

# Department of Justice

## Annual Report 2008-09





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# Message from the Minister

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 2008-09. This Report was prepared under my direction, and my signature below indicates my accountability for the results reported.

This is the first reporting year for the 2008-11 Department of Justice Strategic Plan. In this first year, a Specialized Family Violence Intervention Court pilot project has been implemented in St. John's. By 2010, the Department will have evaluated this pilot and the results will inform future justice system responses for this client group. Another significant initiative of the Department was the Public Prosecutions Division modifying its organizational structure as part of its response to the Lamer Commission of Inquiry Report and the Project Phoenix Report.

Access to the justice system continues to be a focus for the Department. Alternative justice responses have been, and continue to be, explored to enhance access to the justice system. Additionally, the Department commissioned a Task Force on Criminal Justice System Efficiencies and responded to, and continues to address, the recommendations put forth.

The Department continues to recognize the need for responses relating to Labrador and the Aboriginal community. Work continued to enhance translation and interpretation capacity for Aboriginal people and further work will continue over the next two years.

In addition to the strategic issues addressed, the Department also completed significant work within the provincial correctional system. The Department engaged consultants to complete an independent review of the entire system. This review resulted in 77 recommendations and a team of justice officials has been established to implement these recommendations.

Finally, this report identifies the many partners that contribute to the achievement of the Department's mandate and strategic directions. I thank each of them for his or her efforts and look forward to future opportunities to work together on behalf of the residents of Newfoundland and Labrador.

Sincerely,



**THOMAS W. MARSHALL, Q.C.**  
Minister of Justice and  
Attorney General





## Mandate

The mandate of the Department of Justice derives primarily from the *Executive Council Act*, and reflects dual responsibilities.

The **Attorney General** is responsible for:

- Administering criminal justice in the province, and the prosecution of all offences under the *Criminal Code* of Canada, and the statutes of Newfoundland and Labrador;
- Representing the Crown in matters of civil litigation;
- Providing legal services to all government departments and agencies;
- Representing the Crown where public rights of concern to the provincial government are being questioned;
- Providing advice to government on proposed legislation, carrying out studies for the reform of law, and providing legislative drafting services for the government; and
- Providing access to legal aid to those persons who are eligible.

The **Minister of Justice** is responsible for:

- Administering court services;
- Administering correctional systems; and
- Administering police protection.

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.

## 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

**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.**

In matters of truth and justice,  
there is no difference between large and small problems,  
for issues concerning the treatment of people are all the same.

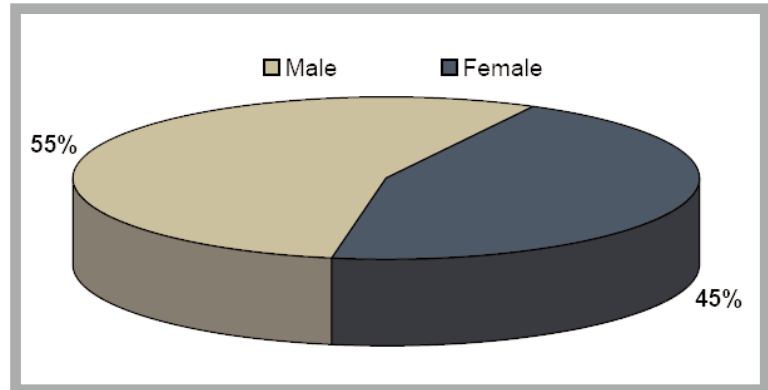
~ *Albert Einstein*

# Departmental Overview

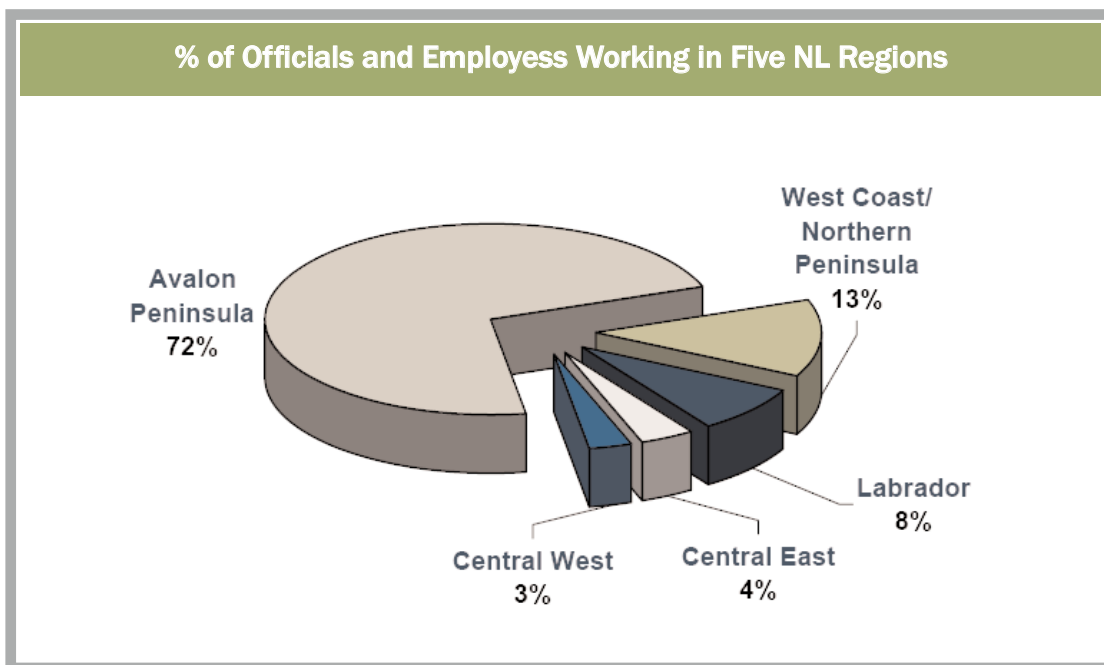
## Staff

The Department employs approximately 1,537 staff including the Royal Newfoundland Constabulary (RNC). Additionally, pursuant to the Provincial Policing Services Agreement between the Province and the Federal Government, the Royal Canadian Mounted Police (RCMP) employs approximately 438 RCMP officers to provide frontline policing services in over 50 locations throughout the Province.

The overall gender breakdown for staffing in the Department is approximately 45% female and 55% male. Advances are being made towards employment equity within sectors of justice that have historically been comprised of disproportionate numbers of males to females. For example, the RNC now has 19% female officers which is on par with the national average for police forces.



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 fisheries enforcement officers, information management specialists, administrators, financial managers, nurses and educators.





# Departmental Overview

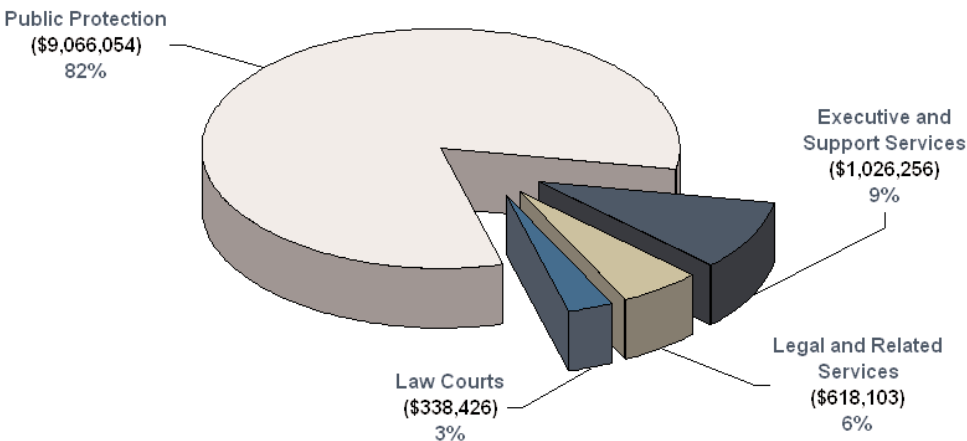
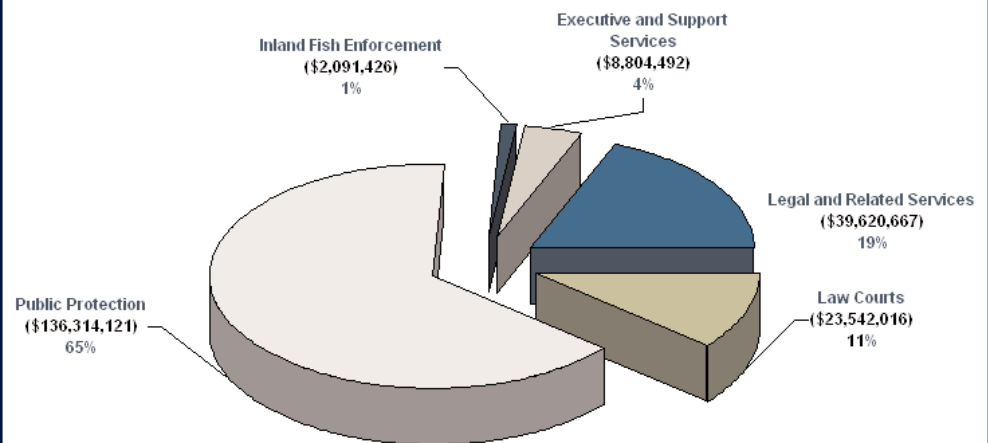
## Budget

