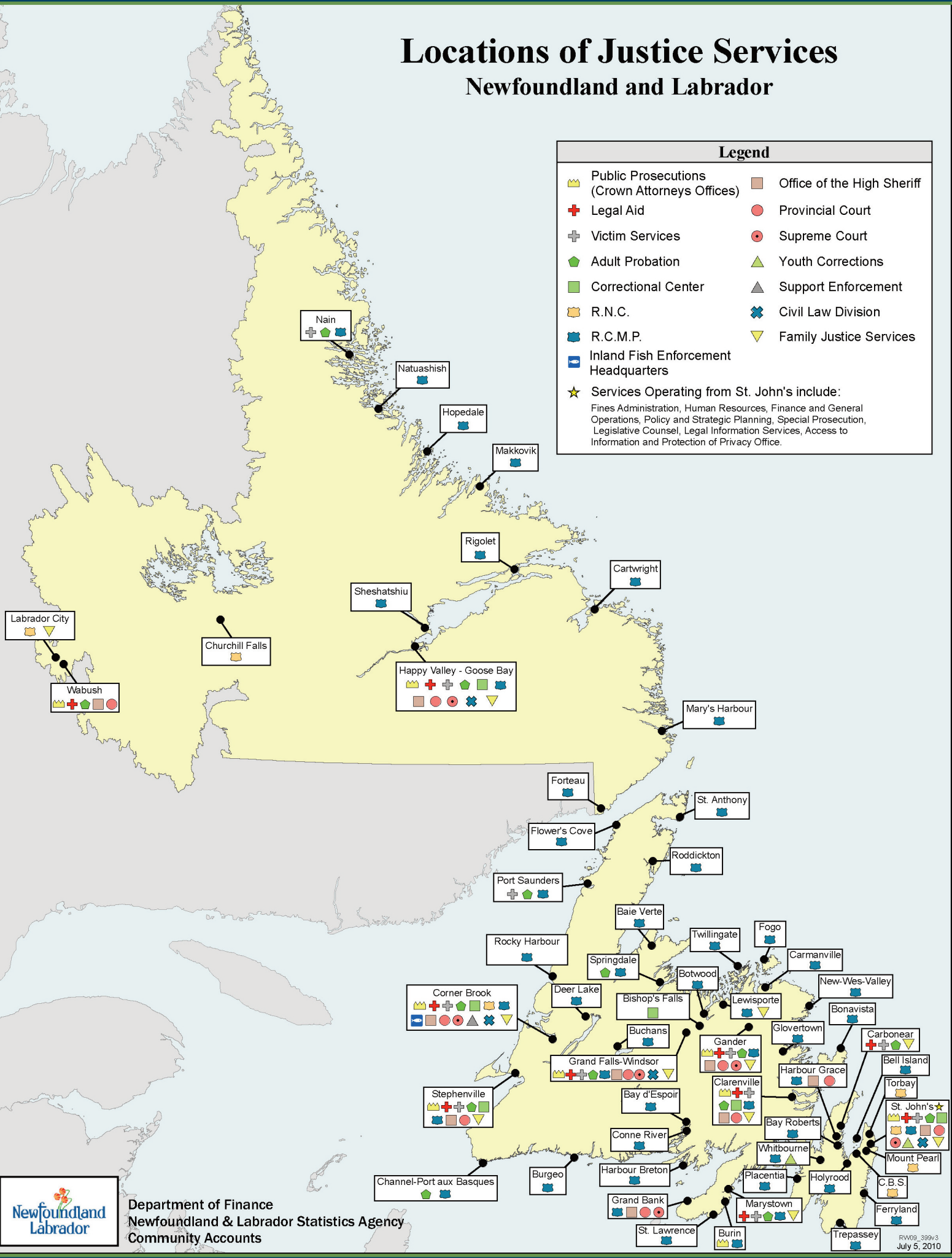
Population (2009)	251,131
Projected Population Change (2009-2025)	10.3%
Seniors Population Change (2009-2025)	70.0%
Labour Force Population Change (2009-2025)	-2.0%
Median Age	40 yrs
Number of Immigrants (2001)	5425
Median Family Income (2006)	\$40,200





# Locations of Justice Services Newfoundland and Labrador

Legend			
	Public Prosecutions (Crown Attorneys Offices)		Office of the High Sheriff
	Legal Aid		Provincial Court
	Victim Services		Supreme Court
	Adult Probation		Youth Corrections
	Correctional Center		Support Enforcement
	R.N.C.		Civil Law Division
	R.C.M.P.		Family Justice Services
	Inland Fish Enforcement Headquarters		
	Services Operating from St. John's include: Fines Administration, Human Resources, Finance and General Operations, Policy and Strategic Planning, Special Prosecution, Legislative Counsel, Legal Information Services, Access to Information and Protection of Privacy Office.		



Department of Finance  
Newfoundland & Labrador Statistics Agency  
Community Accounts