

Public Prosecution Service of Canada

2019–20

Departmental Results Report

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Minister of Justice and Attorney General of Canada

Public Prosecution Service of Canada

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Message from the Director of the Public Prosecution Service of Canada

I am pleased to present the Public Prosecution Service of Canada's (PPSC¹) Departmental Results Report for the year 2019-20. The report speaks to progress on many fronts, and to the continued dedication of PPSC employees and agents.

As an independent prosecuting agency, the PPSC's mandate is a simple one, namely to prosecute offences that are within federal jurisdiction. The fulfillment of that mandate relies on the work of our prosecutors and agents, but also on a wide network of legal and administrative professionals to support that work. The collaboration, both within our regional offices and between them and our headquarters' support functions is evidenced by our results and by the improvements we are making to management practices across the country.

On the litigation front, several high profile and complex files were completed during the year. Those files often attracted much media attention, and I am very proud of the manner in which our prosecutors conducted themselves, with restraint, dignity and professionalism.

As anticipated, while drug files continue to occupy the bulk of our time, simple possession of cannabis files, now prosecuted under the *Cannabis Act*, have continued to decline in numbers. Looking to the future, I would expect to see the same in respect of other simple drug possession files, given the recent changes to our *Deskbook* that will limit those prosecutions to instances where there are other indicia of criminality or societal harm.

We have continued to take strides towards creating a healthier and more inclusive workforce. While progress is slow, I have noticed an important shift in the willingness to engage on those issues, at every level of the organization.

The PPSC's digital strategy, still in its early days, arrived at an opportune time. The pandemic has made it clearer than ever what tools are required to manage a modern prosecution service. While the strategy will no doubt shift slightly given the requirement to work remotely, it is an important building block for the future.

As with every other department, the last month of the fiscal year saw the shut down of our offices. However, our activities, crucial as they are to the criminal justice system, continued, as we worked with our partners to deal with in custody accused, bail applications and other matters in new ways.

¹ Public Prosecution Service of Canada (PPSC) is its applied title, whereas the Office of the Director of Public Prosecutions (ODPP) is the PPSC's legal title.



The PPSC has proven itself to be an active and productive partner in the criminal justice system, in every province and territory. As we move into the post-pandemic period, we will continue to try to find better ways of serving the communities in which we live and work, in order to achieve outcomes that serve to protect the public and enhance public safety.

Kathleen Roussel
Director of Public Prosecutions and
Deputy Attorney General of Canada

Results at a glance and operating context

<p>What funds were used?</p> <p>\$192,931,805</p> <p>Actual Spending</p>	<p style="text-align: center;">Results Highlights</p> <p>Public Prosecution Service of Canada</p> <ul style="list-style-type: none"> • The PPSC worked on 60,252 prosecution files in 2019-20, including files dealing with offences under the <i>Controlled Drugs and Substances Act</i>, the <i>Criminal Code</i>, and a wide range of regulatory offences. • Drug prosecution files continue to represent the most significant proportion of the PPSC's total caseload. Last year, the PPSC handled 44,373 prosecution files related to offences under the <i>Controlled Drugs and Substances Act</i>. • In 2019-20, the PPSC handled 5,140 files involving regulatory and economic offences, of which 2,237 were carried over from previous years. • In addition, the PPSC continued to provide legal advice to law enforcement agencies and investigative bodies on general matters relating to prosecutions and on particular investigations that may lead to prosecutions.
<p>Who was involved?</p> <p>965</p> <p>Actual FTEs</p>	

In 2019-20, the PPSC continued to focus on its four corporate priorities: Grow Our Talent for the Future; Fostering a Healthy and Respectful Workplace; Enhancing Communications and Opportunities for Employee Engagement; and Modernize the Legal Case Management System and Tools.

Grow Our Talent for the Future

The School for Prosecutors and other legal training

The PPSC offers annual legal training to prosecutors that supports them in fulfilling their duties as prosecutors, satisfies continuing professional development requirements of law societies and serves as an ongoing forum for participants to meet, network, develop mentoring relationships, and enhance their sense of identity as federal prosecutors.

The School for Prosecutors of 2019 included Prosecution Fundamentals (Level 1) that focused on the role of the prosecutor, *Charter* issues and remedies, trial preparation and advocacy, evidence, and the ethical principles that law societies insist upon for counsel. The curriculum also included Advanced Issues for Prosecutors (Level 2) to help prosecutors with advising on, preparing for, and prosecuting complex cases with electronic evidence. A Written Advocacy course was also offered.

Other legal training included webinars on cryptocurrency (Bitcoin) and the *Youth Criminal Justice Act*.

Talent Management

The PPSC created a repository of resources for supervisors and managers and implemented initiatives such as mentoring practices, linguistic duality initiatives and learning events. The PPSC also provided information sessions to the executive cadre on various corporate topics, such as finance, information technology and management, security, communications, audit, human resources, and corporate planning.

The Supervisors' Network

The Network continued to support supervisors and managers to build collaborative relationships and create opportunities for personal and professional growth. The Network concentrated on leadership competencies, emotional intelligence, and ways of creating a workplace free of harassment and discrimination. A two-day national event was held to provide supervisors across Canada an opportunity to explore their leadership skills, connect with experts and their peers, and apply practices and methodologies that can be transferred back to their day-to-day work.

Various resources were also developed, such as a “Set Yourself Up for Success” web-based leadership resource to promote continuous learning. Finally, the Network held “Speakers Series” on a number of topics, such as harassment prevention, intercultural communications and unconscious biases.

