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**Manitoba Justice**  
(including Justice Initiatives Fund)

**Annual Report**  
**2004 - 2005**



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ATTORNEY GENERAL  
MINISTER OF JUSTICE

Room 104  
Legislative Building  
Winnipeg, Manitoba, CANADA  
R3C 0V8

The Honourable John Harvard  
Lieutenant-Governor of Manitoba

MAY IT PLEASE YOUR HONOUR:

It is my privilege to present for the information of Your Honour the *Annual Report of Manitoba Justice and the Justice Initiatives Fund* for the fiscal year ending March 31, 2005.

Respectfully submitted,

*Original signed by*

Honourable Gord Mackintosh  
Minister of Justice  
Attorney General





Deputy Minister of Justice  
and Deputy Attorney General

Room 110  
Legislative Building  
Winnipeg MB R3C 0V8

Honourable Gord Mackintosh  
Minister of Justice  
Attorney General  
Room 104 Legislative Building  
Winnipeg, Manitoba  
R3C 0V8

Dear Sir:

I am pleased to submit for your approval the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for 2004/2005. It describes activities undertaken on behalf of all Manitobans who share our vision of a safe, just and peaceful society, supported by a justice system that is fair, effective, trusted and understood.

During the past year the department has increased collaborative efforts with other stakeholders to gather information and target law enforcement initiatives against criminal organizations operating in the province. The department is also reviewing possible miscarriages of justice from reliance on potentially misleading hair comparison evidence, and has instituted new processes to ensure full and timely disclosure of all evidence in criminal prosecution matters.

Efforts continue to make the justice system more responsive to the needs of victims and children. Time to trial in domestic violence cases has been significantly reduced, a new senior prosecutor has been added to focus on cases involving child victims, and victim service programming has been consolidated in a new Victim Services Branch.

Manitoba Justice continues to support crime prevention activities such as the successful Lighthouses program, which helps communities engage young people in developing their own crime prevention and recreation activities outside school hours.

Respectfully submitted,

*Original signed by*

Ronald S. Perozzo, Q.C.  
Deputy Minister of Justice and  
Deputy Attorney General





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# Introduction

With headquarters in downtown Winnipeg on historic Broadway Avenue, Manitoba Justice is responsible for the administration of justice in Manitoba. The role of the department reflects the statutory responsibilities of the Minister of Justice and Attorney General, as outlined in *The Department of Justice Act*, *The Correctional Services Act*, and various other statutes<sup>1</sup>, as well as the traditional responsibilities of the Minister of Justice for the integrity and improvement of the justice system in Manitoba.

Manitoba Justice, a large department with over 3,000 employees, provides a diverse range of services to Manitobans through many regional offices, facilities and operations. Department staff come from a wide variety of backgrounds including lawyers, correctional officers, managers, administrators, financial officials, law enforcement specialists, information technologists, social workers, teachers, nurses, human resource officers, paralegals and clerical and support staff.

## Report Structure

The *Annual Report* for Manitoba Justice is organized in accordance with the department's appropriation structure. An appropriation is an amount of money voted by the Legislative Assembly of Manitoba to provide for operation of a program during a fiscal year (April 1 through March 31). The total appropriation for Manitoba Justice (known as the main-appropriation) is broken down into sub-appropriations for the specific divisions, branches and areas of the department.

The activities of every branch or section are outlined in this report. It includes information at the main and sub-appropriation levels for the department's objectives, actual results achieved, financial performance and major variances. It also provides a five-year historical table giving the departmental expenditures and staffing. Expenditure and revenue variances are explained. Reports and financial information are also provided for affiliated boards, agencies and commissions, some of which issue their own annual reports.

The report also includes information on the department's capital investments and projects supported by the Justice Initiatives Fund. A separate section summarizes the department's sustainable development activities.

To maintain consistency among government-wide reporting documents, all dollar amounts contained in the financial tables are expressed to the nearest hundred dollars. For example, thirty-five thousand one hundred dollars is shown as 35.1 \$(000s). Staffing resources are reported in the form of full-time equivalents (FTE).

## Vision and Mission

The vision of Manitoba Justice is a safe, just and peaceful society supported by a justice system that is fair, effective, trusted and understood.

Our mission is to promote a safe, just, and peaceful society by:

- providing a fair and effective prosecution service
- managing offenders in an environment that promotes public safety and rehabilitation
- providing mechanisms for timely and peaceful resolution of civil and criminal matters
- providing legal advice and services to government
- providing programs which assist in protecting and enforcing individual and collective rights
- providing support and assistance to victims of crime
- promoting effective policing and crime prevention initiatives in our communities

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<sup>1</sup> See Appendix I for a complete list of acts administered by the Minister of Justice.



We seek to carry out this mission on the basis of the following guiding principles that are critical to the functioning of our democratic society:

- We recognize that in the exercise of our authority we at all times act in trust for the public.
- We accept that our system of justice is based on the rule of law and a respect for the rights of individuals as well as the rights of the community as a whole.
- We seek to promote an open and accessible system of justice that treats all persons fairly and with respect.
- We recognize the diversity in our society and the need to be responsive to that diversity, especially in regards to Aboriginal persons.
- We value communication, co-operation and interdependence and recognize the need to involve government and non-government partners in the development of integrated approaches to the administration of justice in Manitoba and throughout Canada.
- We respect and value the role the public can play in the delivery of justice and in the shaping of our institutions and programs.
- We believe in promoting the individual's responsibility to the larger community.
- We support the development of preventive approaches to problems and the prompt and just resolution of conflicts.

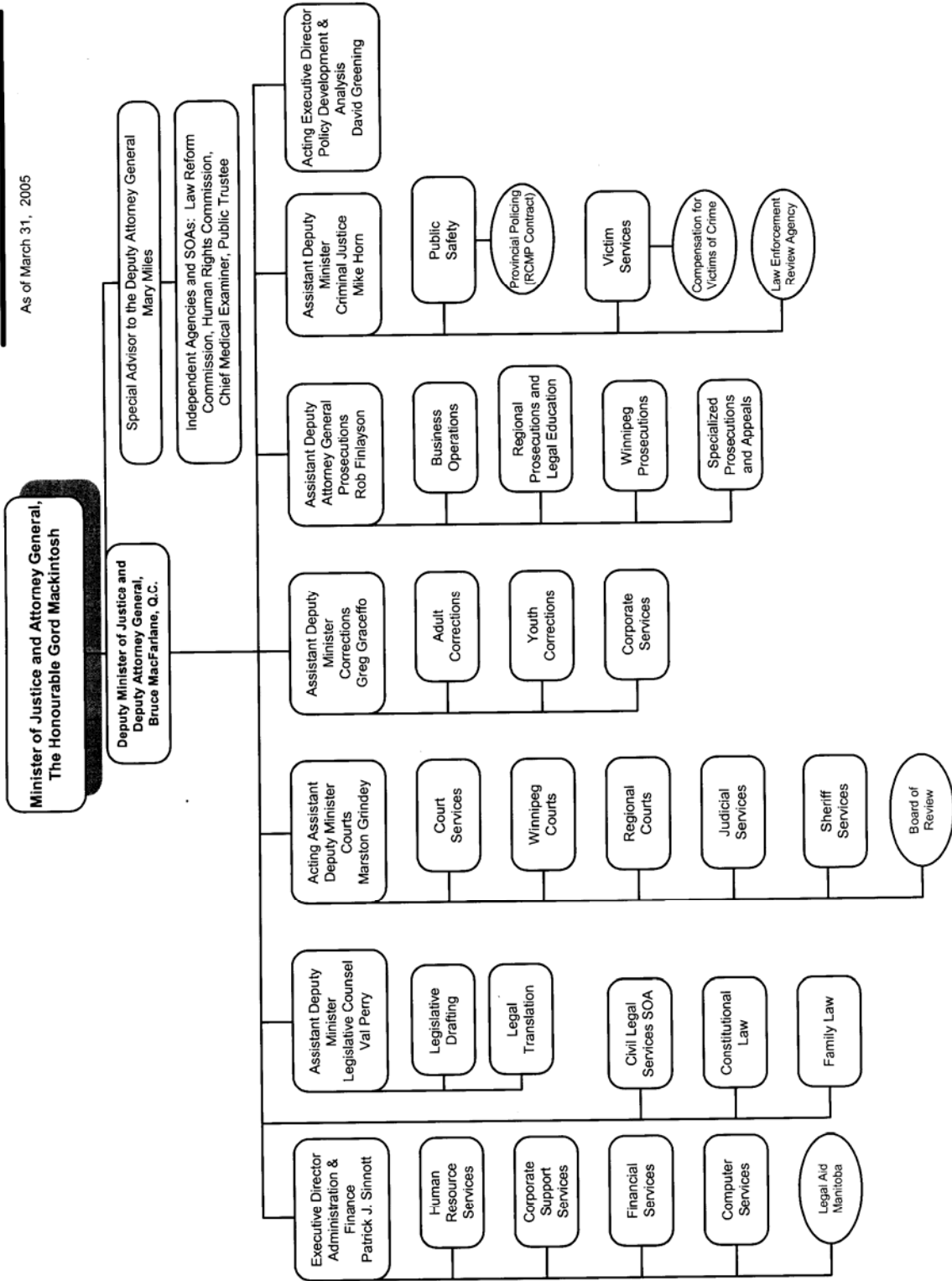
The department's strength comes from its employees. We are committed to building a department that promotes a respectful work environment and that recognizes employees' commitment, performance and achievements. We value personal integrity, leadership, responsibility, participation and teamwork. We encourage outstanding client and community service, initiative and innovation.

To fulfil its role and mission, Manitoba Justice is organized administratively into the following six divisions: Administration and Finance, Legislative Counsel, Courts, Corrections, Prosecutions and Criminal Justice. Finances are, however, voted under six main appropriations: Administration and Finance (04-1), Criminal Justice (04-2) Civil Justice (04-3), Corrections (04-4), Courts (04-5) and Costs Related to Capital Assets (04-6).

As illustrated on the organization chart, each operating division is led by an assistant deputy minister (ADM) or equivalent. The departmental structure includes a number of branches, offices, arm's length bodies and special operating agencies (SOA). Special operating agencies are service operations within departments granted more direct responsibility for results and increased management flexibility in order to encourage initiative and improve service delivery.

# Manitoba Justice Organization Chart

As of March 31, 2005



# Administration and Finance

The administration and finance appropriation (04-1) includes the department's executive and administrative support activities. It consists of two major components: executive administration and operational administration.

Executive administration is comprised of three sub-appropriations identified as Minister's salary, executive support and policy development and analysis. These areas provide leadership and direction to the department's operational divisions.

The operational administration component forms the Administration and Finance Division of Manitoba Justice. The division is responsible for the department's administrative support and fiscal planning and control functions. It also provides financial and human resource services, facilities management, procurement, fleet vehicles, parking, records management and the development and maintenance of computer systems.

## Executive Administration Component

### Minister's Salary

The funds voted for Minister's salary provide for additional compensation to the Member of the Legislative Assembly (MLA) appointed to Executive Council (Cabinet) as the Minister of Justice.

The Minister of Justice is also the Attorney General for Manitoba. The Attorney General's role is that of chief law officer for the province and the official legal advisor to the Lieutenant-Governor in Council and members of Cabinet. The responsibilities stemming from this role are unlike those of any other Cabinet member.

As Minister of Justice, the Minister represents the interests and perspectives of Manitoba Justice at Cabinet, while simultaneously representing the interests and perspectives of Cabinet to the department and the department's communities of interest.

As Attorney General, the Minister is the chief law officer of Manitoba. The Minister plays a special role in advising Cabinet to ensure the rule of law is maintained and that Cabinet actions are consistent with the law and the *Canada Constitution Act of 1982*.

#### 1 (a) Minister's Salary

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	28.9	1.00	29.4 (0.5)	

## Executive Support

Executive support includes the staff and operation of the offices of the Minister and Deputy Minister who provide management direction and leadership to the department. Activities include advising the Minister on policies and emerging issues affecting the department; developing departmental policy; managing departmental activities and projects; and providing administrative services.

The Deputy Minister of Justice and Deputy Attorney General is the administrative head of the department, responsible for managing the day-to-day operations. As the senior public servant in the department, the Deputy Minister works with a team of assistant deputy ministers and executive directors. The team, in turn, draws on the extensive accumulated knowledge of departmental personnel.

The Deputy Attorney General is the deputy chief law officer for the province, following the Attorney General as chief law officer. The Deputy Attorney General, for example, can prefer an indictment under the *Criminal Code* (Canada) directly in the Court of Queen's Bench, Manitoba's superior trial court. There are also other discretionary prosecutorial powers given in law that the Deputy Attorney General may use.

### 1 (b) Executive Support

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	556.4	9.00	564.1	(7.7)	
Total Other Expenditures	128.5		96.8	31.7	1

**Explanation:**

1. *Travel costs required for attendance at federal-provincial-territorial meetings on criminal justice policy matters.*

## Policy Development and Analysis Branch

The mandate of the Policy Development and Analysis Branch is to:

- provide justice policy advice, develop legislation and help develop programs that advance departmental objectives
- coordinate issues having cross-divisional, cross-government or intergovernmental implications
- research and document provincial positions on needed changes to the *Criminal Code* (Canada)
- provide program and administrative support for the Community Notification Advisory Committee and the sex offender website
- act as the department's primary resource for research into issues that affect the justice system

To fulfill this mandate, the branch:

- conducts research and develops justice policy options
- co-ordinates preparation of briefing material for the Minister and Deputy Minister and helps prepare for federal-provincial-territorial meetings;
- acts as the departmental liaison to the Canadian Centre for Justice Statistics (CCJS), analyzes CCJS reports and represents the department at federal-provincial-territorial meetings of the National Justice Statistics Initiative Liaison Officers Committee
- provides research, analytical and administrative support for the Community Notification Advisory Committee
- represents the department at federal-provincial-territorial meetings of the Co-ordinating Committee of Senior Officials and leads and participates in federal-provincial-territorial working groups
- co-ordinates development of Manitoba's resolutions to the Criminal Section of the Uniform Law Conference of Canada
- examines and comments on federal criminal law initiatives
- leads and participates in development of legislation

The following are examples of some of the special projects in which the branch participated during 2004/2005:

- played a leading role in developing and co-ordinating the implementation of legislation passed by the Legislature, including *The Criminal Property Forfeiture Act*, *The Cross-Border Policing Act*, *The Highway Traffic Amendment Act (Police Powers Respecting Unsafe Drivers)* and *The Profits of Criminal Notoriety Act*
- participated in a number of initiatives to develop new legislation, including *The Highway Traffic Amendment Act* and *The Regional Health Authorities Amendment and Manitoba Evidence Amendment Act*
- chaired and participated in a variety of national working groups and consultations on changes to criminal law and on collection of justice data
- played a leading role in the design and implementation of the national sex offender registry
- participated extensively in the development of *The Legal Aid Services Society of Manitoba Amendment Act*

## 1 (c) Policy Development and Analysis

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	305.5	5.00	331.1	(25.6)	
Total Other Expenditures	92.3		101.3	(9.0)	

## Operational Administration Component

The Administration and Finance Division of Manitoba Justice is responsible for the department's operational administration. The division is led by an executive director responsible for three branches: financial and administrative services, human resource services and computer services. The executive director of the division also exercises a governance role and oversees grant funding provided to Legal Aid Manitoba, which functions as an independent Crown corporation.

Although not the largest division, it does provide many services that have a significant overall impact on the daily operations of the department.

## Financial and Administrative Services Branch

The Financial and Administrative Services Branch is comprised of three main groups: financial services, administration services and corporate services.

The financial services group ensures that all department funds and revenue generated by departmental programs are completely accounted for. It also ensures that all expenditures are properly authorized and conform with government policies and generally accepted accounting principles. It assembles and co-ordinates the department's budget, processes all accounts payable, and monitors, evaluates and reports expenditures to senior management.

The administrative services group oversees the department's administrative operations and reporting. Responsibilities include annual sustainable development procurement action planning and reporting, procurement in general, leases for space and equipment, physical asset inventories, accommodations and capital project requests, security, insurance, accommodation cost recoveries, workplace safety and health, and related staff training.

The corporate services group co-ordinates freedom of information access requests and compliance with *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA). It also provides leadership to a number of special cross-divisional projects such as sustainability indicators reporting, performance reporting, and workload indicator development and reporting. Corporate services also manages records and maintains the Manitoba Justice Internet website at [gov.mb.ca/justice](http://gov.mb.ca/justice). The site is available in both English and French and contains some documents in Aboriginal languages. A number of significant upgrades were made to the Manitoba Justice website during 2004/2005 including: creating additional family law content and an updated gang handbook as well as the publication of the Legal Aid Manitoba Review report, which included a public consultation.

## 1 (d) Financial and Administrative Services

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	1,004.2	19.00	1,045.6	(41.4)	
Total Other Expenditures	352.3		331.2	21.1	

## Human Resource Services Branch

The Human Resource Services Branch provides a comprehensive human resources management service to all divisions and branches of Manitoba Justice, including its special operating agencies. Major responsibilities include recruitment, selection and retention of employees, job classification and organizational reviews, employee and labour relations, contract and policy interpretation, staff training and development, human resource planning, career counselling, as well as consultation on a wide variety of human resource initiatives and issues. The branch recruits employees and classifies jobs under delegated authority from the Civil Service Commission and the Labour Relations Division of Treasury Board Secretariat.

The branch manages payroll and employee benefit records. It supports programs to improve employee performance, opportunities for career advancement, policies on job sharing, employment equity/diversity, alternate work arrangements, employee recognition and support, and wellness. The French language services co-ordination for Manitoba Justice is also a responsibility of this branch. It also assists in the collective bargaining process with the Manitoba Government and General Employees Union (MGEU), the Corrections Component of the MGEU, the Manitoba Association of Crown Attorneys (MACA) and the Legal Aid Lawyers Association (LALA).

Human resources co-ordinates and supports employment equity initiatives, including cultural training initiatives, Aboriginal outreach and activities for target group member employees (women, Aboriginal persons, persons with disabilities and members of visible minorities). Efforts to improve the representation of target group members within Manitoba Justice have continued during the year. The branch also provides support to significant training initiatives such as respectful workplace and job competencies development.

In 2004/2005, the branch handled 78 competitions and completed 105 job classification reviews. Human resource staff were also involved in 108 formal grievances, arbitrations, appeals and approximately 25 employee/labour relations issues, investigations and mediations. Moreover, 280 staff including management, attended training courses offered by the government's Organization and Staff Development (OSD) agency. Many staff also participated in internal training at divisional levels including suicide intervention, Aboriginal awareness, coaching for competency, managing performance, CPR and first aid.

