

PUBLIC PROSECUTION
SERVICE OF CANADA

Departmental
Performance Report

2007-2008

The Honourable Robert Douglas Nicholson
Attorney General of Canada





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SECTION I — ORGANIZATIONAL OVERVIEW

Message from the Attorney General of Canada

As Attorney General of Canada, I am pleased to submit the Public Prosecution Service of Canada's first Departmental Performance Report, covering the period ending March 31, 2008.

The Public Prosecution Service of Canada (PPSC) was created by the *Director of Public Prosecutions Act* on December 12, 2006, when Part 3 of the *Federal Accountability Act* came into force. This report covers the PPSC's first full year of operation.

The creation of the PPSC was an important step in the evolution of Canada's criminal justice system and an indication of how Canada has moved forward in ensuring independence, transparency and accountability in federal prosecutions.

This report provides an account of the PPSC's performance and results in delivering on the Strategic Outcome outlined in its Program Activity Architecture, namely to "Prosecute criminal offences under federal law in a manner that is independent of any improper influence and respects the public interest."

The measurement of PPSC performance in a number of key national roles is also included to describe its fulfillment of the Attorney General's criminal litigation responsibilities.

I would like to acknowledge the PPSC's efforts and accomplishments over the past year in its work conducting prosecutions, providing legal advice and helping law enforcement and investigative agencies across Canada in their efforts to tackle crime.

I look forward to continuing to work with our partners to achieve our goals and promote a safer Canada.

Original copy signed by

The Honourable Robert Douglas Nicholson
Attorney General of Canada



Management Representation Statement

I submit for tabling in Parliament, the 2007-2008 Departmental Performance Report for the Public Prosecution Service of Canada (PPSC).

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2007-2008 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the Treasury Board Secretariat guidance;
- It is based on the PPSC's Strategic Outcome and Program Activity Architecture that were approved by the Treasury Board;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved numbers from the Estimates and the Public Accounts of Canada in the DPR.

Original copy signed by

Brian Saunders
Acting Director of Public Prosecutions



Summary Information

This Departmental Performance Report (DPR) presents information on the activities and achievements of the Public Prosecution Service of Canada (PPSC) in fiscal year 2007-2008 against the expected results and priorities described in the *Report on Plans and Priorities for 2007-2008*.

The PPSC was created on December 12, 2006 with the coming in force of the *Director of Public Prosecutions Act*, Part 3 of the *Federal Accountability Act*. The PPSC replaced the former Federal Prosecution Service of the Department of Justice Canada. This is the PPSC's first DPR because its performance information for 2006-2007 appeared within the Department of Justice's report for that fiscal year.

Consistent with guidance provided by the Treasury Board of Canada Secretariat, this *2007-2008 Departmental Performance Report* and the accompanying financial tables are presented using the Government's Program Activity Architecture (PAA) Framework. The PAA structure is being used by the PPSC to present information on accomplishments against its plans and priorities.

The mandate of the PPSC is to provide prosecutorial advice and litigation support to law enforcement and investigative agencies, and to prosecute on behalf of the Crown, all offences falling within the jurisdiction of the Attorney General of Canada. The PPSC's sole strategic outcome is the prosecution of criminal offences under federal law in a manner that is independent of any improper influence and respects the public interest.

The PPSC undertakes key duties on behalf of the Attorney General of Canada. These key duties, to be carried out in an objective and non-partisan manner, are:

- **The duty to act independently in making decisions related to criminal prosecutions** – This constitutional principle recognizes that decisions to prosecute, stay proceedings or launch an appeal must be made solely in accordance with legal criteria. The public interest must be taken into account, but not considerations of a partisan political nature.
- **The duty to act independently in providing prosecution-related legal advice** – Prosecutors and investigative agencies play complementary yet independent roles in the criminal justice system. While prosecutors may provide advice to investigative agencies, they cannot be drawn into any agency's policy making and program administration such that their ability to provide impartial, accurate and effective legal advice is undermined.

The PPSC prosecutes cases under federal statutes that are referred to it by the RCMP, and other federal investigative agencies, as well as provincial and municipal police forces.

The PPSC's prosecution-related work is part of the criminal justice continuum, which includes investigative agencies, law enforcement, courts and other parts of the criminal justice system. Prosecution-related advice during the police investigation has become crucial to ensure that investigative techniques and procedures are consistent with evolving rules of evidence and the *Canadian Charter of Rights and Freedoms*. The advantage of early prosecutorial advice includes reducing the risk that operational decisions, such as those about methods of obtaining evidence, will detrimentally affect the admissibility of evidence at trial.

Reason for Existence

The mandate of the Public Prosecution Service of Canada (PPSC) is to provide prosecutorial advice and litigation support to law enforcement and investigative agencies, and to prosecute on behalf of the Crown, all offences falling within the jurisdiction of the Attorney General of Canada.

The PPSC plays an integral role in the criminal justice system, promoting respect for the rule of law and working to uphold the rights guaranteed by the *Charter*. The benefits to Canadians from the work carried out by the PPSC include:

- Promotion of *Charter*-compliant investigations through the provision of legal advice to investigative agencies;
- Effective enforcement of Canada's federal laws through principled and independent decisions by prosecutors; and
- Increased confidence in the administration of justice through professionally conducted prosecutions that result in a judicial determination on the merits of the evidence.

Financial Resources (\$ millions)

Planned Spending	Total Authorities	Actual Spending
125.3	119.2	109.9

Human Resources (full-time equivalents)

Planned	Actual	Difference
724	748	24

Organizational Priorities

Name	Type	Performance Status
A – Prosecuting criminal offences under federal law	Ongoing	The PPSC provided prosecutorial advice and litigation support to law enforcement and investigative agencies and handled 67,901 prosecution files, independent of any improper influence and in the public interest.
B – Contributing to strengthening the criminal justice system	Ongoing	The PPSC participated fully in federal/provincial/territorial forums, contributed to law enforcement efforts at the international level, thereby addressing criminal justice issues of common interest, and contributed to improving the efficiency of the criminal justice system by providing legal training to prosecutors and law enforcement investigators.
C – Addressing the sustainability of the Public Prosecution Service of Canada	Ongoing	As a newly created organization, the PPSC laid the foundations of its corporate and administrative services while ensuring continuity of operations through agreements on shared services with the Department of Justice.

Program Activities by Strategic Outcome

(\$ millions)	Expected Results	Performance Status	2007-2008		Contributes to the following priority
			Planned Spending	Actual Spending	
Strategic Outcome: Prosecute criminal offences under federal law in a manner that is independent of any improper influence and respects the public interest.					
Program Activity #1: Prosecution of drug, organized crime and <i>Criminal Code</i> offences	Decisions on merit Effective pre-charge interventions / advice	Successfully met expectations	99.2	85.9	Priority A
Program Activity #2: Prosecution of federal offences to protect the environment, natural resources, economic and social health	Decisions on merit Effective pre-charge interventions / advice	Successfully met expectations	19.9	18.8	Priority A
Program Activity #3: Addressing criminal issues, in the context of prosecutions, to contribute to a safer world for Canada	Decisions on merit Effective pre-charge interventions / advice	Successfully met expectations	5.1	4.4	Priority A
Program Activity #4: Promoting a fair and effective justice system that reflects Canadian values within a prosecutorial context	Practical knowledge and training on criminal law topics provided to staff prosecutors, agents and senior law enforcement investigators Promotion of federal/provincial /territorial and international cooperation on prosecution issues to strengthen the criminal justice system	Successfully met expectations	1.1	0.8	Priority B

Section II: Analysis of Program Activities by Strategic Outcome provides details on the performance status of each of these program activities and related priorities.

Section IV: Other Items of Interest deals with activities carried out under Priority C - Addressing the sustainability of the Public Prosecution Service of Canada.

1.2 Summary of Organizational Performance

1.2.1 Progress by Organizational Priorities

Priority A: Prosecuting criminal offences under federal law

This priority of the PPSC encompasses the work of the organization in carrying out its first three program activities. The total PPSC caseload under these activities reached 67,901¹ files in 2007-2008. The highlights of our achievements for the fiscal year with respect to these program activities are as follows:

Program Activity #1: Prosecuting drug, organized crime and *Criminal Code* offences

- In 2007-2008, the PPSC handled 50,676 prosecution files related to offences under the *Controlled Drugs and Substances Act*. This included cases prosecuted by staff counsel and by private-sector legal agents, and represented approximately 75 per cent of the total number of files that the PPSC prosecuted.
- The RCMP and other police forces have been increasingly focusing resources on organized crime. Their investigations are usually complex and raise the need to manage the disclosure of evidence throughout the investigations. As a result, the PPSC is often called upon to work closely with the police. In 2007-2008, the PPSC prosecuted approximately 575 cases related to organized criminal activity.
- The PPSC is responsible for seizing and restraining proceeds of crime as well as property used in the commission of offences. During the year in review, most of the offences that generated proceeds of crime and involved the seizure of property used in the commission of offences (offence-related property) were drug offences. In 2007-2008, proceeds of crime offences and offence-related property were identified in 5,402, or almost 11 per cent, of all drug prosecutions conducted by the PPSC.
- The PPSC also prosecutes all *Criminal Code* offences in the three northern territories. In 2007-2008, this represented 7,321 prosecution files.

¹ Caseload figures in this report differ from those published in the *Public Prosecution Service of Canada Annual Report 2007-2008*, which was prepared while final numbers were still being collected and compiled.

Program Activity #2: Prosecution of federal offences to protect the environment, natural resources, economic and social health

- Prosecutions related to the environment, natural resources, and economic and social health comprised the second-largest category of offences after drug prosecutions. In 2007-2008, the PPSC was responsible for approximately 7,495 files involving these types of prosecutions, which represented about 11 per cent of the total number of PPSC files.
- As part of its work to fight economic crime, the PPSC prosecutes *Income Tax Act* offences such as tax evasion and *Bankruptcy and Insolvency Act* offences. In 2007-2008, PPSC members of the Integrated Market Enforcement Teams (IMETs) continued to provide legal advice to investigators on several ongoing investigations. The PPSC worked with its IMET partners to implement recommendations from a report commissioned by the RCMP and designed to improve the effectiveness of IMETs.
- In the area of competition law, the PPSC handles prosecutions under the *Competition Act* and several other regulatory statutes that are administered by the Commissioner of Competition, who oversees the Competition Bureau. In 2007-2008, the PPSC worked on 60 cases, 14 of which were adjudicated by the courts.