Fostering a Healthy and Respectful Workplace

Diversity and Inclusion

In 2019-20, the Diversity and Inclusion Committee continued to lead national efforts in promoting a diverse and inclusive workplace and equality among PPSC employees. For example, the Committee began implementing the Public Service's Accessibility Strategy by participating in the pilot of the GC Workplace Accessibility Passport, which is designed to test a paper-based version of the Passport in “real life” situations, provide feedback on its content, and inform the design of the digital version of the Passport. The Committee's work also included organizing events and learning opportunities. For example, in collaboration with the PPSC Supervisors' Network, the Committee held a special training event on unconscious bias. It also engaged with senior management and the Human Resources Directorate in a review of PPSC policies, programs, and initiatives to ensure they are inclusive of all individuals. Finally, the Champion of the Committee and the five National Advisors for visible minorities, persons with disabilities, Indigenous peoples, women, and LGBTQ2+ communities participated in a face-to-face two-day event.

Healthy, Inclusive and Respectful Workplace and Well-being of Employees

The Mental Health and Wellness Committee launched the Mental Health & Wellness Strategy and the Learning Roadmap on Creating a Healthy and Respectful Workplace. The strategy focuses on enhancing the work experience of all employees and provides concrete actions to support employees' overall mental health, increase job satisfaction, and ensure that employees feel respected, safe, engaged, and motivated. The Committee also communicated health promotion days and commemorative events to all PPSC employees.

Enhancing Communication and Opportunities for Employee Engagement

To more effectively communicate with Canadians, and to increase awareness and understanding of the PPSC and its role in the criminal justice system, the PPSC launched its first social media account on Twitter in March 2019. In April 2019, a LinkedIn account was launched as well. The purpose of these accounts is to share information about the PPSC's mandate and work, job opportunities, news releases, observances, Canadian justice system milestones, and provide some prosecution work updates. The PPSC also began modernizing its intranet. It focused on reviewing existing content, studying the current structure and consulting with PPSC employees.

Modernize the Legal Case Management System and Tools

Over the past year, the PPSC continued to make progress towards the implementation of a new legal case management system. For instance, the user requirements and business processes were developed and refined in the application. The data in the existing case management system was reviewed to prepare for the migration to the new application.

Other initiatives included the development of a digital strategy for the PPSC, and the implementation of GCdocs (a Digital Information Repository) for most of its internal services sectors. There was also a focus on modernizing workplace wireless devices to improve user mobility with an upgrade of computers to laptops with Windows 10 and an upgrade of cellular devices to smart phones.

Operating context

The PPSC's mandate is to prosecute offences within federal jurisdiction. To achieve that mandate, approximately one thousand professional staff conduct prosecutions and provide services in support of those prosecutions. The delivery of the mandate is decentralized, with 11 regional offices responsible for day-to-day operations, and a small internal services capacity. In addition, there are private-sector lawyers (Agents) who conduct prosecutions on behalf of the Crown where it is impractical or otherwise not cost-effective to establish a regional office or to have staff counsel retain files.

A number of factors affect the PPSC's ability to achieve its mandate and meet its prosecutorial obligations. For instance, the PPSC does not determine the number or types of cases referred to it for prosecution by the police and investigative agencies. Its workload is largely based on the decisions of these agencies regarding investigative priorities, tactics and resource allocations. In 2019-20, the PPSC's senior management continued to monitor the capacity levels of employees in order to ensure that their workload is efficiently aligned.

While the PPSC does not control all of the levers of the criminal justice system to ensure the timely conclusion of a prosecution, the organization continued to work

collaboratively with the police, defence counsel and the courts to identify and implement appropriate case management strategies.

For more information on the Public Prosecution Service of Canada's plans, priorities and results achieved, see the "Results: what we achieved" section of this report.

Results: what we achieved

Prosecution Services

Description: The PPSC prosecutes criminal and regulatory offences under federal law in an independent, impartial and fair manner. It also provides prosecutorial legal advice to investigative agencies.

Results:

In 2019-20, the PPSC worked on 60,252 files, including files dealing with offences under the *Controlled Drugs and Substances Act*, the *Criminal Code*, and a wide range of regulatory offences. This figure includes 32,839 files opened during the year, as well as 27,413 files carried over from previous years.

The PPSC continued to enhance its prosecution management practices including how files are assigned and how the PPSC manages and tracks the work throughout the lifecycle of a prosecution. It also continued to identify and learn from best practices and recommendations developed by its partners.

Furthermore, the PPSC focused on improving prosecution processes by identifying efficiencies and areas for improvement. Stays of Proceedings that resulted from delays in bringing a case to trial are monitored and reported, and performance targets have been introduced and met. The PPSC has deployed substantive efforts to manage its caseload more efficiently. It has implemented procedures to maximize the use of its resources, ensuring that cases are well prepared, such as the completion of disclosure packages in a timely fashion.

The PPSC continued its efforts to strengthen relationships with investigative agencies through effective and ongoing communication at both the national and regional levels. The PPSC also engaged with investigative agencies in an ongoing effort to address concerns raised in the 2018 PPSC Survey of Investigative Agencies. The PPSC worked with investigators to enhance the use of the Report to Crown Counsel to assist in fulfilling the Crown's constitutional obligation to ensure timely disclosure of the prosecution case to the accused.

The PPSC worked with investigative agencies to develop training programs for investigators that were designed to address current and emerging trends in criminal and constitutional law, including those arising from the ongoing evolution of investigative tools and techniques. For example, the PPSC provided the Canadian Police College with a number of experienced prosecutors to conduct training and participate in course design.

The second year of implementation of the Remediation Agreement Regime (the Regime) saw a landmark development in the SNC-Lavalin case. In summary

dismissing an application by SNC-Lavalin to overturn the Director of Public Prosecution's decision not to invite the company to negotiate an agreement, the Federal Court of Canada concluded that it has no jurisdiction on the matter. The Court confirmed that the decision-making process under the Regime is not administrative in nature but rather falls within prosecutorial discretion that is not subject to judicial review, unless there has been an abuse of process.

The PPSC and SNC-Lavalin ultimately reached a resolution agreement. SNC-Lavalin Construction Inc. pleaded guilty to fraud on December 18, 2019, and a joint sentencing recommendation was made to the Court. The company was fined and sentenced to three years of probation, during which time an independent monitor will periodically evaluate the effectiveness of mitigation measures put in place by SNC-Lavalin.

