British Columbia JUSTICE AND PUBLIC SAFETY COUNCIL

STRATEGIC PLAN FOR THE JUSTICE AND PUBLIC SAFETY SECTOR

APRIL 2014 - MARCH 2017

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MESSAGE FROM THE CHAIR OF THE JUSTICE AND PUBLIC SAFETY COUNCIL



Every day, thousands of British Columbians go to work to deliver the many vital services within the justice and public safety sector. These dedicated public servants ensure that crime is investigated and prosecuted, that citizens' rights and interests are well represented, and that community well-being is maintained. They help families work through the difficulties of marriage breakdown, and they help to support the foundations of work and business by ensuring that contracts are honoured. Above all, they ensure that the rule of law applies to the way we settle wrongs and disputes, and to the way we protect our communities. These services, and many others, are essential for individuals, for families, and for the health of our democracy.

It is my privilege to chair the Justice and Public Safety Council, and to present the Council's vision and first strategic plan for the sector. The Council acknowledges the sector's strong foundations but also recognizes the need for continued improvement and innovation. As consultations and reports have indicated, significant change is needed to adapt to the province's changing circumstances, its growing and diverse population, and increasing public expectations of transparency and accountability. In some areas, the justice and public safety sector is struggling to keep pace with the demands placed upon it, leading us to examine our traditional ways of doing things. In other situations, we need to innovate, or to take advantage of new opportunities such as those offered by technology.

Our plan focuses on four goals which the Council has identified as essential to the health of the justice sector. To maintain public trust, we must ensure fairness. We must protect people, especially those who are most vulnerable. We must manage the sector in a sustainable way and, finally, we must ensure that the public has confidence in the integrity of the sector. For each of these goals, we must also measure our performance and progress in ways which are meaningful for British Columbians.

As a Council, we have built this first plan based on dialogue and candid assessment of where we stand as a sector. This dialogue will continue, and in the coming year will include more voices concerning such important issues as family justice, the concerns of Aboriginal peoples, access to justice, and how we should address the question of mentally disordered individuals coming into contact with the sector. The Council, too, must evolve to become more fully representative of the sector and its key partnerships.

On behalf of my Council colleagues, I am pleased to present this plan, and to acknowledge the spirited work that went into its preparation. I look forward to continuing this work in the coming year, and to the collaboration, imagination and initiative that this plan enables.

Lori Wanamaker, FCA Chair Justice and Public Safety Council

EXECUTIVE SUMMARY

This is the first three-year strategic plan developed by the Justice and Public Safety Council of British Columbia. It applies broadly to publicly funded programs and services that contribute to the administration of justice, to the delivery of justice services, and to public safety in British Columbia – "the sector."

The plan, developed by the Council based on a wide range of advice, consultation and recommendations from leaders, participants and stakeholders across the justice and public safety sector, is based on the Council's vision for the sector and the four goals within that vision:

British Columbia is committed to a justice and public safety sector founded on the rule of law. The sector encompasses criminal, civil, family and administrative law. It is **fair**, **protects people**, is **sustainable**, and has the **public's confidence**.

- Fair by being accessible, impartial, and timely
- Protects people via preventative and protective measures, and by working systemically
- Sustainable by being focused on key services, well managed and effective
- Public confidence by being adaptive, performance-focused and empowering.

In ongoing consultation with sector representatives, performance measures have been developed aligned to these goals and associated objectives. Some of the key data required to measure progress against the basic goals of the sector are not yet available, requiring developmental work.

The following areas have been identified by the Council as sector priorities for 2014-15:

- Aboriginal Justice. Important issues include addressing violence suffered by Aboriginal
 women and families; addressing overrepresentation of Aboriginal people in the justice
 system; and response to recommendations of the Missing Women Commission of
 Inquiry.
- 2. **Justice and Mental Health**. Key issues include the prevalence of police encounters with mentally disordered people in the community, and the rates of mental disorder and

substance dependency amongst the sentenced population. Meaningful engagement with health and human services providers, as well as rigorous data on the provincial situation, is required.

3. Access to Justice. The ability of people to identify, obtain and afford services, understand and exercise their rights and obligations, and/or participate in proceedings on a level footing is at issue and requires a coordinated response.

In two further areas the Council highlights the importance of continuing work across the sector: **violence against women**, including partner violence and sexual violence, and the development of better information about prevalence; and the development of reliable and accepted **measures of cost and workload** and the effects of public investment in the sector.

This plan for province's justice and public safety sector began with and has been built on consultation. The expectation of the Council is that this consultation should be an ongoing process — as the sector's organizations respond to the plan, as reform efforts are designed and implemented, and as the sector's performance in delivering the basic goals of the Council's vision is reviewed in the years to come.

The strength and legitimacy of this plan rests on its consultative origins. The plan is not binding on any one element of the sector, which contains many distinct and operationally independent parts. Its goals and performance metrics have been developed with input invited and received from independent elements of the sector, non-government organizations, and representatives of all three levels of government. Beginning in 2015, the Council's work, the work of the sector, and the sector's performance against the stated goals of the plan, will be the subject of annual public performance reporting.

PART I: BUILDING A PLAN

A STRATEGIC PLAN FOR JUSTICE AND PUBLIC SAFETY IN B.C.

This is the first three-year strategic plan developed by the Justice and Public Safety Council of British Columbia.

The plan is based on the Council's vision for the justice and public safety sector — a vision which includes four distinct goals and specific objectives for the sector as it strives to reach those goals. The plan emphasizes the strengths of the sector, and also identifies gaps between where the sector is today and where it should be to meet the needs of citizens. Finally, the plan suggests how progress in achieving the vision and goals established by the Council should be measured, and sets out the basic values which apply to work in the sector.

THE JUSTICE AND PUBLIC SAFETY COUNCIL

The Council, appointed by British Columbia's Minister of Justice and Attorney General under the terms of the *Justice Reform and Transparency Act* (2013), is required to:

- deliver a strategic vision for the justice and public safety sector;
- produce (and refresh annually) a three-year plan for the sector to achieve progress towards that vision; and
- report each year on the performance of the sector in achieving the objectives of the plan.

In its work, the Council consults broadly within the sector, including leaders, subject matter experts, and participants at British Columbia Justice Summits.

By law, the Council's annual plan and reports on performance are delivered at the end of March to the Minister, and are made available to the public at the same time.

A list of the Council's current membership can be found in *Appendix 1*.