Program Activity #3: Addressing criminal issues, in the context of prosecutions, to contribute to a safer world for Canada

- In 2007-2008, the PPSC was responsible for prosecuting four cases involving terrorism-related offences. They accounted for approximately 3 per cent of the total of all in-house counsel time for the fiscal year.
- The PPSC pursued its participation in the Integrated Border Enforcement Teams (IBETs) program which promotes integrated enforcement along the Canada-United States border.
- During 2007-2008, the PPSC prosecuted offences alleged to have occurred in Rwanda in 1994. This was Canada's first-ever prosecution under the *Crimes Against Humanity and War Crimes Act*.

Priority B: Contributing to strengthening the criminal justice system

During 2007-2008, the PPSC continued to contribute to the government priority of strengthening the justice system across Canada. Some of the highlights were the following:

- PPSC counsel provided training to police officers across Canada on numerous criminal law matters, including search warrants, disclosure obligations, wiretaps and informant-related issues.
- The PPSC co-chaired two meetings of the Federal-Provincial-Territorial Heads of Prosecutions Committee, which coordinates many aspects of criminal law practice across Canada.
- The PPSC participated in law enforcement efforts at the international level. For example, the PPSC jointly organized the Heads of Prosecuting Agencies Conference in 2007 with the Director of Criminal and Penal Prosecutions of Quebec.
- It also participated in the Federal/Provincial/Territorial Coordinating Committee of Senior Officials (CCSO) through which it provides prosecutorial and operational expertise and advice on criminal law reform issues, and the Uniform Law Conference of Canada (ULCC) where it provides input into recommendations for changes to federal criminal legislation.
- The PPSC's School for Prosecutors conducted two intensive one-week courses in August 2007 — one fundamental, the other advanced — involving a total of 70 participants. The programs promote professional development relevant to the prosecution function, through the delivery of practical and academic training to prosecutors and legal agents.

Finally, the PPSC identified as priorities for 2007-2008 the review of the *Federal Prosecution Service Deskbook* and the development of best practices for combating fraud against government. Progress on the *Deskbook* was slower than anticipated due to workload issues. As a result, steps were taken in early 2008 to initiate the staffing of a senior-level position to oversee this initiative. Work is well under way with respect to the best practices priority.

Priority C: Addressing the sustainability of the Public Prosecution Service of Canada

During 2007-2008, the PPSC's corporate priorities focused on providing the necessary support to its staff and building the organization's corporate structure. Throughout the year, the PPSC continued to improve its capacity to function administratively as an independent organization. A number of measures were taken, including the introduction of a governance structure for the resolution of legal issues, and the implementation of a governance committee structure that includes the Finance, Human Resources and Information Management/Information Technology committees, the Senior Advisory Board and the Executive Council. Several senior complement positions were created to reflect the work done by prosecutors and to provide them with a career path within the organization. Still in the area of human resources management, the PPSC adopted a strategic plan pursuant to the *Official Languages Act*, and implemented an infrastructure for effective labour-management consultations and communications.

1.2.2 Operating Environment and Challenges

Operational Trends

The PPSC worked on a total of 67,901 files in 2007-2008, compared to 63,801 files in 2006-2007, a year-over-year increase of 4.5%.² Of this total, approximately 86% were in the program area of prosecution of drug, organized crime, and *Criminal Code* offences; 11% involved the prosecution of federal offences to protect the environment, natural resources, economic and social health; 1% addressed criminal issues related to contributing to a safer world for Canada; and the remaining 2% focused on related litigation issues.

The increasing volume does not tell the entire story. A small percentage of highly complex cases absorb a disproportionate share of the total resources of the PPSC. By way of example, organized crime cases, combined with other types of cases of high complexity, represented approximately only 3.3% of the litigation caseload in 2007-2008 but approximately 23% of the recorded litigation time of PPSC counsel and paralegals. A relatively small increase in the number of organized crime cases, in response to strengthened law enforcement efforts across Canada, may have a disproportionate impact on the demand for prosecutorial resources. As well, a single mega-case can absorb more prosecutorial resources than several hundred low-complexity cases. In 2007-2008, mega cases accounted for 0.2% of total caseload, but absorbed approximately 9% of recorded litigation time.

² This is a count of actual cases generated by the PPSC's case management system (iCase) and does not include all of the files related to each case, nor does it include Fine Recovery and Agent Supervision.

External and Internal Influences Facing the PPSC

The PPSC is subject to a variety of external and internal influences, described below.

International crime networks: The globalization of crime networks has introduced new and powerful dangers to national and global security. These networks are involved in organized crime, trafficking in human beings, telemarketing fraud, money laundering and drug trafficking. International criminal networks exploit national borders in an attempt to thwart the efforts of authorities in their battle to prevent transnational crime. This world reality makes it imperative for the PPSC and other organizations to work effectively with international partners to challenge the serious threats posed by these international criminal networks, to uphold the rule of law, and to enhance safety and security at home and abroad.

Government initiatives: The PPSC has an important role to play in supporting several government initiatives announced in Budgets 2006 and 2007 and in the 2006 and 2007 Speeches from the Throne. These initiatives include ensuring the integrity of all components of the federal justice system, tackling crime and strengthening the security of Canadians.

Workload and rising operational costs: As the PPSC's workload increases, prosecution costs are directly affected. The PPSC's workload is affected by investigative decisions regarding priorities, tactics and allocation of resources. Increases in drug enforcement or policing resources significantly affect the nature and volume of the PPSC caseload. Changes in police tactics to focus on the upper echelons of organized crime groups to maximize deterrence, disruption and dismantling rather than on individuals in the lower ranks, affect the complexity and cost of prosecutions.

Thus, the cost of prosecuting organized crime and complex cases is far greater than simple possession drug cases, since the former types of cases often involve multiple accused and charges, complex evidence (both factually and legally), international dimensions, extensive disclosure and numerous pre-trial applications. Similarly, investigative decisions in non-drug cases may lead to complex regulatory prosecutions related to the protection of the environment and natural resources, and complex economic crime cases involving tax evasion, market manipulation or complex fraudulent transactions under the *Income Tax Act*, the *Competition Act* and the *Criminal Code*.

The North: Reported crime rates in the North are much higher compared to the rest of Canada. Crown prosecutors assigned to the North face stressful working conditions and pressures associated with the remoteness of the communities involved. In addition, the circuit court system in the North raises specific challenges in terms of the time spent away from home and wellness issues.

Competition for scarce resources: The salaries of prosecutors and lawyers in the marketplace continue to increase, which affects the PPSC's ability to recruit and retain both its highly-skilled prosecutors and outside legal agents.

Security of staff: Ensuring the safety and security of its employees is a PPSC priority. The PPSC has established a Security Committee to ensure that appropriate security measures are developed and implemented to protect its prosecutors and other employees.

Federal/provincial/territorial cooperation within the prosecution community: There are shared issues and challenges faced by the federal and provincial prosecution services, which benefit from collaboration under the leadership of the Federal/Provincial/Territorial Heads of Prosecution Committee. The Committee works to promote inter-jurisdictional cooperation and assistance on operational issues such as organized crime prosecutions, proceeds of crime, expert witnesses and prosecutor training and security. This collaboration with key stakeholders in the criminal justice system is an important element of the operating context of the PPSC.

Provision of Support Services: The PPSC is in large part still dependent on the Department of Justice Canada for transactional services in the areas of human resources, financial management, information technology and information management. As the PPSC builds up capacity in these areas, this dependency will decrease.

SECTION II — ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

The Public Prosecution Service of Canada supports the Attorney General of Canada in the discharge of his criminal law mandate – in particular its work supports the priorities of prosecuting criminal offences under federal law and contributing to strengthening the criminal justice system.

Over 50 federal statutes confer prosecution and prosecution-related responsibilities on the Attorney General of Canada. These duties are carried out by the PPSC. In all provinces and territories, except Quebec and New Brunswick, the PPSC has responsibility for the prosecution of all drug offences under the *Controlled Drugs and Substances Act*, regardless of whether a federal, provincial, or municipal police agency lays the charges. In Quebec and New Brunswick, the PPSC is responsible for drug charges laid by the RCMP only.

In addition, in all provinces and territories, the PPSC prosecutes violations of federal statutes, such as the *Fisheries Act*, the *Income Tax Act*, the *Excise Act*, the *Customs Act*, the *Canadian Environmental Protection Act*, the *Elections Act*, the *Competition Act* and the *Canada Shipping Act* as well as conspiracies and attempts to violate these statutes. In the provinces, the PPSC also prosecutes certain *Criminal Code* offences, including those related to terrorism as well as criminal organizations, money laundering and proceeds of crime. In the three territories, the PPSC is responsible for prosecuting all *Criminal Code* offences.

Hence, the PPSC performs a number of key national roles in fulfilling the criminal litigation responsibilities of the Attorney General of Canada, including:

- Providing legal advice to law enforcement agencies and investigative bodies on criminal investigations³;
- Providing litigation support during the investigative stage, including wiretap applications and orders to produce evidence;
- Conducting charge review and exercising the Attorney General's discretion to prosecute;

³ The PPSC places operational priority for providing prosecution related advice during the investigative stage primarily on cases involving a high level of complexity and legal risk.

- Conducting legal risk assessment and management, and developing prosecution plans to manage mega cases;
- Prosecuting cases on behalf of the Federal Crown;
- Conducting appeals and interventions in all levels of Court on behalf of the Federal Crown;
- Training prosecutors and investigators;
- Communicating with the media; and
- Acting as a centre of expertise for criminal law, national security and federal prosecution matters, and providing policy advice in the development of amendments to federal statutes relevant to the criminal justice system.

