

Manitoba Justice

**Annual Report
2016 - 2017**

Manitoba Justice
Administration and Finance
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**ATTORNEY GENERAL
MINISTER OF JUSTICE**

Room 104
Legislative Building
Winnipeg, Manitoba CANADA
R3C 0V8

Her Honour the Honourable Janice C. Filmon, C.M., O.M.
Lieutenant Governor of Manitoba
Room 234 Legislative Building
Winnipeg MB R3C 0V8

MAY IT PLEASE YOUR HONOUR:

It is my privilege to present for the information of Your Honour the *Annual Report* of Manitoba Justice for the fiscal year ending March 31, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heather Stefanson".

Honourable Heather Stefanson
Minister of Justice
Attorney General





Justice
Deputy Minister of Justice and Deputy Attorney General
Room 110 Legislative Building, Winnipeg, Manitoba, Canada R3C 0V8

Honourable Heather Stefanson
Minister of Justice
Attorney General
Room 104 Legislative Building
Winnipeg MB R3C 0V8

Dear Minister Stefanson:

I am pleased to present the *Annual Report* of Manitoba Justice. There have been a number of major developments and accomplishments to report on this year and I would like to take this opportunity to highlight just a few of them.

Manitoba Justice welcomed the addition of the Consumer Protection Division in 2016/17. Consumer Protection is a natural fit within Justice as it provides for access to justice outside of the courts, including the opportunity to have some matters heard by an administrative tribunal and through the enforcement of consumer protection laws and regulations. Empowering and educating consumers and businesses about their roles and responsibilities is central to the Division's work. From raising awareness about high-cost credit products legislation to alerting consumers of fraud schemes or making it easier for licensees to comply with regulations, the Division recognizes that the exchange of information is at the core of successful regulation and I believe they made great strides in that area last year. Targeted and general information including tips and tools was distributed through a wide range of channels including Facebook, Twitter and our Consumers App.

The department also welcomed the Protective Services and Crime Prevention Branches, both of which joined our Community Safety Division. In addition to providing services to the Legislative Building and grounds, Protective Services officers are also deployed at a number of government owned and occupied buildings throughout the province. Crime Prevention works with communities, police agencies and Public Safety Canada to coordinate and implement crime prevention policies and programs, such as the Lighthouses program which offers youth positive alternatives and skill development opportunities outside of school hours.

On the criminal justice side, the most significant development this year was the decision of the Supreme Court of Canada in *R. v. Jordan* which sets out presumptive ceilings for the completion of criminal matters. This decision gave new impetus to our continuing efforts to improve the efficiency of the criminal justice system while also maintaining fairness, safety and justice.

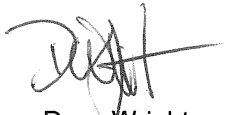
One project that achieved particular success in reducing delay in the justice system was the Pre-Plea Triage program to help people charged with summary conviction offences such as traffic violations to better understand their options. This initiative has reduced the volume of trials being set in Summary Convictions Court by approximately 50%, which has freed up considerable time, reduced delays and improved service.

Manitoba's Criminal Property Forfeiture Unit continued to be a success, yielding an approximate total of \$2.0 million to promote safer communities through payments to law enforcement agencies and to contribute to compensation and services for victims of crime.

Our Victim Services Branch, in addition to providing support services to adult and children victims of crime, was very pleased to welcome Milan, our support therapy dog, to the branch. Manitoba Justice provided Victim Support Services to 962 adults and 1,131 children, Domestic Violence Support Services to 17,471 individuals, and Victim Witness Assistance to 4,555 victims of crime.

None of this would be possible without the dedication and commitment to excellence of the staff of this department. Manitoba Justice employees deal with challenging situations on a regular basis and I am immensely grateful to them and their efforts toward making our province a safer and more just place for all Manitobans each and every day.

Yours truly,



Dave Wright
Deputy Minister of Justice
Deputy Attorney General





Madame Heather Stefanson
Ministre de la Justice
Procureure générale
Palais législatif, bureau 104
Winnipeg (Manitoba) R3C 0V8

Madame la Ministre,

J'ai l'honneur de vous présenter le *Rapport annuel* du ministère de la Justice du Manitoba. Il y a eu un certain nombre d'activités et de réalisations importantes à signaler cette année et je souhaite souligner certaines d'entre elles.

Justice Manitoba a accueilli au sein du ministère la Division de la protection du consommateur en 2016-2017. La Protection du consommateur a tout naturellement sa place au sein de la Justice, car elle offre un accès à la justice en dehors des tribunaux, notamment la possibilité que certaines causes soient entendues par un tribunal administratif et par l'intermédiaire de l'application des lois et règlements sur la protection du consommateur. Donner aux consommateurs et aux entreprises les moyens et les connaissances en ce qui concerne leurs rôles et leurs responsabilités est essentiel pour le travail de la Division. De la sensibilisation aux dispositions législatives concernant les produits de crédit à coût élevé aux mises en garde des consommateurs contre la fraude ou à la simplification du respect des règlements pour les titulaires de licence, la Division reconnaît que l'échange d'information est au cœur du succès de la réglementation. Et je pense que la Division a réalisé d'importants progrès dans ce domaine l'année dernière. Des renseignements généraux et ciblés, y compris des conseils et des outils, ont été distribués grâce à un large éventail de réseaux, dont Facebook, Twitter et notre application pour les consommateurs.

Le ministère a également accueilli les directions de la Sécurité et de la Prévention du crime, qui se sont jointes toutes les deux à notre Division de la sécurité communautaire. En plus de fournir des services dans le palais législatif et ses terrains, les officiers de la sécurité sont aussi déployés dans un certain nombre de bâtiments que le gouvernement possède et occupe partout dans la province. La Prévention du crime travaille avec les collectivités, les services de police et Sécurité publique Canada afin de coordonner et de mettre en œuvre des politiques et des programmes de prévention du crime, comme le programme Lighthouses qui propose aux jeunes des solutions de rechange positives et des activités d'acquisition de compétences en dehors des heures d'école.

Du côté de la justice criminelle, l'événement le plus important cette année a été la décision de la Cour suprême du Canada dans l'affaire *R. c. Jordan* qui établit des plafonds présumés pour l'achèvement des procédures criminelles. Cette décision a donné un nouvel élan à nos efforts continus visant à améliorer l'efficacité du système de justice criminelle tout en garantissant l'équité, la sécurité et la justice.

Un projet qui a permis des progrès notables en matière de réduction des délais dans le système de justice pénale, était le programme de triage préalable au plaidoyer visant à aider les personnes accusées d'infractions punissables par procédure sommaire, comme les infractions au Code de la route, à mieux comprendre les options qui s'offrent à eux. Cette initiative a permis de réduire d'environ 50 % le volume des procès du tribunal des poursuites sommaires, ce qui a permis de gagner beaucoup de temps, de réduire les retards et d'améliorer les services.

L'Unité de confiscation des biens obtenus ou utilisés criminellement a continué d'être un succès, générant un rendement d'environ 2 millions de dollars. Cette somme est consacrée à la promotion d'une meilleure sécurité dans les collectivités, grâce aux paiements accordés aux organismes d'application de la loi, ainsi qu'aux indemnités versées aux victimes d'actes criminels et aux services visant ces personnes.

Notre Direction des services aux victimes, qui fournit des services de soutien aux adultes et aux enfants victimes d'actes criminels, a été très heureuse d'accueillir Milan, notre chien utilisé à des fins thérapeutiques au sein de la direction. Justice Manitoba a fourni des services de soutien aux victimes à 962 adultes et à 1 131 enfants, des services de soutien aux victimes de violence familiale à 17 471 personnes et de l'aide aux victimes et aux témoins d'actes criminels à 4 555 personnes.

Toutes ces réalisations sont attribuables au dévouement et à l'engagement envers l'excellence dont font preuve les employés du Ministère. Ils sont régulièrement confrontés à des situations difficiles et je leur suis infiniment reconnaissant de leurs efforts visant à faire de notre province un endroit plus sûr et plus juste chaque jour, pour tous les Manitobains.

Veillez agréer, Madame la Ministre, l'expression de ma considération distinguée.

Le sous-ministre de la Justice et sous-procureur général,



Dave Wright



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Introduction

With headquarters in downtown Winnipeg on historic Broadway, Manitoba Justice is responsible for the administration of civil and criminal justice in Manitoba. Key responsibilities flow from provincial legislation such as *The Department of Justice Act*, *The Correctional Services Act*, *The Legal Aid Manitoba Act* and *The Victims' Bill of Rights*. In addition, the department has significant delegated responsibility under federal legislation, as a result of the *Constitution Act, 1867*, which includes most notably the *Criminal Code* and the *Youth Criminal Justice Act*. Manitoba Justice is also responsible for the administration and enforcement of over 100 other provincial statutes¹ relating to civil law, court administration, correctional services, regulatory provisions and other matters for which the Manitoba government assumes legal responsibility.

Manitoba Justice, a large department with over 3,358 full time equivalent 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, paralegals, and clerical and support staff.

Report Structure

The *Annual Report* of 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 is broken down into main and 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. Separate sections summarize the department's performance reporting, sustainable development and disclosures of wrongdoing by employees.

To maintain consistency among government-wide reporting documents, all dollar amounts contained in the financial tables and narratives are expressed to the nearest thousand dollars. For example, thirty-five thousand one hundred dollars is shown as 35 \$(000s). Staffing resources are reported in the form of full-time equivalents (FTEs).

Vision and Mission

Our Mission is to support and promote safe and just communities for all Manitobans.

Our Vision is to ensure Manitobans are safe in their communities and have confidence in the justice system.

Our Values:

The Department's strength comes from its people. Accordingly,

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

The Department has identified three critical values that will underpin its decision-making and change process:

- Corporate approach
- Evidence-based reforms
- Respectful and open dialogue

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

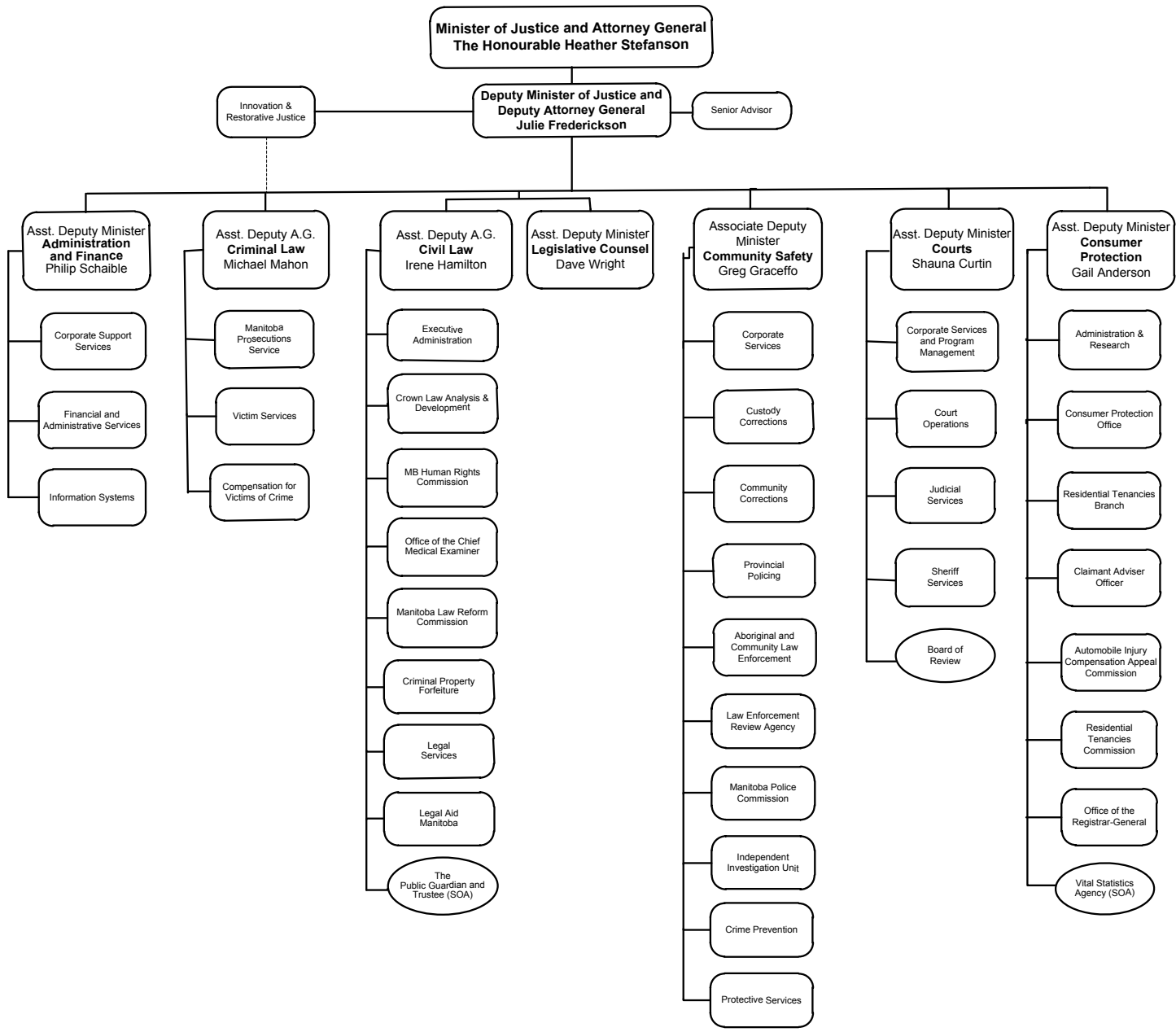
Our Principles:

- 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 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 regard to Indigenous 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 preventative approaches to problems and the prompt and just resolution of conflicts.
- We recognize that there is a need to improve how Justice delivers service.