SCOPE AND LIMITATIONS OF THIS PLAN

The plan applies broadly to publicly-funded programs and services that contribute to the administration of justice, to the delivery of justice services, and to public safety in British Columbia – "the sector." The sector includes:

- The formal justice system, which includes administrative law, civil law, corrections, criminal law, court processes, family law, prosecution, and related work.
- The closely related functions of protection of the public, such as policing, crime prevention, and services to victims of crime.
- Regulatory, protective and/or response functions such as motor vehicle licensing and fines, civil forfeiture, and coroner services.
- The reform of provincial statutes, the modernization of which is of importance not just to public justice participants, but to users of the justice system.
- The governing and administrative activity the bureaucracy which supports all
 of the justice and public safety work on which British Columbians rely.

This plan was created through consultation, as set out below, and in this area the Council notes and acknowledges one primary limitation. It is important for the reader to note that, due in part to the focus recently brought to bear on the criminal justice system by the reports of the Missing Women Commission of Inquiry and of the B.C. Justice Reform Initiative review of that system, consultation and engagement through 2013 occurred more extensively in the area of criminal justice. As a consequence, these discussions and issues are reflected in the plan's objectives to a greater extent, particularly with regard to activity in 2014-15. In the coming year, the Council expects further consultation on family and civil justice matters will yield important insights and clarify objectives in these areas as well.

HOW THIS PLAN WAS DEVELOPED

Over the past year, this plan was developed by the Council based on a wide range of advice, consultation and recommendations from leaders, participants and stakeholders across the sector.

In publishing its first plan, the Council acknowledges, and seeks to build on, a significant body of relevant knowledge and recommendations developed at the provincial and national levels. Influences on the Council's work include, but are not limited to:

- Reaching Equal Justice (Canadian Bar Association, 2013)
- Access to Civil & Family Justice: A Roadmap for Change (National Action Committee on Access to Justice in Civil and Family Matters, 2013)
- White Paper on Justice Reform, Parts I and II (B.C. Ministry of Justice, 2012-13)
- Forsaken: The Report of the Missing Women Commission of Inquiry (2012)
- Better Outcomes For Aboriginal People and the Justice System (Native Courtworker and Counselling Association of B.C., 2013)
- A Criminal Justice System for the 21st Century (Cowper Report, 2012)
- Foundation for Change: Report Of The Public Commission On Legal Aid In British Columbia (2011)

Two Justice Summits held in March and November 2013 – focused on criminal justice – brought together members of the Council with leaders from the judiciary, federal and provincial justice and public safety agencies, the legal profession, police, municipalities, related justice agencies, Aboriginal and victim service organizations, and the academic community. They provided a forum for frank discussions between sector leaders and participants about how the sector is performing and how it may be improved. Those discussions, preceded by consultation on early versions of the Council's vision, goals and objectives for the sector, represented the largest opportunity for input and recommendations into the Council's planning ideas from leaders across the sector. The published summary reports of each Summit were of direct relevance to the Council's planning discussions.

In addition, the Council drew on the results of regular dialogue between the Ministry of Justice and the Court of Appeal for British Columbia, the Supreme Court of British Columbia and the Provincial Court of British Columbia, including two bilateral summit meetings held in connection with the B.C. Justice Summits in March and November 2013. The final plan, however, reflects the view of the Council and not necessarily that of the Courts.

HOW THIS PLAN WILL BE USED

This plan outlines the Justice and Public Safety Council's shared vision for the justice and public safety sector, and shows the Council's intended direction and focus over the next three years. It provides important benchmarks against which to measure progress, and lays the groundwork for ongoing dialogue in British Columbia on the reform and performance of the sector.

The process of producing the plan and the consultations that were conducted have established a new path of closer working relationships and collaboration among sector participants, relationships which will continue to strengthen through regular consideration of this plan and of sector performance.

This plan covers the three-year period from April 2014 through March 2017. It represents the first piece of what will be an ongoing planning process based on continued collaboration among sector participants. As provided for by statute, the Council will update this plan annually so that it remains relevant and continues to provide direction.

Beginning in March 2015, the Council will provide an annual public report on the performance measures included in this plan, as well as on any new measures which are developed and agreed upon. These annual performance reports will allow the Council, justice and public safety participants, and the public to monitor the sector's progress towards the Council's vision, goals and objectives.

The strength and legitimacy of the plan rests on its consultative origins. The plan is not binding on any one element of the sector, which contains many distinct and operationally independent parts. However, it results from a period of significant consultation across the sector, consultation which will continue through the life of the plan. Its goals and performance metrics have been developed with input invited and received from independent elements of the sector, non-government organizations, and representatives of all three levels of government.

PART II: A VISION AND A PLAN FOR THE SECTOR

VISION

PREAMBLE

British Columbia is committed to a justice and public safety sector founded on the rule of law. The sector encompasses criminal, civil, family and administrative law. It is **fair**, **protects people**, is **sustainable**, and has the **public's confidence**.

GOAL 1: OUR SYSTEM IS FAIR

Objectives

- Accessible We offer services accessible to all regardless of means or location, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.
- Impartial We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.
- Timely We work together to reduce systemic delay in the sector as an impediment to justice; we seek early resolution of individual processes wherever possible.

GOAL 2: OUR SYSTEM PROTECTS PEOPLE

Objectives

- Preventative We offer early, appropriate and effective interventions to reduce and redress antisocial behaviour, assisting people in rebuilding healthy, productive lives.
- Protective We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the sector.
- Systemic approach We work across all levels of government to understand and address root causes of crime, and support and participate in effective innovative interventions.

GOAL 3: OUR SYSTEM IS SUSTAINABLE

Objectives

- Focused Based on measurable demand, we make evidence-based decisions to resource the sector's necessary functions, ensuring that services are delivered efficiently.
- Managed We allocate resources prudently across the sector according to clear and demonstrated cause and effect.
- Effective We measure and improve the value realized from public investment, collectively and as institutions.

GOAL 4: OUR SYSTEM HAS THE PUBLIC'S CONFIDENCE

Objectives

- Adaptive We offer services and programs that are nimble; we solicit and respond to the needs of people, respond to changes in communities, and monitor the effectiveness of our programs.
- Performance-focused We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.
- Empowering People entering the system have sufficient opportunity and support to learn its rules and practices at their level of need; the public both understands and values the system; we treat the time of every participant as valuable.

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This vision for the sector, with accompanying goals and objectives, has been developed by the Council through broad consultation with justice and public safety stakeholders and participants. It was also informed by the reviews and reports discussed above.

The Council's plan – built directly from the vision – identifies specific gaps where the current reality of the sector does not match the aspirations of the vision. Against each goal and objective, "performance gaps" are set out, as identified through dialogue among sector participants.