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 2009



### Department of Justice

#### Actual Revenues at a Glance

Year Ended  
31 March 2009

## Lines of Business

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

- The **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 the Inland Fish Enforcement Program which focuses on activities related to illegal 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.
- The **Access to Information and Protection of Privacy Office** oversees the implementation of the *Access to Information and Protection of Privacy Act*. 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.

## Values

### **Accountability**

Each person accepts responsibility for his/her actions and follows through on requests and commitments.

### **Integrity**

Each person maintains the highest professional and ethical standards in dealings with clients and each other.

### **Impartiality and Fairness**

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.

### **Excellence**

Each person excels through continuous learning, strong partnerships and personal initiative to deliver services for the good of the people of Newfoundland and Labrador.

### **Collaboration**

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.

### **Accessibility**

Each person provides understandable, available and affordable justice services to the citizens of Newfoundland and Labrador.

## Strategic Partnerships

In fulfilling its mandate and supporting Government's broad policy directions, the Department of Justice has developed partnerships locally, nationally and internationally which contribute to the achievement of the strategic directions of the Minister of Justice. The following is meant to briefly identify these partnerships and is not meant to be an exhaustive list. For further information on these partnerships, please visit the links provided or contact the Department of Justice.

Partnerships existed with the health sector. The Newfoundland and Labrador Youth Centre partnered with the Department of Health and Community Services (HCS) to assist with the re-integration of youth residents back into the community; management of the Intensive Rehabilitation of Custody and Supervision Program; and facilitation of counseling groups for youth and parents in the community. Adult Corrections partnered with Eastern Health for the provision of psychiatric services, vaccination services and infectious disease control for inmates.

The Exchange of Services Agreement continued between the Provincial Government and Correctional Service of Canada. This partnership has existed since Confederation, and is mutually beneficial. Under this Agreement, the Province houses offenders falling under federal jurisdiction and in return the Province receives funding, services and training.

The Department has a long standing history of partnerships with various community agencies including Stella Burry Community Services, John Howard Society, Canadian Mental Health Association, Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre, Iris Kirby House and Turnings. These community agencies provide services to our mutual clients in areas such as family violence, sexual assault, mental health, addictions and support services. As well, these and other such agencies often provide consultative services to the Department in order to ensure the community perspective is considered.

Internally, Joint Force Operations continued between the RCMP and RNC through initiatives such as ViCLAS (Violent Crime Linkage Analysis System), the National Sex Offender Registry, Crime Stoppers and Criminal Intelligence Service, Newfoundland and Labrador. The RCMP also continued its partnerships with the Canadian Coast Guard and with the Gendarmerie of St. Pierre and Miquelon.

The RNC continued to partner with Memorial University to deliver the Police Studies Diploma Program. The RNC also partnered with the Toronto Police Service and the Atlantic Police Academy to deliver police training. The RNC partnered closely with the Eastern School District and with Memorial University to implement the Rapid Entry Active Criminal Threat (REACT) Program. Finally, the RNC partnered with Eastern Health, the Western School District and the schools' corporate partners in the delivery of drug awareness education (DARE).



The Support Enforcement Division continued its partnership with other jurisdictions to facilitate the reciprocal enforcement of court orders. Jurisdictions assist each other to enforce family support orders when one of the parties moves to another province or territory.

Criminal legal aid services continued to be cost shared between the Province and the Federal Government. However, it is noted that the Province pays a significant portion of these costs.

In 2008-09, Family Justice Services (FJS) was designated as a division of the Department of Justice. FJS is a multidisciplinary team comprised of the Department of Justice, Supreme Court, Provincial Court, Department of Human Resources, Labour and Employment and Legal Aid. It provides parent education, dispute resolution and counseling services to families working through issues involved with separation and divorce.

The Department of Justice's commitment to improved Aboriginal responses has fostered a unique relationship with the Government of Nunavut and the Arctic College, College of the North Atlantic, Memorial University of Newfoundland, Department of Education, Public Legal Information Association of NL, and Innu and Inuit representatives through our interpreting initiative.

The Department actively participates in the ongoing work of various federal, provincial and territorial working groups, such as the Coordinating Committee of Senior Officials (CCSO) for both family and criminal law, Working Group on Access to Justice in Both Official Languages, Aboriginal Justice Strategy, Aboriginal Court Worker Program, National Coordinating Committee on Organized Crime, Advisory Committee on Private International Law, Victims Working Group, Permanent Working Group for Legal Aid and the Heads of Corrections Working Group.

The Fines Administration Division continues to interact with the Department of Government Services' Motor Registration Division in the collection of fines. It also interacts with the Canada Revenue Agency by selecting accounts that are sent electronically to this agency to intercept income tax refunds and GST rebates for the fine amount owing.



## Horizontal Initiatives:

The Department of Justice plays a key role in a number of cross-departmental initiatives which support the strategic directions of Government:

- **Violence Prevention Initiative (VPI)** ([www.gov.nl.ca/vpi/](http://www.gov.nl.ca/vpi/))

The 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 - 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. The Department of Justice made significant contributions in 2008-09.



- The RNC's Students Taking Responsibility in Violence Education (STRIVE) program for youth was completely revamped and launched;
- The Specialized Family Violence Intervention Court was launched on a pilot basis in St. John's;
- The Public Prosecutions Division conducted information sessions with crisis shelter staff on the law as it pertains to family violence and sexual assault;
- Victim Services released its children's court preparation DVD and booklet. The DVD is also available on the department's website; and
- Joint training courses were delivered by and to police and social workers on family violence.

- **Immigration and Multiculturalism** (<http://www.hrle.gov.nl.ca/hrle/immigration.html>)

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 at the regional and community level.

- The Department participates on two interdepartmental planning committees at the senior official and Executive levels;
- The RNC hosted a coffee break and invited Dr. Zainab Jerrett, President of the African Association and Smita Joshi, Office of Immigration and Multiculturalism, to present and participate in a discussion about ways to promote cross cultural understanding. Dr. Jerrett also shared some issues regarding the legal system as identified through a focus group with youth;
- The Office of Immigration and Multiculturalism presented to Department of Justice staff on issues of cultural sensitivity; and
- The RCMP held a New Member Orientation Course for members which included a presentation on the Muslim culture by Dr. Haddara, President of the Muslim Association of Newfoundland and Labrador.



## • Northern Strategic Plan (NSP)

([www.laa.gov.nl.ca/laa/nspl/](http://www.laa.gov.nl.ca/laa/nspl/))

The NSP outlines Government's vision, objectives and priorities for Labrador for a five year timeframe. The NSP established priorities for Labrador, developed a focused approach to Government's service delivery in Labrador and demonstrated Government's commitment to support Labrador issues through programs and policies. The Department of Justice is an active participant in this initiative as evidenced by:

- Innu-aimun and Inuttitut glossaries for family law were developed;
- Family Law Interpreter Course for Innu and Inuit students was developed and delivered in Happy Valley-Goose Bay;
- In Happy Valley-Goose Bay the following positions were filled: an Aboriginal Court Clerk position for Provincial Court; additional Crown Attorneys; and a social worker to work with Legal Aid;
- A Family Justice Services counsellor was hired in Labrador City;
- Additional police personnel were hired to provide services throughout Labrador; and
- Research and analysis was conducted on specialized responses for Aboriginal people in the criminal justice system and courts.