### 1 (e) Human Resource Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,062.6	19.50	1,065.5	(2.9)	
Total Other Expenditures	185.1		165.0	20.1	

## Computer Services Branch

The Computer Services (Information Systems) Branch develops, implements and maintains automated systems for a variety of departmental services. This work allows the department to deliver services as effectively and as efficiently as possible. The branch is continually challenged with competing needs for supporting installed systems, participating in corporate initiatives and progressing with new system development.

The department's long-term strategy for developing justice computer systems is referred to as the co-operative justice initiative. This strategy develops independent system modules to meet critical operational needs, while maintaining a technological framework that allows for an easy flow of data between them and promotes future integration of functionality. This approach is seen as the most effective and fiscally responsible method of applying systems and technology solutions considering the criminal justice process involves a number of separate entities that must work effectively together without compromising their independence from each other. Significant efforts have been made to ensure that all technology components support the program areas' immediate requirements and are consistent with the long-term strategy.

The co-operative justice project continued to be the major focus of the Computer Services Branch in 2004/2005. This initiative will ultimately enable the provincial criminal court system (CCAIN), the prosecutions and victim services system (PRISM), and the corrections offender management system (COMS) to exchange information and significantly enhance the processes requiring inter-divisional co-operation. It will also enable the electronic exchange of information with external partners and agencies such as Winnipeg and Brandon police services and the RCMP.

During the year, several advancements were made to CCAIN, including performance improvements and technology replacement. The processes associated with the collection of charge information were improved which also enabled data coding standardization. The collection, storing and printing of warrants was also completed. PRISM improvements included performance improvements and technology replacement. The PRISM team also completed the automation of the subpoena module which enables the creation and printing of subpoenas and witness lists. The initial phase of the disclosure module was also completed to enable the tracking of all file content that Crown attorneys disclose to defence counsel. Moreover, to improve productivity for both prosecutions staff and the Winnipeg Police Service, an automated communication link was established for e-mail communication and electronic delivery of subpoenas to police officers.

### 1 (f) Computer Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,851.1	16.00	1,956.9	(105.8)	1
Total Other Expenditures	640.2		658.1	(17.9)	
Recoverable from Part B – Capital	(893.2)		(893.2)	(0.0)	

**Explanation:**

1. Limited staff resources redirected from lower priority minor projects to the co-operative justice system.

# Criminal Justice

The criminal justice appropriation (04-2) finances two Manitoba Justice divisions: the Criminal Justice Division and the Manitoba Prosecutions Service. The appropriation also funds the Office of the Chief Medical Examiner.

## Administration

Criminal justice administration provides executive direction and support to the Criminal Justice Division. This does not, however, include the Manitoba Prosecutions Service or the Office of the Chief Medical Examiner.

### 2 (a) Administration

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	200.9	3.00	(41.9)	
Total Other Expenditures	27.7		(10.9)	

## Manitoba Prosecutions Service

Led by an assistant deputy attorney general, the Manitoba Prosecutions Service has 100.5 legal staff positions (FTEs) and 60.8 professional/administrative support staff positions. The division is responsible for the conduct of the prosecution of criminal offences in Manitoba. These offences include provincial statutes, *Criminal Code* (Canada) and some federal charges, as well as prosecutions under the *Youth Criminal Justice Act* (Canada). Each year, the division hires more articling students than any firm in the province and has the duty of instructing and teaching these students throughout their term. Crown attorneys also review police reports and advise police on charges and procedures. Crowns also provide lectures and seminars to the police and the general public on justice issues.

The division is organized into four branches.

### Winnipeg Prosecutions Branch

Crown attorneys in Winnipeg work from a number of units including: the Intake and Pre-Charge Screening Unit, which manages all bail hearings and most docket matters; the Youth Prosecutions Unit; and three general Trial Units. The Trial Units prosecute all preliminary hearings and trials in Winnipeg which are not the responsibility of one of the specialized units or not resolved during the intake process through referral to a community justice program, guilty plea or other alternative.

### Regional Prosecutions and Legal Education Branch

Regional prosecutions offices are based in Brandon, Dauphin, Portage la Prairie, The Pas and Thompson. Regional Crown attorneys prosecute all adult and youth offences arising in regional court locations. In conjunction with lawyers from Winnipeg, prosecutions are conducted in over 60 other communities throughout Manitoba. The branch also provides a division-wide continuing legal education program to ensure all Crown attorneys receive updated education to enable them to fulfill their roles as prosecutors.



## Specialized Prosecutions and Appeals Branch

This branch comprises Crown attorneys who are working in a number of units including: General Counsel; Family Violence, which prosecutes cases of spousal, child and elder abuse and child pornography; Commercial Crime; Provincial Statute; and the Review Board, which reviews and monitors the status of not criminally responsible (NCR) accused. The branch also includes the Criminal Organization and High Risk Offender Unit (COHROU), which consists of both the Gang Unit and the High Risk Offender Unit. The branch also reviews referrals of files for consideration of appeal and represents the Crown at appeal hearings in the Manitoba Court of Appeal and Supreme Court of Canada.

## Business Operations Branch

The Business Operations Branch manages the division's finances, facilities, the Central File Registry, technology and general administration. Strategic and policy advice is also provided to the assistant deputy attorney general on issues affecting the division.

The number of files (including charges laid and requests for Crown opinions) opened in Prosecutions over the past four years is:

- 42,164 in 2001
- 43,206 in 2002
- 46,016 in 2003
- 40,362 in 2004.<sup>2 3</sup>

During 2004/2005, the Prosecutions Division continued its ongoing participation in and support for the Domestic Violence Front-End Project (implemented on December 1, 2003 in the Provincial Court in Winnipeg). The new "front-end" system enables pre-trial coordinators to conduct pre-plea processing of accused persons prior to arraignment before a judge. A significant advantage of this new process is that it allows the Crown attorney and defence counsel to identify, discuss and seek resolution of administrative issues in a forum that does not necessitate involvement and attendance of a judge. The project has been successful in resolving cases earlier and leaving judges more time for other matters.

Legislation establishing the new national sex offender registry was passed on April 1, 2004 and came into force on December 15, 2004. As a result, the division focused efforts on implementation of the registry in Manitoba during the year. Prosecutors are now required to apply to court to have individuals convicted of specified crimes included in the registry, and may have to prove certain facts or oppose applications to be excluded from the registry. In most cases, this increases the length and complexity of trials for sexual offences.

Prosecutions continued to dedicate significant resources to the prosecution of cases involving family violence, gang-related crimes and high risk offenders during 2004/2005. The division also gained a new senior Crown attorney to focus on cases involving child victims during the year.

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<sup>2</sup> The apparent decrease in 2004 may be due to processing backlogs resulting from a change in the electronic file transfer process between the Winnipeg Police Service and the Manitoba Prosecutions Service.

<sup>3</sup> While Manitoba Prosecutions Service opened 40,362 files in 2004, the Provincial Court processed 74,057 new adult and youth charges in 2004/2005. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

## 2 (b) Manitoba Prosecutions Service

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	12,823.3	162.30	12,469.0	354.3	
Total Other Expenditures	3,018.9		3,041.6	(22.7)	
Total Witness Programs & Grants	523.8		738.7	(214.9)	1

### Explanation:

1. Unspent witness fees for trials that ended earlier than anticipated and a general reduction in volume of witnesses called for proceedings.

## Provincial Policing

This sub-appropriation funds the Royal Canadian Mounted Police (RCMP) for providing provincial policing in Manitoba under the authority of *The Provincial Police Act*. RCMP services are provided under contract through the federal/provincial *Provincial Police Service Agreement* (PPSA). The RCMP also provides police service to the majority of the province's larger municipalities under municipal policing agreements negotiated directly between the municipalities and federal government. Through its 78 rural and 22 municipal detachments across the province, the RCMP enforces federal and provincial statutes and municipal bylaws and administers crime prevention programs in rural municipalities, cities, towns, villages, First Nations communities and local government districts that do not provide their own police service.

This sub-appropriation also provides funding for First Nations policing in Manitoba. Currently, eight of the 62 First Nations communities in Manitoba have First Nations policing agreements. The Dakota Ojibway Police Service (DOPS), a fully independent Aboriginal police service established under a federal-provincial agreement, polices five First Nations communities: Birdtail Sioux, Canupawaka, Sioux Valley, Sandy Bay and Roseau River. Canada and Manitoba share costs for the agreement through an established sharing formula, 52 per cent from Canada and 48 per cent from the province. The RCMP -- under the First Nations Community Policing Service (FNCPS) -- also polices the First Nations communities of Swan Lake, Waywayseecappo and Chemawawin under the same cost sharing formula.

Funding is also provided to the RCMP specifically for DNA testing as well as for municipal policing programs. Manitoba has 14 independent municipal police services, including the Winnipeg Police Service and Brandon Police Service.

## 2 (c) Provincial Policing

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	70,417.9		70,222.5	195.4	

## **Public Safety Branch**

The Public Safety Branch has a broad range of responsibilities that continue to grow and evolve in response to the concerns of Manitobans.

### **Crime Prevention**

The branch is responsible for developing crime prevention initiatives in Manitoba by establishing provincial priorities, promoting co-ordination with crime prevention partners and funding Crime Prevention Fund and Justice Initiatives Fund requests. Staff work closely with Healthy Child Manitoba to implement crime prevention through social development (CPTSD) initiatives and Neighbourhoods Alive! projects. Neighbourhoods Alive! is the province's long-term, community-based, social and economic development strategy for Winnipeg, Brandon and Thompson.

Since 1998, the branch has co-chaired the Community Mobilization Program, which funds community-based initiatives that deal with the root causes of crime in the community. The province and the National Crime Prevention Centre of the federal government jointly administer this fund. In 2004/2005, 33 projects were funded throughout Manitoba.

In 2004/2005, Winnipeg was chosen by the National Crime Prevention Centre to develop a Comprehensive Communities Initiative. The aim of these initiatives is to reduce crime and victimization by using diagnostic tools to identify and target problem areas so evidence-based responses to problems can be implemented. Three comprehensive initiatives were developed with the province contributing \$126,500 and the National Crime Prevention Centre contributing \$250,000. The initiatives are the North End Community Renewal Corporation, the Spence Neighbourhood Association and the United Way of Winnipeg.

The branch has also played a leadership role in the launch as well as ongoing work of SafetyAid, a crime prevention program for older Manitobans that is administered by Age and Opportunity, Inc. Building on the success of SafetyAid in Winnipeg, the program was expanded in 2004/2005 to help improve home safety for lower-income seniors in Brandon and Portage la Prairie. This was achieved through partnerships with the police and local seniors' groups.

The Public Safety Branch organizes the annual Safer Communities Awards, provides crime prevention grants to various groups and administers grants to the following community-based groups and organizations: Transition, Education and Resources for Females, Safe Schools Manitoba, Sport Medicine Council of Manitoba and Age and Opportunity, Inc.

### **Aboriginal and Community Law Enforcement**

The Aboriginal and Community Law Enforcement Program co-ordinates the law enforcement objectives and priorities of the department with the RCMP, municipal and Aboriginal police services in Manitoba. It negotiates and implements all policing agreements within Manitoba on behalf of the province. It also represents the department in law enforcement forums at national and international levels.

Aboriginal and community law enforcement licenses all security guard and private investigation companies and their security guards and private investigators under *The Private Investigators and Security Guards Act*. During 2004/2005, there were 81 private investigator/security guard companies licensed that employed 2,000 employees. The program also manages the appointment of Special Constables under *The Provincial Police Act* and there are approximately 1,200 such appointments in Manitoba. Moreover, the program co-ordinates the allocation of Canadian Police College courses amongst Manitoba's police services and assists smaller municipal police departments in gaining access to accredited police training institutions.

### **Lighthouses**

Lighthouses is a leading, nationally recognized, crime prevention program for youth and communities. Lighthouses was created to help communities engage young people in developing their own crime prevention and recreation activities outside school hours. Lighthouses brings together interested agencies and citizens to create an environment for youth to participate in positive, guided decision making and acts of citizenship.

In 2004/2005, Manitoba Justice provided funding from the Justice Initiatives Fund for 25 Lighthouse sites in Winnipeg and 7 sites in rural Manitoba. (Two additional sites are funded by Manitoba Hydro.) The sites also receive in-kind support from local community partners.

There were more than 79,000 visits made by young people to Lighthouse sites in 2004/2005.

### The Public Safety Branch Investigation Unit

The Public Safety Branch includes a special unit that investigates complaints and conducts inspections under *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act*. These acts target properties that affect the safety and security of neighbourhoods in various ways including fortifications that prevent access or escape, habitual use for prostitution, production, sale and/or use of drugs, abuse of intoxicants, providing intoxicating substances to minors, or selling liquor without a licence.

The Public Safety Branch Investigation Unit (PSBIU) has three investigators and an administrative support position. The unit investigates complaints and applies for community safety orders under *The Safer Communities and Neighbourhoods Act*, where appropriate. It also conducts inspections and serves removal or closure orders under *The Fortified Buildings Act*.

In 2004/2005, PSBIU received 247 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, it closed 34 drug, prostitution and solvent operations involving 43 separate complaints. One complaint was referred to another agency, 38 complaints were closed due to insufficient evidence and 139 complaints remained under investigation. Moreover, three owners removed fortifications from their properties following inspections conducted under *The Fortified Buildings Act*.

### Turnabout

Launched in October 2002 as a Public Safety Branch program, Turnabout is a pilot project for children under 12 who come into contact with the law. Turnabout is notified by police, schools, Child and Family Services, parents and/or guardians when a child under 12 is involved in an activity that would lead to that child being charged if over 12. Turnabout follows up on the referral by speaking with the child and his or her parent or guardian about the matter.

Families are typically referred to recreation programs, school programs, counselling services, anger management, Fire Stop, Child and Family Services (respite, child support worker) and other prevention programs based on the needs of the child and/or family. In addition, children involved in auto-related incidents attend Turnabout's 'Vehicle for Change' auto theft program. This range of resources helps support the family while preventing the child from having further involvement with the police. Turnabout also works with crime victims. The program may schedule mediations and community justice forums with the involved child and victim (as well as their family or other supports) and/or refer the victim to community resources.

Since its inception, Turnabout has worked with 687 children under 12 who were involved in 525 incidents of criminal activity. One measure of the success of Turnabout is that only 25 percent of the children have re-offended and became re-involved in the program. Turnabout became a permanent government program in April 2004 and continues to be affiliated with Healthy Child Manitoba.

### 2 (d) Public Safety

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	785.1	16.00	1,022.7	(237.6)	1
Total Other Expenditures	361.5		440.1	(78.6)	
Total Programs	306.8		542.2	(235.4)	2

#### Explanations:

1. Temporary vacancies, secondments and under-filled positions.
2. Decline in the number of individuals involved with the witness management program.

## **Victim Services Branch**

In September 2004, the Criminal Justice Division was re-organized to consolidate all divisional victim service programming in a new Victim Services Branch.

### **Victim Services (Direct Service Delivery)**

The direct service delivery arm of the Victim Services Branch provides a wide range of services to clients throughout Manitoba, including child and domestic violence victims and victims of the most serious crimes, as outlined under *The Victims' Bill of Rights* (VBR). Because of the volume of cases in Winnipeg, specialty Child Victim, Domestic Violence and Victims' Rights Units have been created. Crime victim services workers (CVSW) advise crime victims of their options, rights and responsibilities, after a charge has been laid. Crime victim services workers' duties include:

- providing information and assistance to victims of crime about the incident, their eligibility for VBR registration, victim impact statements, compensation, and other victim assistance programs and support services
- ensuring accurate information is provided to victims
- explaining the criminal justice process and providing short-term counselling
- identifying and assessing high risk cases and promoting victim safety
- working with criminal justice professionals in other areas to co-ordinate victim access to the criminal justice system
- assessing victims and providing recommendations to the Crown attorney
- providing court support and help to the victim in understanding legal decisions

In Winnipeg, the Victims' Rights Unit has two CVSWs, the Domestic Violence Unit has seven, and the Child Victim Unit has two. The director of Victim Services, manager of the domestic violence unit, manager of the regional units and a policy analyst are also located in Winnipeg. There are four administrative support staff in Winnipeg and one in the Thompson region.

Regional CVSWs provide support services for child victims, domestic violence victims and victims' rights support services to a range of victims. There are 15 CVSWs located in the regions. Three workers are based in Selkirk and another three are based in Thompson. Both Brandon and The Pas have two staff and one CVSW is working in each of the following communities: Lac du Bonnet, Portage la Prairie, Morris, Dauphin and Flin Flon. Victims call toll free at 1-866-484-2846 to contact the appropriate CVSW in their areas.

In 2004/2005 the total number of victims served was 4,850. Of those served, 950 were child victims, 3,400 were victims of domestic violence, and 500 were victims of those serious crimes covered by *The Victims' Bill of Rights*.

### **Victims First Cellular Phone Program**

A provincial co-ordinator, in co-operation with 23 social service agencies throughout the province, manages the Victims First Cellular Phone Program. It provides cell phones on a short-term basis to victims of domestic violence and stalking who are at very high risk of violence. Seventy-one high-risk victims of domestic violence accessed the program during 2004/2005.

### **Victim/Witness Assistance**

This program provides support services to victims and witnesses of crime who are subpoenaed to appear in either Provincial Court or Court of Queen's Bench.

In 2004/2005 over 4,389 victims/witnesses received a variety of services including: written correspondence with the Crown attorney about their specific case concerns, information about their submission of a victim impact statement, court orientations, court accompaniments and court cancellation notifications. Independent lawyers were also paid through the program to represent the interests of sexual assault victims in seven separate cases where the defence applied to the court for access to the victim's counselling and/or other records.

The Victim/Witness Assistance Program is staffed by a manager and two victim/witness workers in Winnipeg.

### Victims' Assistance Fund (VAF)

The Victims' Assistance Fund was created in 1986 for the purpose of promoting and delivering services to victims. Since the proclamation of *The Victims' Bill of Rights* (VBR) in 2001, Manitoba Justice has continued to provide support services to victims of crime through grants to police-based and community-based programs.

Funds are generated from provincial and federal surcharges applied to fines or sentences set by the courts. In 2004/2005, the department provided \$190,000 from the Victims' Assistance Fund to police services and other agencies providing services to victims. Police-based programs that received grants in 2004/2005 included Brandon Police Victim Services and Pembina Valley Victim Services. Community-based programs that received grants included the Manitoba Organization of Victim Advocates, the Mennonite Central Committee (Victim Companion Program), Age and Opportunity, Inc. (Older Victim Services) and Mother of Red Nations.