Our progress in achieving the Strategic Outcome of the PPSC is summarized in the following table:

Strategic Outcome	Key Performance Indicators	Results		
Prosecute criminal offences under federal law in a manner that is independent of any improper influence and respects the public interest	<ul style="list-style-type: none"> • Total time spent on files, as well as total number of files 	<ul style="list-style-type: none"> • The PPSC caseload in 2007-2008 totalled 67,901 files • The total time spent on active files was 621,288 hours 		
	<ul style="list-style-type: none"> • Breakdown of in-house caseload by level of complexity 	Level of complexity	% of files by level of complexity	% of hours (time spent) by level of complexity
	<ul style="list-style-type: none"> • Mega 	0.2%	9%	
	<ul style="list-style-type: none"> • High 	3.3%	23%	
	<ul style="list-style-type: none"> • Moderate 	35.9%	29%	
<ul style="list-style-type: none"> • Low 	60.6%	39%		

Information on trends in performance for each of the four program activities is described in the following pages.

2.1 Program Activity 1: Prosecution of drug, organized crime and *Criminal Code* offences

Financial Resources (\$ millions)

Planned Spending	Authorities	Actual Spending
99.2	94.4	85.9

Human Resources (FTEs)

Planned	Actual	Difference
573	583	10

Description of Activity

Under this program activity, the PPSC provides prosecution-related advice and litigation support during police investigations, and prosecutes all drug charges under the *Controlled Drugs and Substances Act*, regardless of whether a federal, provincial or municipal police agency lays the charges, except in the case of Quebec and New Brunswick, where the PPSC prosecutes only drug charges laid by the RCMP. Many of these cases involve organized crime. In the provinces, the PPSC prosecutes certain *Criminal Code* offences, including those related to terrorism as well as criminal organizations, money laundering and proceeds of crime. Pursuant to agreements and arrangements with the provinces, the PPSC also prosecutes *Criminal Code* offences where they are related to drug charges and the drug aspect forms the major part of the case. In the three territories, the PPSC prosecutes all *Criminal Code* offences.

Results: Program Activity #1

Expected Results	Key Performance Indicators	Results		
		Decisions	# of files	% of total files
• Decisions on merit	• Number and percentage of litigation files decided on merit, based on most serious crime: guilty plea; guilty plea (other/lesser offence); conviction; conviction (other/lesser offence); and, acquittal	Guilty plea	10,906	75.6%
		Guilty plea (other/lesser offence)	604	4.2%
		Conviction	2,284	15.8%
		Conviction (other/lesser offence)	53	0.4%
		Acquittal	584	4.0%
		Total	14,431	100.0%
		• Effective pre-charge interventions/ advice	• New files where pre-charge advice provided	• 36%

Drug Prosecutions

In 2007-2008, the PPSC handled 50,676 prosecution files related to offences under the *Controlled Drugs and Substances Act*. This number included cases prosecuted by staff counsel and by private-sector legal agents, and represented approximately 75 per cent of the files that the PPSC prosecuted. These cases covered a broad range of criminal activity. For example, the PPSC prosecuted cases of possession of marihuana, trafficking in crack cocaine on street corners, producing methamphetamine or growing marihuana in residential communities, or importing shipments of cocaine. Some cases were relatively straightforward, while others raised complex legal issues and required weeks, or even months, of testimony.

In recent years, several jurisdictions have established drug treatment courts to help address the problem posed by addiction-motivated crime. The drug treatment court model is predicated on the notion that reducing recidivism rates for such crime can sometimes be best achieved by addressing the underlying addiction to drugs. In this model, prosecutors, judges, treatment providers and other personnel work together to provide intensive supervision, monitoring and support for participants admitted into the program.

Drug treatment courts operate in six major Canadian centres, five of which are staffed by PPSC prosecutors. (The Regina Drug Treatment Court is staffed by prosecutors from the Ministry of the Attorney General of Saskatchewan). The Vancouver, Edmonton, Winnipeg, Toronto and Ottawa drug treatment courts collectively accepted 301 accused persons into their respective programs in 2007-2008.

Organized Crime

The RCMP and other Canadian police forces are increasingly focusing resources on organized crime. Their investigations in this area are usually complex and there is a need to manage the disclosure of evidence throughout the investigations. As a result, the PPSC is often called upon to work closely with the police during the investigative stage.

The increase in organized crime investigations has led to an increase in the number of complex prosecutions, including the phenomenon of mega-cases, prosecutions of extraordinary scope and complexity that can require the full-time assignment of several prosecutors for lengthy periods. In 2007-2008, the PPSC prosecuted approximately 545 cases related to organized criminal activity. While this represented approximately 2 per cent of the number of files prosecuted during the year, the time spent on them amounted to almost 20 per cent of total time recorded by PPSC counsel.

The PPSC follows a mega-case policy, which is included in the *Federal Prosecution Service Deskbook*, to implement the lessons learned in the management of these cases. The policy requires the early involvement of prosecutors, the preparation of a prosecution plan at an early stage, and the review of each mega-case prosecution plan by the PPSC's National Prosecution Advisory Committee.

The PPSC is an active participant in the Federal-Provincial-Territorial Heads of Prosecution Committee. The Director of Public Prosecutions is permanent co-chair, and the PPSC provides the administrative and secretarial support to the Committee and is responsible for the agenda of its meetings. With the assistance of provincial prosecution officials, the FPT Heads Committee enables a sharing of information, precedents, and best practices relating to organized crime prosecutions. In 2007-2008, the Committee moved forward on the full implementation of the National Organized Crime Database, a secure Extranet site for prosecutors specializing in organized crime cases that contains a case law and precedents library, as well as a discussion section. The site was demonstrated to the Canadian Association of Chiefs of Police and to the Criminal Intelligence Service of Canada, who have both expressed interest in supporting the site.

Proceeds of Crime and Offence-Related Property

The PPSC is responsible for seizing and restraining proceeds of crime as well as property used in the commission of offences (offence-related property). During the year in review, most of the offences that generated proceeds of crime and offence-related property were drug offences. By way of example, PPSC counsel restrained bank accounts into which proceeds of crime had been placed and prosecuted account owners for possession of proceeds of crime. A person who has used a residence to produce marihuana may have the house forfeited upon being convicted of producing a controlled substance. In 2007-2008, proceeds of crime offences and offence-related property were identified in 5,402 files prosecuted by the PPSC.

The PPSC is an active partner in the Integrated Proceeds of Crime (IPOC) initiative, created in 1996. The initiative contributes to the disruption and deterrence of targeted organized criminal groups by pursuing their illegally obtained proceeds and assets. Under the initiative, 12 IPOC units are funded across the country. These units are staffed with PPSC counsel, RCMP and other police force members, forensic accountants and Public Works and Government Services Canada asset managers. The PPSC provides Crown counsel to the IPOC units, prosecutors to prosecute money laundering and proceeds of crime charges, and a counsel at PPSC headquarters to manage and coordinate legal issues arising from proceeds of crime and money laundering cases.

Prosecutions in Canada's North

In Canada's three territories, the PPSC prosecutes all *Criminal Code* offences and all offences under other federal legislation. In 2007-2008, the PPSC prosecuted 8,189 files in the territories, including 7,321 *Criminal Code* offences, 406 drug offences, 235 regulatory offences and 227 various other offences.

Prosecutors who practice in the territories benefit from cultural sensitivity training to better understand the communities they serve. PPSC Crown Witness Coordinators, who are members of the local cultural communities, provide invaluable assistance in this area. In 2007-2008, the PPSC Yukon Regional Office provided an intensive three-day cultural session, where prosecutors spent time on the land, and heard from a number of long-time residents who spoke passionately about subjects such as residential school issues, traditional medicines and the challenges faced by Aboriginal justice committees.

The session received positive feedback from participants. PPSC offices in the North will continue to work on approaches to providing this training annually, in order to reach all northern prosecutors.

In 2007-2008, the PPSC appointed a headquarters special advisor on northern issues with a mandate to address the special training, recruitment and retention needs in the territories. The special advisor focused on developing a stronger relationship with provincial counterparts because their case profiles are similar to those in the PPSC northern offices.

2.2 Program Activity 2: Prosecution of federal offences to protect the environment, natural resources, economic and social health

Financial Resources (\$ millions)

Planned Spending	Authorities	Actual Spending
19.9	19.2	18.8

Human Resources (FTEs)

Planned	Actual	Difference
115	127	12

Description of Activity

Under this program activity, the PPSC provides prosecution-related advice and litigation support to federal investigative agencies, and prosecutes all non-drug prosecutions under 50 federal statutes, including regulatory offences and economic crimes.

Specialized teams of prosecutors are dedicated to prosecutions where expert knowledge of specific legislation is required. By way of example, the offices in Toronto, Montreal and Vancouver dedicate resources to economic crime prosecutions, whereas the Atlantic Regional Office has a dedicated team of counsel devoted full time to prosecuting fisheries offences, in addition to an economic crime team.

The PPSC provides advice on and prosecutes complex capital market fraud cases. PPSC legal advisors are part of the RCMP's Integrated Market Enforcement Teams (IMETs) that investigate suspected capital market fraud offences. The teams also include RCMP officers and other investigators, such as forensic accountants. Where provincial attorneys general decline to prosecute, the PPSC may prosecute complex capital market fraud cases referred by the IMETs.

As well, a group of PPSC prosecutors provides most of the prosecutorial services in highly specialized areas relating to offences under the *Competition Act*, the *Textile Labelling Act*, the *Precious Metals Marking Act*, and the *Consumer Packaging and Labelling Act*.

The PPSC is also responsible for recovering, under provisions of the *Criminal Code*, outstanding fines, most of which relate to regulatory offences.

Results: Program Activity #2

Expected Results	Key Performance Indicators	Results		
<ul style="list-style-type: none"> Decisions on merit 	<ul style="list-style-type: none"> Number and percentage of litigation files decided on merit, based on most serious crime: guilty plea; guilty plea other/lesser offence; conviction; conviction other/lesser offence; and, acquittal 	Decisions	# of files	% of total files
		Guilty plea	532	75.5%
		Guilty plea (other/lesser offence)	2	0.3%
		Conviction	143	20.3%
		Acquittal	28	4.0%
		Total:	705	100.0%
<ul style="list-style-type: none"> Effective pre-charge interventions/ advice 	<ul style="list-style-type: none"> New files where pre-charge advice provided 	<ul style="list-style-type: none"> 24% 		

Regulatory and Economic Crime*Regulatory Prosecutions*

Under federal law, there exists a wide category of offences that regulate individual and corporate conduct in the interests of health, safety and the general welfare of the public. These are referred to as regulatory offences and are found under such statutes as: the *Income Tax Act*, the *Fisheries Act*, the *Immigration and Refugee Protection Act*, the *Canada Elections Act*, the *Customs Act*, the *Canadian Environmental Protection Act*, the *Food and Drugs Act*, the *Copyright Act*, the *Bankruptcy and Insolvency Act* and the *Canada Labour Code*.