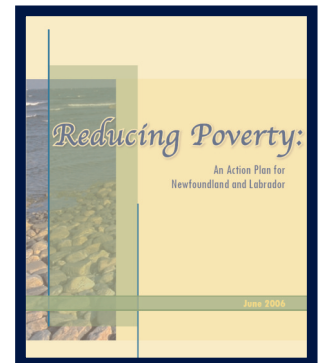


## • Poverty Reduction Strategy (PRS)

([www.hrle.gov.nl.ca/hrle/poverty/](http://www.hrle.gov.nl.ca/hrle/poverty/))

The 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 includes initiatives and programs which target the groups most vulnerable to poverty. The Department of Justice is an active partner in this initiative. In 2008-09 the following initiatives were implemented with funding from the PRS:

- Expanded Family and Child Legal Aid Services to the Western Region;
- Piloted a Specialized Family Violence Intervention Court in St. John's; and
- Expanded the Mental Health Court Project to assist with civil law needs.



## • Red Tape Reduction Initiative (RTR)

([www.gov.nl.ca/redtape/](http://www.gov.nl.ca/redtape/))

In August 2005, Government committed to a 25% reduction in red tape that would provide business and citizens more efficient access to Government services and programs.

- This reduction was exceeded in March 2009, with a 27% reduction in red tape. The Department of Justice is pleased to have met its commitment in contributing to this achievement.



# Highlights and Facts of Interest

## Adult Correctional Facilities

- 1,683 province-wide admissions for 1,097 clients in FY 2008-09. The admissions were as follows:
  - 737 provincial terms;
  - 144 provincial intermittents;
  - 116 federal terms;
  - 97 federal parole suspensions;
  - 574 remands;
  - 2 immigration orders;
  - 11 provincial parole suspensions; and
  - 2 Judge's orders (i.e. inter-jurisdictional transfer for court purposes).



(Note: some clients had multiple admissions during the fiscal year).

Employees at the West Coast Correctional Centre receiving long term service awards.



## Adult Correctional Lock-ups (Corner Brook and St. John's)

- There were 1,671 province-wide admissions for approximately 1,228 clients (\*Note: some clients had multiple admissions during the fiscal year). The admissions were as follows:
  - 818 arrests;
  - 692 admissions under the *Detained Intoxicated Persons Act*;
  - 5 admissions under the *Mental Health Act*; and
  - 156 Warrants of Arrest.

### Additional Notes:

- In response to *Decades of Darkness: Moving Towards the Light*, the independent review of adult corrections, the Government is investing \$6 million in Budget 2009-10 for the revitalization of the Newfoundland and Labrador corrections system. Initiatives include new positions to ensure properly staffed facilities, enhanced training and programming, expanded community partnerships and renovations and equipment upgrades. This is in addition to over \$1 million invested in 2008-09 since receipt of the report; and
- For the first time in over 20 years, the Government of Newfoundland and Labrador and the Newfoundland Association of Public Employees (NAPE) representing Correctional Officers have reached a negotiated collective agreement. This is expected to positively impact labour relations within the correctional system.



# Highlights and Facts of Interest

## Newfoundland and Labrador Youth Centre (NLYC)

- 301 admissions occurred to overnight, remanded and sentenced custody combined. This total decreased by 63 from the previous fiscal year. Included in this total were the following:
  - The average population on a monthly basis: 16.31 (This is secure custody and remand combined);
  - Secure custody: A total of 42 residents were admitted to the NLYC. These residents had appeared in court and were sentenced;
  - Overnight arrests: A total of 156 residents were admitted to the NLYC as overnight arrests. These residents were apprehended and held pending their court appearance. Note: These admissions also include St. John's Youth Detention Centre;
  - Remand admission: A total of 98 residents were admitted to the NLYC. These residents appeared in court and were remanded until sentencing or release;
  - Section 24(2)(9) Young Offenders Act (also known as Section 88 of the Youth Criminal Justice Act): A total of 5 residents were admitted to the NLYC. This is an administrative transfer from open to closed custody; and
  - A total of 55 youth (37 males and 18 females) participated in the Pre-Trial Services Program as an alternative to being remanded into custody.



## Victim Services

- 5,414 new referrals were activated in 2008-09. This was an increase of 1,744 referrals from 2007-08;
- 11 regional offices throughout the Province activated referrals as follows:

Carbonear – 192	Grand Falls-Windsor – 221	Port Saunders -102
Clarenville – 285	Happy Valley-Goose Bay – 263	St. John's – 3,046
Corner Brook – 247	Marystown – 162	Stephenville - 324
Gander – 455	Nain – 117	
- Staff in St. John's, Grand Falls-Windsor and Corner Brook participated in the 2009 Public Service Career Expos;
- The children's court preparation activity booklet "Snowy and Me" and the court preparation DVD "Making a Difference" were produced and also made available online;
- Additional testimonial aids (i.e. video-conferencing equipment) were acquired for vulnerable witnesses. These systems were installed at both the Supreme Court and the Provincial Court in Happy Valley-Goose Bay and the Provincial Court in Wabush;
- Multi-year funding was secured from the Federal Government to pay for victim transportation costs to attend pre-court preparation sessions and sentencing hearings; and
- A dedicated Victim Services Coordinator was hired for the Specialized Family Violence Intervention Court pilot.



# Highlights and Facts of Interest

## Community Corrections

- 416 pre-sentence reports were prepared and submitted to the courts in 2008-09;
- 1,746 individuals were placed on probation supervision. Of these, 322 were subject to Conditional Sentence Orders and 1,424 were subject to Probation Orders;
- A dedicated Probation Officer was hired for the Specialized Family Violence Intervention Court pilot;
- All 50 employees participated in the certificate program *Changing Minds: A Mental Illness Education Program* through a partnership between the Canadian Mental Health Association of Newfoundland and Labrador Division (CMHA-NL) and the College of the North Atlantic (CNA). This program was created to address a community need for mental health education, stigma reduction and to promote a better understanding of mental health and mental illness. Participation in this program has enhanced employees' understanding of and sensitivity to the needs of this client group; and
- Adult Probation Officers offered the Respectful Relationships Program to spousal abuse offenders throughout the Province. Up to March 31, 2009, 126 clients had participated in this training. In areas where numbers have not permitted a full workshop, Adult Probation Officers have been completing individual work with offenders.



## Inland Fisheries Enforcement Program (IFEP)

- The program's mandate is to apprehend individuals who are impacting Atlantic salmon and trout stocks, through illegal poaching activities (i.e. illegal netting and commercialization). While these illegal activities are occurring in both coastal waters (i.e. bays, harbors, and estuaries) and inland waters (i.e. streams, rivers, ponds, and lakes), IFEP continues to conserve and protect our valuable inland fish resources;
- In 2008-09, IFEP laid 219 charges for 315 fish related offences against 87 individuals. IFEP officers seized 21 illegal nets, 96 Atlantic salmon, 4 boats and 7 vehicles. As well, there were 309 ATV related offences and 41 offences under other legislation including the *Wild Life Act*, *Criminal Code*, *Liquor Control Act* and the *Controlled Drugs & Substances Act*. The total number of violations addressed was 665;
- Support from the public and conservation groups, such as the Salmon Preservation Association for the Waters of Newfoundland (SPAWN), the Salmonid Council of Newfoundland and Labrador (SCNL) and the Atlantic Salmon Federation (ASF), has proven to be essential to the success of IFEP;
- Crime Stoppers continued to provide support to IFEP. The number of illegal fishing activity tips have steadily increased over the past three seasons;
- IFEP participated in the use of force and firearms training provided by the RNC; and
- In 2008, some of the largest salmon returns to the Province's rivers since the mid 1990s were recorded. It is believed that IFEP activities may have been a contributing factor to this positive result.