A new initiative of the Nor'West Co-Op Community Health Centre was also supported by the department in 2004/2005. 'A Woman's Place' Domestic Violence Support and Legal Services is a unique new one-stop clinic for victims of domestic violence. Manitoba Justice provided VAF funding for an evaluation of this project and is also committed to providing ongoing in-kind services of Crown attorneys, legal aid and victim services staff.

### 2 (e) Victim Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,952.2	41.50	2,296.7	(344.5)	
Total Other Expenditures	381.1		556.6	(175.5)	1
Grants	113.7		190.0	(76.3)	2

**Explanations:**

1. Expansion of The Victims' Bill of Rights application to rural areas extended beyond the fiscal year due to recruitment difficulties, resulting in an operating surplus.
2. Two organizations opted to discontinue victim services and a third organization received payment based on intake.

### Compensation for Victims of Crime

Under the authority of *The Victims' Bill of Rights* (VBR), the Compensation for Victims of Crime Program provides compensation for personal injury or death resulting from certain crimes occurring within Manitoba.

A claim may be filed by a person who is an innocent victim of a criminal incident or a surviving dependant of a person killed as a result of a crime. Compensation can include income replacement, funeral expenses, training and rehabilitation expenses, medical/dental costs and grief counselling for survivors of homicide victims.

The program reports to the director of the Victim Services Branch and is staffed with a manager, an adjudicator and two administrative support staff. In 2004/2005, the program processed 642 applications for compensation. It also provided services to approximately 220 long-term pension and wage loss claimants. In total, \$3.0 million in benefits were provided to victims during the 2004/2005 fiscal year.

## 2 (f) Compensation for Victims of Crime

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Other Expenditures	2,974.6		3,045.2	(70.6)	
Total Reduction in Actuarial Liability	(134.6)		(100.0)	(34.6)	

## Law Enforcement Review Agency

The Law Enforcement Review Agency (LERA) is an independent, non-police agency established under *The Law Enforcement Review Act* to investigate public complaints of abuse of authority by municipal and local police.

A registrar and three investigators assist the commissioner in handling all complaints about municipal and local police performance that arise in the execution of police duties. LERA does not, however, investigate criminal matters. Such matters are normally referred to a law enforcement agency.

The act provides several ways to resolve complaints: informal resolution (mediation); admission of disciplinary default by the respondent police officer; or referral to a provincial court judge for public hearing and resolution.

During 2004/2005, the office investigated 361 complaints. More information on LERA is available in the agency's annual report that is available in English and French on LERA's website at [gov.mb.ca/justice/lera](http://gov.mb.ca/justice/lera).

## 2 (g) Law Enforcement Review Agency

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	298.6	4.00	257.5	41.1	
Total Other Expenditures	82.5		63.3	19.2	

## Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (OCME) investigates all violent, unexplained, unexpected and suspicious deaths in Manitoba, under the authority of *The Fatality Inquiries Act* (FIA). The office also investigates the deaths of all children and residents of personal care homes and developmental centres. It also attempts to identify situations of risk. If the deceased child or his/her parent or guardian was in receipt of services from a Child and Family Services agency within one year of the death, the office reviews the actions of the agency involved and prepares a written report to the Minister of Manitoba Family Services and Housing. The office also handles all reports of unclaimed bodies in Manitoba under *The Anatomy Act*.

Under the FIA, certain deaths require mandatory inquests. The purpose of an inquest is to make recommendations that will improve the safety and benefit of others by preventing similar deaths. When an inquest is not called, the chief medical examiner may make recommendations to the Minister, government departments or agencies and others about precautions or measures to prevent a similar death.

The Minister of Justice, upon the recommendation of the chief medical examiner, appoints Manitoba physicians as medical examiners. They have authority under the FIA to authorize autopsies and recommend inquests as necessary. There are 48 medical examiners in Manitoba, 19 of whom are located in Winnipeg.

The OCME has a staff of 14, including six full-time death investigators and two special investigators. During 2004/2005, the office investigated and certified 1,613 deaths, conducted 4,382 inquiries, ordered 1,143 autopsies and called six inquests. It opened 43 new cases and prepared 70 comprehensive reports, including cases from previous years, for the Minister of Manitoba Family Services and Housing concerning services received by deceased children and/or their parents/guardians. The office handled 62 reports of unclaimed bodies. Approximately 3,500 requests for information are received annually.

More information on the OCME is available in annual reports prepared by the office. One is a statistical report on deaths where action was taken under the FIA and the other is a report on deaths occurring while in custody and deaths of involuntary residents of psychiatric facilities and of residents of developmental centres. To obtain a copy of a report, please call the general office at 204-945-2088 or toll free at 1-800-282-8069.

## **2 (h) Office of the Chief Medical Examiner**

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	791.7	14.00	734.3	57.4	
Total Other Expenditures	1,668.3		1,705.6	(37.3)	
Flin Flon Smelter Inquest	115.1		323.2	(208.1)	1

### **Explanation:**

1. A number of disclosure motions delayed inquest proceedings until 2005/2006.

## **Justice Initiatives Fund – Criminal Justice**

This section lists Justice Initiative Fund (JIF) expenditures from Criminal Justice Division and Manitoba Prosecutions Service programs. Please see the Justice Initiatives Fund section of this report for more information on this fund.

## **2 (j) Justice Initiatives Fund**

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Children Online Protection Initiative	18.0		18.0		
Crime Prevention	20.5		20.5		
First Nations Policing Policy – MKO Regional Consultation	64.3		64.3		
Healthy Child Manitoba	15.0		15.0		
Lighthouses	512.3		531.7	(19.4)	
New Directions for Children, Youth, Adults and Families Agency	146.1		146.1		
Manitoba Organized Crime Task Force	400.0		400.0		
Safe Schools Manitoba	66.0		66.0		
SafetyAid Crime Prevention for Older Manitobans	140.0		150.0	(10.0)	
<b>Total</b>	<b>1,382.2</b>		<b>1,411.6</b>	<b>(29.4)</b>	



## Civil Justice

The civil justice appropriation (04-3) is comprised of the Manitoba Human Rights Commission, the Family Law Branch, the Constitutional Law Branch, Legal Aid Manitoba, and a grant to the Manitoba Law Reform Commission. Legislative Counsel, albeit a separate division of the department, is also a part of the civil justice appropriation.

Manitoba Justice's two special operating agencies – Civil Legal Services and the Public Trustee – are also discussed in this section.

### Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Manitoba government. It has a mandate, under *The Human Rights Code*, to reduce unreasonable discrimination and promote equality of opportunity. The commission enforces the provisions of *The Human Rights Code*, promotes human rights and develops and delivers human rights education programs throughout Manitoba.

A board of 10 commissioners, appointed by the Lieutenant-Governor in Council, establishes policies and resolves complaints. Commission offices are located in Winnipeg, The Pas and Brandon.

The commission received approximately 5,500 inquiries from the public during the 2004 calendar year. It also disposed of 289 formal complaints, and 122 matters were resolved through pre-complaint conciliation, reflecting a settlement rate of 60.8 per cent. The dismissal rate was 23.6 percent, 12 per cent were withdrawn or abandoned and one per cent were terminated for other reasons (Ex. the board determined that further proceedings would not support the objectives of the code). Another 2.6 per cent were referred to adjudication, and there was one hearing before a human rights adjudicator during the year.

Significant accomplishments of the commission in 2004 included increasing the number of youth conferences offered to senior level students from one to two. One youth conference was held March 21 in Thompson, on the International Elimination of Racial Discrimination Day, and a second was held in Winnipeg December 10, which coincided with International Human Rights Day. The commission increased the number of duty to accommodate and harassment in the workplace seminars it held for employers.

More detailed information on the activities of the Manitoba Human Rights Commission is available in its separate annual report which may be obtained at any commission office or on the commission's bilingual website at [gov.mb.ca/hrc](http://gov.mb.ca/hrc).

#### 3 (a) Manitoba Human Rights Commission

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	1,228.7	21.00	1,199.2	29.5	
Total Other Expenditures	463.3		448.3	15.0	

### Legislative Counsel

Legislative Counsel prepares all Manitoba statutes and regulations in English and French. The division's two branches, Legislative Counsel and Legal Translation, are headed by the Legislative Counsel, who is an assistant deputy minister and also the law officer of the Legislative Assembly.

## Legislative Counsel Branch

This group provides legal advice to all government departments on drafting bills and regulations. It prepares final texts of all laws for publication and puts current versions on the government website at [gov.mb.ca/chc/statpub](http://gov.mb.ca/chc/statpub). It does periodic reviews to ensure the acts of the Legislature are up-to-date.

## Legal Translation Branch

The Legal Translation Branch provides a French language equivalent of all acts and regulations and the rules of courts and administrative tribunals. The branch also ensures all documents needed in the Legislative Assembly are available in English and French. This includes preparation of the French version of the Orders of the Day and votes and proceedings of the assembly and rulings of the speaker.

### 3 (b) Legislative Counsel

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	1,608.5	22.00	1,701.3	(92.8)	
Total Other Expenditures	319.8		346.7	(26.9)	

## Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent agency of the Manitoba government established by *The Law Reform Commission Act*. The commission issues public reports on the modernization and improvement of provincial laws.

The commission has five members appointed by the Lieutenant-Governor in Council and is funded through grants from Manitoba Justice and the Manitoba Law Foundation.

In 2004/2005, the commission submitted one report to the Minister of Justice: *Substitute Consent to Health Care*. This report complements the commission's recent report on the withholding or withdrawal of life sustaining medical treatment. Although *The Health Care Directives Act* permits people to designate proxies to make treatment decisions on their behalf in the event of incapacity, it appears that few people take advantage of this option. The commission has recommended that the act be amended to include clear, consistent rules about who is authorized to make treatment decisions for those unable to do so for themselves and who have not appointed a designated proxy. It also recommends that the province undertake an ongoing public education campaign about the options in these situations.

Work in progress during 2004/2005 included a review of *The Garnishment Act*, court costs and common building schemes, as well as joint projects with the western law reform agencies on private title insurance and powers of attorney.

More information on the Manitoba Law Reform Commission, including its annual report is available on the Internet at [gov.mb.ca/justice/mlrc](http://gov.mb.ca/justice/mlrc).

### 3 (c) Grant to Manitoba Law Reform Commission

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Grant	70.0		70.0	0.0	

## Family Law Branch

The Family Law Branch provides ongoing family law legal services and advice to a number of government departments and programs, including the Maintenance Enforcement Program, Family Conciliation, the director of Child and Family Support and three regional child protection agencies, Employment and Income Assistance and Vital Statistics. The branch develops family law policy, programs and legislative initiatives at the provincial level; and through the Co-ordinating Committee of Senior Officials (CCSO) – Family Justice, the Family Law Branch also plays an active role at the national level. The branch also works to increase awareness of family law initiatives and issues for the general public, the legal profession and law students.

Counsel provide Crown opinions/charging authorization in appropriate cases to law enforcement officials throughout Manitoba in parental child abduction cases. Counsel also deal with international child abduction situations falling under The Hague *Convention on the Civil Aspects of International Child Abduction*. The branch also handles government responsibilities under *The Inter-jurisdictional Support Orders Act*.

The following are examples of branch activities during 2004/2005:

- participated in the four-person Canadian delegation to the June 2004 Special Commission in The Hague developing a new international convention on maintenance obligations, and ongoing participation in the international working groups on applicable law and administrative co-operation
- continued active federal/provincial/territorial work, including continuing as provincial co-chair (policy) of the CCSO – Family Justice and provincial co-chair of its Inter-jurisdictional Support Sub-committee
- participated as faculty at national legal education programs on parental child abduction and inter-jurisdictional support issues
- continued conduct of regular maintenance enforcement show cause hearings, including participation in the operation of the auto order system at Winnipeg dockets
- continued conduct of monthly video maintenance enforcement show cause dockets from Thompson
- continued work with Family Conciliation to provide comprehensive co-mediation services to parents
- participated in the development of legislative initiatives, including:
  - *The Pension Benefits Amendment Act*;
  - amendments to the *Court of Queen's Bench Rules* to implement portions of *The Improved Enforcement of Support Payments (Various Acts Amended) Act* on March 31, 2005; and
  - amendments to regulations and the *Court of Queen's Bench Rules* to implement *The Common-Law Partners' Property and Related Amendments Act* on June 30, 2004
- developed and published the updated *Family Law in Manitoba, 2005* public information booklet with the financial support of Justice Canada

The branch consists of a director, eight Crown counsel and four support staff.

### 3 (d) Family Law

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,112.1	13.00	1,123.9	(11.8)	
Total Other Expenditures	157.6		125.0	32.6	1

**Explanation:**

1. Budget shortfall for desktop computer services, legal software, file storage, statute printing and legal and insurance fees.

## Constitutional Law Branch

The Constitutional Law Branch provides the provincial government with efficient, cost-effective legal services on constitutional matters.

Branch counsel provide advice to government departments on constitutional issues when drafting programs and legislation. They also provide advice on language rights, Aboriginal and treaty rights and constitutional issues of national concern. In 2004/2005, the branch provided a total of 279 constitutional opinions to various government departments.

Branch counsel also defend government programs and legislation before the courts in response to constitutional challenges in civil and criminal cases. A constitutional challenge means a law is being challenged in court to see if it violates or is inconsistent with the Canadian Constitution, including the *Canadian Charter of Rights and Freedoms*. In 2004/2005, the branch received 168 notices of constitutional challenge, an increase of 17.5 per cent over the previous year. One hundred and twenty-two notices (73 per cent) were about criminal cases while 46 notices (27 per cent) were constitutional challenges in civil claims against the provincial government.

During 2004/2005, branch counsel appeared in all levels of court in Manitoba and in the Supreme Court of Canada on a variety of constitutional challenges including: the promotion and display of tobacco products, police powers of investigation, impaired driving prosecutions, labour disputes, court imposed publication bans and media requests for access to court exhibits. Branch counsel also continued to provide ongoing support to Crown attorneys, especially on issues about unreasonable delay, abuse of process, disclosure, and organized crime prosecutions.

The branch consists of a director, five Crown counsel and three support staff.

### 3 (e) Constitutional Law

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	784.9	9.00	764.6	20.3	
Total Other Expenditures	183.4		221.3	(37.9)	

## Legal Aid Manitoba

Legal Aid Manitoba is an independent agency of the provincial government established by *The Legal Aid Services Society of Manitoba Act*. The agency is managed by a board of directors consisting of 12 persons appointed by the Lieutenant-Governor in Council.

Legal Aid Manitoba provides three types of services: drop-in advice and information, formal representation and duty counsel. Formal representation is limited to serious criminal matters, serious immigration matters and many family matters; moreover, it is provided to individuals who meet financial eligibility guidelines. Duty counsel provide early stage legal representation for all individuals, regardless of income, who are in custody or have been arrested or charged with an offence. Legal Aid Manitoba also has a number of special programs such as the Public Interest Law Centre, the Aboriginal Law Office and the University Law Office, as well as poverty law, northern paralegal and other outreach programs.

Of 18,999 people who applied for legal aid in 2004/2005, 15,364 were granted legal aid services (certificates) by a staff or private bar lawyer. In addition, 6,621 people were assisted through cases that come to staff legal aid lawyers through duty counsel work (certificate equivalents). Also, 16,817 people were provided with informal advice and information and 32,970 people were assisted by duty counsel. Thus, the total number of people assisted during the year was 71,772.

The number of civil certificates issued in 2004/2005 was 6,158 compared to 6,289 in the previous year.

An independent external review of Legal Aid Manitoba was completed by Ron Perozzo in 2004/2005. The department then conducted a public consultation exercise on the report's recommendations. One significant step that was completed by the department during the year to address the report's recommendations was the development of amendments to *The Legal Aid Services Society of Manitoba Act*.

Detailed program, financial and statistics are contained in the published *Annual Report of the Legal Aid Services Society*, available through any Legal Aid Manitoba office.

### 3 (f) Legal Aid Manitoba

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	8,716.1	131.00	8,114.5	601.6	1
Total Other Expenditures	9,948.4		10,495.0	(546.6)	2

**Explanation Number:**

1. *Salary accrual for potential negotiated agreement with the Legal Aid Lawyers Association.*
2. *Unused private bar fees for a multi-accused trial that did not proceed and additional revenue from the Manitoba Law Foundation grant to Legal Aid Manitoba.*

## Civil Legal Services

Civil Legal Services functions as the law firm to the provincial government. It provides legal services to all government departments, agencies, boards, commissions, committees and government corporations that do not have their own legal counsel. The role of Civil Legal Services flows from the constitutional and statutory responsibilities of the Attorney General as the chief legal advisor to government and the guardian of the public interest.

While Civil Legal Services commenced operation as a provincial government special operating agency (SOA) on April 1, 1995, it remains a branch within Manitoba Justice. Detailed information on the agency can be found in the *Annual Report of the Civil Legal Services Special Operating Agency*. To obtain a copy of the report, please call the general office at 204-945-2832.

## The Public Trustee

The Public Trustee provides trustee services for a fee to the people of Manitoba in situations where no one else is capable or willing to do so. The Public Trustee provides the following types of trustee services:

- administering estates and making personal decisions for people who are not mentally capable of doing so
- administering the estates of mentally competent people who have granted a power of attorney to the Public Trustee
- administering the estates of people who have died in Manitoba with no one else capable or willing to act as administrator
- administering trust monies for people under 18
- administering some adult trusts

While the Public Trustee commenced operation as a provincial government special operating agency (SOA) on April 1, 1996, it remains a branch within Manitoba Justice. Detailed information on the Public Trustee can be found in the *Annual Report of the Public Trustee*. To obtain a copy of the report, please call the general office at 204-945-2700.

# Corrections

As the largest division of the department, Corrections contributes to the protection of society by: administering sentences imposed by the courts, the humane care, control and reintegration of offenders into society, and the encouragement of active community participation in achieving these objectives.

The corrections appropriation (04-4) is comprised of three sub-appropriations: Corporate Services, Adult Corrections and Youth Corrections.

Highlights of divisional activities in 2004/2005 included:

- A public consultation committee was established in December 2004 to provide advice and guidance to the government on the location and type of facility needed for a new women's correctional facility.
- In March 2005 the division established an Organized Crime Intelligence Unit. The unit's objective is to work collaboratively with other Justice stakeholders in the collection, analysis and dissemination of information related to organized crime.
- Manitoba Corrections ceased operations at Egg Lake Rehabilitative Camp during the year. Due to under-utilization and ongoing declines in the volume of inmates with a lower security profile, an efficient operation of this site was determined to no longer be feasible.