As required by statute, performance indicators are identified throughout the plan. These indicators are associated to the broad goals and (where they may be implemented this year) specific objectives of the Council's vision.

The process of developing a first plan has led to the Council identifying areas of performance not previously identified or tracked by sector organizations. In a number of cases, as indicated, data or methods required to establish and track sector performance are not yet available and must be developed in the near to medium term.

BROADENING THE DIALOGUE ON SECTOR PLANNING

In publishing this first plan, the Council cautions that consultation over the vision, goals and objectives presented in the following sections, and identification of meaningful performance measures, is a continuing process, any or all aspects of which, over the course of any one year, can never be perfect. As these goals and objectives are set out, richer dialogue with the public, sector participants and stakeholders, professional bodies, Aboriginal and First Nations organizations, NGO workers, and other interested and knowledgeable parties, will be vital for the health and effectiveness of the Council's planning and reporting process.

The composition of the Council itself is directly linked to the effectiveness and inclusiveness of the planning process for the sector. In this first year of implementing the Justice Reform and Transparency Act, Council members were initially appointed from among the senior public officials who have responsibility for administering the sector. The Council recognizes that, to plan and achieve transformation of a sector which has broad reach among the people of the province and its many regions, its own membership must more closely reflect the range of people and institutions involved in changing the sector for the better, and those most greatly affected by these changes.

Accordingly, in 2014-15 the Council will provide – following a process of engagement and consultation, including opportunities presented via the B.C. Justice Summits – recommendations to the Attorney General and Minister of Justice as to how its membership may be enhanced to further the goal of sector reform, and regarding the contribution of related advisory structures.

MEASURING PROGRESS TOWARDS THE COUNCIL'S GOALS AND OBJECTIVES FOR THE SECTOR

In the pages that follow, the Council restates its goals and objectives for the sector, flowing from the vision above, and incorporates identified performance gaps as they related to each goal.

The Council is committed to develop and publish an evidence-based, broadly accepted set of measures which highlight the progress made against its goals and objectives. The reader will note numerous areas where specific performance measures are identified as ready to be populated and published in the coming year. The Council will begin publication of these measures in 2015.

Performance measures have been developed in structured and informal consultation with sector representatives. Structured consultation has included the establishment of a Justice and Public Safety Sector Working Group on performance measures, with representation from the Ministry of Justice and other government and sector participants, and a Justice and Public Safety Sector Performance Measures Review Committee with membership drawn primarily from senior sector participants outside government.

In view of the provision of the *Justice Reform and Transparency Act* that the Council's performance measurement efforts be conducted according to standards established by the provincial Office of the Auditor General, consultation has also occurred between Council representatives and that office in the development of this plan.

Each of the four goals itself has one higher, goal-level performance indicator identified. Many of the objectives within the four goals have at least one more specific performance indicator identified. Where measures are plainly stated, appropriate, broadly accepted data is available and may be used to assess progress. This is primarily true of the first two goals (fairness and protection of people).

CONTINUING DEVELOPMENT OF PERFORMANCE MEASURES: MAKING THE PICTURE WHOLE

In many areas of the plan – particularly in matters of sustainability and public confidence – there are limitations regarding the existence (or readiness) of data useful in measuring progress.

Understanding and measuring progress with respect to the goals of fairness, protection of people and public confidence requires direct learning from the experiences of people most directly affected. To find out how the public actually experience sector services, it will be necessary to survey real people: victims, litigants, the accused, and others touched by the sector, and the public at large. Some of this data is already collected by existing surveys, but many other important questions remain to be asked. More work on gathering these experiences is required before the picture of performance is complete.

With respect to sustainability, more profound development work is required to identify and measure costs, benefits and efficiencies in the sector. Simply put, we do not yet have tools to measure the impact of sector investments fairly and accurately. Important developmental work is required, work which should and will take time to ensure its accuracy.

In further areas, new data is required which requires thought be given to a common provincial strategy for collection, and addresses the key requirements of such an approach, such as privacy, information management and governance. This would include, for example, data regarding time spent by police responding to mental health-related incidents in the community – information important to establish risks, costs, opportunities and solutions in ensuring better outcomes for people with mental disorders. In this and other areas, the Council encourages the Province, other levels of government and sector agencies to collaborate on developing consistent baseline data as a foundation for positive change.

Wherever possible, measures have been identified to shed light on performance gaps in the sector identified through consultation (in particular, through the Justice Summit process). However, the performance dialogue must also be driven by overall measures of sector health, for which not all data is yet readily available, but which are nonetheless in the public interest. For example, while sector consultation returned an interest in the overall timeliness of criminal court cases, the Council views the broader question of timeliness of criminal cases in general (that is, from an initial crime report to a court disposition) as potentially having greater meaning from the perspective of the public. This important

metric, and other system measures, will require work in the near future to align data from different parts of sector, and to confirm its validity, before it is ready to be incorporated in full public dialogue over performance.

INTERPRETING DATA AVAILABILITY

For clarity, in the following pages where measures are identified as READY, data are available of appropriate quality and format for incorporation over 2014-15.

Where measures are noted as REQUIRES SURVEY, survey data are the most appropriate for the measure in question and must be developed through appropriate consultation and use of approved methodologies. In some cases, results may be obtainable for 2014-15. In other areas, developmental work must occur before an agreed methodology may be implemented.

Where no data and/or agreed methodology exist, and survey methods are not applicable, measures are noted by the Council as UNDER DEVELOPMENT.

ONGOING CONSULTATION

To be useful, the measures identified by the Council must be simple, consensus-based, and easily replicated. Some data required to measure sector performance are available, and some key methodologies are agreed. However, in many areas of interest the sector has yet to develop the ability to measure what we know to be important. Consultation over the development and refinement of performance measures will continue as a regular feature of the Council's annual planning and reporting exercise, with standing technical and review committees each contributing to the process in substantive ways.

PLANNING FOR THE SECTOR: 2014/15 THROUGH 2016/17

GOAL 1: OUR SECTOR IS FAIR

Goal Level Performance Indicator REQUIRES SURVEY

Percentage of sample population having had contact with the system in the previous 12 months responding positively to the question "in your recent experience, were you treated fairly overall?"

OBJECTIVE: ACCESSIBLE

We offer services accessible to all regardless of means or location, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.



PERFORMANCE GAPS

Improved access to justice is needed in civil, family and administrative disputes, in both urban and rural settings.

We need to better balance the application of public resources to increase access to justice for accused persons.



READY

Objective-level performance Indicators

- Mean cost per litigant.
- Rates of self-representation in criminal proceedings.