Departmental Organization

- The Department's finances are voted under seven main appropriations: Administration and Finance (04-1), Criminal Law (04-2), Civil Law (04-3), Community Safety (04-4), Courts (04-5), Consumer Protection (04-6), and Costs Related to Capital Assets (04-7).

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 two special operating agencies (SOA's) which include The Public Guardian and Trustee and Vital Statistics Agency. These agencies service operations within departments and are granted more direct responsibility for results and increased management flexibility in order to encourage initiative and improve service delivery.



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 composed of two sub-appropriations identified as Minister's Salary, Executive Support. These areas provide leadership and direction to the department's operational divisions.

The Operational Finance and Administration component of the division is responsible for the department's administrative support and fiscal planning and control functions. It also provides financial services, justice innovation, continuous improvement, business intelligence, facilities management, procurement, fleet vehicles, parking, records management and the development and maintenance of information 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 Manitoba government 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 Constitution of Canada.

1 (a) Minister's Salary

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	51	1.00	51	0	

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 Manitoba government, following the Attorney General as chief law officer. The Deputy Attorney General, for example, can consent to an indictment being preferred directly in the Court of Queen's Bench, Manitoba's superior trial court, without the holding of a

preliminary inquiry. 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 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	824	9.00	806	18	
Total Other Expenditures	74		88	(14)	

Operational Finance and Administration Component

The Administration and Finance Division of Manitoba Justice is responsible for the department's operational administration. The division is led by an Assistant Deputy Minister with oversight of two branches: Financial and Administrative Services and Information Systems.

The Assistant Deputy Minister of the division exercises a governance role and is the designated officer for receiving and investigating disclosures made by Justice employees under *The Public Interest Disclosure (Whistleblower Protection) Act*.

The support services provided by Administration and Finance Division have a significant overall impact on the daily operations of the department.

Financial and Administrative Services

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

The financial services group assembles and co-ordinates the department's budget, processes all accounts payable, and monitors, evaluates and reports expenditures to senior management. It exercises a comptrollership function to ensure that all revenues are properly accounted for, and that all expenditures are made and reported in accordance with government policies and Generally Accepted Accounting Principles.

The administrative services group oversees the department's administrative operations and reporting. Responsibilities include procurement in general, sustainable development initiatives, contracts, leases for space and equipment, fleet vehicles, physical asset inventories, accommodations and capital project requests, staff parking, 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 and support to a number of special cross-divisional projects such as the development of the department's annual strategic plan, sustainability indicators reporting, performance reporting, continuous improvement initiatives (Lean management) and workload indicator development and reporting. Corporate services also manages departmental records and maintains the Manitoba Justice website at www.gov.mb.ca/justice.

In addition to working with partners across the Department of Justice, the unit works with the key stakeholders in the criminal justice system including the judiciary, police, Legal Aid and the private defence bar to develop and implement changes that will achieve improvements in the above noted areas.

The means of achieving the improvements cover a wide range of areas including organizational changes, policy changes, work process changes, investments in technology, and resource allocation. The team will conduct detailed review and analysis of current processes and their results to develop sound business cases for improvements and/or investments designed to increase efficiency and effectiveness of the criminal justice

system, recognizing that the rights of the accused must be protected. The approach will be incremental by tackling projects that will, when other changes are made in the future, add to any benefits already achieved through the initial projects.

1 (c) Financial and Administrative Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,325	20.50	1,789	(464)	1
Total Other Expenditures	667		216	451	2

Explanations:

1. Savings associated with vacant and under filled positions
2. Legal Services common billings shortfall

Information Systems

Information Systems provides vision and leadership in the use of technology to assist the department in accomplishing its goals. The branch either directly provides, or obtains from government shared services, the required services or resources to identify, develop, implement and maintain technology solutions that assist program areas in the delivery of effective services. The branch also has the responsibility of leading the department in the prioritization of initiatives that would benefit from the incorporation of technology. These projects have been identified through the Justice Technology Advisory Committee (JTAC) and were worked on in the last fiscal year:

Maintenance Enforcement System (M3P): A variety of enhancements to the system were implemented throughout the year.

Corrections Offender Management System (COMS) upgrade: The latest version of the product that includes new functionality related to sentence calculations, risk assessment, auditing and reporting is currently being tested.

Common Offence Notice (CON) System: Changes to the system were worked on throughout the year to meet the requirements of the *Provincial Offences Act*.

Collections System: Changes to the system were worked on throughout the year to meet the requirements of the *Provincial Offences Act*.

Legal Services Branch Billing and File Management System: An RFP for a replacement product was issued to replace the existing outdated application with a new and significantly improved legal time billing and accounting application.

Queens' Bench Registry, Court of Appeal Rota, and Court of Queen's Bench Rota: These systems are being migrated to Microsoft SQL Server to use technology that can be better supported

Queens' Bench Registry System: Added functionality to properly handle the interest calculations related to Sutor's Trust stale-dated cheque monies. Made Enhancements to the Sutor's Trust module to provide enhanced reports for new auditing processes

Jury Roll System: Added functionality to automate the generation of form letters.

Prosecutions Information & Scheduling Management System (PRISM): a significant number of enhancements were released. Among those enhancements includes displaying specific Victim Services communication in the Prosecution file as well as enhancing PRISM generated e-mail on files involving multiple accused involved in the same incident. Significant work is currently ongoing to enhance the data transfer to PRISM from the Common Offence Notice (CON) system.

Vital Statistics System - An enhancement to the existing Vitalware software, a Vital Records Management system, is being made to allow customers to apply and pay for vital event certificates on-line through a secure Vital Statistics website.

New Home Warranty Web Registry-A project is under way to implement a solution that will enable the Consumer Protection Office to offer a browser-based Registry that is integrated with its Licensing and Complaint Tracking activities to support the New Home Warranty Program.

Public Trustee System: This system is being migrated from the mainframe onto servers hosted within the Manitoba data centre's server environment to lower costs and leverage technology to integrate with other applications. Document Management Software is also being tested to determine if operational efficiencies can be achieved through a reduction in paper and improved workflows.

Office 2016 Upgrade: Facilitated the testing and remediation of desktop applications to ensure that they worked properly with Office 2016 when it is installed on all Justice Computers this summer.

1 (d) Information Systems

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,018	10.00	1,142	(124)	1
Total Other Expenditures	184		394	(210)	2
Recoverable from Part B – Capital	0		(216)	216	3

Explanations:

1. *No recovery of salaries for staff dedicated to Capital*
2. *Savings in software upgrades and staff training*
3. *No recovery of salaries for staff dedicated to Capital*

Criminal Law

The Criminal Law appropriation (04-2) is composed of Manitoba Prosecutions Service, Victim Services, Compensation for Victims of Crime and Innovation and Restorative Justice.

Administration

The office of the Assistant Deputy Attorney General provides executive direction and administrative support to all programs and branches of the Criminal Law Division.

The office is supported with administrative and financial analysis requirements by the Director of Business Operations for Manitoba Prosecutions Service along with subject matter experts from each branch.

Manitoba Prosecutions Service

Manitoba Prosecutions Service is responsible for the prosecution of criminal and provincial offences in Manitoba as well as the conduct of inquests called by the Chief Medical Examiner. These offences include alleged provincial statute breaches, *Criminal Code*, some federal charges, as well as prosecutions under the *Youth Criminal Justice Act*. Crown attorneys also review police reports and provide advice to police on the appropriate criminal charges, investigations, and procedures. In addition, Crown attorneys provide lectures and seminars to the police, investigative agencies, and the general public on justice issues. Each year, the division hires articling students and provides a year of training and practical experience in the prosecution of offences under provincial statutes and the *Criminal Code*.

Manitoba Prosecutions Service has a total of 312.30 staff FTEs. The total staff complement includes 6 legal management positions (including the ADAG), 183 legal positions (including articling law students) and 123.30 professional/administrative support staff positions (including the Director of Business Operations).

The Branch is organized into six areas of responsibility:

Winnipeg Prosecutions

The General Prosecution Units (GPU) of Winnipeg Prosecutions Service prosecute all preliminary hearings and trials in Winnipeg which are not the responsibility of one of the specialized units. Led by the Director of Winnipeg Prosecutions, they are responsible for files that are not resolved early in the criminal justice process through the Intensive Case Review Process (ICAP) Unit. During intake, many files are diverted to restorative justice programs resulting in either no charge being laid or the charge ultimately being stayed. More serious breaches of the Criminal Code and provincial statutes or offences committed by individuals with a history of involvement with the criminal justice system are more likely to proceed to a formal court proceeding.

In addition to the General Prosecution Units, Stolen Auto and Youth Court Units report to the Director of Winnipeg Prosecutions.

Regional Prosecutions

Regional Prosecution offices are based in Brandon, Dauphin, Portage la Prairie, The Pas, and Thompson. Regional Crown attorneys prosecute all adult and youth offences arising from the geographic regional court jurisdictional areas. In conjunction with lawyers from Winnipeg, prosecutions are conducted at all circuit points in communities throughout Manitoba.

Education and Appeals

Education and Appeals is responsible for continuing legal education programs to ensure all Crown attorneys receive the necessary training and updated legal education to fulfill their roles as prosecutors. Articling students and lawyers in the early stages of their Manitoba Prosecutions Service careers receive additional training and support through a specialized Training and Development Unit. This area is also responsible for the review and conduct of appeals to the Manitoba Court of Appeal and Supreme Court of Canada.

Information Management, Disclosure and Intake Unit

The Director of Prosecutions Information Management is responsible for PRISM (Prosecutions Scheduling and Management System), technology needs, and all areas related to disclosure requirements mandated in Canada. The Director is also responsible for the Intake and Paralegal Unit and the Intensive Case Assessment Process Unit (ICAP), which is designed to increase the efficiency and effectiveness of the justice system in Manitoba. Mental Health Court, Community Prosecutors as well as the Drug Treatment Court responsibilities rest within the Intensive Case Assessment Process Unit given its mandate to consider alternatives to the traditional criminal justice system.

In addition, the position is responsible for General Counsel who prosecute many of the highest profile cases in the Province.

Specialized Prosecutions

Specialized Prosecutions is composed of the Domestic Violence Unit (DVU) which prosecutes cases of spousal, elder and child abuse and sexual offences, Special Economic Crime and Regulatory Prosecution Unit, Criminal Organization and High Risk Offender Units. Crown Attorneys working in these units have specific expertise in prosecuting matters within their designated areas. These Units report to the Director of Specialized Prosecutions. The Director is also responsible for Criminal Code Review Board matters where an accused has been found to be not criminally responsible or unfit to stand trial by reason of mental disorders.

Business Operations

Business Operations manages the finances, facilities, Central File Registry, technological hardware and general administration of the branch. The vast majority of Prosecutions support staff report to the Director of Business Operations.

Workload

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

- 53,369 in 2012/2013
- 53,391 in 2013/2014
- 50,369 in 2014/2015
- 51,374 in 2015/2016
- 53,880 in 2016/2017

New Initiatives

There are ongoing and productive discussions with the RCMP and the Winnipeg Police Service to expedite disclosure and move toward increased electronic disclosure.

The Intensive Case Assessment Process has expanded to include all City of Winnipeg files except for in-custody domestic violence matters. This expansion includes participation in bail courts to expedite matters in that forum. The goal is to improve the overall velocity of cases as they progress through the criminal justice system. The ICAP review results in an increased number of appropriate cases being referred to diversion/restorative justice programs outside of the formal criminal justice system. The focus of resources in ICAP is consistent with other efforts by Manitoba Prosecution Service to address delay in the criminal justice system.

2 (a) Manitoba Prosecutions Service

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	30,329	312.30	32,818	(2,489)	1
Total Other Expenditures	3,658		3,916	(258)	2
Total Witness Programs	1,429		852	577	3

Explanations:

1. Primarily vacant and under filled positions partly due to recruitment difficulties and retirements
2. Decrease in crown circuit court travel, outside counsel and in general operating expenses including desktop, furniture, conferences and employee uniforms
3. Court and police transcription fees volume and increased operating costs for witnesses

Victim Services

The Victims Services Branch provides a wide range of services to clients throughout Manitoba, including domestic violence and child victims and victims of the most serious crimes, as outlined under *The Victims' Bill of Rights* (VBR) and the *Canadian Victims Bill of Rights* (CVBR). The branch consists of 55 staff that are based out of Winnipeg, Portage la Prairie, Brandon, Selkirk, Dauphin, The Pas, Thompson, and Morris. Victim Services Workers (VSWs) attend all court centres and circuit locations throughout the province.