The PPSC also continued its work to educate stakeholders regarding the Regime. The coordination of the Regime, including the negotiation of agreements, how agreements are reached with corporate defendants and how they are implemented remains an important priority for the PPSC. Guidelines to prosecutors regarding this coordination have been introduced and published in the PPSC's *Deskbook*.

Drug Prosecutions

Drug prosecution files continue to represent the most significant proportion of the PPSC's total caseload. Last year, the PPSC handled 44,373 prosecution files related to offences under the *Controlled Drugs and Substances Act*. Of those, 22,423 files were new, and 21,950 were carried over from previous years. While high-complexity files represented only 2.49% of counsel's drug caseload in 2019-20, 24.91% of their time was dedicated to these prosecutions.

The PPSC has seen an increase in the number of fentanyl-related prosecutions over a number of years and has committed significant resources to creating a complete sentencing record for the courts. To ensure consistency of practice across all regions, the PPSC created a nation-wide network of federal prosecutors appointed as coordinators of fentanyl issues in each region, which is coordinated from PPSC Headquarters. While recognizing the particular harm caused by trafficking of substances containing fentanyl, the PPSC has in some cases agreed to reduced sentences for traffickers with substance use disorders who have demonstrated that they are addressing their disorder through treatment, as well as the continued option of attending one of our Drug Treatment Courts (DTC), if they are approved by the DTC team. In further response to the opioid crisis, the PPSC also issued a practice directive to PPSC counsel in the spring of 2019 that addresses modified bail conditions for accused persons with substance use disorders with the goal of minimizing short-term detentions for breaches of bail conditions and to mitigate the risk of overdose following a short period of detention.

The *Cannabis Act* Implementation Committee (CAIC) continues to provide advice to prosecutors within the PPSC and to develop guidance on issues as they arise under the

new regime. Some current areas of concern for the CAIC are constitutional challenges to the legislation, illegal dispensaries and illicit online sales. Approximately 3,160 charges under the new *Act* were being prosecuted by the PPSC at the end of the 2019-20 fiscal year.

National Security Prosecutions

The PPSC has the jurisdiction to prosecute terrorism offences, crimes against humanity and war crimes as well as offences contrary to the *Security of Information Act*. Since 2001, 58 individuals have been charged with terrorism offences in Canada and 27 terrorism peace bond applications have been made. All charges and peace bonds are approved by a Deputy Director, Public Prosecutions. The PPSC worked on nine terrorism-related court cases in 2019-20, including five appeals, and provided efficient and timely legal advice in several investigations across Canada. As of March 31, 2020, four individuals were awaiting trial for terrorism offences or proceeding through pre-trial motions, and warrants were outstanding for nine more individuals.

During the year, an accused was charged with eight counts pursuant to the *Security of Information Act*, which included charges of communicating and attempting to communicate special operational information, and committing preparatory acts for the purpose of communicating safeguarded information. The accused is also facing two additional charges pursuant to the *Criminal Code*, one for breach of trust and one for unauthorized use of a computer. A trial date has not yet been scheduled.

The PPSC has approximately 30 counsel identified across the country, including counsel at the most senior levels, who are regularly called upon to provide advice to the police, including the Integrated National Security Enforcement Teams led by the RCMP. These counsel are also responsible for proactively considering emerging issues related to the gathering, presentation of evidence obtained domestically and internationally, and as a result of cooperation with intelligence agencies. In the past year, focused and sustained training was provided to these counsel on important and current topics in the area of national security. In addition, legal tools were developed to ensure consistency of approach and timely support to the police and intelligence agencies by these counsel. PPSC also enhanced its involvement with partners by participating in various practical and strategic discussions and exercises.

Prosecutions in Canada's North

The PPSC is responsible for the prosecution of all *Criminal Code* offences in the territories as well as offences under all other federal legislation, such as the *Controlled Drugs and Substances Act*, the *Cannabis Act*, the *Youth Criminal Justice Act*, and the *Fisheries Act*. In Nunavut, the PPSC also prosecutes all offences under territorial legislation. In the Northwest Territories, the PPSC prosecutes most territorial offences; however, the PPSC does not prosecute territorial offences in Yukon.

Domestic violence treatment court programs are in place to address spousal violence, and Wellness Court programs provide support to chronic offenders by helping them deal with addictions and/or mental health issues. This is accomplished through offering judicially supervised treatment options aimed at providing multidisciplinary support for offenders with mental health issues, substance use disorders or cognitive challenges.

In the last year, the PPSC has taken innovative steps towards implementing the Calls for Justice stemming from the National Inquiry into Missing and Murdered Indigenous Women and Girls (the National Inquiry). These initiatives included creative ways to achieve more culturally appropriate justice participation in Nunavut. The PPSC instigated a stakeholder's committee to develop a strategic plan regarding Inuit court paralegals fluent in Inuktitut, appearing for the PPSC before the Nunavut Justice of the Peace Court, on behalf of the DPP, to conduct summary conviction trials, sentencing hearings and bail hearings. This measure complements the PPSC's initiative to support two Inuit female employees through the Nunavut Law Program based in Iqaluit.

In 2019, the National Committee on the Interaction of Indigenous Persons with the Criminal Justice System continued its important work initiated in 2018. This Committee has a mandate to review the PPSC prosecution policies with the objective to give proper consideration of the historical background and systemic factors that affect Indigenous peoples and a greater understanding of Indigenous-based therapeutic justice programs.

In Canada's three northern territories, the victims, witnesses, accused and communities are predominantly Indigenous. Women and girls are overwhelmingly the victims of violence. In an effort to adopt a trauma-informed and culturally sensitive approach, the PPSC has continued to employ teams of Crown Witness Coordinators in the three northern regions who ensure victims and witnesses understand their rights and the criminal justice process.