REQUIRES SURVEY

 Level of understanding of and ease of accessing available supports and services.

UNDER DEVELOPMENT

- Measure of miscarriages of justice.
- Quality of representation.

GOAL 1: OUR SECTOR IS FAIR

OBJECTIVE: IMPARTIAL

We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.



PERFORMANCE GAPS

We require an integrated strategy to address over-representation of Aboriginal people in the court and correctional systems.

We need to increase our understanding of perceived barriers to justice among women who are victims of violence.



Objective-level performance Indicators

READY

- Rate of Aboriginal incarceration (remand).
 - **REQUIRES SURVEY**
- Satisfaction with justice system interactions among Aboriginal persons having had recent contact with the justice system.
- Satisfaction with justice system interactions among women who are victims of violence having had contact with the justice system.

GOAL 1: OUR SECTOR IS FAIR

OBJECTIVE: TIMELY

We work together to reduce systemic delay as an impediment to justice; we seek early resolution of individual processes wherever possible.



PERFORMANCE GAPS

The administration of the court system must be modernized to improve scheduling and decrease unproductive appearances.

We need to further incorporate established risk/need-assessment practices beyond corrections, in prosecution and police policy.



Objective-level performance Indicators

READY

- Number of cases stayed by judges due to systemic delay (successful Askov rulings).
- Next available date for a trial criminal (adult and youth), civil and family.
- Percentage of criminal cases resolved within 30/60/90 days.

UNDER DEVELOPMENT

Measure of incorporation of risk/need-assessment practices

GOAL 2: OUR SECTOR PROTECTS PEOPLE

Goal Level Performance Indicator

Percentage of sample of general population responding affirmatively to the question "do you feel safe in your community?"

OBJECTIVE: PREVENTION

We offer early, appropriate and effective interventions to reduce antisocial behaviour, assisting people in rebuilding healthy, productive lives.



PERFORMANCE GAPS

Cross-sector, community-based strategies are required to protect vulnerable populations. We need to address the factors associated with prolific offending, and also address the factors that make people more vulnerable to victimization.

To improve road safety compliance, we need to better link critical information regarding high-risk drivers, such as driver records, prohibitions, administrative reviews and driver remedial actions.



Objective-level performance Indicators

READY

- Percentage of adult offenders who are not re-convicted in B.C. within two years of their release from custody.
- Rate of reoffending among higher-volume offenders.
- Youth recidivism rate: youth who did not commit a new offence in the following five years.
- Number of traffic casualty collisions involving high risk drivers.
- Number of traffic fatalities.

REQUIRES SURVEY

 Comparative rates of victimization among at-risk groups and general population.

GOAL 2: OUR SECTOR PROTECTS PEOPLE

OBJECTIVE: PROTECTION

We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the system.



PERFORMANCE GAPS

We need a coordinated, evidencebased framework for managing and supporting sexual and domestic violence cases through the courts and ensuring referrals to support services. We require systemic informationsharing to increase the frequency with which missing persons are located.



Objective-level performance Indicators

UNDER DEVELOPMENT

- Measure to assess success of support of sexual violence and domestic violence cases.
- Measure to establish prevalence of domestic violence.
- Measure of information sharing regarding missing persons.

GOAL 2: OUR SECTOR PROTECTS PEOPLE

OBJECTIVE: SYSTEMIC APPROACH

We work across all levels of government to understand and address root causes of crime, and support and participate in effective alternative interventions and innovation.



PERFORMANCE GAPS

Meaningful options need to be available to the courts in support of alternatives to incarceration consistent with R v *Gladue*.

Coordinated efforts are required to ensure appropriate triage of mentally-disordered individuals, including adequate accommodation and treatment availability.



Objective-level performance Indicators

READY

- Rate of Aboriginal incarceration (sentenced).
- Proportion of provincial inmates with diagnosed (a) major mental disorders and (b) substance dependency.

UNDER DEVELOPMENT

 Police operational effort expended on calls associated to mental disorders.

GOAL 3: OUR SECTOR IS SUSTAINABLE

Goal Level Performance Indicator

Combined annual cost of core justice and public safety sector programs (e.g. police, courts, corrections, Crown) as a percentage of provincial GDP.

OBJECTIVE: FOCUSED EFFORTS

Based on measurable demand, we make evidence-based decisions to resource the system's necessary functions, ensuring these services are delivered efficiently.



PERFORMANCE GAPS

We need better measures of demand and workload for sector processes around which resource planning can occur.

Sustainable models for policing service delivery are required at the provincial, regional and municipal levels.



GOAL 3: OUR SECTOR IS SUSTAINABLE

OBJECTIVE: MANAGED RESOURCES

We allocate resources prudently across the system according to clear and demonstrated cause and effect.



PERFORMANCE GAPS

All significant public investments, in cash or in kind, need to be evaluated against expected outcomes identified in advance.

Savings or efficiencies created from reforms should be clearly identified through planning and measurement, and be reallocated where resources are most required.



GOAL 3: OUR SECTOR IS SUSTAINABLE

OBJECTIVE: EFFECTIVENESS

We measure and improve the return on investment of public resources, collectively and as institutions.



PERFORMANCE GAPS

We require a methodology to define the cost per key output for each of the sector's major functions.



GOAL 4: OUR SECTOR HAS THE PUBLIC'S CONFIDENCE

Goal Level Performance Indicator

Percentage of sample of general population responding affirmatively to the question: "Are you confident in B.C.'s system of justice and public safety?"

OBJECTIVE: ADAPTIVE

We offer services and programs that are nimble; we solicit and respond to the needs of people and monitor the effectiveness of our programs.



PERFORMANCE GAPS

We need to establish, report on, and respond to feedback loops with sector client populations.



GOAL 4: OUR SECTOR HAS THE PUBLIC'S CONFIDENCE

OBJECTIVE: PERFORMANCE-FOCUSED

We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.



PERFORMANCE GAPS

Meaningful performance reports on core sector deliverables and services should be regularly published.



GOAL 4: OUR SECTOR HAS THE PUBLIC'S CONFIDENCE

OBJECTIVE: EMPOWERING

People entering the system have sufficient opportunity and support to learn its rules and practices at their level of need; the public both understands and values the system; we treat the time of every participant as valuable.



PERFORMANCE GAPS

People must be better informed and educated about ways in which the sector can assist them in adapting to change and resolving disputes.

More user-needs-driven information should be made available – and provided proactively – at the outset of proceedings.