# Highlights and Facts of Interest

## Support Enforcement Division

- Collected \$29.2 million, which is an increase of 7% over last year;
- 90,000 support cheques issued during the year; 73% via electronic funds transfer;
- 7,273 total active cases, which is down 2% from last year;
- 2,419 Support Orders processed during the year; 76% under the *Family Law Act*; and 24% under the *Divorce Act*;
- 38,148 total web portal visits; 34,308 visits by the creditor; 3,116 visits by the debtor; and 724 visits by reciprocating jurisdictions;
- New pre-authorized debit system implemented to automatically debit a support payor's account;
- New debit and credit card system implemented to broaden the acceptable payment method;
- New electronic funds transfer system implemented to electronically send payments to other reciprocating jurisdictions;
- Presentation delivered to the Canadian Bar Association on Support Enforcement as part of the program's continuing education of key stakeholders;
- Created an Interjurisdictional Support Orders (ISO) Unit within existing complement of staff to assist in the growing element of cases where the payor has left the province; and
- Implemented Phase II of the Web Portal which permits e-mail notification of support payments to clients, as well as e-mail access between clients and case workers.



## Office of the Legislative Counsel

The Office of the Legislative Counsel is responsible for: drafting Bills and regulations for government; editing and overseeing the printing of Bills, annual statute books and office consolidations of statutes and regulations; preparing and maintaining consolidated versions of the province's Acts and regulations, including the versions available online; and preparing periodic revisions of statutes and regulations.

In 2008-09, the Office:

- Drafted 74 bills; and
- Drafted 76 pieces of subordinate legislation

### *Did you know?*

The Provincial Government currently has 407 Consolidated Statutes and 1,463 Consolidated Regulations.

# Highlights and Facts of Interest

## Office of the High Sheriff

- 5,238 court orders and money judgements registered;
- 6,294 document service requests received;
- 59,054 Judgement Enforcement Registry searches conducted through the Sheriff's Office website;
  - 3,024 searches conducted by staff; and
  - 56,030 searches conducted by remote users;
- \$2.2 million in revenues collected;
- \$3.4 million in trust funds collected; and
- 7,346 jury summonses issued with 6,657 (91%) summonses served.

## Access to Information and Protection of Privacy (ATIPP) Office

- The ATIPP Office assisted public bodies in processing 528 access and privacy requests;
- Of the 528 requests, individuals made 232 requests, media made 145 requests, and political parties made 93 requests;
- The Departments which received the most requests for information were:
  - Health and Community Services – 40 requests (7.6% of total)
  - Justice - 39 requests (7.4% of total)
  - Environment and Conservation - 32 requests (6.1% of total)
  - Executive Council - 30 requests (5.7% of total)
  - Government Services - 23 requests (4.4% of total); and
- The ATIPP Office continued to provide training in the areas of access and privacy.

## Adult Alternative Justice

- Developmental work continued in order to prepare for this program;
- Stakeholder advisory committee established and is comprised of representatives of Victim Services, RNC, Crown Attorneys Office and Legal Aid;
- Almost 200 front line staff have taken part in information sessions; and
- Comprehensive Safety and Informed Consent Assessment and a Participant Guide were developed with input from stakeholders.



## Civil Law Division

- Provides legal advice to government departments, agencies and Crown corporations and represents the Province before Administrative Boards, Adjudication Panels, Tribunals, and all levels of Court, including the Supreme Court of Canada;
- Comprised of five units: Family Litigation Unit; Resources and Regulatory Unit; Central Agencies and Justice Policy Unit; Litigation Unit; and Corporate Commercial Unit;
- Collaborated with the Public Prosecutions Office for the Articling Program;
- Employed 40 lawyers, seven legal secretaries and a clerk typist;
- Engaged in multiple, significant and complex commercial transactions, including the conclusion of the Hebron Project Agreements and negotiations respecting the Hibernia South development. Engaged in significant procurement activities including those relating to ferries and issues relating to AbitibiBowater's closure of the Grand Falls-Windsor mill, and assisted in the development of a standardized consultant agreement for use across Government;
- Facilitated 10 public consultations on the *Human Rights Code* between January and March 2009. These consultations were held throughout the Province and provided an opportunity for individuals and interested groups to participate in proposed revisions of the *Human Rights Code* for the Province;
- Played a significant role in negotiating an historic agreement between the Innu Nation and the Province. The Tshash Petapen Agreement (jash pey-taah-ben) which translates as the New Dawn Agreement, resolves key issues relating to matters between the Province and Innu Nation surrounding the Innu Rights Agreement, the Lower Churchill Impacts and Benefits Agreement (IBA) and Innu redress for the Upper Churchill hydroelectric development. Final agreements based on the Tshash Petapen Agreement will be subject to ratification by the Innu people; and
- Made approximately 1,000 court appearances on behalf of the Regional Directors of Child, Youth and Family Services. Appearances were made at all levels of court, in all regions of the Province. Representation was made in person, as well as by teleconference and videoconference.

## Public Prosecutions Division

- Prosecuted over 8,300 cases through 10 offices;
- Increased the number of personnel by four lawyers and two support staff to bring the total staff complement to 45 lawyers, three articling students and 23 support staff;
- A new position of Manager of Administration was filled which reflects the organizational restructuring as recommended in the Project Phoenix Report and is a milestone in Government's ongoing response to the Lamer Commission of Inquiry Report;
- Annual General Meetings for the province's Crown Attorneys have been reinstated. The first of these meetings was held in October, 2008. This is designed to assist in ensuring that prosecutors have an up-to-date knowledge of criminal law; and
- Partnered with other stakeholders in the criminal justice system in the development and implementation of the Specialized Family Violence Intervention Court pilot.

# Highlights and Facts of Interest

## Royal Newfoundland Constabulary

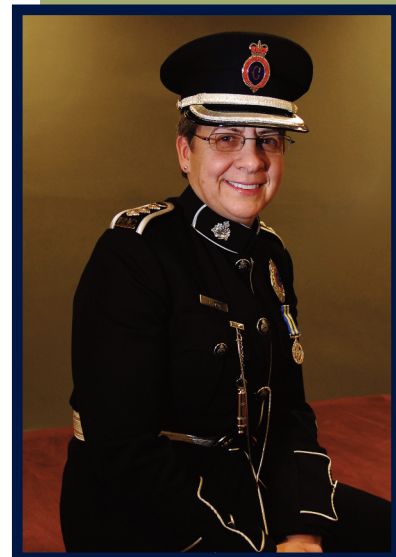


- Received 69,077 calls for service representing an increase of approximately 2% over the previous year;
- Property crime reports decreased by approximately 8% from the previous year;
- Reported incidents of traffic violations and impaired operations increased by approximately 26%;
- Reported incidents of controlled drugs and substances increased by approximately 40% over the previous year;
- The RNC attributes these reported increases to its enhanced enforcement capacity to respond;
- The International Association of Women Police announced it will hold its 2012 conference in St. John's, Newfoundland and Labrador. This is the result of a successful bid proposal by representatives of the RNC, RCMP and Atlantic Women in Law Enforcement;
- The Human Resources Committee of the Canadian Association of Chiefs of Police and the Mental Health and the Law Advisory Committee of the Mental Health Commission of Canada released a report entitled, "A Survey of Police Academy Training at the Basic Training Level Related to the Working with People with Mental Illness." The report identified the RNC as "currently setting the standard in this area";
- From April 1, 2008 to March 31, 2009, the RNC Drug Section seized illegal substances with a street value of approximately \$6.8 million. The substances included 310 kilograms of marijuana, 6.38 kilograms of cocaine, 2,791 ecstasy pills and 1,513 oxycontin pills. Officers also seized over \$207,000 in cash and 7 motor vehicles;
- Mobile Report Entry Software was successfully piloted which enables officers to remotely access information and write reports from mobile computers installed in patrol vehicles;
- A Forensic Artist Unit established within the Forensic Identification Section to provide composite art and related services to all divisions of the RNC;
- Officers were deployed on foot patrol in St. John's for the first time since the mid 1990s. The presence of these officers contributes to a deterrence of petty crime and a heightened feeling of security;
- Construction of living accommodations for RNC officers in Churchill Falls was completed;