The division continued its ongoing investment in Aboriginal justice initiatives during the year:

- Agreements and protocols were developed to provide the framework and structure to implement devolution of probation services to the Manitoba Keewatinowi Okimakanak (MKO), the Southern Chiefs Organization (SCO) and the Manitoba Metis Federation (MMF).
- Ongoing support was provided to Onashowewin, a community-based Aboriginal justice program that provides community justice alternatives to both adult and young offenders in Winnipeg.

Information on prison industry activities is provided in Appendix V.

## Corporate Services Branch

The Corporate Services Branch provides leadership to the division in co-ordinating the integration of services to all branches as well as strategic policy development, budget analysis and control, information system development and maintenance, co-ordination of chaplaincy and medical services, internal investigations, operational reviews and audits, training, program development, research and Aboriginal service development.

### 4 (a) Corporate Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,566.8	22.00	1,321.3	245.5	1
Total Other Expenditures	443.0		463.9	(20.9)	

#### Explanation:

1. Staff training function centralized into Corporate Services and budgeted staff turnover levels did not materialize.

## Adult Corrections Branch

The Adult Corrections Branch manages adult offenders sentenced to less than two years<sup>4</sup> and remanded adult offenders. The branch also supports community justice measures and case manages offenders in the community and in custody.

<sup>4</sup> Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Services Canada).

The branch is responsible for the care and custody of adult offenders sentenced to prison for up to two years less a day, or detained in custody while waiting for a court decision (which is known as remand custody). It also provides services for offenders in custody to help them reintegrate into society. The branch operates seven correctional institutions: Milner Ridge Correctional Centre, Portage Correctional Centre for Women, The Pas Correctional Centre, Brandon Correctional Centre, Dauphin Correctional Centre, Headingley Correctional Centre and the Winnipeg Remand Centre.

Branch staff also manage court orders involving offender supervision in the community, preparing court reports and providing community justice as an alternative to the formal court process. Offender supervision in the community involves probation, conditional sentences, community service orders, fine option and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices for adult offenders serving their sentences in the community are located in Winnipeg and a number of rural centres across Manitoba.

The following are highlights of program volumes in 2004/2005:

- The average monthly adult probation and conditional sentence supervision caseload size in 2004/2005 decreased to 6,730 from 6,870 the previous year.
- Adult offender registrations in the fine option program increased in 2004/2005 to 1,037 from 966 the previous year, while adult offender community service order registrations increased to 961 from 897 the previous year.
- The average daily adult custody population in Manitoba decreased in 2004/2005 to 1,147 from 1,231 the previous year.<sup>5</sup>
- The percentage of the total provincial custody population in remand status (57 per cent) continued to exceed the percentage of sentenced offenders (43 per cent).

#### 4 (b) Adult Corrections

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	65,388.9	984.01	62,185.6	3,203.3	1
Total Other Expenditures	10,096.3		9,792.7	303.6	2
Total Programs and External Agencies	1,803.9		1,808.7	(4.8)	
Total Recoveries from Other Appropriation	(7.6)		(30.0)	22.4	

**Explanations:**

1. *Additional staffing requirements at the Winnipeg Remand Centre, medical redeployments and a salary arbitration award to correctional officers.*
2. *Additional operating costs associated with high inmate population levels.*

## Youth Corrections Branch

The Youth Corrections Branch is responsible for the continuum of services for youth involved with the law. The branch is directly responsible for the two youth institutions (Manitoba Youth Centre and Agassiz Youth Centre), probation services in Winnipeg, and policy direction throughout Manitoba on all other youth justice matters.

<sup>5</sup> Despite this one-year decrease, long-term corrections data has demonstrated consistent and steady growth in adult custody populations. For illustration, the average adult custody population in 1974 was 419, then jumped to 814 in 1984, 950 in 1994/1995, and 1,147 in 2004/2005.

Branch staff manage court orders involving youth, prepare court reports and provide community justice as an alternative to the formal court process. Offender supervision in the community also involves new supervision orders under the *Youth Criminal Justice Act* (Canada). The branch is also responsible for community service orders, fine option, the Intensive Support and Supervision Program, the Youth Bail Management Program and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices, which provide support for young offenders serving their sentences in the community as well as young people who have been referred to community justice, are located in Winnipeg and a number of rural centres across Manitoba.

The Youth Corrections Branch is also responsible for the delegated authority of the provincial director under the *Youth Criminal Justice Act* (Canada). This involves a series of responsibilities including issuing warrants, suspensions and changing levels of custody.

The following are highlights of program volumes in 2004/2005:

- The average youth probation supervision caseload size in 2004/2005 decreased to 1,591 from 1,612 the previous year.
- Young offender registrations in the fine option program increased in 2004 to 338 from 267 the previous year, while young offender community service order registrations decreased slightly to 836 from 840 the previous year.
- There were approximately 60 youth justice committees operating across the province during 2004/2005 and more than 500 volunteer committee members administered community justice (extra-judicial) measures and provided crime prevention and community education services in their communities.<sup>6</sup>
- The average daily youth custody population in Manitoba decreased to 179 in 2004/2005 from 185 the previous year. This can be attributed in part to the newly enacted *Youth Criminal Justice Act* (Canada) in April 2003, coupled with the intense program and justice initiatives of the Youth Corrections Branch.

The following are highlights of the branch's program development initiatives in 2004/2005:

- A Pilot Project for Auto Theft was developed June 2004 and the early results propelled the development of an auto theft suppression initiative in partnership with Manitoba Public Insurance.
- A Fetal Alcohol Spectrum (FAS) Disorder project was developed and supported by the province and the federal Department of Justice.
- Several partnerships were developed with community service providers during the year to enhance the work with youth. Community partners include the following agencies: Brandon Friendship Centre, New Directions for Children, Youth, Adults and Families, Macdonald Youth Services, and Marymount.

#### 4 (c) Youth Corrections

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	20,346.3	311.13	19,297.9	1,048.4	1
Total Other Expenditures	1,866.3		1,892.6	(26.3)	
Total Programs and External Agencies	821.6		1,068.2	(246.6)	2

**Explanations:**

1. Salary arbitration award to correctional officers and staff medical redeployments at Manitoba Youth Centre, offset by savings from a lower youth custody population.
2. Youth Criminal Justice Act (Canada) program surplus and adjustment in use of open custody homes.

<sup>6</sup> In addition to the youth justice committees, the Youth Corrections Branch has other volunteers assisting in delivering correctional services in the community and in youth custody facilities. These activities include tutoring, bail supervision and other services.



## Justice Initiatives Fund – Corrections

This section lists Justice Initiative Fund (JIF) expenditures through Corrections Division programs. Please see the Justice Initiatives Fund section of this report for more information on this fund.

### 4 (d) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Aboriginal Community Based Probation Services	340.0		340.0		
Aboriginal Council of Winnipeg (ACW) and Southern Chiefs Organization (SCO) – Onashowewin	250.0		250.0		
Justice Committees	16.0		16.0		
<b>Total</b>	<b>606.0</b>		<b>606.0</b>	<b>0.0</b>	

# Courts

The Courts Division manages the effective, efficient delivery of court services throughout the province. This includes criminal, family, civil and summary conviction courts, court security, prisoner transport, civil enforcement and operational support. These services are provided through the division's five branches: Court Services, Winnipeg Courts, Regional Courts, Judicial Services and Sheriff Services. The courts appropriation (04-5) is comprised of five sub-appropriations for the division's five branches.

Division services are provided to three levels of court: the Court of Appeal, the Court of Queen's Bench and the Provincial Court. (See Appendix II, III and IV for more information on Manitoba court locations and circuits.)

The division manages the Maintenance Enforcement Program and the Aboriginal Court Worker Program. The Maintenance Enforcement Program (MEP) enforces court orders and separation agreements that require payment of family support. If necessary, collection action may include interception of federal payments, garnishing orders, seizure of personal property, property liens, suspension of driving privileges, denial of passports and prosecution. The Aboriginal Court Worker Program helps Aboriginal people develop a better understanding of their rights and obligations in the criminal justice system. Court workers explain the court process, the nature of the charges and possible results, help obtain lawyers for the accused and may also provide support in court.

The division also manages the Fine Collection Program and the Restitution Program. The Fine Collection Program enforces fines that have been ordered by the court. If necessary, collection action may include registering the debt with a third party collection agency or credit reporting agency, holds on driver's licenses and vehicle registrations, garnishing orders, property liens or property seizure. The Restitution Program monitors the payment of court ordered restitution (money owed to a victim of crime). If payment is not made, the program will advise Corrections staff for further action or charges and advise the victim on the necessary steps to proceed to civil judgment.<sup>7</sup>

The Review Board also forms part of the Courts Division. It is an independent panel established under the *Criminal Code* (Canada) to deal with those charged with a criminal offence but who have been found unfit to stand trial, or have been found not criminally responsible because of a mental disorder.

The division also includes the Seizure and Impoundment Registry (otherwise known as the Vehicle Impoundment Registry). This is the administrative centre where the status of each vehicle seized in Manitoba is recorded. The registry records the name of the driver, the owner, the police agency and location of each seizure. As well, statistics are kept on the number of hearings conducted by justices, all claims that the owner or garage keeper has applied for, and the number of wrongful seizures.

The Courts Division has also provided operational support to the Helen Betty Osborne Memorial Foundation (HBOMF), since its inception in 2000. This foundation provides educational assistance to Aboriginal students attending Manitoba post-secondary institutions.

The division undertook a number of new initiatives in 2004/2005, as described below.

- Central Custody Control Centre (C4) – This joint initiative of the Courts Division and the Corrections Division was implemented in February 2005. The objective of the C4 team is to establish consistent, accurate and efficient ways to process remand documents and information for all in custody matters in Winnipeg. The team includes a senior justice of the peace, a custody clearing clerk and a correctional officer who inputs accurate, current data into the corrections offender management system (COMS).
- New Bilingual Service, Provincial Court Circuit Point Added in St. Pierre-Jolys – In September 2004, a bilingual Provincial Court circuit point was added in St. Pierre-Jolys. This monthly circuit court sitting allows French-speaking Manitobans to attend court in their own community. Courts has also added a new justice generalist at the bilingual service centre in St. Pierre-Jolys. The justice generalist provides information about various programs and services provided by Manitoba Justice, and clerks for the circuit court sitting.

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<sup>7</sup> Restitution ordered to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors restitution orders internally.

- Sioux Valley Dakota Nation Circuit – In May 2004, Sioux Valley Dakota Nation was added as a circuit point for monthly sittings of the Provincial Court. This new circuit point allows residents to attend court in their own community. Dakota Elders, who play an active role in the court, provide the visiting judge with perspective and advice on behalf of the community.
- Contraventions Act (Canada) – In 2004, a renewed contract between the federal and provincial governments was reached. It increases the level of services in both official languages in the administration of the courts in the province, in relation to the prosecution of federal offences under the *Contraventions Act* (Canada). If an accused wishes to appear in court to answer the charge, he or she must be given an opportunity to do so in the official language of his or her choice. Federal funding was also provided to buy videophones for each court office. Full video equipment was installed in Dauphin and The Pas.
- Reduction of Trial Backlog in Thompson Court - A number of initiatives introduced by the Provincial Court during the year reduced the trial backlog in Thompson from a year to a two or three month wait for a half-day trial, or six months for a full-day trial. These initiatives included:
  - the introduction of mandatory pre-trials for half-day or more trials
  - the trial co-ordinators ensuring that trial dates are fully booked before agreeing to release new trial dates
  - the supervising Crown attorney's commitment to ensure Crowns are regularly reviewing trial dates to ensure trial time is used effectively
  - co-operative efforts of Crown and defence counsel to ensure matters proceed in a timely fashion

The division continued its ongoing investment in the First Nations Justice Strategy, as described below.

- Prior Learning and Recognition (PLAR) – The Courts Division continued to partner with the Manitoba Keewatinook Ininew Okimowin (MKO) and the Centre for Education and Work to develop the Prior Learning and Recognition (PLAR) process, for diplomas in restorative justice for community justice workers. During the year, the Office of Learning Technologies committed to providing funding for 2005 through 2007 to develop a virtual learning network for community justice workers, which will be extended to all those involved in administering justice in the MKO communities.
- Expansion of First Nations Justice Magistrates – In 2004, as part of an agreement with the Manitoba Justice and MKO officials, First Nations Justice Strategy magistrates were granted jurisdiction to deal with domestic matters where the Crown and defence counsel consent to a community based disposition. This allows the community to have some input into what happens to offenders appearing before the magistrate by providing domestic counselling.

The following are highlights of division initiatives in 2004/2005:

- The City of Winnipeg's continuing implementation of the Image Capturing Enforcement System (ICES), commonly known as photo radar resulted in the installation of an additional 12 locations and 6 cameras during the year. This ongoing initiative required the Provincial Court to process 136,829 tickets in 2004/2005.
- Courts Division staff continued to work with Urban Circle Training Inc. representatives to administer a specialized administrative/clerical training program, including classroom training and a work experience component for Aboriginal students.
- The Seizure and Impoundment Registry, which maintains records of all vehicles impounded in Manitoba, was expanded by adding a forfeiture component.
- A five-year plan to replace the current analogue four-channel audio recording equipment in 82 courtrooms throughout the province was approved. Digital recording software and computers were installed in 15 courtrooms in Winnipeg, Brandon and Thompson during the year. Upgrading of courtroom sound systems also occurred along with the installation.
- In October 2004, the Transcription Services Unit (TSU) was restructured to eliminate the provision of administrative services. TSU will remain as the owner of the court record, but fee for service transcribers or service providers will assume complete responsibility for production of transcripts.
- Standard wording for common conditions in adult bail court orders was implemented on a manual basis across the province. Plans were also made for future implementation in youth court.
- Videoconferencing capability in courtroom 401 in the Winnipeg Law Courts Complex was expanded to include connections with both the Winnipeg Remand Centre and Headingley Correctional Centre.

- Access to the computerized Court Registry System (which manages and facilitates the monitoring of Queen's Bench and Court of Appeal files) was expanded to Thompson.
- The Fine Collection Program was restructured and the software application supporting it was improved. This will make better use of existing enforcement tools and permit various enforcement actions to be taken both simultaneously and earlier.
- The Maintenance Enforcement Program created special units to target collection actions based on the degree of enforcement required. It also introduced a formal eight-week training program for new staff that includes both classroom and practical sessions.
- The Common Offence Notice System was updated to increase efficiencies. These updates include using the Mail Management Agency to print and mail notices and producing workflow tools to reduce the time it takes to enter default convictions.
- The City of Winnipeg Bylaw Court was moved from the Law Courts Complex to the Summary Convictions Court at 373 Broadway in Winnipeg.
- The Criminal Courts Automated Information Network (CCAIN) was upgraded to simplify screens, increase the speed and accuracy of data entry, and add new fields to collect *Youth Criminal Justice Act* (Canada) information.
- A new Provincial Court "rota" (or schedule) system commenced development to support judicial scheduling initially for 30 Provincial Court judges in Winnipeg, with future planning to incorporate an additional 10 Regional Court judges.
- A child support recalculation service pilot project commenced development to recalculate child support orders at regular intervals based on updated income information. The new service is 100 per cent federally funded through the Federal Child-Centred Family Justice Fund.
- The Court of Queen's Bench Family Division had an independent research firm evaluate the effectiveness of its case management process. The evaluation used several data-collection methods, including interviews, written questionnaires and telephone surveys. A final case management evaluation report was received in September 2004. The findings indicated that the case management process is effective, but judicial and administrative resources were inadequate to handle the volume of case conferences. The case management rules were amended in February 2005 to help reduce the pressure on court resources while maintaining a mandatory first case conference process.
- The Domestic Violence Front-End Project achieved its objective of reducing the Provincial Court backlog for trial from a period of 22 months to 11 months for an accused who is not in custody. On average, an accused who is in custody can go to trial six to eight weeks earlier than before the project began. Overtime costs for transporting accused in custody were also reduced by \$158,000 during the 2004/2005 fiscal year.

## Court Services Branch

This branch provides Winnipeg Courts, Regional Courts, Judicial Services and Sheriff Services with expertise in administration, financial management, governance, project reviews, management information systems and facilities design and use.

Highlights during the 2004/2005 year included:

- The Maintenance Enforcement Program had a total of 15,909 accounts, of which 6,682 were fully compliant. The program disbursed \$48.9 million in maintenance payments, and a total of \$3.5 million was directed to the Minister of Finance to offset social allowance costs. The program also took the following enforcement actions: issued 2,688 federal garnishing orders, 5,597 regular garnishing orders and 191 pension garnishing orders; placed 1,955 driver's licence restrictions; and served 423 summons to appear before the court.
- The Fine Collection Program had 43,726 active driver's licence holds in place, and 423 collection actions (which include garnishing wages and bank accounts and seizing personal property) were taken for unpaid fines. Overall in 2004/2005, this program recovered a total of \$8.8 million in unpaid fines (in addition to voluntary payments collected by Winnipeg and regional courts).

- The Restitution Program disbursed \$1.1 million in restitution payments to victims of crime.
- The Accounting and Revenue Unit, responsible for the collection of outstanding fines and bail estreatals<sup>8</sup>, processed \$17.0 million in provincial offence and *Criminal Code* (Canada) fines and \$5.6 million for the suitor's trust account (money collected and dispersed under the garnishment of wages).

## 5 (a) Court Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,650.8	91.00	(122.7)	
Total Other Expenditures	1,347.8		(49.3)	

## Winnipeg Courts Branch

The Winnipeg Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Provincial Court (adult, youth and family), Court of Queen's Bench (civil, criminal and family) and Court of Appeal. Services are also provided to 12 circuit court locations outside Winnipeg.

The branch is also responsible for the operations of the jury management system, ensuring adequate jurors are available to meet the needs of the Court of Queen's Bench's criminal and civil trials.