Regulatory prosecutions comprise the second-largest category of offences prosecuted by the PPSC, after drug prosecutions. In 2007-2008, the PPSC was responsible for approximately 7,495 files involving regulatory prosecutions. This represented approximately 11% of the total number of PPSC files during this period.

Economic Crime

As part of its work to fight economic crime, the PPSC prosecutes *Income Tax Act* offences such as tax evasion and *Bankruptcy and Insolvency Act* offences. As noted above, Integrated Market Enforcement Teams (IMETs) combat capital market fraud offences that are regional or national in scope and that pose a threat to investor confidence in Canada. In 2007-2008, PPSC members of IMETs continued to provide legal advice to investigators on a number of ongoing investigations. In addition, the PPSC can prosecute *Criminal Code* fraud charges arising from IMET investigations. In December 2007, the RCMP released a report to the Commissioner, entitled *Enhancing Integrated Market Enforcement Teams, Achieving Results in Fighting Capital Markets Crime*, prepared by Senior Expert Advisor and former Superintendent of Financial Institutions, Mr. Nick Le Pan. The plan was developed to help improve the effectiveness of IMETs.

The PPSC is now working with its IMET partners, including provincial securities regulators, to implement recommendations from Mr. Le Pan's report, notably through the Economic Crime subcommittee of the FPT Heads of Prosecutions Committee, which will assist in developing a cross-jurisdictional implementation plan.

Competition Law

The Competition Law Section (CLS) of the PPSC handles prosecutions under the *Competition Act* and three other regulatory statutes: the *Consumer Packaging and Labelling Act*, the *Textile Labelling Act* and the *Precious Metals Marking Act*. All of these statutes are administered and enforced by the Commissioner of Competition, who oversees the Competition Bureau.

The CLS also provides advisory services during investigations by the Bureau on matters that may lead to prosecutions. The bulk of the work handled by the CLS relates to offences under the *Competition Act*, such as criminal conspiracies to fix prices, bid-rigging, false or misleading representations, deceptive telemarketing, and pyramid selling. In 2007-2008, PPSC prosecutors with the CLS worked on 60 cases, 14 of which were adjudicated by the courts.

Fine Recovery

The PPSC's National Fine Recovery Program recovers outstanding court-ordered federal fines through the efforts of eight fine recovery units, located in regional PPSC offices across Canada. The responsibility for administering the program was the subject of an assignment from the Attorney General of Canada to the Director of Public Prosecutions on September 20, 2007. The program was implemented nationally in late 2002, and has since resulted in the recovery of over \$39 million. In 2007-2008, the program recovered \$4.5 million.

Outstanding fines are recovered through various types of interventions, including an initial demand letter, telephone contacts, seizure of assets, income garnishment, and suspension of federal licences. The final resort is the issuance of a warrant of committal in cases where offenders try to avoid making payment despite their ability to pay.

The most successful and cost-effective methods of recovery are demand letters, negotiated payment agreements and telephone calls, which resulted in the collection of \$1.7 million or almost 40 percent of the total recovered in 2007-2008.

2.3 Program Activity 3: Addressing criminal issues, in the context of prosecutions, to contribute to a safer world for Canada

Financial Resources (\$ millions)

Planned Spending	Authorities	Actual Spending
5.1	4.8	4.4

Human Resources (FTEs)

Planned	Actual	Difference
30	30	0

Description of Activity

Under this program activity, the PPSC provides prosecution-related advice and litigation support during investigations, and prosecutes charges under the Part II.1 of the *Criminal Code* (Terrorism), the *Proceeds of Crime (Money Laundering) Terrorist Financing Act*, the *Customs Act*, the *Excise Act*, and the *Excise Tax Act* to combat trans-national crime and terrorism. As well, the PPSC may provide counsel to assist in the execution of extradition and mutual legal assistance requests before Canadian courts under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*.

This program activity supports the prosecution of criminal offences under federal law and prosecution-related work with a volume of approximately 718 litigation files in 2007-2008.

Results: Program Activity #3

Expected Results	Key Performance Indicators	Results		
<ul style="list-style-type: none"> Decisions on merit 	<ul style="list-style-type: none"> Number and percentage of litigation files decided on merit, based on most serious crime: guilty plea; guilty plea other/lesser offence; conviction; conviction other/lesser offence; and, acquittal 	Decisions	# of files	% of total files
		Guilty Plea	56	93.3%
		Conviction	2	3.3%
		Acquittal	2	3.3%
		Total:	60	100.0%
<ul style="list-style-type: none"> Effective pre-charge interventions/ advice 	<ul style="list-style-type: none"> New files where pre-charge advice provided 	<ul style="list-style-type: none"> 21% 		

National Security*Anti-terrorism*

The Attorney General of Canada has concurrent jurisdiction with the provincial Attorneys General to prosecute terrorism offences. In 2007-2008, the PPSC was responsible for prosecuting four cases involving terrorism-related offences in Trois-Rivières, Ottawa, Toronto and Vancouver. They required approximately 3 per cent of the total of all in-house counsel time during 2007-2008.

The PPSC is one of the federal partners on Canada's Integrated National Security Enforcement Teams (INSETs). INSETs bring together representatives of the RCMP, the Canadian Security Intelligence Service, other federal departments and agencies, and provincial and municipal police services to help deal with threats to national security. INSETs are found in Vancouver, Toronto, Ottawa and Montreal.

The objective of INSETs is to increase the capacity to collect, share and analyze intelligence among partners on threats to national security and to improve the collective ability of partner departments and agencies to combat these threats to create an enhanced enforcement capacity.

Border Enforcement

A PPSC representative sits as a member of the International Joint Management Team of the Integrated Border Enforcement Teams (IBETs) program. The program is an intelligence-led initiative between Canadian and American law enforcement officials to promote integrated enforcement along the Canada-United States border. This bi-national partnership enables the core law enforcement partners involved in IBETs to share information and work together daily with other local, state and provincial enforcement agencies on issues relating to national security, organized crime and other criminal activity that occurs across the Canada-United States border.

War Crimes and Crimes Against Humanity

The PPSC prosecutes offences under the *Crimes Against Humanity and War Crimes Act*. In 2007-2008, the PPSC was responsible for prosecuting Canada's first-ever such prosecution, in Montreal, in relation to offences alleged to have occurred in Rwanda in 1994. While such prosecutions may not arise frequently, they can be expected to be complex and lengthy, with significant amounts of evidence related to events beyond Canada's borders.

2.4 Program Activity 4: Promoting a fair and effective justice system that reflects Canadian values within a prosecutorial context

Financial Resources (\$ millions)

Planned Spending	Authorities	Actual Spending
1.1	0.8	0.8

Human Resources (FTEs)

Planned	Actual	Difference
6	8	2

Description of Activity

Under this program activity, the PPSC contributes to the government priority of strengthening the criminal justice system across Canada and improving its efficiency by providing legal training to police, and by promoting federal/provincial/territorial cooperation within the prosecution community on shared issues. This latter work is carried out through the PPSC's leadership of and participation in the Federal/Provincial/Territorial Heads of Prosecution Committee, which supports and promotes effective horizontal linkages between various communities of interest and stakeholders involved in the administration of criminal justice in Canada. The Committee is also a convenient venue where stakeholders such as the Canadian Association of Chiefs of Police, the RCMP and the Federation of Law Societies can seek the views of the Canadian prosecution community.

To address prosecution issues of common interest, the PPSC works closely with the Heads of Prosecuting Agencies Conference (HOPAC), which brings together the heads of prosecution services from all over the world who operate in a criminal justice system based on common law. The PPSC also actively participates in various international groups and committees, such as the International Association of Prosecutors (IAP), whose mandate is to promote international cooperation between prosecution services and prosecutors on operational and management issues.

Results: Program Activity #4

Expected Results	Key Performance Indicators	Results
Practical knowledge and training on criminal law topics provided to staff prosecutors, agents and senior law enforcement investigators	Range of training initiatives	<ul style="list-style-type: none"> • PPSC School for Prosecutors conducted two intensive one-week training courses for 70 staff prosecutors and agents on criminal law practice as well as operational policies and guidelines • PPSC co-organized 3 workshops on investigation and prosecution of human trafficking cases for police and prosecutors • PPSC prosecutors provided on the ground training to investigators on legal issues affecting investigations and prosecutions
Promotion of federal / provincial / territorial and international cooperation on prosecution issues to strengthen the criminal justice system	<p>Nature of cooperation venues</p> <p>Role of the PPSC</p> <p>Range of issues discussed</p>	<ul style="list-style-type: none"> • FPT committees/groups and international associations composed of heads of prosecution services and other government officials responsible for justice issues • Chaired meetings of, provided expertise, advice and secretariat support to, and participated in FPT committees and groups • Co-organized an international conference bringing together prosecuting agencies with a tradition of common law • Legal and operational issues, at national and international levels, on criminal law practice, organized crime prosecutions, proceeds of crime, expert witnesses, prosecutor training and security, and best practices for prosecuting fraud involving government

Training

In 2007-2008, PPSC counsel provided training to police officers across Canada on numerous criminal law matters including search warrants, disclosure obligations, wiretaps and informant-related issues. PPSC counsel also participated in training given at the Canadian Police College, where a general counsel was assigned on a full-time basis to ensure that training and training materials addressed prosecutorial concerns.