Highlights of activities and initiatives in 2016/17 include the following:

- Victim Services was successful in acquiring a Victim Services intervention dog (Milan) in July 2016 through a grant from the Criminal Property Forfeiture Fund. Milan provides comfort to vulnerable victims of crime and has assisted 178 individuals (170 children) as they have navigated the criminal justice system. He has also attended six trials to date.
- In December 2016, the Minister of Justice released the Domestic Violence Death Review Committee's fourth report and accepted all of the recommendations.
- With the assistance of federal funding from the Policy Centre for Victims of Crime, Victim Services continues to employ a Family Liaison Contact to assist the families of missing and murdered Indigenous women and persons. The Family Liaison Contact works alongside investigative members of Project Devote. In January 2017, Manitoba Justice received federal funding to establish another Family Liaison position within the Winnipeg Police Service. Steps are underway to hire for the position.
- As a parallel investment to the Missing and Murdered Indigenous Women and Girls (MMIWG) Inquiry, Justice Canada provided funding to provinces and territories in 2017 to establish Family Information Liaison Units that will provide one-stop information services for families of MMIWG by coordinating their access to appropriate agencies, justice partners and culturally safe resources and healing programs. In 2017, Manitoba consulted with numerous Indigenous agencies about the locations that would be appropriate for community based supports for families ("Community Family Liaison Contact" positions). Work is continuing to fill two positions in the Indigenous community.
- A therapist to support Justice employees who have been impacted by vicarious trauma and compassion fatigue was hired with federal financial support. In 2017, Manitoba Justice was able to hire a second therapist to enhance the Manitoba Justice Wellness Program, which, in addition to providing therapy to address secondary traumatic stress, focuses on creating a culture of wellness to enable employees to continue to effectively address the needs and concerns of victims and witnesses.
- Victim Services continues to provide program information and training to health care providers, social service agencies, police, interpreters, the Independent Investigation Unit and CFS.
- Victim Services participates in the Human Trafficking Response Team which addresses human trafficking and sexual exploitation. In September 2016, Manitoba participated in a Human Trafficking Roundtable with the State of North Dakota to enhance collaboration and to develop policies and programs to stop human trafficking in both jurisdictions. Manitoba Justice provided funding for the event through a grant from the Criminal Property Forfeiture Fund. As well, to address ongoing concerns related to forced labour and human trafficking, Victim Services provided funding for the Trafficked Persons Hotline operating out of Klinik Community Health Centre.

- Through a grant from the Criminal Property Forfeiture Fund, Victim Services was also able to provide:
 - interpreters to assist individuals applying for protection orders;
 - financial support for families of homicide victims to travel to court to attend sentencing hearings
 - financial assistance for parking costs for surviving family members when they attend preliminary hearings, trials or sentencing hearings.
 - financial support for Indigenous and non-Indigenous community agencies to provide additional services to victims of crime; and
 - financial support for the Wiping Away the Tears gathering for the families of missing and murdered Indigenous women and girls. Victim Services staff participated in this event and offered counselling support to the families who attended.

- Victim Services continues to provide assistance at Snowflake Place (the Children's Advocacy Centre in Winnipeg) to enhance continuity of support for child victims from the point of charges being laid to disposition.

Victim Rights Support Service (VRSS)

The Victims' Bill of Rights (VBR) specifies the rights of victims of the most serious crimes in their dealings with police, prosecutors, courts and corrections officials. Victim Support Workers help victims register for their rights and explain how and when they may exercise them. In 2016/2017, VRSS provided services to 962 victims.

Child Victim Support Service (CVSS)

The CVSS helps victims and witnesses of physical and sexual abuse (up to 18 years of age), adults who have experienced childhood sexual abuse and other vulnerable victims (on a case-by-case basis) who are involved in the criminal court process. In 2016/2017, CVSS provided services to 1,131 victims.

Domestic Violence Support Service (DVSS)

The DVSS helps victims of domestic violence when criminal charges have been laid, or may be laid against their partners. VSWs explain the cycle of violence, how the cycle may affect victims and their families and how to escape from it. They also help victims to develop protection plans to increase their personal safety. The DVSS also provides support to families who receive police services for domestic violence incidents that do not result in charges or arrests (Winnipeg only). In 2016/2017, DVSS provided services to 6,921 victims in criminal charge matters and 10,520 in non-criminal charge matters.

Protection Order Designates Service

The Domestic Violence and Stalking Act allows victims of stalking or domestic violence to apply for protection orders. Victim Services provides training to community service agencies so that their staff may become designated to assist protection order applicants. There are currently 130 Protection Order Designates (PODs) from 46 agencies and 15 communities across the province.

Cellphone Emergency Limited Link-Up Program (CELL)

The CELL program is a co-operative effort between BellMTS, social services agencies, police services and Manitoba Justice. A provincial coordinator, in cooperation with 18 social service agencies and 8 Manitoba Justice Victim Services' offices throughout the province, manages the CELL program. This program provides cell phones on a short-term basis to victims of domestic violence and stalking who are deemed to be at very high risk of violence. Twenty-five (25) high-risk victims of domestic violence accessed the program during 2016/2017. Recognizing that many clients have their own cell phones, the CELL Program was expanded to include the use of clients' personal cell phones within the program. During 2016/2017, 15 MTS phones were issued and 10 individuals enrolled in the program using their personal phones. In 2016, Victim Services launched SafeTracks (SOS button) for victims at extreme risk for domestic violence. SafeTracks is a technologically advanced, GPS monitored device that when activated by the user goes directly to 911 services who then dispatch police to the user's location. Victim Services has 3 devices and issued 1 device in 2016/2017.

Victim/Witness Assistance

Victim/Witness Assistance 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 2016/2017, Victim/Witness Assistance provided services to 4,555 victims of crime.

In 2016/2017, independent lawyers were paid through the program to represent the interests of sexual assault victims in 48 cases where defence counsel applied to the court for access to the victim's counselling and/or other records.

Victims' Assistance Trust Fund (VAF)

In 2016/2017, the department provided \$508,200 from the Victims' Assistance Trust Fund to police and community agencies that provide services to victims. In 2016/2017 police-based programs that received grants included Brandon Police Victim Services and Pembina Valley Victim Services. Community-based programs that received grants included Manitoba Organization of Victim Assistance (MOVA), Ka Ni Kanichihk, North End Women's Centre, RESOLVE, Age and Opportunity Support Services for Older Adults Inc. (Older Victim Services), Aurora Family Therapy Centre (Bereavement Project and Unresolved Loss), Family Dynamics, Clinic Community Health Centre and Eyaa-Keen Healing Centre.

2 (b) Victim Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,022	48.50	4,326	(304)	1
Total Other Expenditures	479		512	(33)	
Grants	508		537	(29)	

Explanations:

1. Primarily vacant and under filled positions partly due to recruitment difficulties and retirements

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, a surviving dependant of a person killed as a result of a crime, or a witness to a criminal incident. Compensation can include income replacement, funeral expenses, training and rehabilitation expenses, medical/dental costs and grief counselling for survivors of homicide victims.

In 2016/2017, the program processed 1,011 new applications for compensation. Total compensation expenses for the 2016/2017 fiscal year were \$3,418. Actuarial forecasts of long-term liabilities to meet the future compensation needs of all active compensation clients have decreased an estimated \$526. The decrease in the long-term liability is primarily due to the closing of six (6) long-term pension claims in the 2016/2017 fiscal year.

2 (c) Compensation for Victims of Crime

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	2,892		3,534	(642)	1

Explanation:

1. Overall reduction in impairment, compensation, medical payments, pension and child benefits related to a decrease in the number of claims

Innovation and Restorative Justice

In 2016/17, the Innovation and Restorative Justice Branch was created within the Criminal Law Division. New roles and responsibilities related to restorative justice (RJ) were amalgamated with existing components from Innovation and Aboriginal Community Justice to form the Branch. The overall goal of Innovation is to increase the efficiency of the criminal justice system by reducing the time it takes to dispose of criminal matters. This is intended to improve service to the public, enhance public confidence in the justice system, reduce the number of

accused in custody on remand status and reduce the length of time accused spend on remand status. The Innovation team is working on initiatives in the areas of technology; identifying organizational and policy changes; and refining and improving business processes to eliminate redundancies and superfluous practices. Innovation also plays a major role in the overall review of the criminal justice system with an eye on possible reforms that would increase the overall efficiency and effectiveness of the system.

Within the Branch, restorative justice has continued its previous work to fund and oversee agreements with service providers that offer restorative justice programming across the province which can either be cost-shared with Canada under the federal Aboriginal Justice Strategy (AJS), or funded solely by Manitoba. There are 9 contracts under the AJS that service 45 communities throughout the province. Manitoba's sole-funded agreements outside of the AJS are with John Howard Society of Brandon – Westman Mediation, Onashowewin, Mediation Services and Salvation Army. The Branch is also responsible for 31 community justice committees operating across the province. These committees are made up of volunteers who are responsible for carrying out community-based adult and youth diversion through alternative measures and extra-judicial sanctions. Their goal is to help the person appearing before them deal with issues that brought him or her into contact with the justice system while trying to make reparation to the victim and community for the harm that was caused.

In early 2016, a restorative justice pilot was launched in the Westman and Parkland parts of the province that saw an increased use of diversions in those areas. In 2016/17, the Branch also started working on a restorative justice project with the RCMP and Justice Canada to increase diversions in 5 Manitoba communities. RCMP plan to pilot this in the 2017/18 fiscal year.

2 (d) Innovation and Restorative Justice

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	374	4.00	391	(17)	
Total Other Expenditures	53		87	(34)	
Total Programs and External Agencies	2,226		2,329	(103)	

Civil Law

The Civil Law appropriation (04-3) is composed of Crown Law Analysis and Development, Manitoba Human Rights Commission, Office of the Chief Medical Examiner, Criminal Property Forfeiture, Legal Services, Legal Aid Manitoba, The Public Guardian and Trustee special operating agency, 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 Law appropriation.

Executive Administration

The office of the Assistant Deputy Attorney General Civil Law provides executive direction and administrative support to all programs, branches and agencies of the Civil Law Division. Information about the Public Guardian and Trustee, one of two special operating agencies in Manitoba Justice is also provided in this section.

3 (a) Executive Administration

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	258	2.00	263	(5)	
Total Other Expenditures	138		12	126	1

Explanation:

1. *Unbudgeted legal fees for department*

Crown Law Analysis and Development

The mandate of the Crown Law Analysis and Development Branch is to:

- provide justice policy advice, develop legislation and help develop programs that advance departmental objectives
- co-ordinate issues having cross-divisional, cross-government or intergovernmental implications
- research and document provincial positions on needed changes to the *Criminal Code*
- provide program and administrative support for the Community Notification Advisory Committee and the Manitoba 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 (FPT) meetings
- acts as the departmental liaison to the Canadian Centre for Justice Statistics (CCJS), analyzes CCJS reports and represents the department at FPT 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 FPT meetings of the Coordinating Committee of Senior Officials (CCSO Criminal Justice) and leads and participates in other FPT committees and working groups
- assists in developing Manitoba's resolutions for the Criminal Section of the Uniform Law Conference of Canada
- examines and comments on federal criminal law initiatives
- leads and participates in development and implementation of legislation
- participates in Manitoba government interdepartmental working groups and committees
- provides policy assistance to other divisions in the development of policies and programs, such as assisting Manitoba Prosecutions Service to develop prosecution policies, and in the development of criteria for

program evaluation.

The following are examples of some of the special projects in which the branch participated during 2016/2017:

- represented the department on the Manitoba Government's Interdepartmental working group and the FPT Senior Officials Working Group on legalization and regulation of cannabis
- led the development of the Manitoba Government's submission to the Government of Canada's Task Force on Legalization and Regulation of Cannabis
- assisted in the review and analysis of the Government of Canada's Task Force report: *A Framework for the Legalization and Regulation of Cannabis in Canada – The Final Report of the Task Force on Cannabis Legalization and Regulation*.
- led the development of *The Cannabis Harm Protection Act (Various Acts Amended)*
- represented the department on the Manitoba Provincial Road Safety Committee
- assisted in a review and analysis of the implications of federal Bill C-226 for amendments to *The Highway Traffic Act*
- assisted in the planning of the June 2016 International Legislators Forum session on human trafficking and participated in the session as a presenter
- represented the department as an observer at the December 6, 2016 federal Criminal Justice System Review roundtable stakeholder consultation session
- participated in a variety of national working groups and consultations on changes to criminal law and on collection of justice data, including the FPT Impaired Driving Working Group, the FPT Cybercrime Working Group, the FPT Criminal Procedure Working Group, the FPT Sentencing Working Group and the Youth Justice Working Group
- analyzed and prepared briefing material for the department on the reports released by the Canadian Centre for Justice Statistics between April 1, 2016 and March 31, 2017

3 (b) Policy Development and Analysis

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	478	5.00	506	(28)	
Total Other Expenditures	41		61	(20)	

Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Government of Manitoba created by *The Human Rights Code*.

The Commission reports to the Minister of Justice and accordingly, a report of its activities is tabled by the Minister every year.

The Commission is composed of ten Commissioners appointed by the Lieutenant Governor in Council to represent the geographic, cultural, social and economic profile of Manitoba and twenty staff led by an Executive Director. The Commission has offices in Winnipeg and Brandon.

The Commission is mandated to administer the complaint process set out in *The Code*. It takes complaints of discrimination, investigates them and determines if there is sufficient evidence that *The Code* has been contravened to warrant a public hearing by a member of the Human Rights Adjudication Panel. At those hearings, the Commission represents the public's interest in eliminating discrimination and ensuring that employers, landlords, and service providers comply with *The Code*. The Commission promotes early resolution of complaints and offers mediation services at various stages of the complaint process.

The Commission is also mandated to develop and conduct education programs about *The Code* and to promote human rights principles through outreach and education initiatives.

More detailed information about the activities of the Manitoba Human Rights Commission is available in its Annual Report which is available on the Commission's bilingual website at www.manitobahumanrights.ca.

3 (c) Manitoba Human Rights Commission

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,499	21.00	1,824	(325)	1
Total Other Expenditures	313		268	45	

Explanation:

1. Primarily vacant and under filled positions partly due to recruitment difficulties and retirements

Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (OCME), under the authority of *The Fatality Inquiries Act* (the FIA), investigates all violent, traumatic, unexplained, unexpected and suspicious deaths in Manitoba, including the deaths of all children and residents of personal care homes and developmental centres. The OCME determines the cause and manner of death for all reportable cases and attempts to identify situations of risk.