PART III: CONTEXT FOR THE PLAN

SECTOR CHARACTERISTICS AND RECENT TRENDS

In setting out this plan, the Council takes note of a number of important characteristics and trends which apply to the sector today:

 Consistent with national trends, crime in British Columbia continued to decline in 2012, resulting in the ninth consecutive annual decrease and the lowest recorded crime rate since 1970. British Columbia's overall crime rate in 2012 showed a two per cent decrease from 2011.

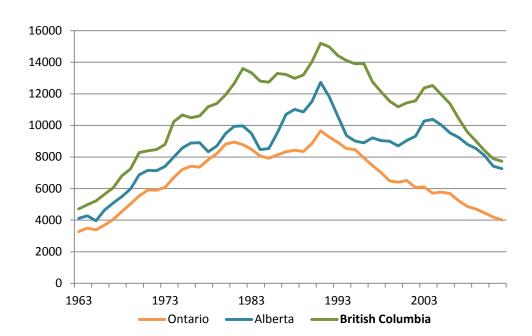


Figure 1: Reported crime incidents per 100,000 population, 1963-20121

The vast majority of the reduction in the overall crime rate over the past decade is the result of a reduction in reported property crime incidents. Violent crime, and particularly domestic and sexual violence which often involve greater

¹ Source: Canadian Centre for Justice Statistics. These figures reflected reported crimes. They do not reflect crimes which are for one reason or another unreported to police, and they are therefore necessarily an incomplete picture of criminal occurrences. The rate of victimization, typically determined by population survey, is considered a more accurate picture of total criminal activity. However, victimization rates are currently measured nationally every five years – too infrequently to serve as a useful policy tool – and are not included here. The reader should also note that the crime rate is at best an incomplete measure of police workload, as it does not capture the range of proactive community or public order activity required of police agencies, enforcement of non-criminal statutes (e.g. Motor Vehicle Act) or non-criminal requests for service from the public.

- complexity, remains a great concern. And while property crime has fallen, for comparison the B.C. crime rate remains higher than that of Alberta and significantly higher than that of Ontario.
- Aboriginal people continue to be over-represented in the justice system as both offenders and victims.
- Youth crime is also declining, and the number of youth in provincial custody remains at or near historical lows. However, the benefits of these trends are unevenly distributed, with Aboriginal youth an increasing percentage of the remaining youth custody population.
- The relative severity of crime is also decreasing in the province. In 2012, British Columbia's crime severity index – a measure of the seriousness of criminal offences being committed which addresses some limitations of the traditional "crime rate" measure, specifically its lack of capacity to distinguish differences between, for example, homicide and mischief – showed close to a two per cent decrease from 2011. As with the crime rate, B.C.'s crime severity remains above that of Alberta and significantly greater than that of Ontario.

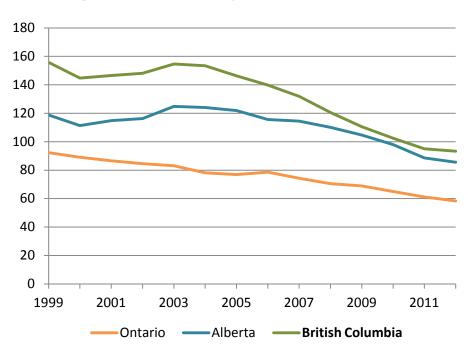


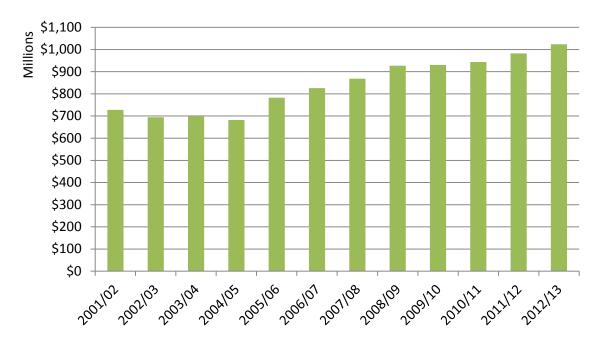
Figure 2: Crime Severity Index trends, 1999-2012²

- Family justice processes and civil dispute resolution have been characterized by cost, delay and complexity. Reform initiatives are underway the development of family justice services throughout the province, the implementation of a new Family Law Act, and the growth of more collaborative practices and approaches to resolving family disputes are all contributing to increased accessibility and improved outcomes for families.
- The provincial government is moving forward with its commitment to provide
 British Columbians with alternatives to court for the resolution of some civil
 disputes through tribunals, not only in order to provide faster and/or less costly
 access to justice but also to provide a means for expedited resolution where,
 given the nature of the dispute, out-of-court solutions are more appropriate.
- Motor vehicle crashes continue to be a leading cause of death and serious injury for all age groups in British Columbia. Alcohol-related deaths and injuries appear

² Source: Canadian Centre for Justice Statistics. The Police Reported Crime Severity Index (PRCSI) measures changes in the level of severity of crime in Canada from year to year. In the index, all crimes are assigned a weight based on their seriousness. The level of seriousness is based on actual sentences handed down by the courts in all provinces and territories. More serious crimes are assigned higher weights, less serious offences lower weights. As a result, more serious offences have a greater impact on changes in the index.

- to have reduced significantly since the introduction of more immediate administrative penalties for drinking drivers in 2011.
- Questions of financial sustainability are critical. Mirroring national trends, justice
 system costs in B.C. continue to increase. In particular, the cost of policing in
 British Columbia continues to rise. This impacts the provincial budget and those
 of local governments who bear the majority of the cost of policing. Similarly,
 human resource costs continue to place upward pressure on the Ministry of
 Justice budget.

Figure 3: Justice and Public Safety Sector costs (Provincial only), 2001/02-2012/13³



• Likewise, within private legal practice, there is a growing discussion regarding legal services being unaffordable for a large percentage of British Columbians.

Access to justice is a serious problem all across Canada. In the practice of law, in

³ Source: *BC Ministry of Justice, Corporate Management Services Branch*. This chart incorporates budget figures from the B.C. Ministry of Justice and the former ministries of Attorney General and of Public Safety and Solicitor General, and combines salary and operating costs. Figures include amounts for Corrections, the Corrections work program, police services, community safety and crime prevention, the Office of the Superintendent of Motor Vehicles, justice transformation, justice services, Prosecution services, court services, and the judiciary. Figures exclude amounts which have not consistently been funded via the justice and public safety ministry budget(s) for services (government corporate infrastructure and facilities) and programs (for example, liquor control and licensing, and gaming policy and enforcement). The chart also excludes federal and municipal budget figures for justice and public safety, which comprise a significant portion of the total public expenditure in the sector – in particular, as noted in the text, the costs of municipal policing and federal enforcement.

dispute resolution, and in policing, alternatives to current models are being discussed and/or introduced to render services more accessible and/or sustainable where appropriate, including the fostering of para-professional services, tiered service delivery, and online services.