The PPSC also recognizes the importance of discouraging systemic racism and reducing bias as well as increasing cultural awareness and sensitivity. In this context, the Nunavut Regional Office offers mandatory Inuit cultural awareness training. In addition, in July 2019, the PPSC invited Commissioner Qajaq Robinson to address PPSC prosecutors regarding the Calls for Justice from the National Inquiry.

Regulatory and Economic Prosecutions

The PPSC provides prosecution services to government departments and agencies which are mandated to enforce the legislation for which their respective ministers are responsible. This includes legal advice during the investigation stage and the prosecution of accused individuals and corporations.

In 2019-20, the PPSC handled 5,140 files involving regulatory and economic offences, of which 2,237 were carried over from previous years. While high-complexity files represented only 6.61% of counsel's regulatory and economic caseload in 2019-20, they took up 40.84% of the time dedicated to regulatory and economic prosecutions.

The PPSC also enters into and maintains memoranda of understanding (MOUs) with some of these departments and agencies. Last year, the PPSC entered into its first MOU with the Canada Border Services Agency (CBSA). That agency is responsible for the enforcement of the laws and associated regulations in the *Immigration and Refugee Protection Act* as well as the *Customs Act*. Another new MOU entered into is with Employment and Social Development Canada (EDSC), which is responsible for the enforcement of the laws and associated regulations the *Employment Insurance Act*, the *Canada Pension Plan*, and the *Old Age Security Act*.

Gender Based Analysis Plus (GBA+)

In 2019-20, the PPSC developed the GBA+ Statement of Intent (SOI) in consultation with its Diversity and Inclusion Committee. The statement outlines the initiatives that the PPSC is currently taking and will continue to take to align with the GBA+ Framework developed by Women and Gender Equality Canada. The PPSC has also developed an Implementation Plan to meet the requirements of the Policy Direction to Modernize the Government of Canada's Sex and Gender Information Practices.

Experimentation

Experimentation is at the core of the developmental approach to the new legal case management system. The new system will provide an enhanced electronic capacity for case management, timekeeping management, document management, and the production of operational reports. Prototyping and rapid application design have been used to refine and ascertain requirements quickly. The PPSC also experimented with tools, such as dialogs, to make data entry cleaner and more user-friendly and to minimize the complexity of the courts system for users.

Risks

In 2019-20, the PPSC continued to manage its corporate risks including risks related to funding, security of information and information management (IM).

The PPSC does not determine the number or types of cases referred to it for prosecution, nor does it control all of the levers of the criminal justice system. In prior years, this contributed to a risk that the organization might have insufficient resources to meet its prosecutorial obligations. Given the additional ongoing funding that was secured during 2018-19, this risk level has diminished and is deemed to be low. Although the risk is low, the PPSC continues to monitor its business practices to ensure resources are managed in a cost effective manner through caseload and resource planning.

To address the risk that sensitive information pertaining to the PPSC's work could be inadvertently disclosed or lost, the PPSC continued to ensure that necessary actions were implemented to prevent incidents from occurring. These actions included ensuring all individuals who needed access to PPSC or government information were screened at the appropriate security level before the commencement of their duties. In addition,

all employees applied the PPSC standards for the storage, transportation and transmittal of protected and classified information, and contractors were required to comply with the Terms of Reference regarding the safeguarding of information.

To address the risk that PPSC IM operational requirements and obligations will not be met, a project to implement GCDocs was established and the rollout has commenced across the organization. To date, GCDocs has been implemented for all corporate services employees. The Records Disposition Authority for Legal information and procedures has been developed and implemented, and a Corporate Retention Schedule is being finalized. The organization completed the PPSC Record Keeping Assessment and Information Management Gap Analysis with an implementation roadmap to develop the IM program and IM service delivery model. Furthermore, ongoing training is provided to employees for the management of information and record keeping on an as-needed basis. IM 101 videos have been created and made available across the organization, and guides, procedures, tips and tricks have also been developed and posted on the PPSC intranet.

Results achieved

Departmental results	Performance indicators	Target	Date to achieve target	2017–18 Actual results	2018–19 Actual results	2019–20 Actual results
Timely and comprehensive legal advice is provided to investigative agencies. ¹	Percentage of respondents satisfied with the timeliness of legal advice.	Greater than or equal to 80%	March 2022	Not available	72%	Not available
	Percentage of respondents satisfied with the comprehensiveness of legal advice.	Greater than or equal to 65%	March 2022	Not available	80%	Not available
Federal prosecutions are completed in a timely manner. ²	Number and percentage of cases that went to trial and resulted in a judicial stay of proceedings due to Crown delay. ³	Less than 4%	March 2020	Not available	0.07%	0.03% ⁵
	Number and percentage of cases that went to trial and resulted in the Crown directing a stay of proceedings due to Crown delay. ³	Less than 4%	March 2020	Not available	0.05%	0.05% ⁶

Through professionally conducted prosecution-related work, the ODPP contributes to the administration of justice.	The number and percentage of prosecutions that result in a determination on the merits of the evidence. ⁴	Greater than or equal to 96%	March 2020	Not available	99.69%	99.78% ⁷
	Number and nature of judicial stays for abuse of process based on the conduct of a federal prosecutor.	0	March 2020	0	0	0
	Number and nature of successful malicious prosecution lawsuits.	0	March 2020	0	0	0
	Number and nature of substantiated complaints made pursuant to the PPSC's Complaints Policy.	0	March 2020	0	0	1 ⁸

¹ Level of satisfaction results are taken from the PPSC Survey of Investigative Agencies Report, which is conducted every three years. Therefore, results are unavailable for 2019-20 and 2017-18.

² The percentage of stay of proceedings as a result of delays is determined by case and not by individual charges. If there are more than one stay of proceedings for a case, it is counted as one case being stayed. Stay of proceedings as a result of delays include both agent and in-house cases.

³ The results presented are based on data gathered from the regions and on information extracted from the PPSC's internal database. The figures are extracted from a live system and may be subject to revision from time to time, based on changes made to the data for any particular reporting period.

⁴ The results presented are based on information extracted from the PPSC's internal database. The figures are extracted from a live system and may be subject to revision from time to time, based on changes made to the data for any particular reporting period.