Under the FIA, certain deaths require mandatory inquests. The purpose of an inquest, held by a provincial judge, is to make recommendations that may prevent future deaths under similar circumstances. Whether or not an inquest is called, the Chief Medical Examiner (CME) can make recommendations to the minister, government departments or agencies and others with respect to precautions or measures to prevent other similar deaths. The OCME also handles all reports of unclaimed bodies in Manitoba under *The Anatomy Act*.

The Minister of Justice, upon the recommendation of the CME, appoints Manitoba physicians as medical examiners. They have authority under the FIA to authorize autopsies and recommend inquests as necessary. There are 11 active fee-for-service medical examiners in Manitoba, 8 of whom are located in Winnipeg.

The OCME has 13 employees, including seven full-time death investigators, and an additional position for the Deputy Chief Medical Examiner. During 2016/2017, a total of 6,409 deaths were reported to the OCME. The office investigated and certified 1,754 of these deaths, conducted 4,655 inquiries, ordered 1,269 autopsies and called six inquests. The office handled 123 reports of unclaimed bodies. Approximately 3,500 requests for information are received annually. The CME collaborates with foreign universities to provide specialized training to physicians taking post-doctoral studies in forensic pathology.

The OCME submits a report annually to the Minister of Justice on deaths of persons while in custody, deaths of involuntary residents of psychiatric facilities, and deaths of residents of developmental centres. The OCME also submits an annual report to the Minister of Health on the disposition of unclaimed bodies. In addition, the OCME publishes an annual report for the general public which provides a detailed statistical caseload review for the year. To obtain a copy of the OCME annual statistical report, please contact the office at 204-945-2088 or toll free at 1-800-282-8069.

3 (d) Office of the Chief Medical Examiner

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,213	13.00	1,263	(50)	
Total Other Expenditures	2,603		2,958	(355)	1

Explanations:

1. Savings due to retired Chief Medical Examiner and medical examiner fees savings

Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent law reform agency established by *The Law Reform Commission Act*. MLRC issues reports with recommendations for the modernization and improvement of provincial laws. The commission began operations in 1971.

MLRC currently has six members appointed by the Lieutenant-Governor in Council and is funded through grants from Manitoba Justice and the Manitoba Law Foundation.

In 2016/2017, MLRC released two final reports: *Substitute Powers of Attorney* (Report #133) and *Improving the Small Claims System in Manitoba* (Report #134), both published in February 2017.

MLRC is currently engaged in the following projects: Access to Courts and Court Processes, a three-part series which will include (1) increasing the limit of small claims (already completed); (2) increasing the monetary jurisdiction of summary administration of small estates; and (3) waiver of court fees for low-income litigants. MLRC is also undertaking some projects under the heading of “creating efficiencies in the law”, which involves looking at discrete issues with straightforward “tweaks” to improve the law on topics such as *The Powers of Attorney Act*, *The Beneficiary Designation Act* and *The Expropriation Act*. MLRC is also undertaking a project on reforms to construction law under *The Builders’ Liens Act*.

Additional information on the Manitoba Law Reform Commission, including all reports, informal reports, issue papers and annual reports are available at www.manitobalawreform.ca.

3 (e) Grant to Manitoba Law Reform Commission

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Grant	85	85	0	

Criminal Property Forfeiture

The Criminal Property Forfeiture Unit was established in June of 2009. Under the authority of *The Criminal Property Forfeiture Act*, the unit’s director has access to a unique civil cause of action to seek forfeiture of proceeds and instruments of unlawful activity.

Civil actions under *The Criminal Property Forfeiture Act* are fully separate from criminal law and therefore do not rely on successful criminal prosecutions. Forfeiture actions are initiated against property, not people. No criminal record is created and there are no findings of guilt or innocence. Although the director decides whether or not to initiate a civil forfeiture action, it is up to the Court of Queen’s Bench to determine – on a balance of probabilities – whether property is proceeds of or an instrument of unlawful activity. Monies resulting from successful forfeitures are deposited into the Criminal Property Forfeiture Fund. These funds are then distributed as provided for in section 19 of the act, including the compensation of victims and crime prevention activities.

Property subject to forfeiture must be located in Manitoba and includes both real property (real estate) and personal property (assets such as vehicles, jewellery and cash). Property located outside of Manitoba may also be appropriate for civil forfeiture but would need to be referred to the civil forfeiture office of the jurisdiction where they are located.

The Criminal Property Forfeiture Act does not provide any powers of search or seizure. Instead, the act is designed to allow the director to work cooperatively with police to use evidence and information gathered in the course of criminal investigations. Material gathered by police during a criminal investigation can be forwarded to the director, who then determines if there is a viable civil forfeiture action. Before initiating a civil action, the director will confirm that the civil proceeding will not jeopardize or conflict with any criminal process related to the unlawful activity. In addition, the director will inquire whether the Crown has decided to pursue criminal forfeiture proceedings under federal legislation.

In the event that the director decides to initiate a civil forfeiture action, a statement of claim or application against the property is filed in the Court of Queen’s Bench. The owner of the property can challenge the director’s claim by filing a statement of defence or response to the application (Part II proceeding).

In June 2012, *The Criminal Property Forfeiture Act* was amended to allow for a simpler process, known as administrative forfeiture (Part III proceeding). This process is available to the director in respect of cash or personal property having a value of \$75,000 or less; it must be in the possession of a law enforcement agency that seized it and not be subject to any prior registered interest. The property is forfeited in the event that no one disputes the director’s notice of administrative forfeiture. In the event that the notice is disputed, the director must either continue the proceeding under Part II or discontinue it.

From April 1, 2016 through March 31, 2017, the director initiated civil forfeiture actions (Part II) against 28 properties. By year end, the majority of these matters remained under review by the Court of Queen’s Bench. However, 47 files, mainly from previous years, were resolved by the court during 2016/2017. Under administrative forfeiture proceedings (Part III), 495 files were initiated with 418 being resolved prior to year end. The total amount realized from the disposition of property under Part II and Part III was \$2.0 million.

Of the \$2.0 million forfeited, legal costs were recovered in the amount of \$76,822.89, as well as administration costs of \$23,907.81. After accounting for costs, expenses, and reimbursements, approximately \$1.78 million was retained in the Criminal Property Forfeiture Fund (CPFF) from the 2016/2017 fiscal year. Disbursements from the CPFF were then subsequently used to promote safer communities through payments to law enforcement agencies (\$1,407,696.54), to contribute to Victim Services through the Victims’ Assistance Fund (\$450,000.00) and to provide compensation for specific victims of crime (\$370,394.56). In addition, horticulture equipment valued at \$20,625.00 was donated to various schools and greenhouses in Manitoba.

Since 2010, more than \$16.1 million in assets have been successfully forfeited to Manitoba through criminal property forfeitures. There are currently 120 active forfeiture files being pursued involving real properties, vehicles, cash and other assets.

3 (f) Criminal Property Forfeiture

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	519	5.00	(46)	
Total Other Expenditures	223		(117)	

Legal Services

Legal Services Branch (LSB) functions as the law firm to the provincial government. Its role 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.

LSB provides a full range of legal services to all government departments, agencies, boards, commissions, committees and government corporations that do not have their own legal counsel, primarily on a cost recovery basis.

Legal services are provided in the following areas: Aboriginal Law; Access to Information and Privacy Law; Administrative Law; Civil Litigation; Constitutional Law; Contracts and Agreements; Conveyancing; Corporate and Commercial; Family Law; Information Technology; International Law; Legal Opinions; Legislative Review and Policy Development (which occasionally includes drafting legislation) and Training and Education.

LSB provides most, but not all, civil legal services to government and its agencies. In appropriate circumstances, outside counsel is retained by the Department of Justice, through LSB.

LSB's mission is to provide timely, high quality, helpful, efficient and cost-effective legal services that meet the needs of its clients. Its mission and goals are supported by the following operating principles:

- service is customer focused;
- service is cost-effective;
- a commitment to the highest standards of service.

Counsel are mindful of the potential government wide implications of the advice provided and work to ensure that consistent advice is provided. This means active consultation and collaboration among counsel in balance with the provision of cost-effective legal services.

All counsel provide legal advice in relation to operational, program and policy matters of LSB's clients and are organized into six groups:

1. Aboriginal and Natural Resources Law Team:

Team members deal with all non-Constitutional aboriginal consultation and consultation related issues across government including: Indigenous self government; treaty and aboriginal rights; Resource Co-Management Agreements; and issues involving Métis people. This group also primarily provides advice to those departments responsible for natural resources. Team members participate on negotiating teams in negotiations with the Government of Canada and Indigenous groups and appear as counsel for Government in litigation and arbitration matters involving Aboriginal Law issues.

2. Constitutional Law Section:

This group provides constitutional legal services in connection with a broad range of matters including aboriginal and treaty rights, the *Canadian Charter of Rights and Freedoms*, minority language rights, federalism and distribution of powers, the fundamental principles of a parliamentary democracy, judicial independence and the amendment of the Constitution of Canada. Constitutional Law counsel provide advice on constitutional issues in the development of programs and legislation. During 2016/2017, Constitutional Law counsel appeared in all levels of court in Manitoba on a variety of constitutional cases including dealing with such issues as provincial jurisdiction respecting Crown resources, securities regulation, protection of guaranteed freedoms, assessing damages for breaches of the constitution and provincial taxation authority. Counsel also provided assistance to Prosecutions regarding constitutional issues raised in criminal cases including issues regarding trial fairness, admissibility of evidence, disclosure obligations, protecting the rights of victims and arbitrary detentions.

3. Corporate, Commercial and Information Technology Team:

This group performs almost exclusively solicitor's work and are counsel to government for most of the government's business transactions. Work includes:

- drafting and advising on an extensive range of contracts and agreements including requests for proposals and tender calls, lease purchase agreements, consulting and service agreements, data disclosure and data sharing agreements, information technology contracts and licences, research agreements, maintenance and concession contracts, grant funding agreements, federal/provincial agreements, construction contracts;
- drafting documents and providing advice with respect to development agreements, loans and guarantees, investment agreements, bond issues, licensing, intellectual property and derivatives; preparing and advising on documents required for various government incentive programs;
- preparing and approving documentation for the purchase, sale and lease of real property and documentation respecting security interests, including mortgages, debentures, corporate securities, assignments and escrow agreements; and
- providing advice respecting copyright and trademark issues.

4. Crown Law Team:

Team members handle matters where advice is required in areas of law applicable across government such as freedom of information and privacy, election financing, whistleblower legislation, orders in council and human rights.

5. Family Law Section:

This group provides legal services of a family law nature to a number of government programs and departments, including: the Maintenance Enforcement Program; the Director of Child & Family Services; certain regional child protection agencies; the Director of Employment and Income Assistance; Family Conciliation Services; Office of the Superintendent – Pension Commission; and the Director of Vital Statistics. While counsel in all other groups provide policy assistance to clients on request, Family Law Section counsel have specific policy development responsibility. These counsel develop family law policy and legislative initiatives at the provincial level; and through the Co-ordinating Committee of Senior Officials (CCSO) – Family Justice, the Family Law Section also plays an active role at the national level. In this role, they also contribute to the development of family law related programs. The section works to increase awareness of family law initiatives and issues for the general public, the legal profession and law students.

6. Litigation Team:

This group represents government before tribunals and the Courts in a wide range of civil matters. Work includes:

- advising on litigation matters and appearing as counsel on behalf of the government and Crown agencies in all levels of court, including the Court of Queen's Bench, the Manitoba Court of Appeal and the Supreme Court of Canada;
- appearing before numerous quasi-judicial and administrative boards and tribunals on behalf of client departments and agencies, including the Manitoba Labour Board and the Land Value Appraisal Commission;
- acting as counsel for many boards and tribunals (when a conflict does not exist with the interests of another government department or agency), including the Clean Environment Commission, the Criminal Code Board of Review, the Law Enforcement Review Agency, the Residential Tenancies Commission and the Vulnerable Persons Commissioner.

LSB is an amalgamation of the former Civil Legal Services Special Operating Agency (CLS), Constitutional Law Branch and Family Law Branch. At the time of amalgamation CLS was a full cost recovery operation (and had been since 1992) and the Constitutional Law and Family Law Branches did not recover costs. Since amalgamation on April 1, 2014, the portion of the organization that was CLS continues to recover the costs to operate that portion of the organization. In fiscal year 2016/17, clients were billed at the rate of \$171.00 per hour for services provided by cost recovery counsel, being the amount required to cover all costs for cost recovery operations and break even. All costs are covered by this hourly rate, including wages, operating expenses and employee benefits (including pension benefits). In 2016/17, LSB continued the process of amalgamating the administrative operations of the three branches.

LSB has retained many features of being an SOA particularly as they relate to service delivery.

Factors critical to the success of LSB are:

- providing timely, high quality, helpful, efficient, cost-effective legal services that meet the needs of its clients;
- determining its effectiveness in meeting its clients' needs;
- identifying better ways to meet its clients' needs for legal services;
- improving communication between LSB and its clients and communication within LSB;
- improving job satisfaction; and
- developing means to assist staff to work as effectively as possible to satisfy changing client needs and to make adjustments to deal with increasing workloads, deadlines and the pressure of limited resources.

Since March 1997 Client Comment Cards have been sent to clients on a quarterly basis in order to obtain ongoing feedback. The feedback continues to be positive in 2016/17, with 97% of clients responding to the Client Comment Cards indicating that they were satisfied (37%) or more than satisfied (60%) with the services provided. In addition, the director meets regularly with deputy ministers to seek feedback and to discuss upcoming needs.

In 2016/17, LSB counsel delivered 15 legal information sessions to clients on a wide range of topics including access to information, duty to consult, reconciliation, legal principles and practices in child welfare services in

Manitoba, the conduct of administrative hearings and issues arising from income assistance overpayments and appeals to the Social Services Appeal Board.