The PPSC, in conjunction with the RCMP, the Department of Justice Canada and other federal partners, conducted a series of training workshops on human trafficking to law enforcement and prosecutors across Canada. The training focused on investigating and prosecuting human trafficking cases, immigration issues relating to victims, border detection of victims, witness problems during investigation and trial, a legislative overview, and two case studies. Workshops took place in Edmonton, Halifax and Fredericton and will continue in other cities through 2008 and 2009.

On November 26, 2007, a senior PPSC counsel participated in training relating to the adversarial system provided to Latin American criminal justice system participants sponsored by *Centro de Estudios de Justicia de las Americas* (Justice Studies Centre of the Americas) in Santiago, Chile.

PPSC School for Prosecutors

The PPSC's School for Prosecutors offers annual in-house programs aimed at promoting professional development relevant to the prosecution function, through the delivery of practical and academic training to prosecutors. In August 2007, the School conducted two intensive one-week courses — one fundamental, the other advanced — each covering a number of topics, to a total of 70 participants. Legal agents were also among the participants.

The School's faculty are experts in criminal law and are drawn largely from the senior ranks of the PPSC. The School also invites guest speakers, including members of the judiciary, professors of law, defence counsel, senior provincial prosecutors and senior police investigators. A combination of lectures, seminars, panel discussions, case scenarios and papers is used to enhance participants' understanding of the modern practice of criminal law. Attention is also given to operational policies and guidelines, such as those contained in the *Federal Prosecution Service Deskbook*, that address important issues in prosecution practice. The School also serves as a forum for prosecutors to meet, network, share work experiences and develop mentoring relationships.

Federal-Provincial-Territorial Heads of Prosecutions Committee

Established in 1995, the Federal-Provincial-Territorial Heads of Prosecutions Committee coordinates many aspects of criminal law practice across Canada. The Director is permanent co-chair of the Committee and the PPSC acts as its secretariat.

The Committee promotes assistance and cooperation among different prosecution services; it also facilitates the coordination of national prosecution issues and the adoption, wherever possible, of a consistent position on these issues. The Committee works to promote consistency among the operational policies of Canada's prosecution services and consults on criminal appeals brought before the Supreme Court of Canada. It is the only national forum on prosecution issues and has provided the prosecution perspective to federal-provincial-territorial ministers and deputy ministers responsible for justice issues.

The PPSC co-chaired two meetings of the Committee: one in May 2007, organized with the Public Prosecution Service of New Brunswick, in Moncton, and the other in October 2007, with the Criminal Justice Division of Alberta, in Banff.

Heads of Prosecuting Agencies Conference and the International Association of Prosecutors

The PPSC participates in cooperative law enforcement efforts at the international level, particularly in the fight against organized and trans-national crime and threats to national security.

The PPSC jointly organized the Heads of Prosecuting Agencies Conference (HOPAC) 2007 with the Director of Criminal and Penal Prosecutions of Quebec. This was the ninth meeting of HOPAC, which was formed in 1991 to bring together the heads of prosecuting agencies from countries with a criminal justice system derived from the common law tradition.

The PPSC also continued to support and participate in the activities of the International Association of Prosecutors (IAP). The scope of IAP activities is wide: it promotes the effective, fair, impartial and efficient prosecution of criminal offences through high standards and principles, including procedures to prevent or address miscarriages of justice, assists prosecutors internationally in the fight against organized or other serious crime, and fosters measures for the elimination of corruption in public administration.

Federal/Provincial/Territorial Coordinating Committee of Senior Officials (CCSO) and the Uniform Law Conference of Canada (ULCC)

The PPSC participates in Federal/Provincial/Territorial CCSO meetings on a regular basis including a number of CCSO Working Groups on chronic offenders, compelled questioning criminal procedure, drug issues, organized crime, proceeds of crime and sentencing. The CCSO provides support to federal-provincial-territorial ministers and deputy ministers responsible for justice issues. Through its participation in these meetings, the PPSC provides prosecutorial and operational expertise and advice to senior government officials on criminal law reform issues including amendments to the *Criminal Code* and the *Controlled Drugs and Substances Act*.

The PPSC also participates annually in the Criminal Section meeting of the ULCC. The ULCC was founded in 1918 to harmonize the laws of the provinces and territories of Canada and, where appropriate, the federal laws as well. It also makes recommendations for changes to federal criminal legislation based on identified deficiencies, defects or gaps in the existing law, or based on problems created by judicial interpretation of existing law. The PPSC attended the annual meeting of the ULCC in August 2007 in Charlottetown, PEI.

Best Practices for Prosecuting Fraud Against Governments

February 21, 2007 saw the publication of a directive from the Attorney General, assigning to the Director of Public Prosecutions the responsibility of developing a set of best practices for prosecuting fraud involving governments. Work on this initiative is well under way, and included consultations with provincial prosecution services as well as with international partners whose criminal law systems are similar to Canada's.

SECTION III: SUPPLEMENTARY INFORMATION

3.1 Link to Government of Canada Outcome Areas

The Government of Canada's performance reporting framework consists of thirteen outcomes grouped under three spending areas: Economic, Social and International Affairs. In addition, the PPSC, like several government organizations, provides advice that supports other government departments and agencies. These services are aligned with a fourth spending area, Government Affairs. The table below illustrates how the PPSC's four program activities are linked to Canada's performance.

Strategic Outcome: Prosecute criminal offences under federal law in a manner that is independent of any improper influence and respects the public interest.				
	Actual Spending 2007-2008 (\$ millions)			Alignment to Government of Canada Outcome Area
	Budgetary	Non- budgetary	Total	
Program Activity #1: Prosecution of drug, organized crime and <i>Criminal Code</i> offences	85.9	N/A	85.9	Social Affairs Government Affairs
Program Activity #2: Prosecution of federal offences to protect the environment, natural resources, economic and social health	18.8	N/A	18.8	Economic Affairs Social Affairs Government Affairs
Program Activity #3: Addressing criminal issues, in the context of prosecutions, to contribute to a safer world for Canada	4.4	N/A	4.4	International Affairs Government Affairs
Program Activity #4: Promoting a fair and effective justice system that reflects Canadian values within a prosecutorial context	0.8	N/A	0.8	Social Affairs Economic Affairs International Affairs
Total	109.9	-	109.9	

(For more information about the Government of Canada's four broad Spending Areas and the corresponding 13 Outcomes, visit <http://www.tbs-sct.gc.ca/ppg-cpr/Home-Accueil-eng.aspx>.)

3.2 Partners

Department of Justice Canada

The PPSC continues to work closely and cooperatively with the Department of Justice Canada. Federal prosecutors benefit from consultations with Justice counsel in areas such as human rights law, constitutional law, Aboriginal law and criminal law policy. Both the PPSC and the Department provide legal advice to investigative agencies.

From an administrative perspective, the PPSC continues to rely on the Department for most transactional corporate services.

Investigative Agencies

The PPSC works with several investigative agencies, including the RCMP and other police forces. It also works with the enforcement arms of federal departments and agencies, including the Competition Bureau, the Canada Revenue Agency, the Canada Border Services Agency, Fisheries and Oceans Canada, Environment Canada, and Health Canada.

Investigations that target sophisticated organizations or that use techniques that have not received definitive judicial consideration usually require ongoing advice from prosecutors. The complexity of the law and the high costs of multi-year investigations make it increasingly important for police to know as early as possible the impact of their decisions on potential prosecutions. In an era where considerable time in a trial can be spent analyzing investigative decisions, the PPSC provides ongoing legal advice before a charge is laid.

As well, certain key evidence gathering orders require — or may benefit from — the involvement of PPSC counsel. This includes wiretap applications and orders to produce potential evidence. In this capacity, counsel ensures that the court has what it needs in order to decide whether the police should be empowered to do what they are asking.

The early and ongoing involvement of prosecutors both during major investigations and in the implementation of national enforcement programs helps ensure that the police and other investigative agencies benefit from legal advice to decide how best to enforce the law.

Provinces

Jurisdiction over prosecutions is shared between the federal and provincial governments. From this shared responsibility, the need arises for cooperation and coordination in the enforcement of criminal law. For example, the PPSC may prosecute *Criminal Code* offences which fall under the jurisdiction of provincial Attorneys General with their consent and on their behalf, where it is more efficient and cost-effective to do so. This generally occurs where the *Criminal Code* offences are related to some federal charge, such as firearms offences related to a drug charge.

Similarly, a provincial prosecution service may prosecute a drug charge where the charge is one of many offences and where the major offence is one within its jurisdiction. Such arrangements are called “major-minor” agreements, meaning that the prosecution service responsible for prosecuting the “major” charge will prosecute the “minor” one as well. On February 10, 2007, the Director was assigned the power to conduct prosecutions that the Attorney General of Canada is authorized to undertake under such agreements.

Major cases that involve serious *Criminal Code* and other federal offences are also increasingly being prosecuted by joint prosecution teams, particularly in organized crime files.

3.3 Supplementary Tables

Table 1: Comparison of Planned to Actual Spending (including FTEs)

(\$ millions)			2007-2008			
	2005-2006 Actual	2006-2007 Actual	Main Estimates	Planned Spending	Total Authorities	Actual
Prosecution of Drug, organized crime and <i>Criminal Code</i> offences	N/A	N/A	75.7	99.2	94.4	85.9
Prosecution of federal offences to protect the environment, natural resources, economic and social health	N/A	N/A	17.6	19.9	19.2	18.8
Addressing criminal issues to contribute to a safer world for Canada	N/A	N/A	4.3	5.1	4.8	4.4
Promoting a fair and effective justice system that reflects Canadian values in a prosecutorial context.	N/A	N/A	0.9	1.1	0.8	0.8
Total			98.5	125.3	119.2	109.9
Less: Non-respendable revenue	N/A	N/A	N/A	N/A	N/A	1.2
Plus: Cost of services received without charge	N/A	N/A	9.5	9.5	N/A	11.6
Total Organizational Spending			108.0	134.8	119.2	120.3
Full time equivalents	N/A	N/A	674	724	-	748

Table 2: Voted and Statutory Items

(\$ thousands)		2007-2008			
Vote or Statutory Item	Truncated Vote or Statutory Wording	Main Estimates	Planned Spending	Total Authorities	Actual
Vote 35	Program expenditures	86.3	112.1	109.1	99.8
-	Capital expenditures	N/A	N/A	N/A	N/A
-	Grants and contributions	N/A	N/A	N/A	N/A
-	Minister - Salary and motor car allowance	N/A	N/A	N/A	N/A
-	Contributions to employee benefit plans	12.2	13.2	10.1	10.1
	Total	98.5	125.3	119.2	109.9

Table 3: Sources of Respendable and Non-Respendable Revenue

For supplementary information on the PPSC's sources of respendable and non respendable revenue please visit: <http://www.tbs-sct.gc.ca/dpr-rmr/2007-2008/indexeng.asp>

Table 4: Reporting on Horizontal Initiatives

During 2007-2008, the PPSC participated in two horizontal initiatives: the Federal Tobacco Control Strategy led by Health Canada, and the Public Security and Anti-Terrorism (PSAT) initiative, led by Public Safety Canada.