During the 2004/2005 year, branch highlights included:

- In the 2004 calendar year, the Court of Appeal dealt with 70 per cent of its criminal cases within a six to nine month period, while 87 per cent of its civil cases were dealt with within a nine to 12 month period.
- The Winnipeg and St. Boniface Queen's Bench centres opened over 18,000 new files, and filed and added over 185,000 documents to the Court Registry System in the 2004 calendar year.
- Winnipeg Jury Management proceeded with 19 jury trials and issued 10,349 jury summonses plus 650 French summonses.
- The Provincial Court processed 53,635 new charges<sup>9</sup> (youth and adult) in Winnipeg.
- Summary Conviction Court processed 214,232 new tickets issued by agencies throughout Manitoba. These included 77,403 regular Common Offence Notices<sup>10</sup> (CON tickets) and 136,829 ICES (photo radar) tickets. The total collected was approximately \$24.9 million, which includes fines, costs, and surcharges collected on behalf of the province and various municipalities.
- The Transcription Services Unit (TSU) transcribed over 126,240 pages of court proceedings, representing approximately 2,724 transcripts.
- The Review Board sat on 29 days and held 97 hearings for patients under the jurisdiction of the board. As of March 31, 2005, 85 patients remained under the board's jurisdiction.
- The Seizure and Impoundment Registry maintained records for approximately 2,800 vehicles seized annually from people driving while suspended, prohibited, with blood alcohol content over .08, refusing a breathalyzer, refusing or failing a field sobriety test or committing prostitution related offences.

<sup>8</sup> Bail estreatal refers to the process of forfeiting a recognizance or bond if the conditions of bail, for which the recognizance was originally issued, are not met.

<sup>9</sup> While Manitoba Prosecutions Service opened 40,362 files in 2004, the Provincial Court processed 74,057 new adult and youth charges in 2004/2005. (The Provincial Court total is comprised of 53,635 charges in Winnipeg and 20,422 in the regions.) The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

<sup>10</sup> CON tickets refer to provincial statute offences, Manitoba regulations and federal regulations covered in the *Contraventions Act*, and various other municipal bylaw offences.

## 5 (b) Winnipeg Courts

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	6,226.7	149.25	6,287.7	(61.0)	
Total Other Expenditures	1,405.5		1,494.6	(89.1)	

## Regional Courts Branch

The Regional Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Provincial Court (adult, youth and family) and the Court of Queen's Bench (civil, criminal and family) outside Winnipeg. The regional courts structure provides decentralized court services in two regions, Thompson and Brandon. Services are provided in 12 court locations and 42 circuits.

Branch highlights for 2004/2005 included:

- Branch staff managed the administration and courtroom support for 20,422 youth and adult charges.<sup>11</sup>
- A total of 17,841 CON tickets were processed for various provincial statute offences.
- Staff magistrates conducted 332 impoundment hearings, heard 140 protection order applications, heard 691 bail hearings (of which 45 were contested), issued 256 search warrants and dealt with 47 *Mental Health Act* applications.
- The Regional Court of Queen's Bench Registry processed 24,201 documents filed by law firms and the general public.

## 5 (c) Regional Courts

<b>Expenditures by Sub-Appropriation</b>	<b>Actual 2004/05 \$(000s)</b>	<b>Estimate 2004/05 FTE</b>	<b>Estimate 2004/05 \$(000s)</b>	<b>Variance Over (Under) \$(000s)</b>	<b>Expl. No.</b>
Total Salaries	3,777.1	78.58	3,901.7	(124.6)	
Total Other Expenditures	2,019.8		2,021.2	(1.4)	

## Judicial Services Branch

The Judicial Services Branch provides support to the judiciary in the Court of Appeal, the Court of Queen's Bench and the Provincial Court. The branch facilitates the effective operation of the courts by acting as a liaison between the judicial branch of government, the executive branch of government, the public and the legal profession. Judicial services are provided in communities throughout Manitoba.

Under the direction of the Chief Justice of the Court of Queen's Bench and the Chief Judge of the Provincial Court, all appearances on criminal, civil and family matters before the courts are scheduled by co-ordinators to ensure effective judicial and courtroom use. This process helps to minimize unnecessary delays through the co-ordination and assignment of court matters to courtrooms and/or chambers for over 80 judges and masters in Winnipeg and regional locations.

<sup>11</sup> While Manitoba Prosecutions Service opened 40,362 files in 2004, the Provincial Court processed 74,057 new adult and youth charges in 2004/2005. (The Provincial Court total is comprised of 53,635 charges in Winnipeg and 20,422 in the regions.) The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

Over 160 magistrates and justices of the peace provide judicial services in 14 court locations and over 60 communities under the judicial direction of the Chief Judge of the Provincial Court. Five hearing officers in the Court of Queen's Bench hear small claims and maintenance enforcement screening court matters in 18 locations throughout Manitoba.

In 2004/2005, ongoing educational programs were provided to all magistrates and justices of the peace through the Judicial Services Training Office under the direction of the Chief Judge of the Provincial Court. In addition, a project manager co-ordinated, with the guidance of internal and external working groups, the development and implementation of family law services funded through the Child-Centred Family Justice Strategy.

More information on the Provincial Court of Manitoba is available in the court's annual report, which is available on the Manitoba Courts website at [manitobacourts.mb.ca](http://manitobacourts.mb.ca).

## 5 (d) Judicial Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	12,082.0	128.00	11,820.8	261.2	
Total Other Expenditures	1,683.2		1,543.7	139.5	

## Sheriff Services Branch

The Sheriff Services Branch is comprised of Winnipeg and regional sheriff services.

The Winnipeg group is responsible for the security of 53 courtrooms in the Winnipeg Law Courts Complex and the security at eight circuit court locations. A perimeter security system is operated at the Winnipeg Law Courts Complex, preventing weapons and other contraband in the facility. Staff transport all incarcerated persons to court from the various federal and provincial correctional facilities in Manitoba. Staff also enforce all writs of seizure and sale, conduct evictions, arrest individuals on civil warrants and serve various summonses, subpoenas, protection orders and other court directed documents. The Winnipeg group is staffed by 40 full and 20 part-time sheriff officers.

The regional group has five regional offices located at Portage la Prairie, Brandon, Dauphin, The Pas and Thompson. The regional offices are staffed by 28 full and 40 part-time sheriff officers.

Branch highlights during the 2004/2005 year included:

- Winnipeg sheriffs transported more than 8,850 prisoners to court, travelled 284,057 kilometers by road and 34,170 kilometers by air into remote circuit court locations.
- Regional sheriffs transported 13,397 prisoners to court, traveled 753,792 kilometers by road and 105,235 kilometers by air.
- Five jury trials proceeded over a total of 15 days.
- Sheriff officers scanned 323,040 individuals entering the Winnipeg Law Courts Complex.
- Eighty-four sheriff officers received recruit training, basic control tactics, use of force and pepper spray/collapsible baton re-certification.
- The Civil Enforcement Unit served a total 2,506 legal documents, including 152 protection orders.
- Civil Enforcement issued a total of 4,150 sheriff certificates and collected a total of \$88,048.
- Civil Enforcement executed 247 writs of seizure and sale/orders and collected \$85,100. Total money received from all sources was \$188,330.
- Regional sheriff officers executed 35 writs of seizure and sale.
- Regional sheriffs served a total of 280 fee documents. They also served 1,469 documents for the Maintenance Enforcement Program, the Crown, Legal Aid Manitoba and other offices. These documents included summonses, subpoenas and family related documents.

- One of a number of achievements of the Domestic Violence Front-End Project in 2004/2005 was a reduction of \$158,000 in sheriff staff overtime costs for transporting incarcerated persons to court.

#### 5 (e) Sheriff Services

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	5,032.7	101.97	5,421.2	(388.5)	1
Total Other Expenditures	1,515.9		1,573.7	(57.8)	

**Explanation:**

1. Surplus realized from a multi-accused trial that did not proceed.

### Justice Initiatives Fund – Courts

This section lists Justice Initiative Fund (JIF) expenditures from Courts Division programs. Please see the Justice Initiatives Fund section of this report for more information on this fund.

#### 5 (f) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Provincial Court Judges Conference and Chief Judges Meeting	5.0		5.0		
<b>Total</b>	<b>5.0</b>		<b>5.0</b>	<b>0.0</b>	



## Costs Related to Capital Assets

Manitoba Justice's inventory of capital assets includes machinery, equipment and information systems. The department is required to amortize its assets, which is a gradual writeoff of the initial cost of the asset over its useful life. In addition, interest expense is also applied to capital funds on net book value.

Major capital assets requiring amortization in 2004/2005 included desktop services, SAP support, government air and information systems projects.

- Desktop services refers to amortization of the capital cost of acquiring desktop computer equipment for use in Manitoba Justice.
- SAP support refers to the protection, maintenance and enhancement of the government's SAP software. Introduced in 1999, SAP (Systems, Applications and Products in Data Processing) is the integrated management software Manitoba uses to support business and administrative requirements across government. SAP software is used by many staff and as a result Manitoba Justice is required to pay a share of the overall government amortization costs for the system.
- Government air refers to the department's contribution (based on use) to amortization of the province's fleet of aircrafts, used primarily by justice personnel for circuit court travel.
- Information systems encompass major projects such as the co-operative justice system, legal aid certificate system re-write and digital court recording and include all hardware, software and staff and contract resources required for development.

The amortization of existing assets and interest expense are provided as of March 31, 2005.

### 04-6 Costs Related to Capital Assets

Expenditures by Sub-Appropriation	Actual 2004/05 \$(000s)	Estimate 2004/05 FTE	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Desktop services	569.5		569.6	(0.1)	
SAP support	340.0		340.0		
Government air	152.6		86.4	66.2	1
Capital acquisitions 2004/05	131.5		24.6	106.9	2
Existing asset inventory at March 31, 2005	90.8		91.0	(0.2)	
Interest expense	335.0		314.9	20.1	
<b>Total</b>	<b>1,619.4</b>		<b>1,426.5</b>	<b>192.9</b>	

#### Explanations:

1. Government air amortization is based on use of aircraft which has increased significantly for circuit court travel due to a reduction in regional carrier service.
2. Amortization for the legal aid certificate system re-write project and capitalization of a completed portion of the co-operative justice system, not anticipated when the budget was finalized.

# Financial Information Section

## Reconciliation Statement of Printed Vote

<b>DETAILS</b>	<b>2004/05 ESTIMATES \$(000s)</b>
<b>2004/05 MAIN ESTIMATES</b>  <b>MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:</b> <ul style="list-style-type: none"> <li>- Justice Initiatives</li> <li>- Internal Reform, Workforce Adjustment and General Salary Increases</li> </ul>	<p style="text-align: right;"><b>\$ 264,833.7</b></p> <p style="text-align: right;">2,022.6</p> <p style="text-align: right;">2,521.1</p>
<b>2004/05 ESTIMATE</b>	<b>\$ 269,377.4</b>

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
	<b>04-1 Administration &amp; Finance</b>				
29.4	(a) Minister's Salary	28.9	28.8	0.1	
	(b) Executive Support				
564.1	Salaries	556.4	550.5	5.9	
96.8	Other Expenditures	128.5	127.0	1.5	
	(c) Policy Development and Analysis				
331.1	Salaries	305.5	306.0	(0.5)	
101.3	Other Expenditures	92.3	106.9	(14.6)	
	(d) Financial & Administrative Services				
1,045.6	Salaries	1,004.2	988.6	15.6	
331.2	Other Expenditures	352.3	367.9	(15.6)	
	(e) Human Resource Services				
1,065.5	Salaries	1,062.6	1,009.4	53.2	
165.0	Other Expenditures	185.1	185.8	(0.7)	
	(f) Computer Services				
1,956.9	Salaries	1,851.1	1,786.7	64.4	
658.1	Other Expenditures	640.2	538.3	101.9	1
(893.2)	Less: Recoverable from Part B - Capital	(893.2)	(814.2)	(79.0)	
<b>5,451.8</b>	<b>Subtotal 04-1</b>	<b>5,313.9</b>	<b>5,181.7</b>	<b>132.2</b>	

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1. Computer Services – increase in co-operative justice system maintenance contract in 2004/2005.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-2 Criminal Justice</b>					
	(a) Administration				
242.8	Salaries	200.9	231.6	(30.7)	
38.6	Other Expenditures	27.7	26.6	1.1	
	(b) Manitoba Prosecutions Service				
12,469.0	Salaries	12,823.3	11,541.6	1,281.7	2
3,041.6	Other Expenditures	3,018.9	2,978.7	40.2	
738.7	Witness Programs	523.8	601.5	(77.7)	
70,222.5	(c) Provincial Policing	70,417.9	68,844.5	1,573.4	3
	(d) Public Safety				
1,022.7	Salaries	785.1	881.9	(96.8)	
440.1	Other Expenditures	361.5	377.2	(15.7)	
542.2	Programs	306.8	334.5	(27.7)	
	(e) Victim Services				
2,296.7	Salaries	1,952.2	1,794.8	157.4	
556.6	Other Expenditures	381.1	414.1	(33.0)	
190.0	Grants	113.7	155.7	(42.0)	
	(f) Compensation for Victims of Crime				
3,045.2	Other Expenditures	2,974.6	3,126.6	(152.0)	
(100.0)	Reduction in Actuarial Liability	(134.6)	(427.9)	293.3	4

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- Manitoba Prosecutions Service - salary costs for new positions added in 2003/2004, general and indirect salary increases, additional staffing for lengthy fraud trial preparation, offset by non-recurring expenditures in 2003/2004 for a multi-accused trial.
- Provincial Policing - year-over-year increase in policing salaries, operating and maintenance, offset by a reduction in DNA casework due to re-negotiation of the general agreement in 2004/2005.
- Compensation for Victims of Crime - existing and future claims are independently assessed each year to determine the level of future liability. In 2003/2004, there was a significant decline in the liability (\$427.9) for wage loss, pensions and widows benefits. For 2004/2005, a significant decline in pensions due to lump sum settlements was offset by an increase in dependents' benefits with the addition of 21 children to this category, resulting in a net reduction of \$134.6 to the overall liability.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
	(g) Law Enforcement Review Agency				
257.5	Salaries	298.6	257.8	40.8	
63.3	Other Expenditures	82.5	66.5	16.0	
	(h) Office of the Chief Medical Examiner				
734.3	Salaries	791.7	717.9	73.8	
1,705.6	Other Expenditures	1,668.3	1,617.3	51.0	
323.2	Inquest - Flin Flon Smelter	115.1	234.2	(119.1)	5
1,411.6	(m) Justice Initiatives	1,382.2	1,294.3	87.9	
<b>99,242.2</b>	<b>Subtotal 04-2</b>	<b>98,091.3</b>	<b>95,069.4</b>	<b>3,021.9</b>	

5. *Flin Flon Inquest* – a number of motions were before the court in 2004/2005 resulting in a delay of inquest proceedings.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-3 Civil Justice</b>					
(a) Manitoba Human Rights Commission					
1,199.2	Salaries	1,228.7	1,239.3	(10.6)	
448.3	Other Expenditures	463.3	490.3	(27.0)	
(b) Legislative Counsel					
1,701.3	Salaries	1,608.5	1,440.9	167.6	
346.7	Other Expenditures	319.8	340.0	(20.2)	
70.0	(c) Grant to Manitoba Law Reform Commission	70.0	70.0	0.0	
(d) Family Law					
1,123.9	Salaries	1,112.1	1,057.7	54.4	
125.0	Other Expenditures	157.6	149.3	8.3	
(e) Constitutional Law					
764.6	Salaries	784.9	803.4	(18.5)	
221.3	Other Expenditures	183.4	216.4	(33.0)	
(f) Legal Aid Manitoba					
8,114.5	Salaries	8,716.1	7,882.3	833.8	6
10,495.0	Other Expenditures	9,948.4	10,641.3	(692.9)	7
<b>24,609.8</b>	<b>Subtotal 04-3</b>	<b>24,592.8</b>	<b>24,330.9</b>	<b>261.9</b>	

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6. *Legal Aid (Salaries) – Accrued retroactive salary increase for 2004/2005 for members of the Legal Aid Lawyers Association. Full year salary costs for new positions added in 2003/2004 and two additional retirements in 2004/2005 accounted for the balance of the year-over-year increase.*

7. *Legal Aid (Other Expenditures) – Private bar payments were significantly higher in 2003/2004, partly due to defence costs for a multi-accused trial.*

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-4 Corrections</b>					
(a) Corporate Services					
1,321.3	Salaries	1,566.8	1,739.2	(172.4)	
463.9	Other Expenditures	443.0	462.7	(19.7)	
0.0	Programs	0.0	93.5	(93.5)	8
(b) Adult Corrections					
62,185.6	Salaries	65,388.9	60,246.4	5,142.5	9
9,792.7	Other Expenditures	10,096.3	10,486.6	(390.3)	
1,808.7	Programs and External Agencies	1,803.9	1,634.0	169.9	
(30.0)	Recoveries from Other Appropriations	(7.6)	(24.4)	16.8	
(c) Youth Corrections					
19,297.9	Salaries	20,346.3	19,580.2	766.1	10
1,892.6	Other Expenditures	1,866.3	2,085.4	(219.1)	
1,068.2	Programs and External Agencies	821.6	846.1	(24.5)	
606.0	(d) Justice Initiatives	606.0	622.5	(16.5)	
<b>98,406.9</b>	<b>Subtotal 04-4</b>	<b>102,931.5</b>	<b>97,772.2</b>	<b>5,159.3</b>	

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8. Corrections Corporate Services - Non-recurring funding provided for the Aboriginal Probation Devolution Initiative in 2003/2004.

9. Adult Corrections - General salary and arbitration award increases, additional retirement severance payments, offset by saving in staffing costs due to consolidation of operations at various locations.

10. Youth Corrections - General salary and arbitration award increases, offset by saving in staffing costs due to consolidation of operations at various locations.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-5 Courts</b>					
(a) Court Services					
4,773.5	Salaries	4,650.8	4,382.0	268.8	
1,397.1	Other Expenditures	1,347.8	1,143.9	203.9	11
(b) Winnipeg Courts					
6,287.7	Salaries	6,226.7	6,345.5	(118.8)	
1,494.6	Other Expenditures	1,405.5	1,501.5	(96.0)	
(c) Regional Courts					
3,901.7	Salaries	3,777.1	3,824.4	(47.3)	
2,021.2	Other Expenditures	2,019.8	1,951.6	68.2	
(d) Judicial Services					
11,820.8	Salaries	12,082.0	11,723.7	358.3	12
1,543.7	Other Expenditures	1,683.2	1,650.9	32.3	
(e) Sheriff Services					
5,421.2	Salaries	5,032.7	5,068.6	(35.9)	
1,573.7	Other Expenditures	1,515.9	1,475.2	40.7	
5.0	(f) Justice Initiatives	5.0	80.1	(75.1)	13
<b>40,240.2</b>	<b>Subtotal 04-5</b>	<b>39,746.5</b>	<b>39,147.4</b>	<b>599.1</b>	
<b>1,426.5</b>	<b>04-6 Costs Related to Capital Assets</b>	<b>1,619.4</b>	<b>1,327.8</b>	<b>291.6</b>	14
<b>269,377.4</b>	<b>TOTAL EXPENDITURES</b>	<b>272,295.4</b>	<b>262,829.4</b>	<b>9,466.0</b>	

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11. Court Services - Refunds for tickets issued by private bylaw enforcement services, an increase in commissions paid to fine collection agencies and an additional investment in court video equipment in 2004/2005.
12. Judicial Services - Salary increases for judges, masters and support staff offset by savings from under-filled and vacant positions.
13. Courts Justice Initiatives – Non-recurring initiatives in 2003/2004 for video communication links, a national law enforcement conference and a community justice project.
14. Costs Related to Capital Assets – Amortization and interest on \$2.3 million in new capital spending in 2004/2005.



# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2005 with comparative figures for the previous year

2004/05 Estimate \$(000s)	Appropriation	2004/05 Actual \$(000s)	2003/04 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>Department Summary 04 by Main Appropriation</b>					
5,451.8	(1) Administration & Finance	5,313.9	5,181.7	132.2	
99,242.2	(2) Criminal Justice	98,091.3	95,069.4	3,021.9	
24,609.8	(3) Civil Justice	24,592.8	24,330.9	261.9	
98,406.9	(4) Corrections	102,931.5	97,772.2	5,159.3	
40,240.2	(5) Courts	39,746.5	39,147.4	599.1	
1,426.5	(6) Costs Related to Capital Assets	1,619.4	1,327.8	291.6	
<b>269,377.4</b>	<b>Total</b>	<b>272,295.4</b>	<b>262,829.4</b>	<b>9,466.0</b>	

# Manitoba Justice

## Revenue Summary by Source

for the fiscal year ending March 31, 2005 with comparative figures for the previous year

Actual 2003/04 \$(000s)	Actual 2004/05 \$(000s)	Increase (Decrease) \$(000s)	Source	Actual 2004/05 \$(000s)	Estimate 2004/05 \$(000s)	Variance \$(000s)	Explanation Number
<b>GOVERNMENT OF CANADA</b>							
444.6	418.6	(26.0)	Aboriginal Court Worker Program	418.6	429.3	(10.7)	
454.2	487.7	33.5	Child Centered Family Justice Fund	487.7	538.6	(50.9)	
3,629.4	4,905.6	1,276.2	Legal Aid Agreement	4,905.6	3,441.0	1,464.6	1
432.7	306.8	(125.9)	Special Projects	306.8	405.6	(98.8)	2
7,151.2	6,854.9	(296.3)	Youth Justice Services and Programs Agreement	6,854.9	6,854.9	0.0	
<b>12,112.1</b>	<b>12,973.6</b>	<b>861.5</b>	<b>Sub-Total</b>	<b>12,973.6</b>	<b>11,669.4</b>	<b>1,304.2</b>	
<b>OTHER REVENUE</b>							
491.6	477.9	(13.7)	Cost Recovery from City of Winnipeg (Winnipeg Remand Centre)	477.9	501.4	(23.5)	
2,348.8	2,371.1	22.3	Cost Recovery from Municipalities	2,371.1	2,374.4	(3.3)	
3,116.2	2,832.5	(283.7)	Cost Recovery from Victims Trust Fund	2,832.5	2,915.2	(82.7)	
6.5	48.2	41.7	Escheats to the Crown	48.2	50.0	(1.8)	3
12,808.8	17,420.1	4,611.3	Fines and Costs	17,420.1	21,429.8	(4,009.7)	4
5,730.0	5,795.0	65.0	Law Fees	5,795.0	5,990.1	(195.1)	
1,484.5	1,569.1	84.6	Sundry	1,569.1	1,496.0	73.1	
<b>25,986.4</b>	<b>30,513.9</b>	<b>4,527.5</b>	<b>Sub-Total</b>	<b>30,513.9</b>	<b>34,756.9</b>	<b>(4,243.0)</b>	
<b>38,098.5</b>	<b>43,487.5</b>	<b>5,389.0</b>	<b>TOTAL DEPARTMENTAL REVENUE</b>	<b>43,487.5</b>	<b>46,426.3</b>	<b>(2,938.8)</b>	

**Explanation Number:**

1. **Legal Aid Agreement - \$1,464.6 Over Estimate and \$1,276.2 Over 2003/2004 Actual**  
*Additional revenue from the Federal Investment Fund based on an approved business plan of new initiatives.*
2. **Special Projects - \$98.8 Under Estimate and \$125.9 Under 2003/2004 Actual**  
*Revenue for the provision of French language services for ticket adjudication under the Contraventions Act (Canada) is based on the level of expenditure which was less than anticipated in 2004/2005 due to vacant and under-filled positions. The year-over-year reduction in revenue is the result of the expiration of federal funding for the implementation of the Youth Criminal Justice Act (Canada).*
3. **Escheats to the Crown - \$1.8 Under Estimate and \$41.7 Over 2003/04 Actual**  
*An escheat is the reversion of property to the Crown on the owner's dying without legal heirs. Heirs to estates previously reverted to the Crown have been located and issued refunds in 2003/2004.*
4. **Fines and Costs - \$4,009.7 Under Estimate and \$4,611.3 Over 2003/2004 Actual**  
*Ticket volume experienced a significant decline in 2004/2005, however, an increase in fine rates and justice service fees in January 2004 provided additional revenue in the previous year.*

# Manitoba Justice

## Historical Information

### Five-Year Expenditure and Staffing Summary by Appropriation \$(000s) For Years Ending March 31, 2001 to March 31, 2005

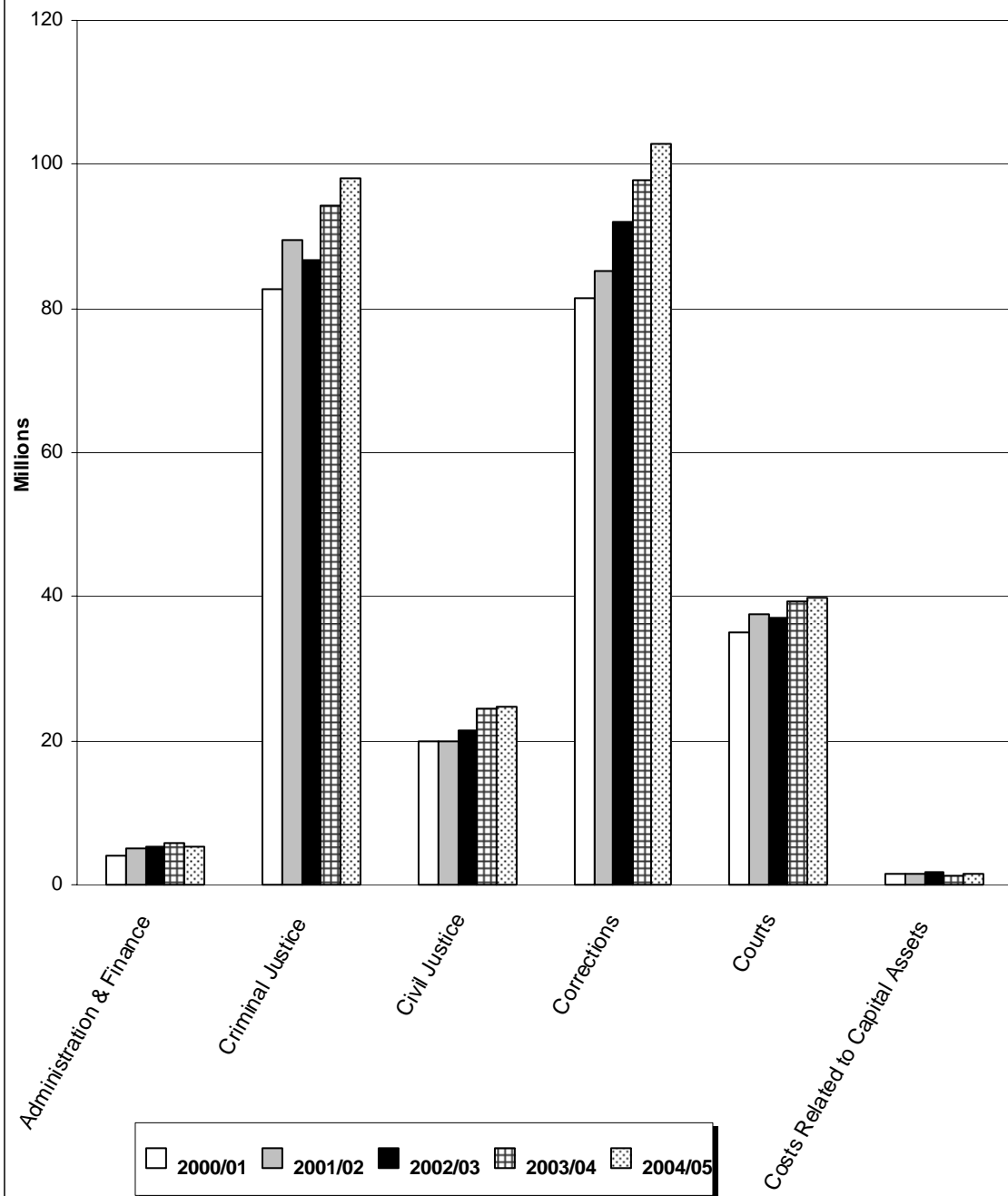
APPROPRIATION	Actual/* Adjusted Expenditures									
	2000/01		2001/02		2002/03		2003/04		2004/05	
	FTE	\$(000s)	FTE	\$(000s)	FTE	\$(000s)	FTE	\$(000s)	FTE	\$(000s)
04-1 Admin & Finance	63.34	4,144.3	64.34	5,096.4	67.34	5,214.4	70.34	5,673.0	69.50	5,313.9
04-2 Criminal Justice	207.80	82,644.2	215.30	89,480.6	208.30	86,693.5	222.30	94,399.5	240.80	98,091.3
04-3 Civil Justice	200.50	19,966.6	195.00	19,942.4	196.00	21,551.8	200.00	24,330.9	196.00	24,592.8
04-4 Corrections	1,357.30	81,516.7	1,340.30	85,267.8	1,335.30	92,073.4	1,350.30	97,825.2	1,317.14	102,931.5
04-5 Courts	573.16	35,103.6	530.16	37,483.6	535.05	37,170.0	534.05	39,273.0	548.80	39,746.5
04-6 Costs Related to Capital Assets		1,478.6		1,624.4		1,879.8		1,327.8		1,619.4
<b>Total</b>	<b>2,402.10</b>	<b>224,854.0</b>	<b>2,345.10</b>	<b>238,895.2</b>	<b>2,341.99</b>	<b>244,582.9</b>	<b>2,376.99</b>	<b>262,829.4</b>	<b>2,372.24</b>	<b>272,295.4</b>

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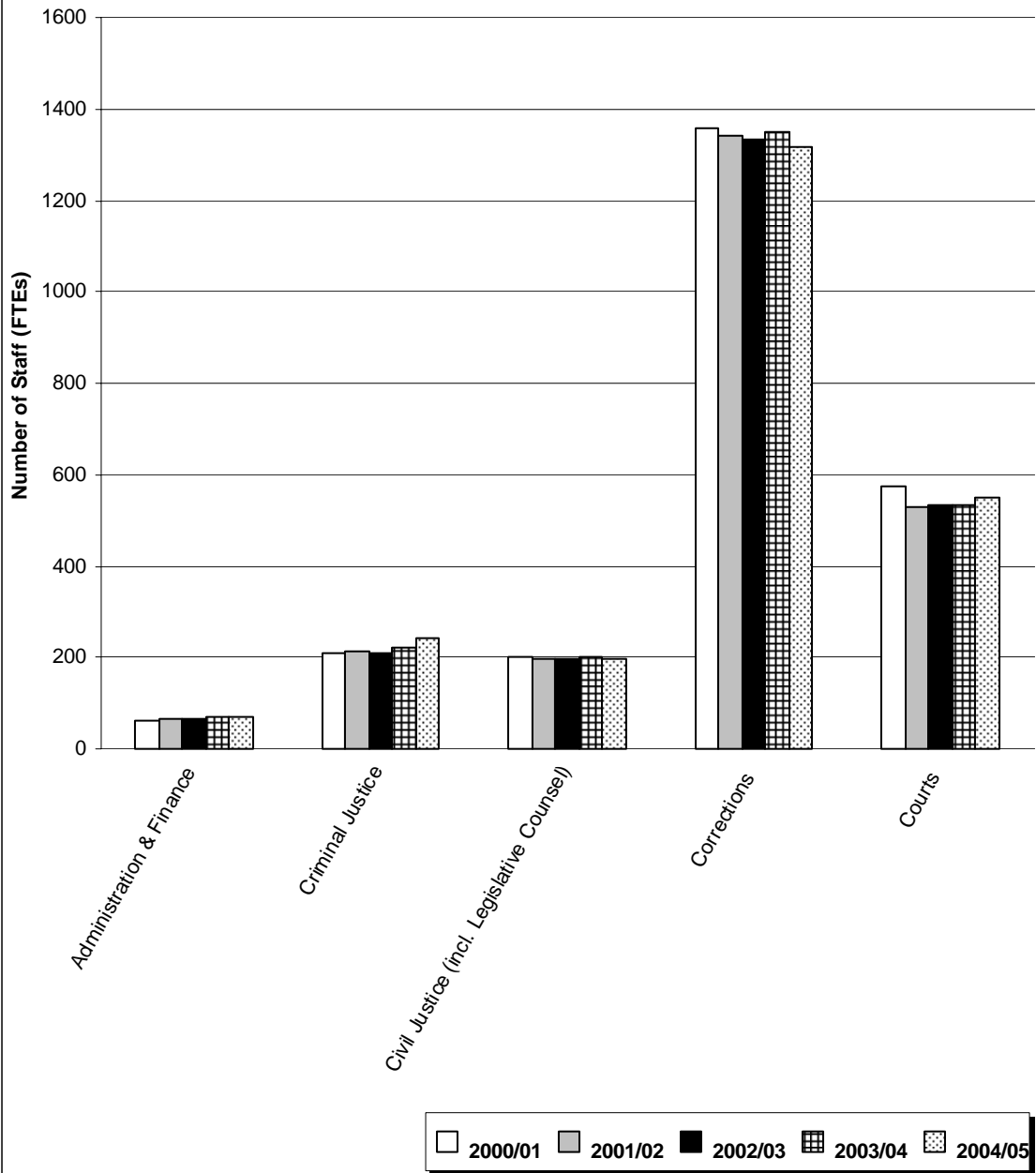
Adjusted figures reflect historical data on a comparable basis in those appropriations affected by a re-organization during the years under review.

# Manitoba Justice

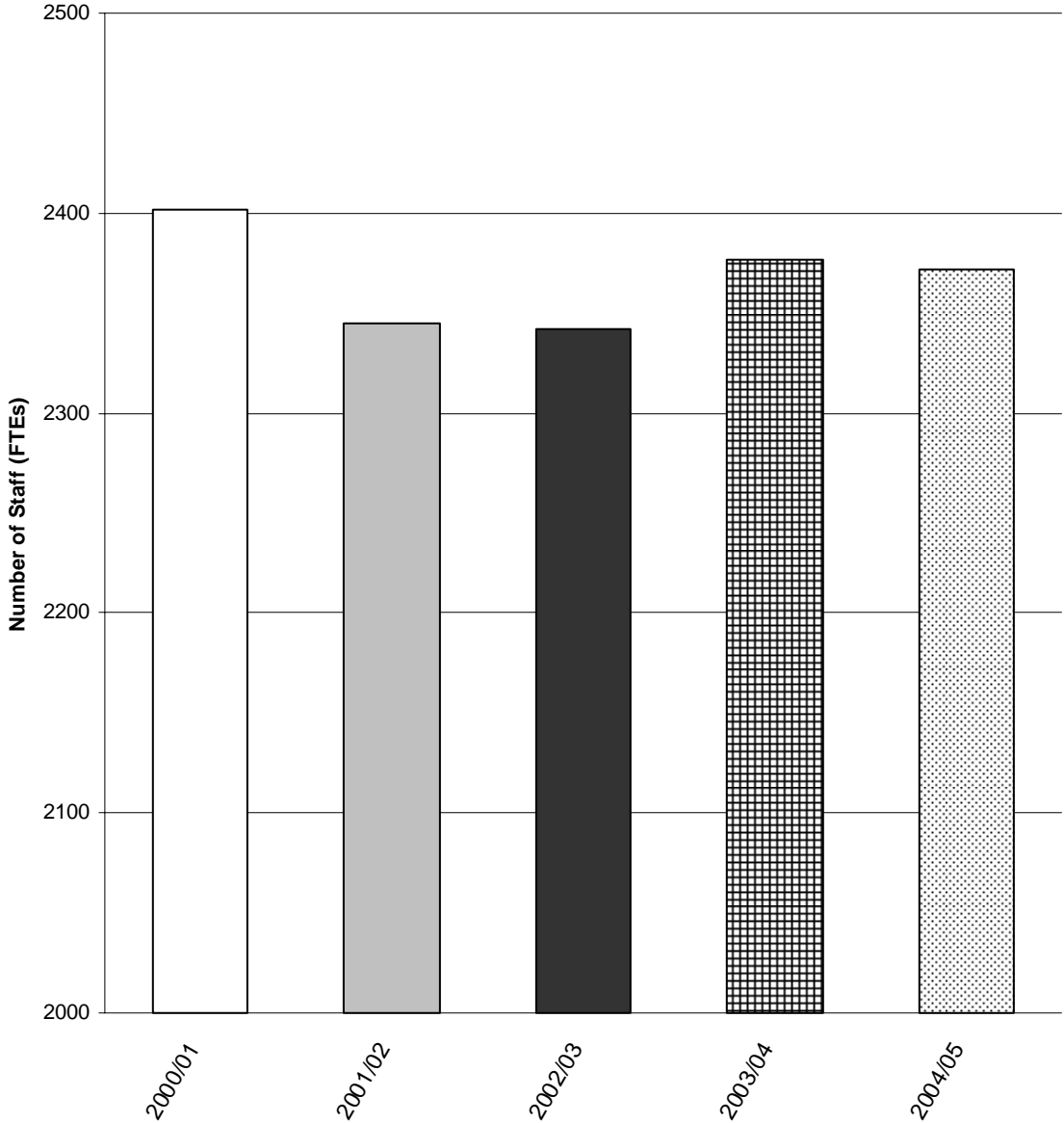
## Five Year Expenditure History by Appropriation Structure



## Manitoba Justice Five Year Staffing History by Operating Divisions



**Manitoba Justice**  
**Five Year Staffing History**  
**(Total Department)**



## Capital Investment

Capital investment in Manitoba Justice provides development costs to implement information technology systems and acquire equipment. Capital investment authority is contained in Part B of the annual *Estimates of Expenditure*.