As of March 31, 2017, LSB staff consisted of 1 director, 57 legal counsel, 1 administrative officer, 25 administrative assistants, 1 financial officer, 1 accounting clerk and 2 articling students.

3 (g) Legal Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	10,784	88.00	11,462	(678)	1
Total Other Expenditures	862		1,418	(556)	2
Recoverable from Other Appropriations	(8,073)		(8,527)	454	3

Explanation:

1. *Savings associated with vacant and under filled positions*
2. *Primarily savings due to deferred Information System for Attorneys (ISA) replacement project*
3. *Decrease in recoveries due to vacant positions and VRWW impact on recoveries based on 6 hours at a flat rate of \$171*

Legislative Counsel

The Legislative Counsel Office prepares all Manitoba bills and regulations in English and French, as well as consolidations of current acts and regulations. It also publishes the laws on the Manitoba Laws website. 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

In addition to drafting all government bills and regulations, as well as some orders in council, this branch provides legal advice to government agencies and departments on drafting bills and regulations. The branch also provides advice to government respecting the legislative process. It also prepares final texts of all laws for publication in print and on the Manitoba Laws website.

The branch also provides services to the Legislative Assembly. It provides advice to the Speaker and the Clerk of the Assembly on various matters, and drafts bills, and motions to amend bills, for private members. It also publishes bills on the Legislative Assembly website.

Legal Translation Branch

The Legal Translation Branch prepares the French version of all bills, acts and regulations, as well as rules of procedure for courts and administrative tribunals. The branch also ensures all documents needed in the Legislative Assembly are available in French. This includes preparation of the French version of the orders of the day, votes and proceedings of the Assembly, and rulings of the Speaker.

Bills and Regulations

The Fifth Session of the 40th Legislature ended March 15, 2016. In that Session, 23 government bills, 10 private members' bills and one private bill (comprising in total 539 pages) were introduced in the Legislative Assembly.

The First Session of the 41st Legislature ran from May 16, 2016 to November 10, 2016. In that session, 16 government bills and 12 private members' bills (comprising in total 204 pages) were introduced in the Legislative Assembly.

Approximately 130 regulations were registered during 2016/2017. With the exception of a few made by farm products marketing boards, those regulations were drafted and translated by the Legislative Counsel Office.

3 (h) Legislative Counsel

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	2,681	21.00	2,716	(35)	
Total Other Expenditures	253		239	14	

Legal Aid Manitoba

The Legal Aid Manitoba Act (LAM Act) establishes Legal Aid Manitoba (LAM) as an independent statutory corporation operating at arm's-length from government to deliver legal aid services. LAM's mandate is to provide legal advice and representation services to low income individuals and groups to fulfill the government's constitutional obligation to ensure procedural and substantive fairness in a timely and efficient manner.

The notions of "fairness" and "efficiency" in the justice system are core Canadian values, and constitutional principles that inform and guide the administration of justice in Manitoba. As the Supreme Court of Canada has pointed out in *R. v. Jordan*, the justice system must operate both fairly and efficiently.

From a legal point of view, the obligation to provide counsel arises in cases where government action engages section 7 of the *Charter* (the right to life, liberty, or security of the person), section 9 (right against arbitrary detention), section 10 (right to counsel), and section 11(d) (right to be presumed innocent until proven guilty).

Although there is no constitutional requirement that the government provide representation in all cases where government action engages these sections of the *Charter*, they do link legal representation to the notions of "fairness" and "efficiency" in the justice system.

The LAM Act was carefully crafted to achieve the end of ensuring the government's obligations are efficiently and effectively met, while ensuring operational independence in the management of employees and the conduct of cases.

LAM is managed by a Management Council consisting of at least seven but no more than nine members appointed by the Lieutenant-Governor in Council.

LAM delivers three types of services:

- in-person and/or telephone advice and information;
- formal representation, and
- duty counsel.

Formal representation is limited to serious criminal matters, serious immigration matters, child protection and many family matters; moreover, it is provided to individuals who meet financial eligibility guidelines.

Duty counsel provides early stage legal representation for individuals regardless of their financial circumstances, who are in custody or have been arrested or charged with an offence.

LAM also has a number of special programs such as the Public Interest Law Centre and the University of Manitoba Law Clinic, as well as poverty law, and other outreach programs.

Highlights of activities and initiatives in 2016/17 include the following:

- LAM is continuing its migration towards a paperless office:
 1. The new PBOOnline system was rolled out on April 1, 2014. Members of the private bar review and accept certificates electronically and apply for file authorizations and disbursements through the system.
 2. The new PBOOnline billing system was rolled out on January 1, 2016. Effective April 1, 2016, LAM has migrated to a completely paperless system regarding the taxation of private bar statements of account.

3. A new web-based electronic LAM application was developed and is currently being used by staff in Winnipeg and Rural offices and private bar lawyers throughout the Province. The e-application interfaces with LAM's application processing system, LAMAS. Early results show time saved in manually transcribing paper applications into LAMAS, greater accuracy, better data collection since the entire application can be used for statistical and other analysis.
 4. A version of the e-application was created and deployed for use by staff at Welcome Place who are the front line dealing with the surge in asylum seekers requesting legal aid. A version of the e-application for public use (via LAM's external website) is expected to occur during 2017/18. Development is also underway for an off-line version of the e-application for use in locations where Internet access is limited or non-existent.
 5. Effective January 23, 2017, LAM implemented a new electronic file distribution system. LAM maintains a panel of solicitors who have indicated they are prepared to provide legal aid to eligible applicants. Staff lawyers, and over 200 private bar lawyers, are members of the panel. All lawyers on the panel are now required to electronically indicate the types of matters they are willing to accept, and the court locations they are willing to attend. Certificates without a choice of counsel are automatically assigned to counsel by our software, taking into account their availability and the number of files they have recently received. Preliminary results have demonstrated that new file assignment system, used with e-application, results in lawyer assignment within 2 days of a completed application being submitted.
- LAM acknowledges the importance of the Truth and Reconciliation Commission's report and its 94 calls to action. Among those Calls to Action was a recommendation that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools. LAM was pleased to provide educational training workshops for all staff members at LAM during 2016/17; acknowledging that a deeper understanding of the historical and current relationships between Indigenous and Non-Indigenous peoples enhances staff's ability to continue delivering quality legal services.
 - LAM continued to enhance its performance measurement system, supporting the delivery of results and access to justice.

Transparency and Accountability are central to LAM's approach to delivering services. Stakeholders and the public must receive transparent, clear and useful information on the results that LAM has achieved, and the resources used to do so.

LAM's performance measurement system credibly and effectively measures and evaluates our performance in delivering services, by gathering and analyzing data that is used to manage and improve programs, policies and services.

Performance information is used primarily to:

- establish accountability, so stakeholders, elected officials and the public can assess what LAM has achieved with the funds provided;
- inform LAM's strategic planning and ensure that resources are allocated based on performance, to optimize results;
- enhance and increase LAM's ability to
 - achieve its strategic objectives within a fixed budget, and
 - provide evidence that demonstrates value for money to its funders and stakeholders.

During 2016/17, LAM:

- received 39,658 applications for formal representation services, an increase of 13.5% from 2015/16;
- issued 34,142 certificates for formal representation by either a staff or private bar lawyers, an increase of 15.6% from 2015/16.

In addition 22,078 people were provided with in-person/telephone advice and information and 44,754 were assisted by duty counsel.

In all, the total number of assists provided during the year was 100,974, an increase of 3.1% from 2015/16.

Our evidence based approach to decision making has resulted in LAM providing more legal representation services to more people, in more areas of law than any other Legal Aid plan, while maintaining the lowest administrative costs among all Legal Aid plans across Canada.

More information on Legal Aid Manitoba, including its annual report, is available online at www.legalaid.mb.ca.

3 (i) Legal Aid Manitoba

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	14,631	17,503	(2,872)	1
Total Other Expenditures	17,650	14,770	2,880	2

Explanation:

1. *Savings from vacant and under filled positions*
2. *Increase in private bar case volume for billed certificates, client financial eligibility review, and changes to Legal Aid policy to increase/expedite case velocity*

Note: All staff positions assigned to Legal Aid are excluded from the departmental full time equivalent position count due to their crown corporation status.

The Public Guardian & Trustee

The Public Guardian and Trustee provide trustee and guardianship services to the people of Manitoba when no one else is capable or willing to act. When a person is found to be incompetent or vulnerable under Manitoba law, the Public Guardian and Trustee can be appointed to act. Once appointed, the Public Guardian and Trustee are legally required to provide services. In the case of a power of attorney, a member of the public who is competent may ask the Public Guardian and Trustee to act as attorney. Fees are charged by the Public Guardian and Trustee to fund operations.

The services provided by the Public Guardian and Trustee include the following:

- Administering financial and personal affairs
- making medical decisions
- administering the financial affairs of mentally competent people who have granted a power of attorney to the Public Guardian and Trustee
- administering estates with or without a will
- administering trust monies for children
- administering some adult trusts
- acting as litigation guardian in court proceedings
- assisting the court through the review of settlements of court actions involving minors, as well as when a Manitoba law requires service of a legal process on the Public Guardian and Trustee.

While the Public Guardian and Trustee commenced operation as a provincial government special operating agency on April 1, 1996, it remains a branch within Manitoba Justice. Detailed information on the Public Guardian and Trustee can be found in the agency's annual report. This report is available online at www.gov.mb.ca/justice/publictrustee.

Community Safety

The Community Safety appropriation (04-4) is composed of ten sub-appropriations: Corporate Services, Custody Corrections, Community Corrections, Provincial Policing, Aboriginal and Community Law Enforcement, Law Enforcement Review Agency, Manitoba Police Commission, Independent Investigation Unit, Crime Prevention and Protective Services.

As the largest division of the department, Community Safety contributes to the protection of society by: administering sentences imposed by the courts, the humane care, control and reintegration of offenders into society, working with community agencies, government departments and other levels of government to support crime prevention, intervention and suppression activities and policies, and the encouragement of active community participation in achieving these objectives.

During 2016/17 the Community Safety Division experienced an increase in the adult custody population. From 2015/16 to 2016/17 the average adult custody population increased by 1.2 per cent and the cumulative increase from 2011/12 to 2016/17 was 9.0 per cent. While the Division experienced a 3.7 per cent decrease in the average youth custody population from 2015/16 to 2016/17, the cumulative trend from 2011/12 to 2016/17 was a decrease of 23.3 per cent.

Highlights of activities and initiatives in 2016/17 include the following:

- The Division continued to operate the Winnipeg Auto Theft Suppression Strategy (WATSS) in 2016/17 in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service. This program seeks to turn offenders away from auto theft crime with a community-based intervention strategy. Supervision increases significantly as young offenders enter the high and very-high-risk groups. Through the collaborative efforts of WATSS, auto theft has been reduced by 77 per cent in Winnipeg since 2004. The WATSS was previously expanded to include adult offenders who are subject to similar program expectations as the youth.
- A gang suppression and prevention initiative called 'Spotlight' continued to operate in 2016/17. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. These programs are part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.
- The Division continued to operate the Gang Response and Suppression Program (GRASP) in 2016/17. GRASP is an integrated initiative aimed at gang violence that brings together police, prosecutions and probation to coordinate an intensive community risk management plan. GRASP currently has capacity for 125 offenders in the program.
- A partnership was continued with Nova Scotia to implement the ongoing pilot electronic monitoring program for up to 20 high-risk auto theft and domestic violence offenders. This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg.
- The Division continued an agreement with the John Howard Society to provide a bail assessment and supervision program for up to 75 male offenders and a residential bail program for up to 26 male offenders.
- In an effort to better understand and effectively deal with youth with complex needs, Custody Corrections continued to train staff at the Manitoba Youth Centre and Agassiz Youth Centre in Trauma Informed Care and Fetal Alcohol Spectrum Disorder (FASD).
- The Division continued to deliver a Culturally Appropriate Program (CAP) across the entire province. CAP is a holistic program that promotes balance, self awareness, and personal development. CAP incorporates the Medicine Wheel as its framework to assist in learning the pre-contact history of the Indigenous peoples, the impacts of contact with another culture, their current conditions as a result of colonization, and learning to heal from these impacts so they can move forward to be healthy individuals. CAP addresses the underlying causes of mental health issues such as intergenerational impacts, substance abuse, violence, depression, anxiety, and suicidal behavior. CAP is designed to address issues of criminal activity, victimization, and perpetration by integrating traditional worldviews such as equality and harmony. CAP can be used with male and female youth, and addresses gender differences.
- In 2016/17, a two-year pilot Community Safety Officer (CSO) Program continued and funding was allocated to 31 First Nation communities for the First Nation Safety Officer (FNSO) Programs. CSOs and FNSOs assist the local policing authority, deliver crime prevention programs, connect persons in need with

appropriate social services, provide information to the local policing authority, enforce and maintain a public presence in the community. CSOs and FNSOs may also enforce municipal and/or band by-laws and specific provisions of provincial statutes.

- In 2016/17, the Independent Investigation Unit (IIU) received 50 notifications of police-related incidents from various services in the province. Of those, 27 resulted in Unit-led investigations, 22 were monitored agency investigations and the balance required no further involvement.
- In 2016/17 the Manitoba Police Commission (MPC) recruited and trained four new civilian monitors and launched the second pilot of the Civilian Monitor program. This year, six IIU investigations into events where the actions of a police officer may have caused the death of a person were monitored by Civilian Monitors assigned by the MPC as required by *The Police Services Act*.

Corporate Services

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, capital planning and review, information system development and maintenance, co-ordination of chaplaincy and medical services, internal investigations, operational reviews and audits, quality assurance reviews, training, program development, research and Indigenous service development.