Supplementary information on horizontal initiatives can be found at http://www.tbs-sct.gc.ca/rma/eppi-ibdrp/hrdb-rhbd/profil_e.asp

Table 5: Internal Audits and Evaluations

No internal audits or evaluations were conducted during 2007-2008.

Table 6: Travel Policies

The PPSC follows the Treasury Board of Canada Secretariat Special Travel Authorities and the Treasury Board of Canada Secretariat Travel Directive, Rates and Allowances.

Supplementary information on travel policies can be found at http://publiservice.tbs-sct.gc.ca/pubs_pol/hrpubs/TBM_113/menu-travel-voyage_e.asp

Table 7: Financial Statements

All federal government departments and agencies as defined in section 2 of the *Financial Administration Act* and departments with revolving funds are to include their financial statements in their Departmental Performance Report.

Financial Statements (Unaudited) - For the Year Ended March 31, 2008**Management Responsibility for Financial Statements**

Responsibility for the integrity and objectivity of the accompanying financial statements for the year ended March 31, 2008 and all information contained in these statements rests with PPSC management. These financial statements have been prepared by management in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector.

Some of the information in the financial statements is based on management's best estimates and judgment and gives due consideration to materiality. To fulfill its accounting and reporting responsibilities, management maintains a set of accounts that provides a centralized record of the organization's financial transactions. The financial statements included in this Departmental Performance Report are consistent with financial information submitted to the Public Accounts of Canada.

Management maintains a system of financial management and internal control designed to provide reasonable assurance that financial information is reliable, that assets are safeguarded and that transactions are in accordance with the *Financial Administration Act*, are executed in accordance with prescribed regulations, within Parliamentary authorities, and are properly recorded to maintain accountability of Government funds. Management also seeks to ensure the objectivity and integrity of data in its financial statements by careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communication programs aimed at ensuring that regulations, policies, standards and managerial authorities are understood throughout the organization.

The financial statements of the PPSC have not been audited.

Original copy signed by

Brian Saunders
Director of Public Prosecutions

Lucie Bourcier
Chief Financial Officer

Ottawa, Canada

Date

Statement of Financial Position (unaudited)

As at March 31

(in thousands)

Assets	2008
<i>Financial assets</i>	
Receivables (Note 6)	5,528
Advances (Note 7)	5
Total financial assets	5,533
<i>Non-financial assets</i>	
Tangible capital assets (Note 8)	4,375
Total non-financial assets	4,375
Total	9,908

Liabilities and Equity of Canada

<i>Liabilities</i>	
Accounts payable and accrued liabilities (Note 9)	14,326
Vacation pay and compensatory leave	2,548
Employee severance benefits (Note 10)	12,553
Total liabilities	29,427
<i>Equity of Canada</i>	(19,519)
Total	9,908

Contingent liabilities (Note 11)

The accompanying notes form an integral part of these financial statements.

Statement of Operations (unaudited)

For the year ended March 31

(in thousands)

Expenses (Note 4)	2008
Prosecution of drug, organized crime and <i>Criminal Code</i> offences	94,399
Prosecution of federal offences to protect the environment, natural resources, economic and social health	30,621
Addressing criminal issues, in the context of prosecutions, to contribute to a safer world for Canada	4,828
Promoting a fair and effective justice system that reflects Canadian values within a prosecutorial context	897
Total expenses	130,745

Revenues (Note 5)

Prosecution of federal offences to protect the environment, natural resources, economic and social health	10,809
Prosecution of drug, organized crime and <i>Criminal Code</i> offences	1,201
Total revenues	12,010
Net cost of operations	118,735

The accompanying notes form an integral part of these financial statements.

Statement of Equity of Canada (unaudited)**For the year ended March 31**

(in thousands)

	2008
Equity of Canada, beginning of year	0
Net cost of operations	(118,735)
Current year appropriations used (Note 3)	109,939
Revenue not available for spending	(1,230)
Change in net position in the Consolidated Revenue Fund (Note 3)	(1,855)
Net asset transfer from Department of Justice (Note 13)	(19,250)
Services provided without charge by other government departments (Note 12)	11,612
Equity of Canada, end of year	(19,519)

The accompanying notes form an integral part of these financial statements.

Statement of Cash Flow (unaudited)

For the year ended March 31

(in thousands)

Operating activities	2008
<i>Net cost of operations</i>	118,735
<i>Non-cash items</i>	
Amortization of tangible capital assets (Note 8)	(1,451)
Services provided without charge by other government departments (Note 12)	(11,612)
<i>Variations in Statement of Financial Position</i>	
Increase in accounts receivable and advances	5,533
Increase in liabilities	(29,427)
Cash used by operating activities	81,778

Capital investment activities

Acquisitions of tangible capital assets (Note 8)	851
Transfer of tangible capital assets from Justice (Note 8)	4,975
Proceeds from disposal of tangible capital assets	0
Cash used by capital investment activities	5,826

Financing activities

Net cash provided by Government of Canada	(106,854)
Net asset transfer from Department of Justice (Note 13)	19,250
Cash used by financing activities	(87,604)

The accompanying notes form an integral part of these financial statements.

Notes to the Financial Statements (Unaudited)

1. Authority and objectives

On December 12, 2006, the Office of the Director of Public Prosecution, also known as the Public Prosecution Service of Canada (PPSC), was created when the *Director of Public Prosecutions Act* came into force as Part 3 of the *Federal Accountability Act*. The PPSC took over the duties of the former Federal Prosecution Services of the Department of Justice and has operated as an independent organization for financial reporting purposes since April 1, 2007. The PPSC pursues 3 priorities within its 4 program activities (PAs):

Priority A) Prosecuting criminal offences under federal law

PA 1: Prosecution of drug, organized crime and *Criminal Code* offences

Under this program activity, the PPSC provides prosecution-related advice and litigation support during the police investigation, and prosecutes all drug charges under the *Controlled Drugs and Substances Act*, regardless of whether a federal, provincial or municipal police agency lays the charges, except in the case of Quebec and New Brunswick, where the PPSC prosecutes drug charges laid by the RCMP. The PPSC also prosecutes organized crime cases, and, pursuant to understandings with the provinces, *Criminal Code* offences where they are related to drug charges and the drug aspect forms the major part of the case. In the three territories, the PPSC prosecutes all *Criminal Code* offences. The operational priority for prosecution-related advice provided during the investigative stage is primarily on cases of high complexity and that involve a high level of legal risk.

PA 2: Prosecution of federal offences to protect the environment, natural resources, economic and social health

Under this program activity, the PPSC provides advice and litigation support to federal investigative agencies, and prosecutes federal offences under 50 federal statutes upholding the mandates and policies of federal departments, e.g. *Fisheries Act*, *Income Tax Act*, *Copyright Act*, *Canadian Environmental Protection Act*. The PPSC also provides advice and prosecutes complex capital market fraud cases.

PA 3: Addressing criminal issues, in the context of prosecutions, to contribute to a safer world for Canada

Under this program activity, the PPSC prosecutes offences under such federal statutes as the *Proceeds of Crime (Money Laundering) Terrorist Financing Act*, *Customs Act*, *Excise Act*, and the *Excise Tax Act* to combat transnational crime and terrorism. As well, the PPSC may provide counsel to assist in the execution of extradition and mutual legal assistance requests before Canadian courts under the *Extradition Act*, and the *Mutual Legal Assistance in Criminal Matters Act*.

Priority B) Contributing to strengthening the criminal justice system

PA 4: Promoting a fair and effective justice system that reflects Canadian values within a prosecutorial context

Under this program activity, the PPSC contributes to strengthening the criminal justice system across Canada and improving its efficiency by providing legal training to police, and by promoting federal/provincial/territorial cooperation within the prosecution community on important shared issues.

Priority C) Addressing the sustainability of the Public Prosecution Service of Canada

During 2007-2008, the PPSC's corporate priorities focused on providing the necessary support to its staff and building the organization's corporate structure. Throughout the year, the PPSC continued to improve its capacity to function administratively as an independent organization. A number of measures were taken, including the introduction of a governance structure for the resolution of legal issues, and the implementation of a governance committee structure that includes the Finance, Human Resources and Information Management/Information Technology committees, the Senior Advisory Board and the Executive Council. Several senior complement positions were created to reflect the work done by prosecutors and to provide them with a career path within the organization. Still in the area of human resources management, the PPSC adopted a strategic plan pursuant to the *Official Languages Act*, and implemented an infrastructure for effective labour-management consultations and communications.

2. Summary of significant accounting policies

The financial statements have been prepared in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector. The significant accounting policies are as follows:

a) Parliamentary appropriations

The PPSC is financed by the Government of Canada through Parliamentary appropriations. Appropriations provided to the organization do not parallel financial reporting according to generally accepted accounting principles since appropriations are primarily based on cash flow requirements. Consequently, items recognized in the Statement of Operations and the Statement of Financial Position are not necessarily the same as those provided through appropriations from Parliament. Note 3 provides a high-level reconciliation between the bases of reporting.

b) Net cash provided by Government

The organization operates within the Consolidated Revenue Fund (CRF), which is administered by the Receiver General for Canada. All cash received by the organization is deposited to the CRF and all cash disbursements made by the organization are paid from the CRF. The net cash provided by Government is the difference between all cash receipts and all cash disbursements including transactions between departments of the federal government.

c) Change in net position in the Consolidated Revenue Fund.