- The view that crime, policing and criminal court processes are increasing in complexity is widely held by practitioners, inviting further analysis.
- Similarly, attention has been drawn by police and municipalities to issues of public order and public safety associated with mentally ill offenders, including potentially avoidable criminalization of the mentally ill and/or excessive expenditure of police response resources.
- Funding for both family and criminal legal aid has been identified as a very serious concern by numerous sector organizations.
- More generally, there is growing concern and increasing dialogue around access to justice, which has gained momentum due to the focus by the Chief Justice of the Supreme Court of Canada and the report of the National Action Committee on access to justice in civil and family matters.
- The increase in self-represented litigants has been raised as a concern by judges and many other justice system participants. Solutions range from an increase in rate of clients with lawyers to dispute resolution systems that are designed for self-represented individuals.
- The annual number of new Provincial Court criminal cases entering the system (adult and youth) has declined by about 15 per cent over the last 10 years. New court cases overall, including civil and family proceedings, have declined by nearly 25 per cent in the same period. Timeliness remains a concern, however, indicating the importance of an aggressive transformation agenda in moving cases to resolution at a faster rate.

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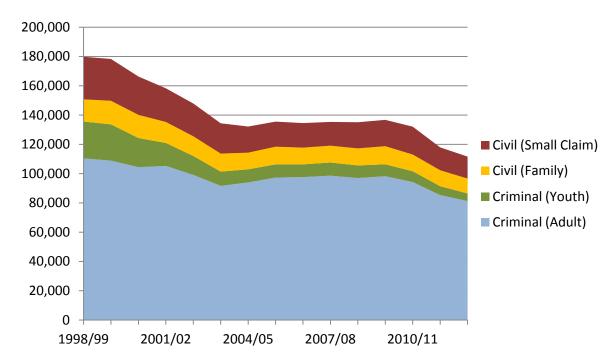


Figure 4: New Provincial Court cases by type (excluding traffic) 1998/99-2012/13⁴

- The sector is responding to concerns over timeliness. Court procedures are being streamlined through new technologies and innovations. Additionally, initiatives are underway to move disputes out of courtrooms, where appropriate, to allow court hearings to be reserved for the most serious matters or those which are not otherwise resolvable.
- While Corrections caseloads have remained high in the community, there has been a decline in inmate counts within provincial correctional centres since 2010.
 Despite this decline, provincial correctional centres still exhibit capacity pressures and the provincial government is conducting a significant capital expansion of correctional centre capacity.

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⁴ Source: *BC Ministry of Justice, Court Services Branch.*

RECENT ACHIEVEMENTS IN THE SECTOR

This plan to transform the sector must be viewed against a positive backdrop. British Columbia, like other Canadian jurisdictions, is served by a justice and public safety sector which is professional, well-functioning, appropriately independent, well-governed, and exhibits a high degree of integrity amongst its people and its processes. The extent to which sector personnel provide their expertise and guidance on the international stage speaks to the standards maintained by the sector and the esteem in which it is held.

Similarly, where the sector has identified challenges, these are in many cases already being met with sustained, collaborative and promising approaches. As context for the changes, enhancements and transformation initiatives suggested in the plan, a number of areas of significant recent progress are outlined below.

GOVERNANCE AND COLLABORATION

The provincial government passed the *Justice Reform and Transparency Act* in March 2013. Fulfilling key recommendations of the Cowper Report, the Act established a foundation for strengthened governance and collaboration for the justice and public safety sector in British Columbia. The Act allows for the creation of the Justice and Public Safety Council and requires the Council to develop a vision of the desired future state of the sector in British Columbia and to deliver this, and subsequent, annual strategic plans based on that vision. The Act also provides for the Council to engage in consultation across the sector through Justice Summits, to be convened by the Minister of Justice and Attorney General at least annually.

Two Justice Summits have been held to date, in March and November of 2013. The first Summit established an important precedent for dialogue and planning at this level, while the second focused on more substantive questions of criminal justice transformation. While the consultations on criminal justice transformation will continue, the Summits to be convened in 2014 will focus first on the family justice system, and subsequently on civil justice.

In April 2013, the Attorney General, the Chief Justice of British Columbia, the Chief Justice of the Supreme Court and the Chief Judge of the Provincial Court signed a memorandum of understanding which clarifies the roles and responsibilities of the Attorney and the Chief Justices in the administration of the Courts. It acknowledges and respects the constitutional framework in which the Attorney General and the judiciary, as separate and independent

branches of government, operate, while asserting the necessity of collaboration and consultation on matters of judicial administration and court administration to develop and maintain an accessible, modern, and effective justice system.

COURT EFFICIENCIES

Further to this strong foundation of governance and collaboration, significant progress has been made to establish greater court efficiencies. The number of Provincial Court regions in the province has been consolidated to five from 12, a change proposed by the Chief Judge which will largely align the regions with those used by other government agencies and improve court management.

Positive changes have occurred within the area of prosecution, including introduction of a project management approach to large prosecutions, collaboration with police agencies to increase understanding of disclosure obligations, and systematic data collection and process reviews of completed prosecutions to enhance institutional learning and performance.

Under the Justice Reform and Transparency Act, the Provincial Court Act was amended on April 11, 2013, in consultation with the Office of the Chief Judge, to acknowledge aspects of the Chief Judge's authority over judicial administration. The amendments provide the Chief Judge greater specific authority to manage the administration of the court, improving administrative efficiency. Also under the leadership of the Office of the Chief Judge, the Ministry of Justice is working with the Provincial Court to better utilize judicial and court facilities and staff resources. Changes include rules revisions that reduce administrative processes by returning case management responsibility to Counsel, and support enhanced Crown file ownership and the introduction of a Provincial Court scheduling system.

POLICING AND LAW ENFORCEMENT

British Columbia is also making progress toward modernizing the province's policing and law enforcement framework over the next three, five and 10 years. Released in December 2013, the B.C. Policing and Community Safety Plan is a long-term strategic plan for policing, based on extensive public and stakeholder consultations. The action items set out in the plan reflect a vision of police better connected to the communities they serve and empowered to collaborate, share intelligence and communicate more effectively across jurisdictions. In addition, the values expressed in the plan reflect the intent to strengthen relationships between police and marginalized and vulnerable populations.