# Highlights and Facts of Interest

## Royal Newfoundland Constabulary

- Continued efforts to eliminate barriers to women participating in policing. Three significant achievements during the fiscal year were:
  - In December 2008, Superintendent June Layden was the first woman in the history of the RNC to be promoted to this rank;
  - On August 30, 2008, the RNC hired 28 new officers, 30% of which were women; and
  - Representation of female RNC police officers reached 19% this year, which is on par with the national average;
- The Rapid Entry Active Criminal Threat Program (REACT) developed and implemented in the North East Avalon Region. This program trains officers in tactics required to respond to persons actively causing harm in a school environment. This program is planned for expansion to all RNC regions;
- In January 2009, the RNC coordinated a Basic Firearm Instructors Course that was facilitated by the Atlantic Police Academy. Seven members of the RNC and four Inland Fishery Enforcement Program Officers attended;
- As part of an ongoing initiative to develop investigative excellence, the RNC has engaged in a pilot project to implement the PEACE model of Investigative Interviewing. Based on a British model, this project is intended to professionalize investigative interviewing that is supervised, highly structured and empirically based;
- Students Taking Responsibility in Violence Education (STRIVE) Program for grades 7-9, was redeveloped and then re-launched in November 2008. The goal of the program is to empower students to take ownership of the issue of youth violence and work to find real-life solutions; and
- Two new horses were acquired, increasing the Mounted Unit to four. One horse was donated by the RNC Veterans Association and RNC Association. The second horse was gifted by Mrs. Elaine Dobbin.



### *Did you know?*

The RNC will celebrate its  
**280th anniversary**  
in 2009-10.



# Highlights and Facts of Interest

## Royal Canadian Mounted Police



To read the RCMP:  
2008-09 Annual Report  
Newfoundland and  
Labrador "B" Division  
in full please visit:  
<http://www.rcmp-grc.gc.ca/nl/publications/index-eng.htm>



- The 2008-09 RCMP Provincial Contract comprised 422 Regular Members, 40 Civilian Members and 66.5 Public Service Employee positions. This is in addition to 16 Regular Member and 2 Public Service Employee Community Tripartite Agreement positions. 13% of front line RCMP officers in the Province are Aboriginal;
- The RCMP centralized communications centre located at RCMP Headquarters in St. John's received 180,403 calls for service, an increase of 4% from the previous year;
- 116 Roadside Check Stops were conducted, an increase of over 150% from 2007. 1,594 impaired drivers were charged during the year which was an increase of 10% over 2007 and an increase of 16% over the baseline year of 2002;
- Owns, leases or occupies through community partnerships: 155 residences, 44 detachments, 11 patrol/satellite offices, 3 Federal offices, 1 Hanger and 1 Headquarters building. Its fleet includes: 298 vehicles, 112 ATV/Snowmobiles, 21 water transport vessels and a catamaran (P.V. Murray). A RCMP Twin Otter supports Provincial Contract positions in Labrador. A Pilatus airplane and AS 350B3 helicopter, which are Atlantic Region resources, provide further support to the RCMP in the Province;
- The RCMP Roving Traffic Unit seized illegal narcotics, currency, stolen goods and contraband tobacco with a street level value of \$4,014,150 in 2008, a significant increase of 25% over 2007;
- The Customs and Excise Units made 142 contraband tobacco seizures. The potential loss in Provincial excise taxes for this contraband would have been \$363,528;
- The Drug Section seized in excess of 84 kilograms of marijuana, 1 kilogram of hashish, 7 kilograms of cocaine, 2,520 ecstasy pills and \$81,990 in cash;
- The Jetway program was developed in 1998 to help target couriers with contraband who body pack, have checked and carry on luggage, who use other means of transportation such as air, bus and train and who forward mail and parcels through cargo and courier services. This year the Jetway Team seizures totaled 15 kilograms of marijuana; 162 grams of cocaine, 1,125 ecstasy pills and 130 grams of hashish;
- In 2008-09, Drug Awareness Co-ordinators delivered 690 presentations to over 20,200 people;

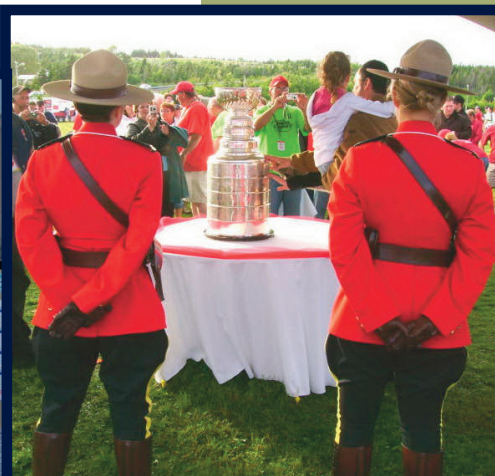


# Highlights and Facts of Interest

## Royal Canadian Mounted Police

- The Commanding Officer's Aboriginal Advisory Committee, the Youth Advisory Committee and the Seniors' Advisory Committee are active and provide valuable advice on policing; and
- Mental Health/Police liaison teams were formed to respond to the mental health crisis on the west coast. These teams include social workers, mental health nurses, a clinical psychologist, a physician, RCMP members and regional health representatives. In recognition of the teams' successes, the Atlantic Summer Institute on Healthy and Safe Communities invited the teams to present their findings at the June symposium.

In 2009-10, the RCMP celebrates **60 years** of policing in Newfoundland and Labrador.



This section will report on the indicators for 2008-09 objectives as identified in the 2008-11 Department of Justice Strategic Plan. The full plan can be found on the Department of Justice website by visiting:

*<http://www.gov.nl.ca/just>*

In this section you will see:

- descriptions of the strategic issues;
- 3 year goals for addressing the issues;
- objectives, measures and indicators for the 2008-09 fiscal year;
- actual results achieved; and
- indicators for the 2009-10 objective as identified in the 2008-11 Strategic Plan.

## Strategic Issue 1: Family Violence

<b>Goal 1:</b>	By 2011, the Department of Justice will have developed a provincial planning process for Specialized Family Violence Intervention Courts.
<b>Measure</b>	
Specialized Family Violence Intervention Court provincial planning process developed	

As a committed partner to the Violence Prevention Initiative, the Department of Justice continued to actively work in the area of family violence intervention during 2008-09. This was evidenced by activities such as the continuation of the Justice Minister's Committee on Violence Against Women, staff training events, Public Prosecutions information sessions to shelters on the laws related to sexual assault and family violence, the research and feasibility analysis and subsequent launch of a Specialized Family Violence Intervention Court pilot in St. John's. The Poverty Reduction Strategy funded the pilot which is continuing for 2009-10 and the Violence Prevention Initiative funded the research and development work leading up to the pilot.

While the original 2008-09 commitment involved a provincial consultation and planning process, the Department decided to evaluate the St. John's pilot in year one so that these results could better inform a provincial dialogue on the potential for specialized family violence intervention courts. A collaborative approach internal to the justice system as well as involving external partners and stakeholders resulted in recommendations for how to best implement a Specialized Family Violence Intervention Court on a pilot basis in St. John's. This specialized court was launched in March 2009 and addresses the root causes of violent behaviour through specialized offender intervention programs. Additional services are also available to victims and children of families affected by violence. Community partnerships for these specialized services are central to this pilot project.

This court pilot is built on the principles of early intervention, victim safety and offender accountability. This approach does not decriminalize family violence but results in a more holistic and integrated approach, and supports the Strategic Direction entitled Public Protection, Order and Safety.