In 2004/2005, Manitoba Justice had capital expenditures for equipment acquisitions (\$82.3), digital court recording hardware and software (\$157.1), the legal aid certificate system re-write (\$764.9) and the co-operative justice system (\$1,322.5). This is a continuation of previous equipment and systems acquisition practices except that a budget and actual expenditures are now provided under the estimates of capital investment rather than operating appropriations.

### Reconciliation Statement of Printed Vote

DETAILS	2004/05 ESTIMATES \$(000s)
<b>2004/05 MAIN ESTIMATES</b>	<b>\$1,600.0</b>
<b>MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:</b>	
- Internal Reform, Workforce Adjustment and General Salary Increases	765.0
<b>2004/05 ESTIMATE</b>	<b>\$2,365.0</b>

### Capital Investment

Actual 2004/05 \$(000s)	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.	Actual 2003/04 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
2,326.8	2,365.0	(38.2)		1,044.7	1,282.1	1

#### Explanation Number:

- The digital court recording project began in 2004/2005 with the acquisition of 15 units and a server; the legal aid certificate system re-write was a one year project in 2004/2005; and year-over-year incremental expenditures for the co-operative justice system were for capitalization of in-house staff salaries and expenditures for hardware and development software.



# Justice Initiatives Fund

The \$2.25 million Justice Initiatives Fund (JIF) supports development of initiatives to prevent crime and to improve the justice system in Manitoba. Funds are transferred to delivery departments (only Manitoba Justice in 2004/2005) as projects are approved. Actual expenditures are recorded in delivery departments, or in the sub-appropriations of those divisions of Justice that made the specific expenditures.

The following criteria have been established to help evaluate Justice Initiatives Fund proposals:

- Does the initiative have the potential to enhance public safety by deterring or preventing crime?
- Does the initiative have the potential to enhance public safety by improving the effectiveness and efficiency of the criminal justice system's treatment of offenders and their victims?
- Does the initiative address Aboriginal justice issues?
- Will the initiative build on existing community organizations or mechanisms, and will it be responsive to community input and direction?
- Does the initiative respond to the recommendations of a public inquiry or external review of the department's operations?
- Does the initiative have the potential to improve the effectiveness or enhance the efficiency of Manitoba Justice's non-criminal service areas?
- Will the initiative be cost-shared with other levels of government, community organizations, and/or private sector partners?
- Can the initiative be maintained in the long run without significantly increasing government expenditures?

## 2004/2005 Justice Projects

**Aboriginal Community Based Probation Services** – This project supports the development of agreements and protocols to provide the framework and structure to implement devolution of probation services to the Manitoba Keewatinowi Okimakanak (MKO), Southern Chiefs Organization (SCO) and Manitoba Metis Federation (MMF). Total project funding: \$903.0; 2004/2005 funding level: \$340.0.

**Aboriginal Council of Winnipeg and Southern Chiefs Organization – Onashowewin** – This community-based Aboriginal justice program provides community justice alternatives to both adult and young offenders in Winnipeg. Total project funding: \$592.3; 2004/2005 funding level: \$250.0.

**Children Online Protection Initiative** – Manitoba Justice (Prosecutions) partnered with Child Find Manitoba to launch [cybertip.ca](http://cybertip.ca) in September 2002. This initiative has established a facility to receive and address reports from the public regarding the sexual exploitation of children on the Internet. When [cybertip.ca](http://cybertip.ca) receives a report that it assesses to be potentially illegal, it will refer the report to the police in the appropriate jurisdiction. [Cybertip.ca](http://Cybertip.ca) also provides information and support and referral services to the public. This Manitoba-based centre and website evolved into a national tip line in May of 2004. Manitoba Justice's ongoing contribution is toward space rental. Total project funding: \$95.0; 2004/2005 funding level: \$18.0.

**Crime Prevention** – The Manitoba Justice Crime Prevention Fund provides financial support to various crime prevention groups and projects to aid in making Manitoba's communities safer places to live. 2004/2005 funding level (ongoing funding): \$20.5.

**First Nations Policing Policy - MKO Regional Consultation Funding** – A contribution agreement with the federal government and Manitoba Keewatinowi Okimakanak (MKO) is providing the support for studying four policing options for the 30 MKO First Nations of Northern Manitoba. Total project funding - \$257.2; 2004/2005 funding level: \$64.3.

**Healthy Child Manitoba** – Led by the Healthy Child Committee of Cabinet, Healthy Child Manitoba bridges departments and governments and, together with the community, works to improve the well-being of Manitoba's children and youth. Manitoba Justice contributes towards a co-ordinator of networking services. Total project funding: \$40.0; 2004/2005 funding level: \$15.0.

**Justice Committees** – This project provides incremental financial support over the annual stipend for over 60 justice committees operating in Manitoba during 2004/2005. More than 500 volunteers across Manitoba assist in the administration of community justice by encouraging individuals accused of committing a crime to change their behaviour, and be more accountable to the victim and the community. 2004/2005 funding level (ongoing funding): \$16.0.

**Lighthouses** – This program stimulates the development of partnerships that support recreational, educational and social programs for young Manitobans. Lighthouses makes use of schools, recreation centres and other community facilities outside school hours for sports, arts, music and other activities organized by and for local youth. Manitoba Justice funded 25 Lighthouse sites in Winnipeg and 7 sites in rural Manitoba in 2004/2005. Annual funding for each site is \$12.0. Total project funding: \$1,583.8; 2004/2005 funding level: \$512.3.

**Manitoba Organized Crime Task Force** – The Manitoba Organized Crime Task Force (MOCTF) was established in 2003. This task force is a historic partnership between the province’s law enforcement community and Manitoba Justice, with a mandate to engage in intelligence-based investigation of organized criminal activity in Manitoba. Total project funding: \$900.0; 2004/2005 funding level: \$400.0.

**New Directions for Children, Youth, Adults and Families Agency** – This funding supports the ongoing operation of the Transition, Education and Resources for Females (TERF) program, aimed at developing healthy lifestyles for young women, adult women and transgendered individuals who have been exploited through prostitution. Total project funding: \$815.7; 2004/2005 funding level: \$146.1.

**Provincial Court Judges Conference and Chief Judges Meeting** – This funding supports the province’s hosting of the annual Provincial Court judges conference and chief judges meeting in September 2005. Funding includes conference registration fees for 30 Manitoba Provincial Court judges. Total funding: \$37.5 over two fiscal years (2004/2005 and 2005/2006); 2004/2005 funding level - \$5.0.

**Safe Schools Manitoba** – Safe Schools Manitoba is a partnership initiative of organizations committed to working together to enhance the safety of Manitoba’s schools and communities. The partners include Manitoba Education, Citizenship and Youth, Manitoba Justice, professional associations, schools, law enforcement, social service agencies, youth, parents and community agencies. Total project funding from Manitoba Justice: \$166.0; 2004/2005 funding level: \$66.0.

**SafetyAid Crime Prevention for Older Manitobans** – The SafetyAid program, a crime prevention program for older Manitobans, was first launched in 2003. This two-part senior home security program helps prevent break and enters and home invasions. The program consists of a SafetyAid team and SafetyAid forgivable loans through the Home Adaptation for Seniors Independence (HASI) program. Building on the success of SafetyAid in Winnipeg, the program was expanded in 2004/2005 to help improve the home safety of lower-income seniors in Brandon and Portage la Prairie. Total project funding: \$210.0; 2004/2005 funding level: \$140.0.

**Justice Initiatives Fund**

Allocated 2004/05 \$(000s)	Estimate 2004/05 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.	Allocated 2003/04 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
2,022.6	2,250.0	(227.4)	1	2,019.3	3.3	

**Explanation Number:**

1. Based on the above noted approvals, a total allocation of \$2,022.6 was made to Manitoba Justice. Actual expenditures, however, were \$1,993.2, the details of which are provided with the originating division. The balance of available funds (\$227.4) remained unallocated at year-end.

**Five Year Funding Allocation Summary**

2000/01 \$(000s)	2001/02 \$(000s)	2002/03 \$(000s)	2003/04 \$(000s)	2004/05 \$(000s)
1,287.9	1,107.4	1,234.5	2,019.3	2,022.6

# Sustainable Development

## Principles and Guidelines

Manitoba Justice is committed to executing its role and mission in concert with the spirit of *The Sustainable Development Act*.

The act states the seven principles of sustainable development are: integration of environmental and economic decisions, stewardship, shared responsibility and understanding, prevention, conservation and enhancement, rehabilitation and reclamation and global responsibility. The six guidelines of sustainable development are: efficient use of resources, public participation, access to information, integrated decision making and planning, waste minimization and substitution, and research and innovation.

The department's vision of a safe, just and peaceful society has a connection with the sustainable development principles in that both are committed to building safe, secure and healthy communities.

The department's crime prevention, public safety and Aboriginal justice initiatives in 2004/2005 best illustrate Manitoba Justice's contribution to the sustainable principles of prevention, shared responsibility and understanding and global responsibility.

### PREVENTION

Prevention is defined as anticipating and preventing or mitigating significant adverse economic, environmental, human health and social effects of decisions and actions. It pays particular attention to decisions that may not have entirely certain results, but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.

Over the past number of years, Manitoba Justice has expanded its focus beyond traditional roles to contribute to addressing the root causes of crime in our province. The department has made its contribution by developing and partnering with other governmental and external agencies on a variety of innovative crime prevention initiatives.

Justice initiatives in 2004/2005 that furthered the goal of prevention are outlined below.

- Manitoba Justice continued to support the successful Lighthouses program to help communities engage young people in developing their own crime prevention and recreation activities outside school hours. In 2004/2005, there were 25 Winnipeg sites and seven rural sites both funded and supported by the department.
- Building on the success of the Winnipeg project, the SafetyAid program was expanded to improve home safety of lower-income Manitoba seniors living in Brandon and Portage la Prairie. This was achieved through partnerships with the police and local seniors' groups.
- The department worked with the National Crime Prevention Centre in selecting Winnipeg as a site to initiate a 'Comprehensive Communities Initiative', with the aim of reducing neighbourhood crime and victimization by using diagnostic tools to identify and target problem areas.
- The department continued to notify Manitobans of high-risk sex offenders by way of bulletins on the Justice website. Pictures and descriptions of offenders that Manitoba police services have made fully public through a formal notification are posted on the site.

### SHARED RESPONSIBILITY AND UNDERSTANDING

The department considers its Aboriginal justice initiatives to be good examples of shared responsibility and understanding. This principle is defined as actions that foster a partnership approach to decision making and program delivery. The actions are taken to engage, involve and reflect the interests of various Manitoba communities and groups in departmental decisions and actions.

Manitoba Justice's Aboriginal justice objectives are focused on several areas, including encouraging and supporting the development of Aboriginal policing programs, addressing the needs of Aboriginal accused and sentenced offenders, and supporting the development of Aboriginal justice programs and services. The department is also focused on providing education, training, employment and career development opportunities to Aboriginal persons working in, or interested in working in, the justice system.

In 2004/2005, Manitoba Justice can highlight the following accomplishments in the area of Aboriginal Justice.

- Sioux Valley Dakota Nation was added as a circuit point for monthly sittings of the provincial court. Aside from making it easier for residents and police to attend, adding the community as a circuit point helps to connect the community and the justice system in a more meaningful way.
- 'Onashowewin', a community-based, non-profit organization dedicated to establishing restorative and holistic approaches for achieving justice, was funded by the department to provide community justice alternatives to adults and young people in Winnipeg.
- New funding was dedicated to support Aboriginal policing during the year. This included a funding increase to the Dakota Ojibway Police Service and support for a First Nations administered police service for the Opaskwayak Cree Nation. RCMP-First Nations community tripartite agreements were also supported with increased funding and monies were dedicated to establishing a First Nations Community Policing Service (FNCPS) detachment in Nelson House.
- The department provided funding to develop memorandums of understanding and protocols to facilitate the transition of probation services to Aboriginal organizations.
- A public consultation committee was established in December 2004 to provide advice and guidance to the government on the location and type of facility needed for a new women's correctional facility. Closing the existing institution and establishing a new correctional facility for women was a recommendation of the Aboriginal Justice Implementation Commission.

## GLOBAL RESPONSIBILITY

Global responsibility is defined as thinking globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working co-operatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision making while developing comprehensive and equitable solutions to problems.

At the January 2005 annual conference of federal, provincial and territorial ministers responsible for justice, the Minister of Justice and Attorney General of Manitoba advocated for a number of changes intended to improve the administration of justice across Canada. Manitoba Justice's suggestions included:

- calling for a national Amber Alert network so that new provincial notification systems for high-risk child abductions can be triggered in a neighbouring jurisdiction when appropriate
- urging the federal government to eliminate conditional sentences for serious violent crimes
- joining other provinces to ask that the age of consent for sexual activity be increased to at least 16 from 14 with an exception for persons close in age
- strengthening federal criminal law to target persons who knowingly sell intoxicating products for the purpose of sniffing
- developing specific protections for child passengers from impaired drivers
- addressing weakness in the *Youth Criminal Justice Act* (Canada), particularly as it affects chronic, repeat auto thieves
- strengthening federal criminal law to counter marijuana grow operations and the production of crystal methamphetamine
- strengthening the federal proceeds of crime law

One significant achievement during the course of the year was the May 2004 launch of [cybertip.ca](http://cybertip.ca), Manitoba's pilot project to help prevent the online sexual exploitation of children, as a national tip-line. Another highlight was the Family Law Branch's participation in a four-person Canadian delegation to the June 2004 Special Commission in The Hague. The delegation focused on developing a new international convention on maintenance obligations, and participating in international working groups on applicable law and administrative co-operation.

In addition to furthering three core principles of sustainable development, the department also made contributions to the sustainable development guidelines of access to information and integrated decision making and planning in the 2004/2005 fiscal year.

## **ACCESS TO INFORMATION**

A number of significant upgrades were made to the Manitoba Justice website during the year. They included:

- publishing an updated gang resource handbook for families and communities
- publishing information on the June 2004 changes to property laws affecting common-law partners
- posting the *Legal Aid Manitoba Review* report, which included a public consultation
- upgrading the inter-jurisdictional support orders application form pages to provide users with the option of completing forms online
- continuing to publish new bulletins, as necessary, to notify Manitobans of high-risk sex offenders

## **INTEGRATED DECISION MAKING AND PLANNING**

This guideline is defined as those actions taken to establish and amend decision making and planning processes to make them more efficient, timely, accountable and cross-sectoral, and address and account for intergenerational effects.

Manitoba Justice's commitment to this cause is well illustrated by the department's participation in a number of cross-sectoral initiatives in 2004/2005, particularly Healthy Child Manitoba, Neighbourhoods Alive! and domestic violence prevention initiatives. The following are highlights of the department's work during the year:

- Manitoba Justice continued to support the successful Lighthouses program (an initiative of Neighbourhoods Alive!) to help communities engage young people in developing their own crime prevention and recreation activities outside school hours.
- The department continued to provide funding support to the Safe Schools Manitoba program.
- Turnabout, Canada's only province-wide pilot project for children under 12 who come into contact with the law, was made permanent with provincial funding support.
- *The Improved Enforcement of Support Payments Act* came into effect in March 2005, allowing for continuous paycheque deductions through garnishment for child and family support where there is a pattern of default, even if a payer is no longer in arrears, giving effect to out-of-province support garnishing orders and streamlining requirement for service of garnishment documents.
- The department supported 'A Woman's Place', a unique new one-stop clinic for victims of domestic violence, by providing funding for an evaluation as well as the ongoing in-kind services of Crown attorneys, legal aid and victim services staff.

Sustainable principles and guidelines, including integrated decision making and planning, are further demonstrated in the department's procurement practices.

## **Sustainable Development Procurement**

Manitoba Justice's sustainable procurement practices are based on the provincial government's *Sustainable Development Procurement Guidelines, Goals and Organizational Action Plan*. Each department develops its own organizational action plan in accordance with five main goals to achieve government-wide objectives over the long term.

Manitoba Justice made progress towards the following sustainable development procurement goals in the 2004/2005 fiscal year:

## **1. EDUCATION, TRAINING AND AWARENESS -- to ensure a culture that supports sustainable procurement practices exist within the provincial government**

To increase awareness of the benefits of sustainable development procurement, the department's Sustainable Development Intranet pages were upgraded and a message regarding the updates was communicated to all Manitoba Justice staff via e-mail. The Intranet site includes the department's sustainable action plan, goals, objectives and best practices, a resource section with information on a wide range of green products available for purchase as well as links to external organizations' websites for further sustainable development information, research and expert opinion.

To expand the knowledge and skills of departmental procurement practitioners, key Manitoba Justice procurement staff made use of an online sustainable development procurement tutorial that was available within the provincial government. The tutorial taught staff about the importance of sustainable development and assisted them with determining when and how sustainable products can be incorporated into the department's operational procurement practices. Procurement staff also received purchasing tool kits produced by Natural Resources Canada on the topic of ENERGY STAR products. The international ENERGY STAR symbol is a simple way for consumers to identify products that are among the most energy-efficient on the market.

## **2. POLLUTION PREVENTION AND HUMAN HEALTH PROTECTION -- to protect the health and environment of Manitobans from possible adverse effects of provincial government operations and activities, and provide a safe and healthy working environment**

To contribute to the government's objective to reduce solid waste sent to landfills, the department fully replaced its antiquated dot matrix subpoena system during the year by adding a new subpoena module to the PRISM computer system. This significant upgrade in technology enabled the department to eliminate the purchasing of expensive printer ribbons and special printed forms. The establishment of an automated communication link between the Winnipeg Police Service and the Manitoba Prosecutions Service also contributed to reducing the amount of paper required within the department to issue subpoenas and communicate with the police.

The department continued to employ government-wide best practices such as replacing virgin consumable products with environmental remanufactured toner cartridges, purchasing office paper containing 30 to 100 per cent post consumer waste, using reusable envelopes for regular inter-office mail, and recycling waste such as paper, beverage cans, plastic, glass, books, cardboard and toner cartridges. Double-sided copying and printing, minimizing paper copies of drafts and using e-mail for scheduling, corresponding and reporting in lieu of sending paper-based documents via regular mail were also continued as ongoing paper reduction practices of the department.