The change in net position in the Consolidated Revenue Fund (CRF) is the difference between the net cash provided by Government and appropriations used in a year, excluding the amount of non-respendable revenue recorded by the organization. It results from timing differences between when a transaction affects appropriations and when it is processed through the CRF.

d) Revenues

- Revenues derived from the provision of legal services are recognized in the year the services are rendered.
- Fines, forfeitures and court costs are recognized upon receipt of payment by the organization.

e) Expenses

- Vacation pay and compensatory leave are expensed as the benefits accrue to employees under their respective terms of employment.
- Expenses related to the provision of legal services are limited to those costs borne and settled directly by the organization. These legal services may or may not be recovered as revenue from the client organization. The cost of legal services which are paid directly by client organizations to outside suppliers such as legal agents, are not included in the expenses of the organization.
- Services provided without charge by other government departments for accommodation, the employer's contribution to the health and dental insurance plans, and workers' compensation coverage are recorded as operating expenses at their estimated cost.

f) Employee future benefits

- Pension benefits
Eligible employees participate in the Public Service Pension Plan, a multiemployer plan administered by the Government of Canada. The organization's contributions to the Plan are charged to expenses in the year incurred and represent the total organizational obligation to the Plan. Current legislation does not require the organization to make contributions for any actuarial deficiencies of the Plan.
- Severance benefits
Employees are entitled to severance benefits under labour contracts or conditions of employment. These benefits are accrued as employees render the services necessary to earn them. The obligation relating to the benefits earned by employees is calculated using information derived from the results of the actuarially determined liability for employee severance benefits for the Government as a whole.

g) Receivables

Receivables are stated at amounts expected to be ultimately realized; a provision is made for receivables where recovery is considered uncertain.

h) Contingent liabilities

Contingent liabilities are potential liabilities which may become actual liabilities when one or more future events occur or fail to occur. To the extent that the future event is likely to occur or fail to occur, and a reasonable estimate of the loss can be made, an estimated liability is accrued and an expense recorded. If the likelihood is not determinable or an amount cannot be reasonably estimated, the contingency is disclosed in the notes to the financial statements.

2. Summary of significant accounting policies (continued)

i) Tangible capital assets

All tangible capital assets are recorded at their acquisition cost and amortized over their estimated useful life on a straight-line basis as follows:

Asset class	Acquisition cost equal or greater than	Amortization period
Office and other equipment	\$10,000	5 to 8 years
Telecommunications equipment	\$10,000	4 to 5 years
Informatics hardware	\$1,000	3 to 5 years
Informatics software	\$10,000	3 to 5 years
Furniture and furnishings	\$1,000	10 years
Motor vehicles	\$10,000	5 years
Leasehold improvements	\$10,000	Lesser of useful life or term of the lease
Work in progress	In accordance with asset class	Once in service, in accordance with asset class

j) Measurement uncertainty

The preparation of these financial statements in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues and expenses. At the time of preparation of these statements, management believes the estimates and assumptions to be reasonable. The most significant items where estimates are used are contingent liabilities, the liability for employee severance benefits and the useful life of tangible capital assets. Actual results could significantly differ from those estimated. Management's estimates are reviewed periodically and, as adjustments become necessary, they are recorded in the financial statements in the year they become known.

3. Parliamentary appropriations

The PPSC receives most of its funding through annual Parliamentary appropriations. Items recognized in the Statement of Operations and the Statement of Financial Position in one year may be funded through Parliamentary appropriations in prior, current or future years. Accordingly, the organization has different net results of operations for the year on a government funding basis than on an accrual accounting basis. The differences are reconciled in the following tables:

(a) Reconciliation of net cost of operations to current year appropriations used

(\$ thousands)	2008
Net cost of operations	118,735
<i>Adjustments for items affecting net cost of operations but not affecting appropriations</i>	
<i>Add (Less)</i>	
Services provided without charge by other government departments (Note 12)	(11,612)
Amortization of tangible capital assets (Note 8)	(1,451)
Employee severance benefits	(1,164)
Vacation pay and compensatory leave	(120)
Receivables from external parties	312
Revenue not available for spending	1,230
Employee benefits plan (EBP)(part of employer) component of legal services revenue	1,527
Refunds and reversals of previous year expenses	1,631
	(9,647)
<i>Adjustments for items not affecting net cost of operations but affecting appropriations</i>	
<i>Add</i>	
Acquisitions of tangible capital assets (Note 8)	851
Current year appropriations used	109,939

3. Parliamentary appropriations (continued)

(b) Appropriations provided and used	
(\$ thousands)	2008
<i>Vote 35 - Program expenditures</i>	109,088
<i>Statutory amounts</i>	10,150
	119,238
<i>Less</i>	
Voted authorities lapsed	(9,299)
Current year appropriations used	109,939
(c) Reconciliation of net cash provided by Government to current year appropriations used	
(\$ thousands)	2008
<i>Net cash provided by Government</i>	106,854
<i>Revenue not available for spending</i>	1,230
	108,084
<i>Change in net position in the Consolidated Revenue Fund</i>	
Adjustments and refunds of previous year accounts payable	1,631
Employee benefits component of legal services revenue	1,527
Other adjustments	(1,303)
	1,855
Current year appropriations used	109,939

4. Expenses

(\$ thousands)	2008
Operating	
Salaries and employee benefits	85,806
Professional and special services	26,702
Accommodation	8,084
Travel and relocation	4,110
Utilities, materials and supplies	1,710
Amortization of tangible capital assets	1,451
Communications	1,215
Information	867
Other	356
Rentals	269
Repairs and maintenance	152
Claims and ex-gratia payments	23
Total operating expenses	130,745

5. Revenues

(\$ thousands)	2008
Services	
Legal services	10,809
Other revenues	
Fines and forfeitures	911
Rent from residential housing provided to employees	316
Other	(26)
	1,201
Total revenues	12,010

6. Receivables

(\$ thousands)	2008
Federal government departments and agencies	5,137
External parties	391
Total receivables	5,528

7. Advances

(\$ thousands)	2008
Standing advances held by employees for travel and petty cash	5
Total advances	5

8. Tangible capital assets

(\$ thousands)	Cost				Accumulated amortization				2008
	Opening balance	Acquisitions	Disposals and transfers	Closing balance	Opening balance	Current Year amortization	Disposals and transfers	Closing balance	Net book value
Office and other equipment	17	0	0	17	0	0	0	0	17
Telecommunications equipment	0	0	12	12	0	0	0	0	12
Informatics hardware	1,029	303	(12)	1,320	471	257	0	728	592
Informatics software	91	131	0	222	67	17	0	84	138
Furniture and furnishings	491	368	0	859	153	71	0	224	635
Motor vehicles	56	0	0	56	29	10	0	39	17
Leasehold improvements	5,722	0	103	5,825	1,814	1,096	0	2,910	2,915
Work in progress - leasehold improvements	103	49	(103)	49	0	0	0	0	49
Total tangible capital assets	7,509	851	0	8,360	2,534	1,451	0	3,985	4,375

Transfer of tangible assets from Department of Justice equals opening balance of costs less opening balance of accumulated amortization, \$4,975.

9. Accounts payable and accrued liabilities

(\$ thousands)	2008
Federal government departments and agencies	
Accounts payable	310
External parties	
Accounts payable	11,916
Accrued salaries	1,900
Other liabilities	200
	14,016
Total accounts payable and accrued liabilities	14,326

10. Employee benefits

a) Pension benefits

The organization's employees participate in the Public Service Pension Plan, which is sponsored and administered by the Government of Canada. Pension benefits accrue up to a maximum period of 35 years at a rate of 2 percent per year of pensionable service, times the average of the best five consecutive years of earnings. The benefits are integrated with Canada/Quebec Pension Plans benefits and they are indexed to inflation.

Both the employees and the PPSC contribute to the cost of the Plan. The expense presented below represents approximately 2.1 times (2.2 in 2006-07) the contributions by employees.

(\$ thousands)	2008
Pension expense	7,378

The organization's responsibility with regard to the Plan is limited to its contributions. Actuarial surpluses or deficiencies are recognized in the financial statements of the Government of Canada, as the Plan's sponsor.

b) Severance benefits

The organization provides severance benefits to its employees based on eligibility, years of service and final salary. These severance benefits are not pre-funded. Benefits will be paid from future appropriations. Information about the severance benefits, measured as at March 31, is as follows:

(\$ thousands)	2008
Accrued benefit obligation, beginning of year	11,389
Expense for the year	1,732
Benefits paid during the year	(568)
Accrued benefit obligation, end of year	12,553

11. Contingent liabilities

Claims and litigation

Claims have been made against the organization in the normal course of operations. Legal proceedings for claims totalling approximately \$5,770,000 were still pending at March 31, 2008. Some of these potential liabilities may become actual liabilities when the event occurs or fails to occur. To the extent that the future event is likely to occur or fail to occur, and a reasonable estimate of the loss can be made, an estimated liability is accrued and an expense recorded. An amount of \$200,000 has been recorded for the fiscal year 2007-2008.

12. Related party transactions

The PPSC is related as a result of common ownership to all Government of Canada departments, agencies, and Crown corporations. The organization enters into transactions with these entities in the normal course of business and on normal trade terms.

Also, during the year, the organization received, without charge from other departments, accommodation, the employer's contribution to the health and dental insurance plans, and workers' compensation coverage. These services without charge have been recognized in the organization's Statement of Operations as follows:

<i>(\$ thousands)</i>	2008
Accommodation provided by Public Works and Government Services Canada	6,915
Employer's contributions to the health and dental insurance plans paid by Treasury Board Secretariat	4,697
Total	11,612

The Government has structured some of its administrative activities for efficiency and cost-effectiveness purposes so that one department performs these on behalf of all without charge. The cost of these services, which include payroll and cheque issuance services provided by Public Works and Government Services Canada, are not included as an expense in the organization's Statement of Operations.

In addition, the Office of the Director of Public Prosecutions has provided legal services without charge to other government departments throughout the fiscal year for a total amount of \$8,793,753.