⁵ Of the 60,252 cases the PPSC worked on in 2019-20, 17 resulted in a judicial stay of proceedings due to Crown delay.

⁶ Of the 60,252 cases the PPSC worked on in 2019-20, 28 resulted in the Crown directing a stay of proceedings due to Crown delay.

⁷ 26,271 of the 26,330 cases closed in 2019-20, resulted in a determination on the merits of the evidence.

⁸ The PPSC takes complaints seriously and seeks to ensure that they are dealt with in a timely and clear manner, thereby helping to maintain public confidence in the administration of justice. The substantiated complaint was related to the timeliness of preparing a victim for a trial, and was addressed according to the [PPSC's Complaints Policy](#)ⁱ.

Budgetary financial resources (dollars)

2019–20 Main Estimates	2019–20 Planned spending	2019–20 Total authorities available for use	2019–20 Actual spending (authorities used)	2019–20 Difference (Actual spending minus Planned spending)
169,188,530	171,140,150	175,083,659	166,397,709	(4,742,441)

The variance of \$4.7 million is mainly due to lower than anticipated salary related expenditures and unspent funding for the outsourcing of the collection of federal fines, offset by the difference in revenue collections in comparison to PPSC's maximum revenue authority level.

Human resources (full-time equivalents)

2019–20 Planned full-time equivalents	2019–20 Actual full-time equivalents	2019–20 Difference (Actual full-time equivalents minus Planned full-time equivalents)
858	817	(41)

Lower than planned full-time equivalents in prosecution services reflect attrition and delays in staffing vacant positions experienced in 2019-20.

Financial, human resources and performance information for the Public Prosecution Service of Canada's Program Inventory is available in [GC InfoBaseⁱⁱ](#).

Internal Services

Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct service categories that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. The 10 service categories are:

- ▶ Acquisition Management Services
- ▶ Communication Services
- ▶ Financial Management Services
- ▶ Human Resources Management Services
- ▶ Information Management Services
- ▶ Information Technology Services
- ▶ Legal Services
- ▶ Material Management Services
- ▶ Management and Oversight Services
- ▶ Real Property Management Services

Results

During 2019-20, the Corporate Services Branch focused on three priorities, namely promoting a culture of collaboration, promoting efficiencies and effective corporate programs, and promoting a high-performing organization.

The PPSC completed the realignment of functions for two areas of the organization: The Headquarters Counsel Group and the Human Resources Directorate. The focus was on the distribution of functions and structures to ensure service excellence and clarity of roles and responsibilities.

Various in-person training sessions were offered to support the development of staff, supervisors, and managers. Information sessions were delivered related to changing mindsets and behaviours, effective communications, diversity and inclusion, classification, staffing, labour relations, digital prosecution, reconciliation, and information management. A three-day forum for administrative groups covered key training elements to address day-to-day professional challenges.

The Internal Audit Division continued to deliver on its risk-based audit plan. The division also conducted the annual follow-up review of management action plans to address prior audit recommendations, resulting in the implementation of some action plans. This past year saw the merge of the Internal Audit and Evaluation functions under one division allowing for greater collaboration between the two functions. The Evaluation

function continued to deliver on its annual plan and provided research assistance. Both functions are focused on meeting mandatory requirements and professional standards, while bringing value to the organization.

The Information Technology program undertook experimentations of various software and technologies during the 2019–20 fiscal year. The program tested a scaled-down version of a chatbot as an alternative to person-based (“first tier”) support for Corporate Services and attained encouraging results. Additionally, the program conducted a limited deployment of Microsoft Teams to experiment with a new collaboration environment. This latter experiment successfully demonstrated potential benefits of collaboration through video conferences, file sharing, and chat discussions instead of email dialogues.

In 2019-20, the National Fine Recovery Program (NFRP) started reaching out to provinces and territories to open up lines of communication and have better access to court file information with the goal of developing partnerships to assist with recovery efforts. The NFRP also worked on the development of a new partnership with Fisheries and Oceans Canada to create new processes for suspending and preventing the renewal of commercial fishing licences when outstanding federal fines exist. Furthermore, internal processes were reviewed and a project was initiated to define and modernize NFRP internal procedures.

Over the course of the 2019-20 fiscal year, the Human Resources Directorate (HRD) undertook a number of activities to modernize and improve business practices related to staffing. The HRD piloted the use of ePost Connect for pre-recorded video interview submissions in staffing processes in an effort to create efficiencies for board members and to serve as a volume management tool. The Ontario Regional Office piloted the use of Character-Based Leadership interviews for the selection of senior-level roles, following in the footsteps of the Canada Revenue Agency, which pioneered that approach within the federal public service. On the basis of this pilot, the PPSC will use this approach in other selection processes to fill senior positions across the organization. In addition, a feedback survey was developed and is sent to all candidates who apply on PPSC staffing processes. The survey seeks feedback related to the assessment approach, barriers, timeliness and communication. Furthermore, the PPSC increased the use of anonymized assessments in an effort to reduce unconscious bias in staffing processes. This practice has been primarily carried out for job applications and written exams; however, the HRD has been exploring this approach for other sources of information, such as performance reviews and references.

The PPSC put in place a confidential program, Healthy Workplace Services, offered to all PPSC employees through Health Canada. This mechanism provides a wealth of support services and a trusted, safe space to discuss well-being and workplace issues. The program ensures that employee concerns are brought forward without fear of reprisal. The service coordinators, who are active listeners, help in guiding employees

through existing processes, finding appropriate resources and helping them make an informed decision on the resolution of the situation.

Budgetary financial resources (dollars)

2019–20 Main Estimates	2019–20 Planned spending	2019–20 Total authorities available for use	2019–20 Actual spending (authorities used)*	2019–20 Difference (Actual spending minus Planned spending)
23,296,342	23,296,342	26,912,639	26,534,096	3,237,754

The increase of \$3.2 million in actual spending is mainly due to increases in salary, professional services and equipment expenditures, offset primarily by a decrease in leasehold improvements.