During 2016/17, the training component of the Corporate Services Branch was responsible for training 108 new correctional officers/juvenile counsellors for adult and youth custody facilities.

4 (a) Corporate Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	3,695	44.00	4,829	(1,134)	1
Total Other Expenditures	1,170		1,215	(45)	
Total Programs and External Agencies	2,580		2,616	(36)	

Explanation:

1. Savings associated with vacant and under filled positions

Custody Corrections

The Custody Corrections branch manages adult offenders sentenced to less than two years² and remanded adult offenders. The branch also manages young offenders held in custody under the *Youth Criminal Justice Act* (YCJA).

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 disposition (which is known as remand custody). It also provides services for offenders in custody to help them reintegrate into society. The branch operates seven adult correctional institutions: Milner Ridge Correctional Centre, Women's Correctional Centre, The Pas Correctional Centre, Brandon Correctional Centre, Dauphin Correctional Centre, Headingley Correctional Centre and the Winnipeg Remand Centre.

The branch also operates two youth detention facilities; The Manitoba Youth Centre in Winnipeg and the Agassiz Youth Centre in Portage la Prairie. The youth are held under the YCJA and include remand, open and secure custody. The branch provides education, programming and reintegration opportunities for those in the youth facilities.

² Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Service of Canada).

The following are highlights of program volumes in 2016/17:

- The average daily adult custody population in Manitoba increased in 2016/17 to 2,455 from 2,425 the previous year.
- The average daily youth custody population in Manitoba decreased from 219 in 2015/16 to 211 in 2016/2017.

4 (b) Custody Corrections

Expenditures by Sub-Appropriation	Actual	Estimate		Variance	Expl. No.
	2016/17 \$(000s)	FTE	2016/17 \$(000s)	Over (Under) \$(000s)	
Total Salaries	201,260	1,666.10	189,298	11,962	1
Total Other Expenditures	22,650		24,387	(1,737)	2
Total Programs and External Agencies	233		281	(48)	

Explanations:

1. Significant additional staff requirements as a result of the high adult custody population escorts for medical and hospital watches as well as retirement severance and vacation payments
2. Overall reduction in operating expenditures not related to inmate volume such as training, travel, vehicle maintenance, minor capital and office supplies due to expenditure management

Community Corrections

The Community Corrections Branch is responsible for the continuum of services for youth and adults involved with the law. The branch is directly responsible for probation services throughout Manitoba.

Branch staff manage court orders involving offender supervision/intervention in the community and preparing court reports. Offender supervision in the community involves probation orders, conditional sentence orders, supervision orders under the *Youth Criminal Justice Act* and peace bond orders. 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. The work consists of risk assessments, case planning, focussed interventions and referrals to community agencies as well as compliance management. Community justice approaches include mediation, conferences, forums and community justice committees. Some regions supervise community service orders and fine option programs. Community corrections offices for offenders serving their sentences in the community are located in Winnipeg and all rural centres across Manitoba.

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

The following are highlights of program volumes in 2016/17:

- The average monthly adult probation and conditional sentence supervision caseload size in 2016/17 decreased to 7,166 from 7,202 the previous year.
- The average youth probation supervision caseload size in 2016/17 decreased to 1,180 from 1,255 the previous year.
- There were 31 justice committees operating across the province during 2016/17 administering community justice (extra-judicial) measures and providing crime prevention and community education services in their communities³.

³ 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.

4 (c) Community Corrections

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	23,616	296.10	26,458	(2,842)	1
Total Other Expenditures	2,671		2,874	(203)	2
Total Programs and External Agencies	528		795	(267)	3

Explanations:

1. *Variance is primarily due to vacant and under filled staff positions*
2. *Primarily savings associated with youth community services supplies and professional fees due to expenditure management*
3. *Savings in community programs associated with client volumes*

Provincial Policing

This sub-appropriation funds the Royal Canadian Mounted Police (RCMP) for provincial policing in Manitoba under the authority of *The Police Services Act*. RCMP services are provided under contract through the *Provincial Police Service Agreement (PPSA)*. The RCMP also provides police services to the majority of the province's larger municipalities under municipal police service agreements negotiated directly between the municipalities and the federal government. Through 87 rural and 22 municipal detachments across the province, the RCMP enforces federal and provincial statutes and municipal by-laws 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 services.

First Nations policing in Manitoba is funded under this sub-appropriation. Currently, 8 of 63 First Nations communities in Manitoba have Community Tripartite Agreements (CTA's) for police services and 6 First Nations are policed under a Self-administered Agreement. Canada and Manitoba share costs for the agreements through an established cost-sharing formula under the federal First Nations Policing Program: 52 per cent from Canada and 48 per cent from Manitoba. The Dakota Ojibway Police Service (DOPS), a self-administered First Nation police service, currently polices six First Nations communities: Birdtail Sioux, Canupawakpa, Long Plain, Sandy Bay, Roseau River and Waywayseecappo. The RCMP, under the First Nations Community Policing Service (FNCPs), polices eight First Nations communities: Chemawawin, Swan Lake, Opaskwayak, Nisichawayasihk, Peguis, Poplar River, Bloodvein and Buffalo Point. First Nation Safety Officers in 31 First Nations communities are also funded from this sub-appropriation under the federal First Nations Policing Program. The Aboriginal Community Constable Program (ACCP) receives funding under this sub-appropriation as well. The ACCP funds specific RCMP members working in 20 First Nations communities that do not have policing agreements with either the Manitoba government or the federal government. These members are cost shared 46 per cent from Canada and 54 per cent from Manitoba. Future expansion of First Nations policing in Manitoba is contingent on availability of federal funding.

DNA testing, the Manitoba Integrated Organized Crime Task Force, the Missing and Murdered Women's Task Force (Project Devote), the Integrated Warrant Enforcement Unit, the Auxiliary Constable Program, as well as funding support for some municipal police services are all supported with funds under this sub-appropriation.

4 (d) Provincial Policing

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	144,619		145,193	(574)	1
Recoverable from Rural Economic Development Initiative (REDI)	(2,150)		(2,150)		

Explanations:

1. *Primarily savings due to negotiated budget for the First Nations Community Policing Service (FNCPs) and RCMP costs under review by Contract Management Committee (CMC)*

Aboriginal and Community Law Enforcement

The Aboriginal and Community Law Enforcement branch co-ordinates and administers the Manitoba government's law enforcement objectives, priorities, programs and policies, the government's contracts with the RCMP, municipal and Aboriginal police services, and the licensing and regulation of the private investigator and security guard industry. The branch negotiates and implements all policing agreements within Manitoba on behalf of the government, and represents the department in law enforcement forums at national and international levels. The department's High Risk Witness Management Program and the Public Safety Investigations Unit are also managed by the branch.

Private Investigators and Security Guards Program

Aboriginal and Community Law Enforcement is responsible for administration of *The Private Investigators and Security Guards Act*. Under the Act, the registrar issues licences to employers of security guards and private investigators, as well as the individual security guards and private investigators themselves. These licences are issued according to requirements set out by the provisions of the Act and its regulation.

During 2016/17, the Private Investigators and Security Guards Program issued 35 licences to businesses to provide security guards, 31 licences to businesses to provide private investigators, and registered 18 new in-house employers of security guards. As of April 2017, a total of 155 employers were registered to employ security guards in-house.

During this same period, the program issued 5,472 licences to individuals to act as security guards and 187 licences to individuals to act as private investigators.

Manitoba Security Guard Training Program Administration

The branch is also responsible for ensuring that mandatory training requirements for private security guards are satisfied. During 2016/17, the Private Investigators and Security Guards Program administered approximately 2,105 individual security guard training exams.

Public Safety Investigations

Aboriginal and Community Law Enforcement 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, child sexual exploitation or child sexual abuse, the storage of illegal weapons and explosives, selling liquor without a licence, and criminal organization offences. The Public Safety Investigations (PSI) Unit has a manager, nine investigators, two video analysts and a registrar. The unit investigates complaints and applies for community safety orders in the Court of Queen's Bench, under *The Safer Communities and Neighbourhoods Act*. PSI conducts inspections and serves removal or closure orders under *The Fortified Buildings Act*. PSI is also responsible for licensing under *The Body Armour and Fortified Vehicles Control Act*.

In 2016/17, PSI received 364 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, 115 operations of drug, prostitution (exploited persons), and criminal organization offences involving 131 separate complaints were closed, 4 complaints were referred to another agency, 31 complaints were closed due to insufficient evidence and 72 complaints remain open. 9 owners removed fortifications from their property following an inspection conducted under *The Fortified Buildings Act*, no complaints were unfounded, on 2 complaints fortifications were observed but were removed prior to inspection, and for 3 investigations, fortifications were observed, removed and enforced by another agency. 3 permits to possess Body Armour were issued under *The Body Armour and Fortified Vehicles Control Act*.

Witness Security Program

The Witness Security Program provides an independent process to coordinate protection to witnesses and associated persons under threat of death or grievous harm by virtue of their involvement in a prosecution by Manitoba Justice. Entry is made by application, and may only be made by a law enforcement agency under the

provisions of *The Witness Security Act*. Funding and services are provided to protected person while in the Program, generally for periods ranging between two and four years. The Program also coordinates with law enforcement agencies in the province to facilitate admission under the federal *Witness Protection Program Act*, administered by the Royal Canadian Mounted Police.

Since its inception in 2002, the Program has accepted 141 cases involving 151 witnesses. Additionally, funding and services have been provided to associated persons, individuals who did not meet the criteria for admission or assistance to other witness protection programs in 167 instances.

In 2016/17, in addition to managing ongoing cases, 8 matters were considered by the Program. 3 of these cases were withdrawn by the submitting law enforcement agency; 1 was considered by the Assessment Panel and referred to alternate measures. The remaining 4 cases were assistance matters for witness protection programs outside of Manitoba.

4 (e) Aboriginal and Community Law Enforcement

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	2,164	28.00	2,060	104	
Total Other Expenditures	424		558	(134)	1
Total Programs	99		285	(186)	2

Explanations:

1. Savings from lower than expected general operating expenditures
2. Decreases Witness protection costs due to lower client activity

Law Enforcement Review Agency

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

A registrar, clerk and four investigators assist the commissioner of LERA in handling complaints about municipal and local police conduct that arise in the execution of police duties. LERA does not investigate criminal matters. Such matters are referred to the appropriate law enforcement agency.

The act provides several ways to resolve complaints: informal resolution (mediation); admission of disciplinary default by the respondent police officer; or where evidence exists, referral to a Provincial Court judge for public hearing.

The office investigated 219 complaints during 2016/17 as compared to 207 complaints during 2015/16. More information on LERA is available in the agency's annual report and on LERA's website at www.gov.mb.ca/justice/lera.

4 (f) Law Enforcement Review Agency

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	313	7.00	326	(13)	
Total Other Expenditures	48		61	(13)	

Manitoba Police Commission

The Manitoba Police Commission was established during 2010/11 as the first phase of implementation of Manitoba's *Police Services Act*. With consideration given to the cultural and gender diversity found in Manitoba, nine persons were appointed to sit as Commissioners on the Manitoba Police Commission.

Section 7 of the Act identifies the Police Commission's statutory duties as:

- (a) providing advice to the minister on regulations dealing with the operation of police services and the conduct of police officers, including regulations prescribing standards for police services and police officers;
- (b) consulting with the public on matters relating to law enforcement and policing, and providing the results of those consultations to the minister;
- (c) developing a policy and procedures manual for police boards and a code of ethical conduct for members of police boards;
- (d) arranging for training to be provided to members of police boards and civilian monitors; and
- (e) performing any other duties assigned by the minister.

Section 8 of the Act authorizes the Minister to direct the Police Commission to conduct a study on a specific issue relating to policing and law enforcement.

The Manitoba Police Commission is staffed by an Executive Director, an Assistant Director and an Administrative Support position.

Highlights of activities and initiatives in 2016/17 include the following:

- In 2016/17 the Police Commission recruited and trained four new civilian monitors and launched the second pilot of the Civilian Monitor program. This year, six Independent Investigation Unit investigations into events where the actions of a police officer may have caused the death of a person were monitored by Civilian Monitors assigned by the MPC as required by *The Police Services Act*.
- The Police Commission has continued to consult with police services, police associations, law enforcement agencies, community groups and other stakeholders on policing issues. In 2016/17 the Commission focused on engaging these stakeholders for their input into the development of Regulations under *The Police Services Act*.
- The Police Commission continues to work interactively with municipal councils, municipal police boards and police agencies across Manitoba. Over the past year, Commission staff have met regularly with all police boards, and provided ongoing support and assistance with regard to governance structure and policy development consistent with police board roles under *The Police Services Act*. The Commission hosted a one-day police board governance training session that involved the members of all municipal police boards as well as all municipal police chiefs.
- The Commission continues to participate actively as a member of the Manitoba Association of Chiefs of Police, the Canadian Association of Police Governance and the Canadian Association of Civilian Oversight of Law Enforcement, including attending and presenting at workshops and conferences. These working alliances have greatly informed research efforts at the Commission relative to the development of policing governance practices and recommendations for policing standards and regulations.

4 (g) Manitoba Police Commission

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	305	3.00	316	(11)	
Total Other Expenditures	44		165	(121)	1

Explanations:

1. Savings from lower than expected general operating expenditures

Independent Investigation Unit

The Independent Investigation Unit began operation on June 19, 2015, following proclamation of Part VII of *The Police Services Act*.