13. Organizational reorganization - Net asset transfer

On December 12, 2006, the Office of the Director of Public Prosecutions (also known as the Public Prosecution Service of Canada) was created as part of the *Federal Accountability Act*. The PPSC takes over the duties of the former Federal Prosecution Services within the Department of Justice and has been operating independently of the Department effective April 1, 2007.

The summary of assets and liabilities related to the activities transferred from the Department of Justice to the PPSC, as of April 2007, are provided below:

<i>(\$ thousands)</i>	2007
<i>Statement of Financial Position</i>	
Assets	7,634
Liabilities	(26,884)
Net liabilities for transfer	(19,250)

14. Comparative information

Comparative figures are not presented as 2007-2008 was the PPSC's first full year of operation as a separate entity.

SECTION IV: OTHER ITEMS OF INTEREST

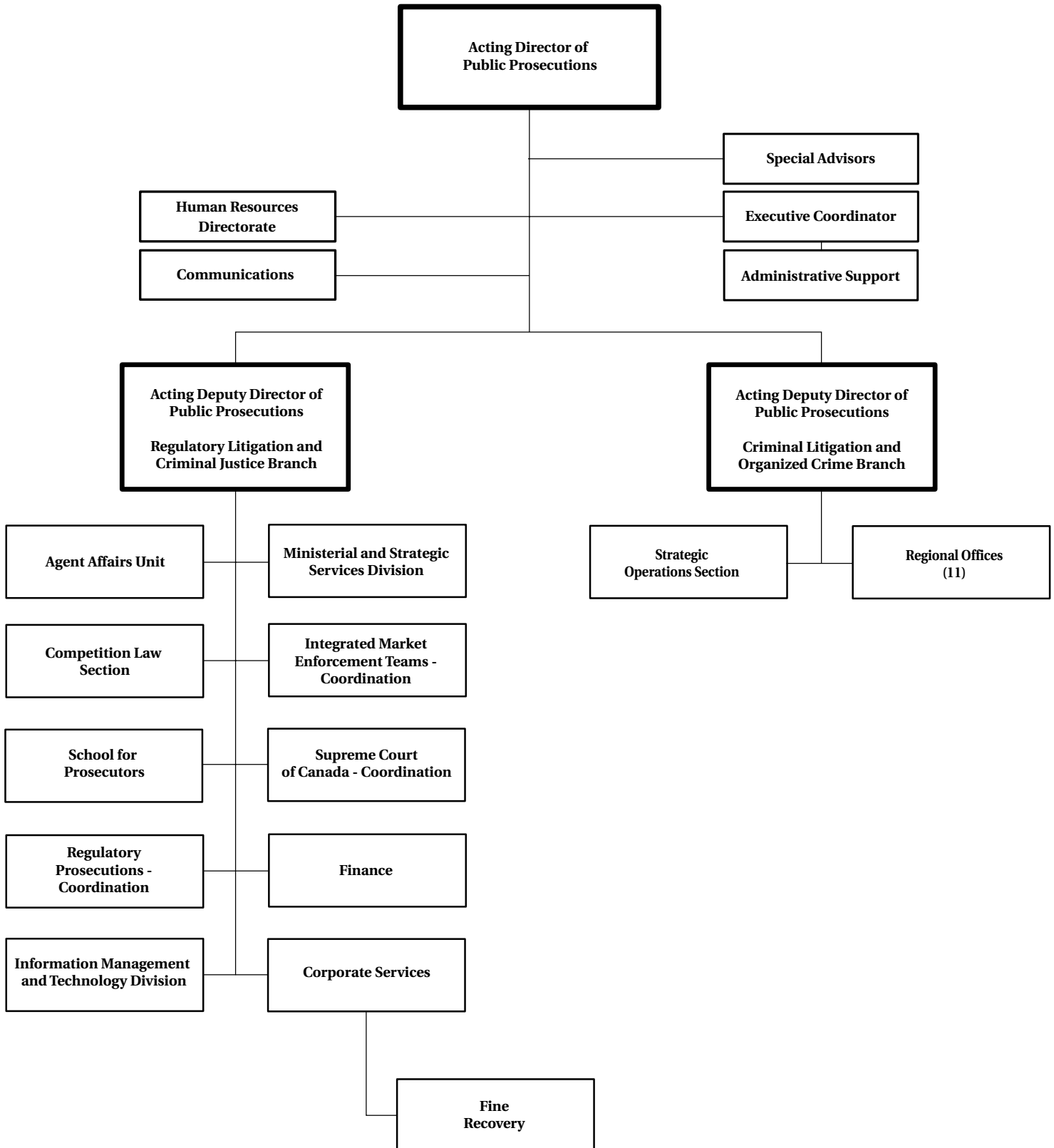
4.1 Organizational Information

The Public Prosecution Service of Canada is a relatively small organization with 748 FTEs. As a national prosecution service, it provides its services through a network of offices located in every region of Canada. The majority of its employees are prosecutors. They are supported by other professionals including senior managers, paralegals, administrators, and corporate services staff. In addition, the PPSC retains private sector agents where it is more cost-effective than to have an office or to have staff counsel on travel status, or where the demand for prosecution services exceeds available staff resources. The PPSC currently contracts with some 230 standing agent firms across Canada, representing approximately 800 individually appointed counsel.

The PPSC's organizational structure is presented in Figure 1.

Organizational Information

Figure 1: PPSC Organizational Chart (March 31, 2008)



4.2 Management Initiatives

While delivering on the program priorities presented in Section II, the PPSC continued to make progress on the following management initiatives during 2007-2008, which deal with addressing the sustainability of the PPSC as a new and independent organization:

Managing the transition to the Public Prosecution Service of Canada

In 2007-2008, the PPSC continued with its phased approach to the transition from being part of the Department of Justice Canada to being responsible for its own corporate and administrative services. Progress was achieved in several areas:

Governance structure and organizational design: The PPSC established its governance structure and began developing its corporate services model. The governance structure includes an Executive Council and Senior Advisory Board, supported by committees with members from its various regional offices. The PPSC also reviewed the lines of authority in each region; ensured it had positions that reflect the mandate of the organization; and determined the interim delivery approach regarding the provision of corporate services to the organization.

Corporate Services: PPSC-wide progress continued in areas such as finance, administrative services, communications and strategic services. For example,

- **Building corporate management capacity** – The PPSC enhanced the capacity of its financial management function and began to develop in-house capacity for facilities management and human resources management. It also undertook to develop its strategic and business planning and management function.
- **Facilities Management** - When the PPSC was created, it continued to occupy the office space of the former Federal Prosecution Service of the Department of Justice Canada, both at headquarters and in regional offices across Canada. While this situation may change in order to meet new space requirements, the changes in facilities will be done in a gradual and cost-effective manner. In 2007-2008, the PPSC began the development of a long-term accommodations plan in consultation with Public Works and Government Services Canada.

- **New Document Tracking Systems** - In order to meet its statutory obligations under the *Access to Information Act* and the *Privacy Act*, the PPSC set up an Access to Information and Privacy (ATIP) office in 2007. By April 2008, the PPSC completed the installation of a fully functional document imaging and tracking software system, further enhancing its ability to meet its statutory obligations. During 2007-2008, the PPSC also completed the installation of a system that electronically tracks documents such as correspondence and briefing material.

Strengthening our workforce

The PPSC faced recruitment and retention challenges in a competitive marketplace. Nonetheless, it built on the strength and capacity of its current workforce and embraced our open diverse and multicultural environment that values respect, fairness, integrity, sharing and recognition.

Recruitment and retention: As described earlier, PPSC-wide progress continues in the area of human resources management. Corporate priorities were established to help the PPSC in fulfilling its mandate. One of the priorities relates to “Our People” and is aimed at enhancing our recruitment and retention strategy which includes fostering a culture where development, management and diversity are valued and recognized as important to reach our organizational goals. As well, the PPSC will be offering a mentoring program in partnership with the Department of Justice.

The PPSC faces recruitment and retention challenges, primarily due to the increases in salaries for prosecutors in the marketplace across Canada. In 2007-2008, the PPSC began work on a national recruitment strategy and began to develop competency profiles to support both recruitment and career management of its workforce. A number of senior complement positions were created to reflect the work done by prosecutors and provide them with a career path within the organization.

Security: The PPSC established a Security Committee to examine the issues pertaining to the security of its prosecutors and other employees and to identify the measures required to address them. It continued to work closely with police forces as well as with the FPT Heads of Prosecution Committee to share information on security threats, issues and mitigation strategies.

Other human resources initiatives:

- The PPSC developed a policy and guidelines on recognition, and also established an awards program.
- It developed an infrastructure to support effective labour-management consultation and communication.
- A National Employee Assistance Program (EAP) was negotiated with Health Canada and implemented.
- An organizational strategic plan and framework for official languages that clarifies organizational accountabilities and responsibilities was implemented.

Improving performance measurement, including legal risk management

Development of an organizational performance measurement framework: During 2007-2008, the PPSC began to develop an improved approach to monitoring performance relating to its program activities and to measure and report on the results achieved. As part of the government-wide “Management, Results and Resources Structure” initiative led by the Treasury Board Secretariat, the PPSC developed a preliminary set of performance indicators for its strategic outcome and for the expected results associated with each of its program activities, along with the corresponding data collection mechanisms, with a view to developing a strategy and framework to help manage our operational performance. Research for benchmarks and internal performance indicators was also undertaken with a view to preparing for a pilot implementation of a new framework.

Legal risk management: The PPSC has been tracking compliance with legal risk management (LRM) procedures since LRM was introduced in 2005 by the PPSC’s predecessor, the Federal Prosecution Service. In the first few years of LRM implementation, compliance rates had been relatively low across Canada and varied considerably from region to region. The PPSC has been adapting the LRM approach to its new operating environment as a separate entity. In 2007-2008, it assessed and coded 97% of in-house litigation cases for legal risk, achieving an actual rate of 99%. There was almost no regional variation, as all regions scored between 94% and 100% on LRM compliance.

Contacts

PPSC Enquiries

Telephone: 613-957-6489

Telephone toll free: 1 800 O-Canada (1 800 622-6232)

Email: [**info@ppsc.gc.ca**](mailto:info@ppsc.gc.ca)