Human resources (full-time equivalents)

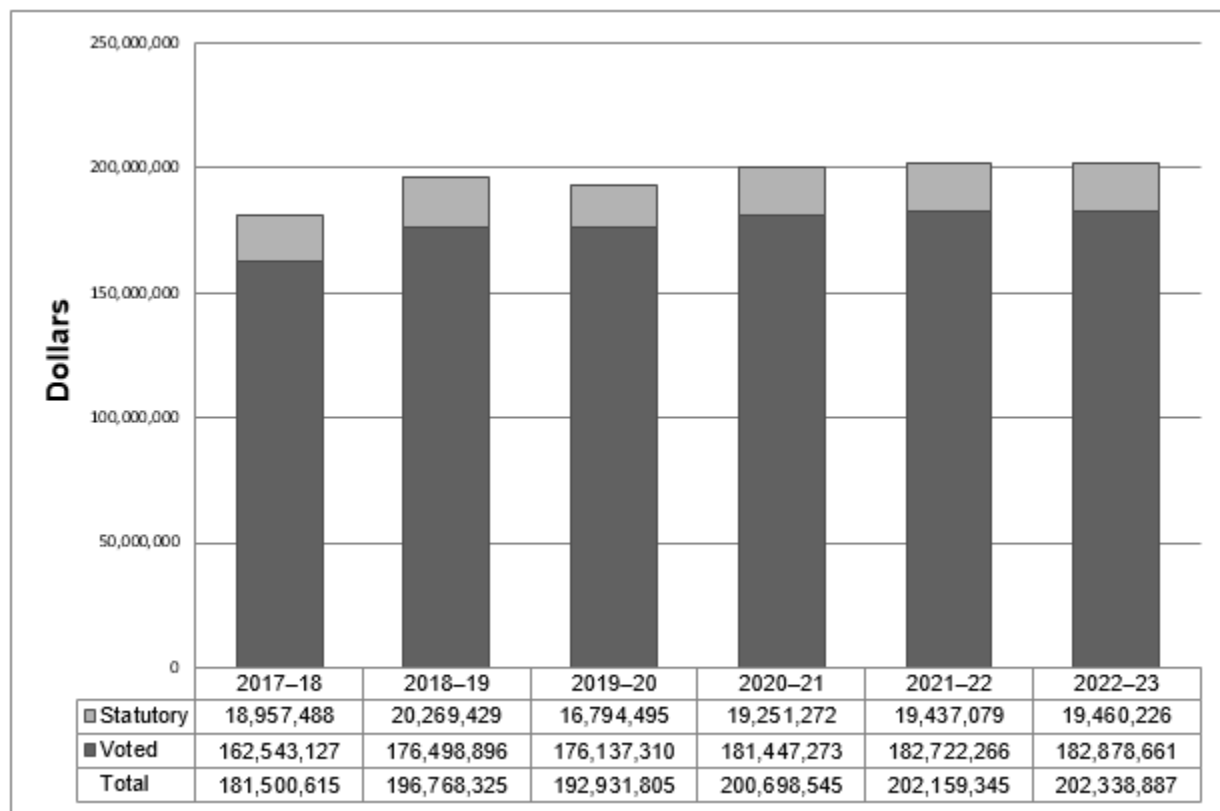
2019–20 Planned full-time equivalents	2019–20 Actual full-time equivalents	2019–20 Difference (Actual full-time equivalents minus Planned full-time equivalents)
136	148	12

Analysis of trends in spending and human resources

Actual expenditures

Departmental spending trend graph

The following graph presents planned (voted and statutory spending) over time.



Note: Actual and planned expenditure figures from 2019-20 onward have taken into account the transfer of the Office of the Commissioner of Canada Elections (OCCE). The increase in planned spending for 2020-21 and ongoing includes program integrity funding secured through Budget 2019.

For more detailed information, see “Budgetary performance summary for Core Responsibilities and Internal Services” section of this report.

Budgetary performance summary for Core Responsibilities and Internal Services* (dollars)

Core responsibilities and Internal Services	2019–20 Main Estimates	2019–20 Planned spending	2020–21 Planned spending	2021–22 Planned spending	2019–20 Total authorities available for use	2019–20 Actual spending (authorities used)	2018–19 Actual spending (authorities used)	2017–18 Actual spending (authorities used)
Prosecution Services	169,188,530	171,140,150	177,319,826	178,620,158	175,083,659	166,397,709	166,639,518	155,525,200
Electoral Compliance and Enforcement ¹	7,478,571	7,478,571	0	0	0	0	4,596,852	4,895,778
Subtotal	176,667,101	178,618,721	177,319,826	178,620,158	175,083,659	166,397,709	171,236,370	160,420,978
Internal Services	23,296,342	23,296,342	23,378,719	23,539,187	26,912,639	26,534,096	25,531,955	21,079,637
Budget Implementation (for information) ²	4,200,000	N/A	N/A	N/A	1,200,000	0	N/A	N/A
Total	204,163,443	201,915,063	200,698,545	202,159,345	203,196,298	192,931,805	196,768,325	181,500,615

Note 1: As previously mentioned, as of April 1, 2019, the OCCE was transferred to Elections Canada.

Note 2: The budget implementation amount was presented for information purpose in the 2019-20 Main Estimates. The funding was announced in Budget 2019 to support the continued fulfillment of the Public Prosecution Services of Canada's mandate and was secured after the publication of the 2019-20 Departmental Plan. The \$4.2 million has been added to the authorities; however, \$1.2 million was identified as funds ineligible to spend (frozen allotment).

The variance of \$10.3 million between the PPSC's total authorities available of \$203.2 million and actual spending of \$192.9 million stem from an operating surplus of \$5.8 million and funds ineligible to be spent of \$3.3 million related to the outsourcing of the collection of federal fines and \$1.2 million from the Budget Implementation 2019.