The Police Services Act requires that the Unit be headed by a civilian director who is not a current or former member of a police service or the Royal Canadian Mounted Police. Unless he or she resigns or his or her appointment is terminated, the civilian director shall hold office for five years from the date of the appointment. A person may be reappointed as civilian director for a second term of five years but may not serve more than two terms. The civilian director is responsible for the management, administration and operation of the Unit, overseeing all investigations undertaken by the Unit and performing all other duties imposed by the Act.

The Unit must conduct an investigation if a police officer has been involved in an incident where a person has died or suffered a serious injury or if there is evidence that a police officer has contravened a prescribed section of the *Criminal Code* or a prescribed federal or provincial statute. The civilian director must be notified by the police chief of the police service, of all such incidents as soon as practicable, whether or not the police officer was on duty at the time of the conduct in question. The civilian director must also be notified by the police chief of the police service of all other allegations of unlawful activity involving a police officer and may assume conduct of any investigation of such incidents if he or she considers it to be in the public interest to do so.

The civilian director may select a current or former member of the Royal Canadian Mounted Police, a current or former member of a police service in Manitoba or another Canadian province, or a civilian with investigative experience to be an investigator with the Unit, provided the person has the prescribed qualifications and experience. An investigator, while serving with the Unit, is under the sole command and direction of the civilian director.

The Manitoba Police Commission must appoint civilian monitors to monitor fatality investigations undertaken by the Unit or where the civilian director has requested the assignment of a civilian monitor to its investigations.

In addition to the civilian direction, the Unit is composed of 13 FTEs, including eight full-time investigators.

In 2016/17, the Unit received 50 notifications of police-related incidents from various services in the province. Of those, 27 resulted in Unit-led investigations, 22 were monitored agency investigations and the balance required no further involvement.

In 2016/17, the Unit was notified of six fatality investigations and a civilian monitor was requested and assigned to monitor each of those matters.

4 (h) Independent Investigation Unit

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,507	14.00	1,635	(128)	
Total Other Expenditures	309		1,142	(833)	1

Explanations:

1. *Operating savings related to expenditure management*

Crime Prevention

The Crime Prevention Branch is responsible for the coordination and implementation of crime prevention policies and programs. These activities include:

- Administration of the Lighthouses program which provides support to communities and organizations that offer youth positive alternatives after school and on weekends, a safe healthy environment, personal skill development (leadership, communication, problem-solving, decision making, conflict resolution, anger management, etc).

- Promote reconciliation between the community and children under 12 in conflict with the law including the facilitation and coordination of services for these children and their families.
- Promote awareness of best practices in crime prevention and collaborate with communities undertaking evidence based activities.
- Collaborate with Public Safety Canada on crime prevention issues and programming including the Crime Prevention Action Fund and Youth Gang Prevention Fund (Federal Grants).
- Build partnerships with law enforcement agencies (e.g. Winnipeg Police Services and RCMP), to discuss and collaborate on prevention initiatives such as service integration projects, gang prevention initiatives, sexual exploitation issues and arson.
- Strengthen relationships among various funding partners to assist in supporting communities that have a lack of resources.
- Work in partnership with other departments, governments and community partners to target services and supports to high-risk children, youth, families and communities, e.g. promotion and implementation of High Fidelity Wraparound in Manitoba.

4 (i) Crime Prevention

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	560	8.00	636	(76)	
Total Other Expenditures	55		117	(62)	
Total from External Agencies	2,012		2,089	(77)	
Total Recoverable from Other Appropriations	(482)		(422)	(60)	

Protective Services

Protective Services Branch (PSB) provides comprehensive and cost-effective security services to provincial staff, personnel, visitors and assets in owned or leased buildings and properties where Manitoba Justice (Community Safety Division) is the service provider. PSB provides Security advice and consultation to provincial departments, as required.

Activity Identification

Protective Services Branch is generally divided into two operational groups: Legislature Security Services and Manitoba Protective Services. The following activities apply to, or support, both operational areas:

- Security Management ensures government assets are protected, and assists departments in establishing a safe environment for staff and visitors. This includes protecting the “Seat of Government” at the Manitoba Legislative Building, responsibility for administering the government security identification card program, and liaison with police authorities to provide VIP Protection Services.
- Project and Technical Services provides security project development and delivery, consultation services, and the coordination of maintenance / services related to mechanical and electronic security and life safety systems in provincially owned and leased facilities.
- Government Monitoring, Communications and Response Centre electronically monitor all fire, duress, environmental, mechanical and intrusion alarms at provincial facilities throughout the province. The Centre dispatches emergency response in relation to critical incident management affecting life safety and facility security and systems integrity.
- Consulting Services develops designs, installs and sets standards for security systems in government facilities. This includes providing consulting and security awareness seminars related to personal and physical security to all government departments, and performing security audits / providing recommendations based on unique operational requirements.
- Security Investigations investigate security related incidents, threats, theft, vandalism, etc., in government facilities, or related to government assets, with a view of taking preventative action. The

Branch liaises with client departments and local police authorities throughout the province on issues related to security and safety incident response.

- Mobile Patrol Services provides Protective Service Officer Services to client departments, boards, commissions and agencies with respect to building checks, emergency response and safe walk program. Mobile Patrol Services serves as the key holder concerning site access and response to facility alarms.

Highlights of activities and initiatives in 2016/17 include the following:

- During this fiscal year the Protective Services Branch was transferred from the Emergency Measures Division of Manitoba Infrastructure to the Community Safety Division of Manitoba Justice. Comprehensive reviews of all aspects of the Protective Services operation commenced to ensure best practices and a prioritization of core duties.
- Security provision for government operations continued to be evaluated for vulnerabilities and to ensure the safety and security of buildings, staff and visitors to government sites. This was achieved through a process of audit, analysis and recommendations. Through these recommendations, mitigation efforts were achieved through a number of avenues, including but not limited to, education, program development, and systems design and development. This process was ongoing throughout the transition.

4 (j) Protective Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	7,269	99.80	6,300	969	1
Total Other Expenditures	1,073		1,061	12	
Total Recoverable from Other Appropriations	(1,133)		(1,259)	126	2

Explanations:

1. Overtime and extra staffing due to shortage of Protective Services Officers
2. Technical Services recovery offset by the number of Security Client projects

Courts

The Courts Division manages the effective and efficient delivery of court services throughout the province. This includes: criminal, family, civil, small claims and summary conviction court matters, court security, prisoner transport, civil enforcement of court orders, and operational support. Court services are provided through four branches of the Courts Division appropriation (04-5): Corporate Services and Program Management, Court Operations, Judicial Services and Sheriff Services.

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

The Division manages the Maintenance Enforcement Program (MEP) which enforces court orders and separation agreements that require payment of family support. If necessary, collection action may be taken that includes: interception of federal payments, support deduction orders, seizure of personal property, property liens, suspension of driving privileges, denial of passports and default hearings.

The Division also manages the Fine Collection Program and the Restitution Program. The Fine Collection Program; on behalf of the Manitoba government, municipal governments and the Victims' Assistance Trust Fund; processes, disburses and enforces provincial statute and *Criminal Code* fines that have been ordered by the court. If necessary, collection action is taken if a fine is not paid voluntarily within court prescribed time limits. This may include: registering the debt with a third party collection agency or credit reporting agency, placing of holds on driver's licences and vehicle registrations, registering garnishing orders, property liens or initiating property seizures. 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 the victim on the necessary steps to proceed to civil judgment.⁴

The Review Board forms part of the Courts Division. It is an independent administrative tribunal established under the *Criminal Code* to deal with those charged with criminal offences that have been found unfit to stand trial or have been found not criminally responsible because of a mental disorder.⁵

The Division also includes the Vehicle Impoundment Registry which is the administrative centre where the status of each vehicle seized in Manitoba is recorded. Detailed information on the Vehicle Impoundment Registry can be found in its annual report. To obtain a copy, call 204-945-4454 in Winnipeg.

Corporate Services and Program Management

The Corporate Services and Program Management Branch provides Court Operations, Judicial Services and Sheriff Services with expertise in administration, financial management, governance, project reviews, planning of information systems, delivery of court training, supporting video conferencing expansion and existing infrastructure, as well as facilities design and use.

In 2016/17 the Court Services Branch underwent significant changes. The Court Services Branch was renamed Corporate Services and Program Management (CSPM) and Manitoba Court's Corporate Training Program was transferred to the CSPM branch. A new unit was also created that amalgamated the services formerly known as the Governance Unit with the Corporate Training program to form the Workforce Planning and Staff Development (WPSD) Unit. This unit delivers orientation sessions and continuing education to court staff on corporate and divisional policies and is responsible for training new and existing staff on criminal process, paperwork and procedures. The amalgamation of these services provides a collaborative approach in assessing training requirements as a result of legislative changes and new initiatives in order to provide court staff and justices of the peace with the tools necessary to support the work of the Court. In 2016/17 the program delivered 45 training sessions to 553 court staff across the province.

⁴ Restitution ordered solely to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors these restitution orders separately.

⁵ In accordance with *The Public Sector Compensation Disclosure Act*, the eight members of the Review Board received \$82,500 in compensation in the aggregate and there were no board members that individually received compensation of \$50,000 or more annually. The \$82,500 includes Board fees, reasons, and prep time.

The branch is also responsible for the collection of court ordered family support and fines. Highlights during the 2016/2017 fiscal year included:

- In 2016/2017, the Maintenance Enforcement Program had more than 12,733 files and disbursed \$60.8 million in maintenance payments to recipients and also directed a total of \$4.0 million to the Minister of Finance to offset income assistance costs. The program took the following enforcement actions against debtors during 2016/2017: issued 1,872 federal support deduction notices, 4,306 support deduction notices for wages and bank accounts and 29 pension garnishing orders; initiated 1,933 notices of intent to suspend driver's licences; and served 218 summonses by Sheriff Services Civil Enforcement to appear before the court. Special investigative and enforcement efforts continued to be focused on the relatively small number of debtors who have habitually failed to comply with their support obligations.
- In 2016/2017, the Division processed \$56.0 million for provincial statute and Criminal Code fines including fines that were paid voluntarily and within court prescribed time frames. In addition, over 24,765 active driver's licence holds and 25,453 motor vehicle registration holds were put in place and 1,973 collection actions (which include garnishing wages and bank accounts) and one writ (to seize vehicles) were utilized for the collection of overdue fines, resulting in an additional recovery of \$13.0 million. The total provincial fine revenue processed was approximately \$38 million. The Restitution Program received \$570,000 and disbursed \$582,000 in restitution payments to victims of crime.

5 (a) Corporate Services and Program Management

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	5,210	82.00	5,878	(668)	1
Total Other Expenditures	2,657		2,628	29	

Explanation:

1. Savings due primarily to the recruitment process and under-fills of budgeted positions

Court Operations

Court Operations provides operational and administrative support to efficiently manage and process all matters in the Court of Appeal, the Court of Queen's Bench (civil, criminal, family, and small claims), and the Provincial Court (adult, youth, family and Summary Convictions Court). Services are provided in Winnipeg as well as in 13 Regional Court locations and over 40 circuit court locations outside Winnipeg.

The Court Operations Branch accepts guilty pleas and/or payments of fines in Summary Convictions Court that are issued by enforcement agencies throughout Manitoba. The branch also accepts deposits of monies in the Court of Queen's Bench which are held in trust and later disbursed through the Suitors' Trust System.

The branch is responsible for the operations of the jury management system, ensuring that sufficient jurors are available to meet the jury trial needs of the Court of Queen's Bench.

Court Operations also manages the Aboriginal Court Worker Program. The program is intended to assist Indigenous people to recognize their rights and obligations and to understand how the criminal justice system functions. Specifically, Aboriginal Court Workers provide information that can increase access to alternative methods of justice, resources, and programs to Indigenous clients. In addition, staff of this program collaborates with justice officials and other justice system stakeholders to improve knowledge of Indigenous values, customs, and languages. Services are provided in English, Cree, Ojibwé, Oji-Cree and Dakota at court and circuit court locations throughout Manitoba.

The Branch works with Indigenous communities to enhance their involvement in the court process. Courts encourage First Nation communities to include Elders in the court process and to promote regular participation at sittings of the Provincial Court in their communities. Through agreements with the Manitoba Keewatinowi Okimakanak (MKO) and St. Theresa Point First Nation, the Courts and Community Safety Divisions programs of the department enable communities to establish community justice workers who work with their respective First

Nations to use traditional healing to bring offenders and the community to peaceful solutions, liaise with the police and the Crown to foster understanding of community issues, and provide the judiciary with options for culturally appropriate dispositions.

A significant amount of work has been done to identify and address the systemic and unique reasons that give rise to accidental releases. The Department continues to oversee the implementation of recommendations from previous reviews and is committed to exploring further improvements and reforms to address the complexities related to this issue. Ten (10) persons were accidentally released in 2016/2017.