# Report on Performance 2008-09

<b>Objective 1.1</b>	By 2009, the Department of Justice will have completed provincial consultations and piloted a Specialized Family Violence Intervention Court in St. John's.	
<b>Measure</b>		
Provincial consultations completed		
<b>Indicators</b>	<b>Actual Results</b>	
Number of consultations held	<ul style="list-style-type: none"> <li>Two consultations were held in in October 2008. A total of 46 persons attended the sessions with representation from organizations serving children, victims, and offenders in the area of family violence.</li> </ul>	
Locations of consultations held	<ul style="list-style-type: none"> <li>Based on departmental direction, the initial focus was on a St. John's pilot on an expedited basis, thus consultations were held in St. John's. Additional provincial dialogue will occur after this pilot has been evaluated in order to assess needs, capacity and feasibility in other regions.</li> </ul>	
<b>Measure</b>		
Specialized Family Violence Intervention Court piloted		
<b>Indicators</b>	<b>Actual Results</b>	
Implementation committee established	<ul style="list-style-type: none"> <li>An implementation committee was established. This committee continued from the work of an initial feasibility committee. The feasibility committee was co-chaired by Judge David Orr, Provincial Court and Heather Jacobs, Assistant Deputy Minister, Department of Justice. It was comprised of representatives from Provincial Court, Community Corrections, Victim Services, Policy and Strategic Planning, Legal Aid, Public Prosecutions, Child, Youth and Family Services, Transition House Association of Newfoundland and Labrador, RNC and RCMP. Once implementation of the pilot court began, many members or their designates continued to oversee the implementation process and representatives from Iris Kirby House and the John Howard Society joined the committee.</li> </ul>	
Preferred model determined	<ul style="list-style-type: none"> <li>The preferred model involves a pre-sentence, intervention-based model that was developed based upon best practices identified in specialized courts throughout Canada. It provides intervention to victims, children and offenders.</li> </ul>	
Policies and protocols established	<ul style="list-style-type: none"> <li>Policies and protocols have been established and will continue to be modified, as appropriate, to address offender accountability and victim safety.</li> </ul>	
Specialized Family Violence Intervention Court piloted	<ul style="list-style-type: none"> <li>On March 25th, 2009, the specialized court pilot began at the Provincial Court in St. John's.</li> </ul>	

## Indicators for the 2009-10 Objective

Department of Justice Annual Report 2009-10  
will report on the indicators identified below.

### 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 pilot evaluated

### Indicators

Evaluator engaged

Evaluation framework finalized

Evaluation report completed and submitted

## Strategic Issue 2: Alternative Justice Approaches

<b>Goal 2:</b>	By 2011, the Department of Justice will have enhanced access to the provincial justice system.
<b>Measure</b>	
Enhanced access	

The Department of Justice continued its work towards the achievement of the Strategic Direction entitled Access to Justice in 2008-09 by researching the Gladue or Aboriginal peoples' court model as well as planning for an Adult Alternative Justice Program. This work supports the Department's commitments to the Northern Strategic Plan and the Poverty Reduction Strategy.

The Gladue or Aboriginal peoples' court is named for the 1999 Supreme Court of Canada decision *R. v. Gladue*. This decision provided the Court's first interpretation of s. 718.2 (e) of the *Criminal Code*. The purpose of the Gladue Court is to apply this section of the *Criminal Code* in the way the Supreme Court of Canada has interpreted. In this regard, the courts are to consider the circumstances of Aboriginal offenders when deciding upon the sentence. Specialized courts of this nature have worked in other provinces, and the Department of Justice in Newfoundland and Labrador researched this concept to help determine possible options for this Province.

Research and planning occurred in 2008-09 to develop a model for adult alternative justice programming. This approach would see selected lower level and less serious offences addressed through alternatives to court. Victim safety and offender accountability have been clearly defined as key principles in the approach being considered for implementation.

# Report on Performance 2008-09

<b>Objective 2.1</b>	By 2009, the Department of Justice will have assessed and implemented alternative justice approaches.	
<b>Measure</b>		
Feasibility analysis for Gladue or Aboriginal peoples' court completed		
<b>Indicators</b>	<b>Actual Results</b>	
Other jurisdictions researched	<ul style="list-style-type: none"> <li>Extensive research throughout other Canadian jurisdictions and with other countries was conducted.</li> </ul>	
Appropriate stakeholders engaged	<ul style="list-style-type: none"> <li>Meetings and discussions were held with Innu representatives and justice system officials to explore needs and feasibility.</li> </ul>	
Recommendations prepared	<ul style="list-style-type: none"> <li>Recommendations based on the research, feasibility analysis and a proposal from the Innu helped inform the budget request.</li> </ul>	
<b>Measure</b>		
Adult Alternative Justice Program implemented		
<b>Indicators</b>	<b>Actual Results</b>	
Stakeholder advisory committee established	<ul style="list-style-type: none"> <li>A stakeholder advisory committee has been established and is comprised of representatives of Victim Services, RNC, Public Prosecutions and Legal Aid.</li> </ul>	
Policies and protocols established	<ul style="list-style-type: none"> <li>Draft policies and protocols have been established. These policies and protocols will continue to be modified as feedback is received from the consultation process and throughout the first year of implementation.</li> </ul>	
St. John's services implemented	<p>Research and planning for an alternative justice program occurred in 2008-09. Due to the high priority and focus of responding to the recommendations in the "Decades of Darkness: Moving Towards the Light" corrections review report, the implementation of an adult alternative justice program was delayed beyond 2008-09.</p>	
Number of client referrals made		
Number of successful resolutions achieved		
Gender identified		
Offence types identified		
Community service providers engaged		

## Indicators for the 2009-10 Objective

Department of Justice Annual Report 2009-10  
will report on the indicators identified below.

### Objective 2.2

By 2010, the Department of Justice will have implemented the Adult Alternative Justice Program in areas of the Province.

### Measure

Adult Alternative Justice Program implemented in areas of the Province

### Indicators

St. John's services implemented

Number of client referrals made

Number of successful resolutions achieved

Community service providers engaged

Alternative Justice Program implemented in areas of the Province



## Strategic Issue 3: Public Prosecutions Revitalization

<b>Goal 3:</b>	By 2011, the Department of Justice will have revitalized the Public Prosecutions Division.
<b>Measure</b>	
Public Prosecutions Division revitalized	

The Department of Justice continues to recognize the need to work towards the enhancement of public trust and confidence in the justice system, as per the Strategic Direction entitled Public Trust and Confidence. Since the Lamer Commission of Inquiry Report into the wrongful convictions of three individuals was released in June 2006, the Department has worked diligently to implement the recommendations contained in the report. Public Prosecutions was one of the areas of focus for this Inquiry.

In addition, an internal review of the Public Prosecutions Division was undertaken. This review, entitled "Project Phoenix", resulted in 39 recommendations. An implementation plan was developed to address these recommendations. Additionally, an external review of the division was undertaken by retired Justice William Marshall and is currently in progress.

For 2008-09, resources were dedicated to restructuring the Division of Public Prosecutions, as well as building appropriate supports and staff resources to enable effective and efficient prosecution services. Further work will continue in 2009-10, with the full implementation of the Working Group model. A test Working Group was implemented and operated during the fiscal year. By August 2009, Working Groups will be formed and the model will be operationalized.

# Report on Performance 2008-09

<b>Objective 3.1</b>	By 2009, the Department of Justice will have modified the organizational structure of the Public Prosecutions Division.	
<b>Measure</b>		
Organizational structure modified		
<b>Indicators</b>	<b>Actual Results</b>	
Case supports and supervision for Prosecutors enhanced	<p>Case supports and supervision for Prosecutors was enhanced during the fiscal year in the Eastern Region. Specifically:</p> <ul style="list-style-type: none"> <li>• A new Manager of Support Services position was created and filled which enabled the transfer of immediate accountability for appropriate support and administrative duties from Senior Crown Attorneys. This facilitates more time for Senior Crown Attorneys to focus on legal issues, supervision and mentoring.</li> <li>• Termination Reports, which are reviewed by the Senior Crown Attorney, the Assistant Director of Public Prosecutions and the Director of Public Prosecutions, are now required of Crown Attorneys in all cases in which they terminate proceedings short of adjudication. This process exists to ensure cases are being appropriately dealt with, there is proper application of laws and policy, and developing trends and issues are identified in a timely fashion.</li> <li>• The responsibilities of the paralegals have been expanded to further support the work of Crown Attorneys. Paralegal duties include Traffic Court preparation and assistance with disclosure package vetting and compilation. For particularly complex files, a paralegal may be assigned specifically to the case to provide support to the responsible prosecutor.</li> </ul>	
Unit working groups implemented	<ul style="list-style-type: none"> <li>• Appropriate physical space is critical to the effective implementation of the Working Groups. Delays were experienced during this fiscal year in acquiring suitable space. By August 2009, appropriate space will be located, the Eastern Region offices moved, Working Group Leaders selected, Working Groups formed and the model operationalized.</li> </ul>	
Mentoring process implemented	<ul style="list-style-type: none"> <li>• A mentoring process has been developed to support junior prosecutors. This will be fully implemented when the new office space is occupied.</li> </ul>	

## Indicators for the 2009-10 Objective

Department of Justice Annual Report 2009-10  
will report on the indicators identified below.