The decrease in 2019-20 total actual spending of \$3.8 million in comparison to 2018-19 actual spending is largely attributed to the transfer of the OCCE to Elections Canada.

2019–20 Budgetary actual gross spending summary (dollars)

Core responsibilities and Internal Services	2019–20 Actual gross spending*	2019–20 Actual gross spending for specified purpose accounts	2019–20 Actual revenues netted against expenditures	2019–20 Actual net spending (authorities used)
Prosecution Services	183,227,658	0	16,829,949	166,397,709
Subtotal	183,227,658	0	16,829,949	166,397,709
Internal Services	26,630,501	0	96,405	26,534,096
Total	209,858,159	0	16,926,354	192,931,805

PPSC's revenue is generated from the authority to recover amounts from other departments and agencies for the provision of advisory and prosecution services.

Actual human resources**Human resources summary for core responsibilities and Internal Services**

Core responsibilities and Internal Services	2017–18 Actual full-time equivalents	2018–19 Actual full-time equivalents	2019–20 Planned full-time equivalents	2019–20 Actual full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
Prosecution Services	855	824	858	817	858	858
Electoral Compliance and Enforcement ¹	21	24	45	0	0	0
Subtotal	876	848	903	817	858	858
Internal Services	118	131	136	148	165	165
Total	994	979	1,039	965	1,023	1,023

Note 1: On April 1, 2019, a notice was given in the Canada Gazette, making it official that the OCCE was transferred back to Elections Canada, pursuant to section 401 of an Act to amend the Canada Elections Act and other Acts. All funding and expenditures were transferred to Elections Canada by the end of the 2019-20 fiscal year.

The planned full-time equivalent increase in future years represents the staffing of positions to maintain the PPSC program integrity and corporate investments in

information technology and information management functions as part of the PPSC's digital modernization strategy.

Expenditures by vote

For information on the Public Prosecution Service of Canada's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2019–2020](#).ⁱⁱⁱ

Government of Canada spending and activities

Information on the alignment of the Public Prosecution Service of Canada's spending with the Government of Canada's spending and activities is available in [GC InfoBase](#).^{iv}

Financial statements and financial statements highlights

Financial statements

The Public Prosecution Service of Canada's financial statements (unaudited) for the year ended March 31, 2020, are available on the departmental [website](#).^v

Financial statement highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2020 (dollars)

Financial information	2019–20 Planned results*	2019–20 Actual results	2018–19 Actual results	Difference (2019–20 Actual results minus 2019–20 Planned results)	Difference (2019–20 Actual results minus 2018–19 Actual results)
Total expenses	246,159,896	235,854,522	229,943,030	(10,305,374)	5,911,492
Total revenues	22,742,000	18,472,133	17,588,100	(4,269,867)	884,033
Net cost of operations before government funding and transfers	223,417,896	217,382,389	212,354,930	(6,035,507)	5,027,459

Note: Revenues do not include the revenue from the collection of fines, forfeitures and court costs as well as rent from residential housing which is non-responsible revenue (i.e., cannot be used to fund PPSC's expenditures).

Planned Results are based on the Future-Oriented Financial Statements presented in the 2019-20 Departmental Plan.

Expenses by type

The total expenses in 2019-20 (\$235.9 million) have increased by \$5.9 million (or 2.6%) in comparison with 2018-19 (\$229.9 million). This represents a \$10.5M increase in expenses mainly attributable to salary, benefits, vacation pay allowances, counsel fees, professional and special services, as well as accommodations; offset by a decrease of \$4.6 million due to the transfer of the OCCE to Elections Canada.

During 2019-20, the PPSC had the following major categories of expenses:

- Salary expenses: \$148.6 million (or 63% of expenses);
- Professional services – counsel fees: \$47.9 million (or 20.3% of expenses);
- Accommodation: \$14.8 million (or 6.3% of expenses); and
- Other operating expenses: \$24.6 million (or 10.4% of expenses).

Revenue by type

The total spendable revenues earned in 2019-20 (\$18.5 million) increased by \$0.9 million (or 5%) compared with the revenues in 2018-19 (\$17.6 million). During 2019-20, the PPSC had the following revenue categories:

Respendable Revenue

- Revenue earned from the provision of advisory and prosecution services to Other Government Departments and Agencies (OGDAs): \$18.5 million (or 96.1% of revenue);

Non-Respendable Revenue

- Rent from residential housing provided to employees: \$0.5 million (or 2.4% of revenue); and
- Collection of fines, forfeitures and court costs: \$0.2 million (or 1.3% of revenue).

Condensed Statement of Financial Position (unaudited) as of March 31, 2020 (dollars)

Financial information	2019–20	2018–19	Difference (2019–20 minus 2018–19)
Total net liabilities	48,811,129	40,096,942	8,714,187
Total net financial assets	32,454,982	26,891,424	5,563,558
Departmental net debt	16,356,147	13,205,518	3,150,629
Total non-financial assets	5,758,684	6,746,533	(987,849)
Departmental net financial position	(10,597,463)	(6,458,985)	(4,138,478)

Assets by type

The ODPP's assets include amounts due from the Consolidated Revenue Fund (CRF), accounts receivable and advances, and tangible capital assets:

Net Financial Assets

- Amounts due from the CRF is the aggregate of all public money on deposit to the credit of the Receiver General for Canada, who is responsible for safeguarding the integrity of the CRF and issuing all payments out of the CRF for departments and agencies. The amount due from the CRF is the net amount between accounts payables remaining at the end of the year and accounts receivable from OGDs, and it represents \$21.8 million (or 57% of assets).
- The accounts receivable amount of \$10.7 million (or 28% of assets) largely represents expenses to be recovered from OGDAs for the provision of advisory and prosecution services and salary overpayments to be recovered.

Non-Financial Assets

- Tangible capital assets total \$5.8 million (or 15% of assets) and largely fall in the categories of leasehold improvements as well as machinery and equipment.