Police accountability and oversight continues to improve, including the recent establishment of an Independent Investigations Office. The renewed RCMP contract has substantial new accountability provisions. Recommendations of the Braidwood inquiry into the use of conducted energy weapons continue to be implemented by police.

Notable progress to date on the action items set out in the plan includes:

- The announcement in November 2013 of a multi-year, expert-led process to examine how policing is currently funded and structured, to better define funding responsibilities at each level of government, and to lay the groundwork for exploring new service delivery models;
- The appointment in September 2013 of a blue-ribbon panel that is examining crime-reduction initiatives and research from other Canadian provinces and other countries, and conducting consultations with stakeholders; and,
- Pursuant to the recommendations of the Missing Women Commission of Inquiry, and after a review of approaches in other jurisdictions, missing persons legislation has recently been introduced in the B.C. legislature.

Civil forfeiture recoveries continue to contribute significantly to crime prevention efforts and victim compensation payments. The Civil Forfeiture Act allows for the forfeiture of property that has been or will be used in unlawful activity, or which is the proceeds of unlawful activity. Last year, \$1.3 million was distributed in the form of crime prevention grants to community programs to prevent bullying, youth crime, violence against women, family violence, human trafficking, sexual exploitation and community crime, as well as to police for training and equipment, and \$592,000 was distributed in victim compensation payments.

CORRECTIONS PROGRAMS AND CAPACITY

The provincial government is moving toward more integrated approaches to working with offenders and reducing risks of reoffending. For example, through the Integrated Offender Management Project and the Homelessness Initiative Project, several ministries and health authorities are working to link clients who are homeless, or at risk of homelessness, with the resources and services needed at release for successful transition into the community. Outcomes for clients include: increased housing stability; reduced reoffending; increased connections to the community; increased access to resources for mental health and

substance use issues; increased access to Fetal Alcohol Spectrum Disorder and acquired brain Injured programs; and, increased employability, self-sufficiency and well-being.

B.C. Corrections has taken significant action to address current and future capacity demands in correctional centres. Completion in November 2013 of the Surrey Pre-trial Expansion Project was a recent significant accomplishment. The expansion included a high-security 216-cell expansion and associated renovations to the existing facility. Construction is also set to begin on the new 378-cell Okanagan Correctional Centre, more than doubling corrections capacity in British Columbia's Interior.

FAMILY JUSTICE AND CIVIL JUSTICE

Significant changes have been made and others are in progress in the areas of family justice reform and civil justice reform.

In 2013, British Columbia's family law was modernized under the new Family Law Act. The new law, which replaced the Family Relations Act, is intended to address the changing nature and needs of families, their navigation of significant changes and decisions in their lives, such as separation and divorce, and the division of property and parenting arrangements for children when couples split up. The Act specifically articulates the principle that resolution out of court is preferred and provides the legal framework for a number of resolution processes: parenting coordination, arbitration, and the making of agreements. To help reduce the risk of children and families being put into potentially dangerous situations, family dispute resolution professionals – including mediators, parenting coordinators and family arbitrators – are now required to screen for family violence.

The Civil Resolution Tribunal is currently developing the technology infrastructure for the online resolution of small claims and strata disputes. The tribunal is expected to begin providing self-help tools, online resolution services, and adjudication services beginning in 2015.

Justice Access Centres established in Nanaimo, Vancouver and, most recently, in Victoria are intended to connect people in an efficient and integrated manner to the services that best meet their needs – whether in family or civil justice matters – through a series of ministry and agency partnerships. A proposed virtual Justice Access Centre would employ a range of technologies and the Internet to provide a simple access point to both the civil and family

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justice systems for citizens across the province. Family Justice Centres in over 20 other communities provide family dispute resolution services across the province.

ROAD SAFETY

Notable progress has been made in improving road safety in British Columbia. Road safety partners collaborated to produce the *British Columbia Road Safety Strategy: 2015 and Beyond*. Together, government ministries, the insurance sector, Crown agencies, the health sector, law enforcement agencies, non-profit organizations, road safety advocacy groups and academic researchers examined the situation and suggested priorities for the first made-in-British Columbia road safety strategy.

In alignment with *Canada's Road Safety Strategy 2015*, the British Columbia Road Safety Strategy will focus on continual reductions in year-to-year numbers of fatalities and serious injuries from road crashes. Specific initiatives may also have specific targets, such as the new approach to drinking and driving.

The Immediate Roadside Prohibition (IRP) legislation was passed in 2010 to create more immediate consequences for drinking and driving, and to increase deterrence of future incidents. The latest alcohol-related motor vehicle fatality numbers show there has been a sustained reduction over the last three years, with a 52 per cent decrease by the end of 2013.

DOMESTIC VIOLENCE

There have been significant efforts in recent years to coordinate efforts between the public sector and community anti-violence sector in combatting domestic violence. A Provincial Office of Domestic Violence was established in 2012, releasing a provincial three-year domestic violence plan earlier this year. The number of domestic violence units has increased, as has training for front-line staff working directly with families. The plan also includes an Aboriginal response and support, and intervention for perpetrators. Domestic violence information sharing and risk assessment processes at the community level have also improved, including the introduction of interagency case assessment teams. The *Family Law Act*, which came into force March 18, 2013, places the safety and best interests of the child first when families are going through separation and divorce, in addition to addressing family violence. While further work is required to achieve a genuinely coordinated cross-sectoral approach to domestic violence in B.C., efforts to date are positive and deserving of recognition.

THE YEAR AHEAD: SECTOR OPERATIONAL PRIORITIES FOR 2014-15

This initial plan sets out four goals to guide the work of the sector over the next three years. The Council is conscious of the need to engage directly with the sector to turn these aspirations, and the productive dialogue of the Justice Summits, into action.

With finite resources a reality for all parts of the sector, and given the need to manage ongoing and emerging operational demands, work on elements of this plan in the coming year requires a narrowing of focus to the most urgent issues and identified performance gaps. The following areas have been identified by the Council as sector priorities for 2014-15.

- 1. Aboriginal Justice. The problems affecting Aboriginal peoples with respect to justice and public safety are well documented. Important issues to be addressed include the level of violence suffered by Aboriginal women and families, and the overrepresentation of Aboriginal people in the court and correctional systems. The Missing Women Commission of Inquiry has also provided government with significant recommendations to which the government is responding. An Aboriginal Advisory Board will be established to help ensure a commitment to improve outcomes for aboriginal peoples is clearly reflected and measured in the sector's reform agenda.
- 2. Justice and Mental Health. The prevalence of police encounters with mentally disordered people in the community, combined with the rates of mental disorder and substance dependency amongst the sentenced population, make clear the need for coordinated work in addressing the needs of mentally disordered British Columbians. The answers are complex, and the sector requires meaningful engagement with health and human services providers, as well as rigorous data to clarify and quantify the provincial situation.
- 3. Access to Justice. Concerns over the ability of people to identify, obtain and afford services, understand and exercise their rights and obligations, and/or participate in proceedings on a level footing have been raised by citizens themselves as well as those working in the criminal, civil, family and administrative justice settings. While these concerns are national in scope, the response must primarily be provincial. A coordinated response to these issues, which places British Columbians' access to justice at the centre, is required.