### Objective 3.2

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

### Measure

New document handling procedures implemented

### Indicators

Central registry staff hired

Standards and mechanisms established for the management of information

Central file registry operational

## Strategic Issue 4: Labrador and Aboriginal Responses

### Goal 4:

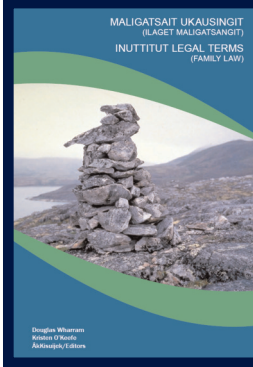
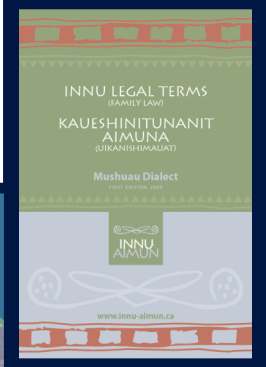
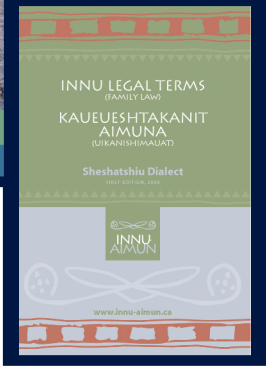
By 2011, the Department of Justice will have further enhanced the interpretation and translation capacity and services within the justice system.

### Measure

Interpretation and translation capacity enhanced

The Department of Justice is committed to finding more effective ways of addressing the needs of Aboriginal people within the justice system, as committed to in the Strategic Direction entitled Labrador and Aboriginal Responses. Significant efforts continued in 2008-09 in partnership with the Northern Strategic Plan. Key areas of focus involved researching the Gladue or Aboriginal peoples' court model and associated services and supports; development and delivery of a Family Law Interpreters Course for Innu and Inuit students; development of family law glossaries in Inuttitut and Innu-aimun; and translation of justice system resource materials. Extensive collaboration made this work possible and included internal sections/divisions within Justice, partnerships with other government departments, Memorial University of Newfoundland, College of the North Atlantic, Public Legal Information Association of NL (PLIAN), Aboriginal communities and the Government of Nunavut.

# Report on Performance 2008-09

<b>Objective 4.1</b>	By 2009, the Department of Justice will have developed Family Law Interpretation resources.	
<b>Measure</b>		
Family Law resources developed		
<b>Indicators</b>	<b>Actual Results</b>	
Glossaries developed	<p>Glossaries were developed for legal terms pertaining to Family Law in Inuttitut and both the Mushuau and Sheshatshiu dialects of Innu-aimun. Workshops were held to develop the glossaries. Participants included persons from Labrador; Aboriginal interpreters; Public Legal Information Association of NL; the Linguistics Department of Memorial University of Newfoundland; the Legal Aid Commission; Child, Youth and Family Services; and Department of Justice staff and justice system officials. The glossaries are available in print form and can also be found online.</p> <div style="display: flex; justify-content: space-around; align-items: center;">    </div>	
Course curriculum developed	Curriculum was developed for the Family Law Interpretation course in partnership with a Steering Committee (Departments of Justice, Education and Health and Community Services, the Public Legal Information Association of NL, College of the North Atlantic, Linguistics Department of Memorial University of Newfoundland, and the Legal Aid Commission).	
Course delivered	The Family Law Interpretation course was delivered in February 2009 at the College of the North Atlantic in Happy Valley-Goose Bay. In March 2009, 13 students graduated from the course: 7 Inuit and 6 Innu.	

## Indicators for the 2009-10 Objective

Department of Justice Annual Report 2009-10  
will report on the indicators identified below.

### Objective 4.2

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

Instruction and training identified or designed, as required

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

## Strategic Issue 5: Criminal Justice System Efficiencies

<b>Goal 5:</b>	By 2011, the Department of Justice will have enhanced efficiencies within the criminal justice system in St. John's.
<b>Measure</b>	
Enhanced criminal justice system efficiencies	

In December 2007, a Task Force was formed to examine the operation of the criminal justice system in the St. John's. The Task Force was asked to place particular emphasis on the processing of cases in the St. John's Provincial Court where the vast majority of criminal and quasi-criminal cases in the Province are heard. The Task Force, which comprised members of the Department of Justice, Provincial Court of Newfoundland and Labrador, Legal Aid, Public Prosecutions and the private bar, was asked to make recommendations to increase efficiency and reduce delay without compromising the fundamental principles of justice. A literature review, as well as an informal consultation with interested and affected parties, was completed and recommendations made.

This strategic issue is consistent with Government's commitment to accountability and the Department's Strategic Direction of Innovation and Efficiencies. To review the full report of the Task Force, please visit the Department of Justice website at: [www.gov.nl.ca/just/](http://www.gov.nl.ca/just/).

# Report on Performance 2008-09

<b>Objective 5.1</b>	By 2009, the Department of Justice will have analyzed and responded to the Report of the Task Force on Criminal Justice Efficiencies.	
<b>Measure</b>		
Response to the Report of the Task Force on Criminal Justice Efficiencies		
<b>Indicators</b>		<b>Actual Results</b>
Analyzed and responded to report	<ul style="list-style-type: none"> <li>On April 23, 2008, the Minister of Justice issued a news release and held a news conference that indicated the report had been analyzed and provided a response to the Report on the Task Force on Criminal Justice Efficiencies.</li> </ul>	
Report released publicly	<ul style="list-style-type: none"> <li>The report was released publicly in April 2008 and can be found on the Department of Justice website at: <a href="http://www.justice.gov.nl.ca/just/">http://www.justice.gov.nl.ca/just/</a>.</li> </ul>	
Developed and publicly released an action plan in response to the recommendations in the report	<ul style="list-style-type: none"> <li>The news release issued by the Minister of Justice on April 23, 2008, outlined an action plan on how the recommendations of the report would be addressed through additional funding and legislative amendments.</li> </ul> <p>As part of the initial response, several improvements were made operationally. These included the establishment of a Legal Aid intake office at the Provincial Court in St. John's and the development of RNC procedures to inform persons being released of their options for legal services. As well, the <i>Provincial Court Act, 1991</i> was ammended to allow for the utilization of per diem judges. Further results will be reported in 2009-10.</p>	



## Indicators for the 2009-10 Objective

Department of Justice Annual Report 2009-10  
will report on the indicators identified below.

### Objective 5.2

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

# Opportunities and Challenges Ahead

This section highlights key challenges and opportunities emerging for the Department of Justice.

## Adult Corrections

In response to various challenges and concerns within the provincial corrections system, consultants were engaged in April 2008 to complete an independent review of the provincial prison system. The report, *“Decades of Darkness: Moving Towards the Light”*, advocated sweeping reform. It articulated the challenges that exist within the system and provided 77 recommendations. The recommendations were organized into 10 themes: organizational requirements, resourcing requirements, labour relations, legislative amendments, policy recommendations relating to inmates, policy recommendations relating to staff, general health, mental health, programming, continuity of institutional and community services. A team has been established to implement the recommendations. When fully implemented, these changes will benefit inmates and staff, improve overall operation and service, as well as enhance public confidence. (The full report can be found by visiting: [http://www.justice.gov.nl.ca/CorrectionsReview\\_report.pdf](http://www.justice.gov.nl.ca/CorrectionsReview_report.pdf)).

## Policing

There have been significant increases to policing resources in the Province in recent years. This has enabled the RNC and the RCMP to enhance their public protection response and presence, build community partnerships and boost training opportunities. Internal trainers delivered joint investigative training for police and social workers on child abuse and family violence. This collaborative approach will enable integrated, sensitive and informed investigative services for vulnerable witnesses and victims.