Liabilities by type

Liabilities include accounts payable and accrued liabilities, vacation pay and compensatory leave, and employee future benefits:

- Accounts payable and accrued liabilities represent accounts payable at year-end in the amount of \$34.7 million (or 71% of liabilities).

- Vacation pay and compensatory leave represent employees' accumulated vacation and compensatory leave and total \$8.8 million (or 18% of liabilities).
- Employee future benefits represent the accumulated obligations of the PPSC at the end of the year and amount to \$5.3 million (or 11% of liabilities).

Additional information

Organizational profile

Appropriate minister: The Honourable David Lametti

Institutional head: Kathleen Roussel, Director of Public Prosecutions and Deputy Attorney General of Canada

Ministerial portfolio: Justice

Enabling instrument: [*Director of Public Prosecutions Act*](#)^{vi}

Year of incorporation / commencement: 2006

Raison d'être, mandate and role: who we are and what we do

“Raison d'être, mandate and role: who we are and what we do” is available on the [PPSC's website](#)^{vii}.

Reporting framework

The Public Prosecution Service of Canada’s Departmental Results Framework and Program Inventory of record for 2019-20 are shown below.

Departmental Results Framework	Core Responsibility: Prosecution Services		Internal Services
	Departmental Result: Timely and comprehensive legal advice is provided to investigative agencies.	Indicator: Percentage of respondents satisfied with the timeliness of legal advice.	
		Indicator: Percentage of respondents satisfied with the comprehensiveness of legal advice.	
	Departmental Result: Federal prosecutions are completed in a timely manner.	Indicator: Number and percentage of cases that went to trial and resulted in a judicial stay of proceedings due to Crown delay.	
		Indicator: Number and percentage of cases that went to trial and resulted in the Crown directing a stay of proceedings due to Crown delay.	
	Departmental Result: Through professionally conducted prosecution-related work, the ODPP contributes to the administration of justice.	Indicator: Number and percentage of prosecutions that result in a determination on the merits of the evidence.	
		Indicator: Number and nature of judicial stays for abuse of process based on the conduct of a federal prosecutor.	
		Indicator: Number and nature of successful malicious prosecution lawsuits.	
		Indicator: Number and nature of substantiated complaints made pursuant to the ODPP's Complaints Policy	
	Program Inventory	Program: Federal Prosecutions	

Supporting information on the program inventory

Financial, human resources and performance information for the Public Prosecution Service of Canada's Program Inventory is available in the [GC InfoBase](#)^{viii}.

Supplementary information tables

The following supplementary information tables are available on the [PPSC's website](#)^{ix}:

- ▶ Departmental Sustainable Development Strategy
- ▶ Gender-based analysis plus
- ▶ Response to parliamentary committees and external audits

Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the [Report on Federal Tax Expenditures](#).^x This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational contact information

Public Prosecution Service of Canada
160 Elgin Street, 12th Floor
Ottawa, Ontario K1A 0H8
613-957-7772
1-877-505-7772
info@ppsc.gc.ca

<https://www.ppsc-sppc.gc.ca/eng/index.html>

Appendix: definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

core responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a core responsibility are reflected in one or more related departmental results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a 3-year period. Departmental Plans are usually tabled in Parliament each spring.

departmental priority (priorité)

A plan or project that a department has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired departmental results.

departmental result (résultat ministériel)

A consequence or outcome that a department seeks to achieve. A departmental result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

departmental result indicator (indicateur de résultat ministériel)

A quantitative measure of progress on a departmental result.

departmental results framework (cadre ministériel des résultats)

A framework that connects the department's core responsibilities to its departmental results and departmental result indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on a department's actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

experimentation (expérimentation)

The conducting of activities that seek to first explore, then test and compare the effects and impacts of policies and interventions in order to inform evidence-based decision-

making, and improve outcomes for Canadians, by learning what works, for whom and in what circumstances. Experimentation is related to, but distinct from innovation (the trying of new things), because it involves a rigorous comparison of results. For example, using a new website to communicate with Canadians can be an innovation; systematically testing the new website against existing outreach tools or an old website to see which one leads to more engagement, is experimentation.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. For a particular position, the full-time equivalent figure is the ratio of number of hours the person actually works divided by the standard number of hours set out in the person's collective agreement.

gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])

An analytical process used to assess how diverse groups of women, men and gender-diverse people experience policies, programs and services based on multiple factors including race ethnicity, religion, age, and mental or physical disability.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2019–20 Departmental Results Report, those high-level themes outlining the government's agenda in the 2019 Speech from the Throne, namely: Fighting climate change; Strengthening the Middle Class; Walking the road of reconciliation; Keeping Canadians safe and healthy; and Positioning Canada for success in an uncertain world.

horizontal initiative (initiative horizontale)

An initiative where two or more federal organizations are given funding to pursue a shared outcome, often linked to a government priority.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally, a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

program (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

program inventory (répertoire des programmes)

Identifies all the department's programs and describes how resources are organized to contribute to the department's core responsibilities and results.

result (résultat)

A consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

target (cible)

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an appropriation act. The vote wording becomes the governing conditions under which these expenditures may be made.

Endnotes

ⁱ PPSC's Complaints Policy, <https://www.ppsc-sppc.gc.ca/eng/cmp-pln/index.html>

ⁱⁱ GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>

ⁱⁱⁱ Public Accounts of Canada, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>

^{iv} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>

^v PPSC Website, <https://www.ppsc-sppc.gc.ca/eng/pub/fr-rf/index.html>

^{vi} *Director of Public Prosecutions Act*, <https://laws-lois.justice.gc.ca/eng/acts/d-2.5/page-1.html>

^{vii} PPSC's website, <https://www.ppsc-sppc.gc.ca/eng/bas/index.html>

^{viii} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>

^{ix} PPSC's website, <https://www.ppsc-sppc.gc.ca/eng/pub/drr-rrm/index.html>

^x Report on Federal Tax Expenditures, <http://www.fin.gc.ca/purl/taxexp-eng.asp>