To replace massive paper-based mailings of bulletins and binders, Manitoba Justice Intranet pages were refreshed as time permitted to make important policy and announcements available online for staff reference. The department further developed its Internet site to inform the general public about programs and initiatives while minimizing the use of paper.

To reduce waste of equipment and furnishings, Manitoba Justice continued buying, repairing, or circulating used furniture and equipment for reuse within the department before making new purchases. An estimated potential savings of \$36,150 resulted from this practice while reducing the amount of waste sent to landfills.

## **3. REDUCTION OF FOSSIL FUEL EMISSIONS -- to reduce fossil fuel emissions by provincial government operations and activities**

Manitoba Justice uses a variety of fleet vehicles to travel for circuit court, transporting offenders in custody or property in trust, and business in general. To contribute to the provincial government's overall goal to reduce the consumption of fossil fuels by five per cent, the department annually reviews its fleet for efficiency and sustainability. In 2004/2005, the department reduced its number of leased vehicles by four, which translated to a 3.8 per cent reduction in vehicles and an 11.9 per cent reduction in fleet vehicle fossil fuel consumption from the previous year. The department also increased its percentage of environmentally preferable fleet vehicles by 7.3 per cent. A total of 18 environmentally friendly vehicles represented 17.8 per cent of the department's total fleet of 101 vehicles. Nine of the 18 environmentally friendly vehicles used clean diesel fuel and the other nine vehicles were equipped to use E85 ethanol fuel -- that is 85 per cent ethanol blended with 15 per cent regular gas. By taking into account additional fuel purchases used to operate other department-owned vehicles and equipment as well as the closure of the Egg Lake Rehabilitative Camp, the department reduced its overall fuel consumption by approximately 17 per cent from the previous year.

In efforts to substitute 10 per cent regular fossil fuels with E10 ethanol-blended fuel and alternate energy sources, Manitoba Justice consumed 129,174 litres of E10 ethanol fuel and 8,593 litres of clean diesel. Ethanol purchases represent 30 per cent of 429,531 litres of fuel consumed by the department's leased fleet and approximately 29 per cent of total fuel consumption (444,990 litres) by the department when including department-owned equipment. Clean diesel purchases represent approximately two per cent of all fuel purchased.

For well over 10 years, the department has also included an environmental clause in its annual courier contract to ensure that courier service is provided by a walker or cyclist within downtown Winnipeg. An estimated five to 10 per cent of the courier runs are handled by walkers or cyclists each year which translates to an estimated 500 to 1000 such deliveries annually. While information on fuel reductions by the courier company is not available, the continued use of walker and cyclist couriers contributes to the reduction of fossil fuel consumption and can have a significant and positive impact on the environment over the years.

#### **4. RESOURCE CONSERVATION -- to reduce the use and consumption of resources by the provincial government in a sustainable and environmentally preferable manner**

To assist the provincial government with its commitment to reducing the total consumption of utilities in provincial government premises by 15 per cent, the department maintained its commitment to make use of Power Smart practices in its daily operations.

To increase the proportion of environmentally preferable products and services within the context of reduced resource use, the department began purchasing new sustainable choices for filing supplies, computer supplies, glue, tape, various cleaning supplies, furniture and furnishings.

The department maintained purchasing environmental choices for shipping supplies (40.4 per cent environmentally preferable), toner cartridges (41.3 per cent), office paper (93 per cent), hygiene tissue paper (99.9 per cent), mops and buckets (12.6 per cent), absorbent materials (14.8 per cent) and tableware and cutlery products (15.8 per cent).

#### **5. COMMUNITY ECONOMIC DEVELOPMENT -- to ensure provincial government procurement practices foster and sustain community economic development**

There are three main objectives set by Cabinet to foster and sustain community economic development in Manitoba. One of the government's objectives is to increase the participation of Aboriginal peoples and suppliers in the provision of goods and services to departments. Though long-standing government policy requires line departments to purchase most goods and services through Manitoba Transportation and Government Services, Manitoba Justice was able to directly support Aboriginal businesses by purchasing a combined total of \$477,730 for such services as office room rentals, hotel accommodations and transportation. This represents an increase of 48.9 per cent from the previous year.

Other objectives of community economic development include assisting in the development and growth of local environmental industries and markets for environmentally preferable products and services, and increasing the participation of small businesses, community-based businesses and co-ops in Manitoba. The department regularly supports local businesses when purchasing incidental items that do not require formal tendering.

# Appendix I

**In accordance with Schedule N of Order-in-Council 404/2004 (dated October 12, 2004), the Minister of Justice is responsible for administering:**

*The International Commercial Arbitration Act*  
*The Constitutional Questions Act*  
*The Correctional Services Act*  
*The Court of Appeal Act*  
*The Provincial Court Act*  
*The Court of Queen's Bench Act*  
*The Court Security Act*  
*The Crime Prevention Foundation Act*  
*The Criminal Property Forfeiture Act*  
*The Cross-Border Policing Act*  
*The Crown Attorneys Act*  
*The Child Custody Enforcement Act*  
*The Discriminatory Business Practices Act*  
*The Domestic Violence and Stalking Prevention, Protection and Compensation Act*  
*The Enforcement of Judgments Conventions Act*  
*The Escheats Act*  
*The Executive Government Organization Act [Subsection 12(2), only, as Keeper of the Great Seal]*  
*The Expropriation Act*  
*The Family Property Act*  
*The Fatality Inquiries Act*  
*The Fortified Buildings Act*  
*The Helen Betty Osborne Memorial Foundation Act*  
*The Human Rights Code*  
*The Inter-jurisdictional Support Orders Act*  
*The Intoxicated Persons Detention Act*  
*The Reciprocal Enforcement of Judgments Act*  
*The Canada - United Kingdom Judgments Enforcement Act*  
*The Jury Act*  
*The Department of Justice Act*  
*The Law Enforcement Review Act*  
*The Law Fees and Probate Charge Act*  
*The Law Reform Commission Act*  
*The Legal Aid Services Society of Manitoba Act*  
*The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)]*  
*The Minors Intoxicating Substances Control Act*  
*The Privacy Act*  
*The Private Investigators and Security Guards Act*  
*The Proceedings Against the Crown Act*  
*The Profits of Criminal Notoriety Act*  
*The Provincial Police Act*  
*The Public Trustee Act*  
*The Regulations Act*  
*The Safer Communities and Neighbourhoods Act*  
*The International Sale of Goods Act*



*The Sheriffs Act*  
*The Interprovincial Subpoena Act*  
*The Summary Convictions Act*  
*The Transboundary Pollution Reciprocal Access Act*  
*The Uniform Law Conference Commissioners Act*  
*The Vacant Property Act*  
*The Victims' Bill of Rights*

**Other statutes related to areas for which the Minister of Justice is responsible:**

*The Age of Majority Act*  
*An Act to Repeal the Statute of Frauds*  
*The Apportionment Act*  
*The Arbitration Act*  
*The Blood Test Act*  
*The Boundary Lines and Line Fences Act*  
*The Builders' Liens Act*  
*The Class Proceedings Act*  
*The Civil Remedies Against Organized Crime Act*  
*The Controverted Elections Act*  
*The Court of Queen's Bench Small Claims Practices Act*  
*The Court of Queen's Bench Surrogate Practice Act*  
*The Debtors Arrest Act (Public Unconsolidated)*  
*The Defamation Act*  
*The Dependants Relief Act*  
*The Distress Act*  
*The Domicile and Habitual Residence Act*  
*The Equality of Status Act*  
*The Executions Act*  
*The Factors Act*  
*The Family Maintenance Act*  
*The Fatal Accidents Act*  
*The Federal Courts Jurisdiction Act*  
*The Fraudulent Conveyances Act*  
*The Frustrated Contracts Act*  
*The Garage Keepers Act*  
*The Garnishment Act*  
*The Gold Clauses Act*  
*The Guarantors' Liability Act*  
*The Health Care Directives Act*  
*The Homesteads Act*  
*The Hotel Keepers Act*  
*The Infants' Estates Act*  
*The Interpretation Act*  
*The International Trusts Act*  
*The Intestate Succession Act*  
*The Judgments Act*  
*The Law of Property Act*  
*The Limitation of Actions Act*

*The Manitoba Evidence Act (Parts I and IV)*  
*The Marine Insurance Act*  
*The Married Women's Property Act*  
*The Mental Health Act (Part 9)*  
*The Mercantile Law Amendment Act*  
*The Mortgage Act*  
*The Newspapers Act*  
*The Nuisance Act*  
*The Occupiers' Liability Act*  
*The Official Securities Act*  
*The Parental Responsibility Act*  
*The Parents' Maintenance Act*  
*The Perpetuities and Accumulations Act*  
*The Petty Trespasses Act*  
*The Powers of Attorney Act*  
*The Presumption of Death Act*  
*The Registration of Property Restraint Orders Act*  
*The Repair Shops Act*  
*The Retirement Plan Beneficiaries Act*  
*The Sale of Goods Act*  
*The Sand and Gravel Act*  
*The Short Forms Act*  
*The Soldiers' Estates Act*  
*The Stable Keepers Act*  
*The Survivorship Act*  
*The Threshers' Liens Act*  
*The Tortfeasors and Contributory Negligence Act*  
*The Trustee Act*  
*The Unconscionable Transactions Relief Act*  
*The Warehousemen's Liens Act*  
*The Wills Act*

## **Appendix II**

### **Court of Appeal Office in Manitoba**

Winnipeg

## **Appendix III**

### **Court of Queen's Bench Offices in Manitoba**

Winnipeg

Brandon

Dauphin

Flin Flon

Minnedosa

Morden

Portage la Prairie

St. Boniface

Selkirk

Swan River

The Pas

Thompson

Virden

# Appendix IV

## Provincial Circuit Court Listing – Winnipeg and Regional

The following is a list of circuit court locations within Manitoba:

### Brandon

- Boissevain
- Killarney
- Sioux Valley

### Dauphin

- Roblin

### Flin Flon

### Minnedosa

- Neepawa
- Rossburn
- Russell
- Waywayseecappo

### Morden

- Carman

### Portage la Prairie

- Amaranth

### Selkirk

- Beausejour
- Berens River
- Bloodvein
- Garden Hill
- Lac du Bonnet
- Little Grand Rapids
- Pauingassi
- Poplar River
- Powerview Adult (formerly Pine Falls)\*
- St. Theresa Point

### Steinbach

- St. Pierre-Jolys

### Swan River

### The Pas

- Cranberry Portage
- Easterville
- Grand Rapids
- Moose Lake
- Pukatawagan
- Snow Lake

### Thompson

- Brochet
- Churchill
- Cross Lake
- Gillam
- God's Lake Narrows
- God's River
- Lac Brochet
- Leaf Rapids
- Lynn Lake
- Nelson House
- Norway House
- Oxford House
- Shamattawa
- South Indian Lake
- Split Lake

### Virten

### Winnipeg

- Altona
- Arborg
- Ashern
- Emerson
- Fisher Branch
- Gimli
- St. Martin (formerly Gypsumville)
- Lundar
- Morris
- Powerview Youth (formerly Pine Falls)\*
- Stonewall
- Teulon

\*Powerview has two dockets. Adult Court circuits from Selkirk Court and Youth Court circuits from Winnipeg Court.

## Appendix V

The Corrections Division has MANCOR prison industries currently operating in several of its institutions. The purpose of prison industries is to teach offenders marketable trades that would increase their chances of post-release employment, as well as contribute to their rehabilitation and re-integration into society. Work experiences for inmates include carpentry, tailoring, upholstery, farming and tree clearing.

The financial statements for all provincial MANCOR operations for 2004/2005 are provided in the tables below.

### MANCOR (Prison Industries) - Financial Statements

#### MANCOR BALANCE SHEET March 31, 2005

<b>ASSETS</b>	<u>March 31/05</u>	<u>March 31/04</u>
<b>Current</b>		
Cash	15,400	13,633
Bank	286,358	267,246
Inventory	63,665	75,082
Accounts Receivable	<u>51,749</u>	<u>36,141</u>
<b>Total Current Assets</b>	<b><u>\$417,172</u></b>	<b><u>\$392,102</u></b>
<b>Capital Assets</b>		
Machinery & Equipment	\$261,546	\$223,523
Less: Accumulated Amortization	<u>(109,801)</u>	<u>(90,186)</u>
<b>Total Capital Assets</b>	<b><u>\$151,745</u></b>	<b><u>\$133,337</u></b>
<b>TOTAL ASSETS</b>	<b><u>\$568,917</u></b>	<b><u>\$525,439</u></b>
<b>LIABILITIES AND EQUITY</b>		
Accounts Payable	\$8,648	\$9,580
Tax Liabilities	<u>683</u>	<u>1,536</u>
<b>Total Current Liabilities</b>	<b><u>\$9,331</u></b>	<b><u>\$11,116</u></b>
<b>EQUITY</b>		
Retained Earnings	<u>559,586</u>	<u>514,323</u>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b><u>\$568,917</u></b>	<b><u>\$525,439</u></b>

#### MANCOR INCOME STATEMENT Year Ended March 31, 2005

	<u>2004/05</u>	<u>2003/04</u>
Sales	\$397,974	\$339,159
Cost of Goods Sold	<u>189,710</u>	<u>148,051</u>
<b>Gross Profit</b>	<b><u>\$208,264</u></b>	<b><u>\$191,108</u></b>

Operating Expenses	143,442	123,619
Capital Asset Amortization	<u>19,614</u>	<u>16,686</u>
<b>NET INCOME</b>	<b>\$45,263</b>	<b>\$50,803</b>
Retained Earnings, Beginning of Year	514,323	463,520
Prior Year Adjustment (Note 2)	<u>          </u>	<u>          </u>
Retained Earnings, End of Year	<b><u>\$559,586</u></b>	<b><u>\$514,323</u></b>

**MANCOR**  
**STATEMENT OF CHANGES IN FINANCIAL POSITION**  
**Year Ended March 31, 2005**

	<u>2003/04</u>	<u>2002/03</u>
<b>Cash Derived From (Applied) To:</b>		
<b>Operating</b>		
Net Income (Loss)	\$45,263	\$50,803
Add: Amortization of Capital Assets	19,615	16,686
<b>Change in</b>		
Inventory	11,417	(6,695)
Receivables	(15,608)	(7,051)
Payables	(1,785)	6,872
<b>Investing</b>		
Capital Acquisitions	<u>(38,023)</u>	<u>(29,166)</u>
<b>Increase (Decrease) in Cash and Deposits</b>	<b>20,879</b>	<b>31,449</b>
<b>Cash and Bank Deposits:</b>		
Beginning of Year	280,879	249,430
Prior Year Adjustment (Note 2)	<u>          </u>	<u>          </u>
End of Year	<b><u>\$301,758</u></b>	<b><u>\$280,879</u></b>

**MANCOR**  
**NOTES TO FINANCIAL STATEMENTS**  
**MARCH 31, 2005**

1. The 2004/2005 fiscal year covered the period April 1, 2004 to March 31, 2005.

# Appendix VI

The following is a list of some of the most commonly contacted branches, boards, agencies and programs reporting to the Minister of Justice. To contact offices not listed here, please call:

**Manitoba Government Inquiry  
1-866-626-4862, toll free outside Winnipeg**

Aboriginal and Community Law  
Enforcement  
1430 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-2825

Legislative Counsel  
410 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-5758

Aboriginal Court Worker  
2nd - 405 Broadway  
Winnipeg MB R3C 3L6  
945-3909

Maintenance Enforcement  
225 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-7133

Administration and Finance  
935 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-2878

Manitoba Prosecutions Service  
510 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-2852

Civil Legal Services  
730 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-2832

Minister's Office  
104 Legislative Building  
450 Broadway  
Winnipeg MB R3C 0V8  
945-3728

Compensation for Victims of Crime  
1410 - 405 Broadway  
Winnipeg MB R3C 0T9  
945-0899

Office of the Chief Medical Examiner  
210 - 1 Wesley Avenue  
Winnipeg MB R3C 4C6  
945-2088

Constitutional Law  
1205 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-0679

Policy Development and Analysis  
1210 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-6726

Corrections Division  
810 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-7804

Provincial Court  
Main Flr, 408 York Avenue  
Winnipeg MB R3C 0P9  
945-3454

Court of Queen's Bench  
Main Flr, 408 York Avenue  
Winnipeg MB R3C 0P9  
Civil: 945-0344  
Criminal: 945-3040  
Family Division (Divorce): 945-0344  
Administration: 945-0980

Public Safety  
1410 - 405 Broadway  
Winnipeg MB R3C 0T9  
945-0170

Courts Division  
235 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-0504

Deputy Minister's Office  
110 Legislative Building  
450 Broadway  
Winnipeg MB R3C 0V8  
945-3739

Family Law  
705 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-0268

Human Resource Services  
910 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-3204

Human Rights Commission  
7 - 175 Hargrave Street  
Winnipeg MB R3C 3H9  
945-3007

Law Enforcement Review Agency  
420 - 155 Carlton Street  
Winnipeg MB R3C 3H8  
945-8667

Law Reform Commission  
1210 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-2896

Legal Aid Manitoba  
3<sup>rd</sup> Floor, 294 Portage Avenue  
Winnipeg MB R3C 0B9  
985-8500

The Public Trustee  
500 – 155 Carlton  
Winnipeg MB R3C 3H8  
945-2700

Review Board  
2<sup>nd</sup> Flr, 408 York Avenue  
Winnipeg MB R3C 0P9  
945-4438

Sheriff Services, Civil Enforcement Section  
2<sup>nd</sup> Flr, 373 Broadway  
Winnipeg MB R3C 4S4  
945-2107

Vehicle Impoundment Registry  
2<sup>nd</sup> Flr, 408 York Avenue  
Winnipeg MB R3C 0P9  
945-4454

Victim/Witness Assistance  
400 - 408 York Avenue  
Winnipeg MB R3C 0P9  
945-3594

Victim Services - Child Victim Unit  
1410 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-0662

Victim Services - Domestic Violence Unit  
1410 - 405 Broadway  
Winnipeg MB R3C 3L6  
945-6851



Le rapport est publié en anglais seulement, mais les principales parties ont été traduites en français pour que vous puissiez les consulter sur le site Web de Justice Manitoba à l'adresse suivante: [gov.mb.ca/justice](http://gov.mb.ca/justice).

An English version of this *Annual Report* can be found on the Internet at [gov.mb.ca/justice](http://gov.mb.ca/justice).