An emerging challenge for public safety is Internet Child Exploitation (ICE). The scope and complexity of the files is tremendous and the capacity to investigate the volume of these complex files is challenging. Additionally, the nature of this work is mentally and emotionally demanding. In 2008-09, one officer was provided to each of the RCMP and RNC police forces to enhance their capacities in this area.

Both police forces in the Province face high numbers of retirements. Accordingly, recruitment is critical. In 2009-10, approximately 30% of the uniformed RNC officers will be eligible to retire. This percentage will increase to 38% in 2010 and 44% in 2011. The RNC has been planning for these retirements and has been recruiting new cadets since 2004. The RCMP is also conducting recruitment drives. Both police forces, however, recognize the challenges associated with competing within the policing community throughout Canada in their recruitment efforts. Both forces also recognize the energy and renewal that significant numbers of new officers will bring to their forces.

## Specialized Responses

Specialized courts which focus on root causes of criminal behaviour and that employ a collaborative or team approach create distinct opportunities in how certain crimes are addressed. The development of a Specialized Family Violence Intervention Court and the research and assessment of specialized responses for Aboriginal communities present real opportunities to do things differently while remaining focused on offender accountability and victim safety. With these specialized courts, community intervention services are typically engaged for offenders, victims and children. Such models present exciting opportunities for internal, integrated information sharing, enhanced community partnerships and most importantly, creating safer families and communities.

## Public Prosecutions

The Public Prosecutions Division continues to be in a state of change as it addresses recommendations received from the Lamer Commission of Inquiry and the Project Phoenix Review. While most of the recommendations have been implemented, there is still work to be done. These challenges have provided an opportunity for renewed resolve and commitment to provide the best possible service in accordance with the principles of justice.

If you don't like the way the world is, you change it.  
You have an obligation to change it.  
You just do it one step at a time.

*~ Marian Wright Edelman*



# Appendices

**DEPARTMENT OF JUSTICE  
STATEMENT OF EXPENDITURE AND RELATED REVENUE  
FOR THE YEAR ENDED 31 MARCH 2009 (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 2009” (unaudited).

You can obtain a copy of the full report by visiting:  
<http://www.fin.gov.nl.ca/ComptrollerGeneral/publications.htm>

or by contacting:

**Comptroller General's Office  
P.O. Box 8700  
St. John's, NL  
A1B 4J6**

**Phone: (709) 729-2341**

# Appendix A: Financial Statements

		Estimates		
		Actual (\$)	Amended (\$)	Original (\$)
1.1.01.	Minister's Office .....	271,588	274,500	253,400
1.2.01.	Executive Support .....	1,376,970	1,420,000	1,064,200
1.2.02.	Administrative and Policy Support .....	2,307,897	2,625,300	2,718,200
	Less Related Revenue (Federal) .....	(158,761)	(347,300)	(347,300)
	Less Related Revenue (Provincial) .....	(108,517)	(63,000)	(63,000)
1.2.03.	Strategic Human Resource Management .....	1,454,253	1,518,100	1,082,400
1.2.04.	Legal Information Management .....	987,281	990,300	934,700
	Less Related Revenue (Provincial) .....	(32,136)	(29,000)	(29,000)
1.2.05.	Administrative Support .....	1,442,714	1,990,600	2,035,600
1.3.01.	Fines Administration .....	963,789	974,400	961,300
	Less Related Revenue (Provincial) .....	(726,842)	(700,000)	(700,000)
2.1.01.	Civil Law .....	8,963,560	9,522,200	8,979,500
	Less Related Revenue (Provincial) .....	(80,409)	(-)	(-)
2.1.02.	Sheriff's Office .....	4,157,005	4,175,700	3,766,000
	Less Related Revenue (Provincial) .....	(4,247)	(-)	(-)
2.1.03.	Support Enforcement .....	1,407,056	1,651,300	1,586,600
	Less Related Revenue (Federal) .....	(414,597)	(561,500)	(561,500)
2.1.04.	Access to Information and Protection of Privacy .....	343,649	381,400	684,700
	Less Related Revenue (Provincial) .....	(876)	(-)	(-)
2.2.01.	Criminal Law .....	6,309,297	6,526,400	7,001,000
2.3.01.	Legal Aid and Related Services .....	12,711,400	12,926,400	12,171,000
	Less Related Revenue (Federal) .....	(117,974)	(2,313,900)	(2,313,900)
2.3.02.	Commissions of Inquiry .....	3,861,736	3,906,900	1,967,100
2.3.03.	Office of the Chief Medical Examiner .....	587,777	624,100	513,300
2.3.04.	Human Rights .....	878,395	911,700	796,500
2.4.01.	Legislative Counsel .....	400,792	413,200	513,900
3.1.01.	Supreme Court .....	5,701,389	5,731,700	5,199,600
	Less Related Revenue (Federal) .....	(19,285)	(15,600)	(15,600)
	Less Related Revenue (Provincial) .....	(319,126)	(272,000)	(272,000)
3.2.01.	Provincial Court .....	9,462,420	9,498,900	9,049,900
	Less Related Revenue (Provincial) .....	(15)	(-)	(-)
3.3.01.	Court Facilities .....	8,378,207	16,805,200	17,543,700
4.1.01.	Royal Newfoundland Constabulary .....	40,651,219	40,812,300	40,568,300
	Less Related Revenue (Federal) .....	(749,888)	(894,700)	(894,700)
	Less Related Revenue (Provincial) .....	(370,354)	(280,200)	(280,200)
4.1.02.	Royal Canadian Mounted Police .....	56,582,232	56,959,500	54,815,700
	Less Related Revenue (Federal) .....	(650,000)	(650,000)	(-)
	Less Related Revenue (Provincial) .....	(-)	(190,200)	(840,200)
4.1.03.	Public Complaints Commission .....	215,910	233,700	268,400
4.1.04.	Royal Newfoundland Constabulary (Capital) .....	2,080,374	2,086,600	2,250,000
4.2.01.	Adult Corrections .....	29,812,343	30,246,500	24,530,600
	Less Related Revenue (Federal) .....	(2,760,566)	(3,634,400)	(3,634,400)
	Less Related Revenue (Provincial) .....	(906,169)	(624,000)	(624,000)
4.2.02.	Youth Secure Custody .....	6,969,472	7,082,300	7,065,500
	Less Related Revenue (Federal) .....	(3,628,467)	(3,023,600)	(3,023,600)
	Less Related Revenue (Provincial) .....	(610)	(-)	(-)
4.3.01.	Safer Communities and Neighbourhoods .....	2,571	44,900	311,400
5.1.01.	Inland Fisheries Enforcement .....	2,091,426	2,160,500	2,045,400
	Total Expenditures - Department of Justice	210,372,722	222,494,600	210,677,900
	Total Related Revenue	(11,048,839)	(13,599,400)	(13,599,400)
<b>TOTAL: DEPARTMENT</b>		<b>199,323,883</b>	<b>208,895,200</b>	<b>197,078,500</b>

# Appendix B: Indicators for 2009-10

## Indicators for 2009-10

**Department of Justice Annual Report 2009-10 will report on the following:**

### **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 pilot evaluated

#### **Indicators**

Evaluator engaged

Evaluation framework finalized

Evaluation report completed and submitted

### **Objective 2.2**

By 2010, the Department of Justice will have implemented the Adult Alternative Justice Program in areas of the Province.

#### **Measure**

Adult Alternative Justice Program implemented in areas of the Province

#### **Indicators**

St. John's Services implemented

Number of client referrals made

Number of successful resolutions achieved

Community service providers engaged

Alternative Justice Program implemented in areas of the Province



# Appendix B: Indicators for 2009-10

## Indicators for 2009-10

### Objective 3.2

By 2010 the Public Prosecutions Division will have implemented new document handling procedures.

#### Measure

New document handling procedures implemented

#### Indicators

Central registry staff hired

Standards and mechanisms established for the management of information

Central file registry operational

### Objective 4.2

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

Instruction and training identified or designed, as required

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

### Objective 5.2

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

# Appendix C: 2008-11 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.

<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			√	
Adult Alternative Justice		√		



# Appendix C: 2008-11 Strategic Directions

### 3. Title: Public Trust and Confidence

**Outcome Statement:** 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			√	



# Appendix D: Public Entities Annual Reports

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. The reports of these entities 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 E.*



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.







# Department of Justice

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