In each of these three priority areas, between April and June 2014, the Council will lead engagement with key stakeholders to establish a roadmap for measurable improvements in the relevant performance indicators found elsewhere in this plan.

In addition to these three priorities, there are two further areas where the Council actively encourages work to increase the understanding of challenges and the sector's ability to create positive change.

- With respect to violence against women, including partner violence and sexual violence, work is required to establish the most effective means of managing criminal cases through the system. Work is also required (respecting the needs and experiences of victims) to measure prevalence and repeat offending when these go unreported, so we may understand and implement what works best in protecting women from violence.
- With respect to the costs of the justice and public safety sector, there are few tools available to measure the efficiency of various processes, and/or the effectiveness of reform efforts in creating savings which might be reinvested where they are most needed. Two requirements should be noted. First, these tools must be developed to allow for productive dialogue about the effects of public investment in the sector. Second, their development should be careful and inclusive, in recognition of the need to ensure accurate and fair accounts of the ways in which the sector works.

LOOKING AHEAD: FURTHER ENGAGEMENT

This plan for province's justice and public safety sector began with and has been built on consultation. The expectation of the Council is that this consultation should be an ongoing process – as the sector's organizations respond to the plan, as reform efforts are designed and implemented, and as the sector's performance in delivering the basic goals of the Council's vision is reviewed.

In 2014-15, beginning with the plan's publication and leading to its renewal and performance reporting next March, consultation and engagement will occur in a number of ways.

 First, the Council seeks to draw public attention to the plan, through its broad distribution. Commentary, suggestions and constructive feedback from the

public, subject matter experts and knowledgeable observers of the sector will strengthen future renewals of the plan and will enhance the degree of accountability between our sector and the people it serves.

- The planning process will be enriched through continued consideration of the sector's greatest challenges and opportunities at two further Justice Summits, to be held in the spring and fall of 2014.
- As the planning and advisory dialogue broadens through enhanced membership
 of the Council, and the creation of advisory boards on key issues in the sector in
 2014, new voices and perspectives will join existing sector expertise in the
 planning process.
- A full report on performance against the stated goals of the plan will be issued in March 2015, together with a renewal of the current plan. The Council anticipates and welcomes public discussion around the progress made by the sector.

Public and organization feedback on this plan may be forwarded to the Council's attention via the various methods detailed at the end of this document.

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PART IV: VALUES OF OUR SECTOR

In 2013-14, the Council began its development of a vision for the sector by first considering the essential values which should apply across the work done to ensure justice and public safety. As with the vision, the statement of values was developed in consultation with sector leaders and stakeholders, including consideration at the second B.C. Justice Summit in November 2013.

VALUES

In a justice and public safety sector within a free and democratic society, the rule of law and principles of fundamental justice must guide the behaviour of the sector. Based on this foundation, the following values apply to work within the sector, such that our actions are:

Fair and equitable

Acting without discrimination with regard to ethnicity, age, religion, gender, gender identification, sexual orientation, belief or socio-economic status

Open and responsive to change

Thinking critically about existing practice, considering information that challenges orthodoxy, and responding actively to environmental changes

Outcome-focused

Setting realistic objectives, assessing our work according to results, and working together to ensure our activities do not have unintended adverse consequences

Accountable

Engaging the public on the effectiveness of our work, and reporting regularly on meaningful aspects of our performance

Evidence-based

Managing operations and innovating through shared collection and analysis of data about what works, and by enabling rigorous research through partnership

Proportionate

Allocating resources in ways that are necessary and reasonable, according to agreed-upon risks, and taking action in consideration of the sector's goals as a whole

Transparent

Making information broadly available about the sector's functions, enabling constructive democratic dialogue about goals, outcomes, services and performance

PART V: PLAN FEEDBACK

Comments on this Plan are encouraged and may be emailed to justicereform@gov.bc.ca. Written communication may be sent to:

The Chair
British Columbia Justice and Public Safety Council
c/o Executive Lead, Justice and Public Safety Secretariat
1001 Douglas Street
Victoria, BC V8W 3V3

APPENDIX I – JUSTICE AND PUBLIC SAFETY COUNCIL MEMBERSHIP

Under provisions of the *Justice Reform and Transparency Act*, Council members are appointed by the Attorney General and Minister of Justice. Membership on the Council may include: an individual who is in a senior leadership role in the government and who has responsibility for matters relating to the administration of justice in British Columbia or matters relating to public safety, and includes any other individual the minister considers to be qualified to assist in improving the performance of the justice and public safety sector.

The Council is chaired by the Deputy Minister of Justice and, currently, includes Ministry of Justice executive members and a representative from the Ministry of Children and Family Development. The Council is supported by a Justice and Public Safety Secretariat within the Ministry of Justice. Further to Ministerial Order, the current membership is as follows:

Cavanaugh, Lynda Assistant Deputy Minister, Community Safety and Crime

Prevention, Ministry of Justice

Chalke, Jay Assistant Deputy Minister, Justice Services Branch, Ministry of

Justice

DeWitt-Van Oosten, Joyce Assistant Deputy Attorney General, Criminal Justice Branch,

Ministry of Justice

Faganello, Tara

Assistant Deputy Minister, Corporate Management Services,

Ministry of Justice

Fyfe, Richard (Vice-Chair) Deputy Attorney General, Ministry of Justice

Jardine, Kevin Assistant Deputy Minister, Court Services Branch, Ministry of

Justice

Merchant, Brent Assistant Deputy Minister, Corrections Branch, Ministry of

Justice

Pecknold, Clayton Assistant Deputy Minister, Policing and Security Programs,

Ministry of Justice

Sadler, Bobbi Chief Information Officer, Ministry of Justice

Sandstrom, Kurt Assistant Deputy Attorney General, Legal Services Branch,

Ministry of Justice

Sieben, Mark Deputy Minister, Ministry of Children and Family

Development

Wanamaker, Lori (Chair) Deputy Minister and Deputy Solicitor General, Ministry of

Justice

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