Highlights of activities and initiatives in 2016/17 include the following:

- The Manitoba Court of Appeal centre opened 235 new files.
- The Winnipeg, Regional and St. Boniface Court of Queen's Bench centres opened 20,178 new files and added 244,962 documents to the Court Registry System.
- A total of \$16.1 million was held in trust within the Suitors' Trust System.
- The Provincial Court processed 102,947 new charges⁶ (youth and adult) in the Winnipeg and Regional Court centres.
- Summary conviction matters totaled 265,174 in new tickets throughout Manitoba, with the majority being administered through the Summary Convictions Court in Winnipeg. These included 117,039 regular Common Offence Notice (CON) tickets and 148,135 Image Capturing Enforcement System (ICES) tickets.
- On February 8, 2016, in a joint effort by Courts Division and the Manitoba Prosecution Service, Summary Convictions Court implemented the Pre-Plea Triage program which provides:
 - Enhanced access to justice for persons wishing to deal with their ticket matters immediately;
 - The presence of Crown attorneys at the Summary Convictions Court on a daily basis so that members of the public with ticket-related questions can inquire about their options either in person or by phone;
 - Outreach by court staff to ensure individuals who have mailed in not guilty pleas are aware of their options with respect to the *Highway Traffic Act* (HTA) matter(s); and,
 - A scheduled appointment with the Crown attorney if they are unable to attend that day.
- As a result of the program, fewer individuals are attending the Court in person so wait times have been greatly reduced, the Court's time is being utilized more efficiently and the volume of trials being set has decreased by over 50% in the last year.
- On August 17, 2016, Brandon Police Service in partnership with Manitoba Justice and the Summary Convictions Court began issuing electronic tickets.
- There were 16 jury trials held in Winnipeg and Winnipeg Jury Management issued 11,450 jury summonses (out of 30,000 names obtained from Manitoba Health). Seven (7) jury trials were held in Regional Courts, with 4,750 summonses issued. (One jury trial was a Regional matter held in Winnipeg at the request of the Judge and is therefore included in the number of jury trials held in Winnipeg.)
- The Transcription Services Unit (TSU) arranged for transcription of over 166,213 pages of court proceedings, representing approximately 3,607 transcript requests.
- The Board of Review held 131 hearings, totaling 29 sitting days, for patients under its jurisdiction. During 2016/2017, the Board dealt with a total of 129 patients. As of March 31, 2017, 112 patients remained under the board's jurisdiction.
- The Vehicle Impoundment Registry maintained records for 4,139 vehicles seized from people driving while suspended or prohibited or with blood alcohol content over 0.08; for refusing a breathalyzer; refusing or failing a field sobriety test; or for committing prostitution related offences.
- The Aboriginal Court Worker Program assisted 10,020 clients.

5 (b) Court Operations

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	13,412	230.00	13,500	(88)	
Total Other Expenditures	3,098		2,957	141	1

⁶ This figure represents new adult and youth charges processed by the Provincial Court. This figure may differ from figures reported by Prosecution Services due to differences between counting charges and counting case files (which may be composed of multiple charges)

Explanations:

1. Travel costs associated with staff office shortages and increased operating due to Legislative requirement to provide interpreters for a juror with disabilities

Judicial Services

The Judicial Services Branch provides direct support to the judiciary of the Court of Appeal, the Court of Queen's Bench and the Provincial Court through judicial assistants, researchers and coordinators. Judicial services are also provided throughout the province by small claims court officers and justices of the peace. Branch staff 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.

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 coordinators to ensure effective use of judicial resources and courtrooms. This includes Provincial Court pre-trial coordinators who preside in court to ensure that procedural matters are addressed within agreed-upon timelines, freeing up judges to deal with substantive legal issues.

There are three types of justices of the peace in Manitoba: judicial justices of the peace (21), over 120 staff justices of the peace and over 40 community justices of the peace. Justices of the peace provide judicial services in 12 court locations and in over 45 communities under the direction of the Chief Judge of the Provincial Court. Judicial justices of the peace perform duties where independence from the executive and legislative branches of government is required such as conducting trials and sentencing hearings under *The Summary Convictions Act*, hearing protection order applications under *The Domestic Violence and Stalking Act*, and issuing search warrants. Staff justices of the peace are located in court offices throughout the province and their duties include such matters as setting hearing dates, reviewing documents with an accused person and processing the laying of charges. Community justices of the peace are community members who volunteer to perform duties similar to staff justices of the peace in their community such as witnessing documents and issuing subpoenas.

Five court officers in the Court of Queen's Bench hear small claims court matters in 15 locations throughout Manitoba.

Highlights of activities and initiatives in 2016/17 include the following:

- Ongoing educational programs were provided to all justices of the peace through the office of the Director of Justice of the Peace Services under the direction of the Chief Judge of the Provincial Court.
- Ongoing educational programs were provided in conjunction with the Manitoba Court Operations Branch to court staff throughout the province.
- The implementation of a Family Justice Resource Centre at the Winnipeg Law Courts Complex as a pilot initiative aimed to provide information and assistance to the public on family law matters with emphasis on referrals to programs and resources that support resolution of family disputes without the need for court processes.

More information on the Provincial Court of Manitoba is available in its annual report. This is available on the Manitoba Courts website at www.manitobacourts.mb.ca.

5 (c) Judicial Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	22,710	90.00	22,885	(175)	
Total Other Expenditures	2,580		2,440	140	
Total Grants	53		53		

Sheriff Services

Sheriff Services is composed of Winnipeg and regional Sheriff Services' offices.

Winnipeg operations are responsible for the security of courtrooms in the Winnipeg Law Courts Complex. A perimeter security system is operated at the Winnipeg Law Courts Complex, preventing weapons and other contraband from entering the facility.

Regional operations are responsible for the security of courtrooms in five offices located across Manitoba including Portage la Prairie, Brandon, Dauphin, The Pas and Thompson.

Sheriff Services is responsible for the transport of incarcerated persons to and from court from the various federal and provincial correctional facilities in Manitoba. Sheriffs service over 40 circuit court locations across Manitoba. Sheriffs 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.

Highlights of activities and initiatives in 2016/17 include the following:

- Winnipeg sheriffs transported 7,106 prisoners to court, travelled 539,035 kilometres by road and 24,876 kilometres by air.
- Regional sheriffs transported 16,597 prisoners to court, traveled 900,037 kilometres by road and 168,646 kilometres by air.
- Sheriff Services provided security at 16 jury trials in Winnipeg and 7 in regional court offices.
- Winnipeg Sheriffs utilized video conferencing technology for 11,778 prisoner court appearances.
- Regional Sheriffs utilized video conferencing technology for 1,308 prisoner court appearances.
- Sheriff Services provided Lawyer Video Interview (LVI) terminals in 8 provincial institutions.
- Sheriff's Officers screened 198,302 individuals entering the Winnipeg Law Courts Complex.
- Sheriff's Officers screened 94,683 individuals entering regional court offices.
- Sheriffs served a total of 2,906 legal documents including protection orders and subpoenas (1,608 by Winnipeg officers and 1,298 by regional officers).
- Sheriffs executed 366 writs (316 by Winnipeg officers; 50 by regional officers).
- Winnipeg Sheriffs processed and transferred 324 accused persons through the Sheriff Officer Warrant Diversion Project Process.
- The Civil Enforcement Unit issued 4,694 sheriffs' certificates provincially.
- Total monies received from all sources (including sheriffs' certificates) were \$235,988.58

5 (d) Sheriff Services

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	10,333	105.70	9,902	431	1
Total Other Expenditures	3,216		3,026	190	1

Explanations:

1. Additional staffing and travel costs for prisoner escorts related to the high custody population

Consumer Protection

The Consumer Protection appropriation (04-6) is composed of seven sub-appropriations: Administration and Research, Consumer Protection Office, Residential Tenancies Branch, Claimant Adviser Office, Automobile Injury Compensation Appeal Commission, Residential Tenancies Commission, and the Office of the Registrar-General.

The office of the Assistant Deputy Minister, Consumer Protection Division, provides executive direction and administrative support to all programs, branches and agencies of Consumer Protection Division. The Assistant Deputy Minister chairs the Vital Statistics Agency Advisory Board and the Landlord and Tenant Advisory Committee. The Vital Statistics Agency, which is a special operating agency, is also discussed in this section.

The Consumer Protection Division's goals include: contributing to a healthy Manitoba economy by creating certainty in the marketplace through the administration of a legal and policy framework within which consumers, tenants, landlords, non-profit organizations and businesses can operate; maintaining reliable and secure registries of information for the protection of individual identities, and land and personal property rights, assisting consumers and businesses, tenants and landlords in resolving their disputes; and providing quality service through the responsible use of fiscal resources.

When thinking about all the interactions Manitobans have every single day in the marketplace – buying and selling products or services, renting or owning a home, experiencing a life event such as births, deaths, or marriages, the Division has a role in making sure these interactions occur in a fair and consistent way.

Operationally the Division facilitates the resolution of disputes between consumers and businesses, landlords and tenants and hears and assists claimants with appeals of Manitoba Public Insurance Corporation decisions related to bodily injury claims. The Division administers legislation for licensing businesses, maintains registries of vital events and administers the province's rent regulation program. The Division ensures the proper operation of the land registration system and the Personal Property Registry, in accordance with the service provider contract with Teranet Manitoba and applicable legislation. These activities, including undertaking enforcement measures, when necessary, ensure consumer confidence in the marketplace, which encourages investment.

Highlights of activities and initiatives in 2016/17 include the following:

The placement of the Consumer Protection Division within the larger Ministry of Justice effective May 3, 2016 created opportunities to add value. The Division's roles and responsibilities are complimentary, providing Manitobans access to justice outside of the courts, including the opportunity to have some matters heard by an administrative tribunal. The Division helps Manitobans help themselves in today's marketplace through a variety of awareness efforts and programs, the offering of dispute resolution through mediation, and the enforcement of consumer protection laws and regulations using administrative enforcement tools such as compliance orders and administrative penalties.

Continued working on implementation of *The New Home Warranty Act* and regulations, including planning for operational needs.

Collaborated with other departments to meet Manitoba's requirements under the New West Partnership Agreement (NWPA), following Manitoba's successful negotiations to join effective January 1, 2017. Developed amendments under *The Prearranged Funeral Services Act* and *The Consumer Protection Act* to remove 'residency' requirements so that businesses are treated in the same fashion across all four western provinces. These changes do not diminish protection under these Acts.

Represented the department on the cross-departmental Regulatory Accountability Working Group, led collection of department inventory of regulatory materials, and developed legislative amendments that reduce outdated and ineffective regulatory requirements to be part of *The Red Tape Reduction and Government Efficiency Act, 2017*. Moving forward work will focus on implementation of *The Regulatory Accountability Act and Amendments to the Statutes and Regulations Act* which sets out principles for regulatory accountability.

Communicated directly with the public to get important information to those who need it. In order to get key consumer protection messages and information to people who may not follow mainstream media, the Division went beyond traditional media releases or newspaper advertisements, undertaking a number of social media

campaigns on Facebook, Twitter, and the Consumer Protection Mobile App reaching thousands of Manitobans through cost-effective mediums.

Continued working with the Landlord and Tenant Advisory Committee to review of the method used to set the rent exemption level. The rent exemption level is the maximum amount of rent to which the annual rent increase guideline applies.

Completed the redaction of personal identifiers from the Automobile Injury Compensation Appeal Commission Decisions and Reasons in accordance with direction received from the Ombudsman to enable them to be posted on the Commission's website.

Administration and Research

Administration and Research is composed of two units; the Assistant Deputy Minister's office and Research and Planning.

Objectives

- To provide information advice and support to the Minister. Deputy Minister and the executive level of government on issues related to the division.
- To provide leadership to the division.
- To provide divisional financial management services, including budget analysis and control, in accordance with governing legislation and established financial administration policies and procedures.
- To conduct research and develop policy options.
- To establish and maintain strong working relationships with stakeholders, including consumer associations, business associations and municipalities.
- To create and sustain a culture of innovation, success, and continuous improvement.

Responsibilities

- Provides executive direction and administrative support to branches, agencies and commissions of the Consumer Protection Division.
- Undertakes strategic action to prioritize, sustain and improve services, focusing on outcome-based measures to ensure investments are appropriate.
- Assesses the need for new or amended legislation and co-ordinates the development of legislation and other responses to marketplace problems.
- Investigates marketplace issues and assesses alternative responses to them.
- Coordinates the division's budget and financial reporting and identifies strategic and innovative opportunities for fiscal improvement.
- Collaborates and networks across departments and sectors to achieve governments' objectives.

6 (a) Administration and Research

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	456	6.00	549	(93)	
Total Other Expenditures	118		230	(112)	1

Explanations:

1. Savings from lower than expected general operating costs

Consumer Protection Office

Objectives

- To investigate consumer complaints and facilitate the resolution of disputes between consumers and businesses.
- To take action as appropriate to enforce legislation.
- To license/register/grant certifications or authorizations to vendors and individuals engaged in direct selling, collection agencies and collectors, hearing aid dealers, and manufacturers or renovators of stuffed articles.
- To inform and educate consumers, businesses, service groups, consumer groups and student organizations regarding their rights and responsibilities as well as potential risks in the marketplace.
- To develop and administer consumer protection legislation for Manitobans.
- To consult on current consumer issues with other departments, agencies and organizations in Manitoba, Canada and other countries.

Responsibilities

The Consumer Protection Office functions fall into six main areas:

- Investigation and dispute resolution
- Licensing and registration
- Special investigations
- Information/education
- Administration/legislative review
- Oversight and management of the Financial Literacy Fund

Highlights of activities and initiatives in 2016/17 include the following:

Investigation and Dispute Resolution

The Consumer Protection Office responded to requests for information, advice and assistance as follows:

- Over 27,480 new calls or email messages and over 558 in-person inquiries were received. These include businesses who contacted the Consumer Protection Office to determine their obligations under the legislation, and consumers who sought information or assistance with a specific situation.
- 799 written complaints were handled, with automotive and direct sales complaints registering the highest numbers. 250 files were carried over from the previous year.
- An amount of \$470,046.68 in cash settlements or adjustments was obtained for consumers.

Analysis of Complaints

Complaint Type	2016-2017	2015-2016
Payday Lender	24	198
Automotive	355	318
Credit / Finance / Credit Card	35	85
High Cost Credit	0	-
Home Renovations	61	62
Electronics Sales/Service/Manufacturing	36	53
Collections	45	56
Direct Sales	101	35
Home Furnishing / Accessories	21	35
Personal Services/Goods	35	21
*Other	86	112
Total	799	975

The High-Cost Credit Products Regulation came into force on September 1, 2016.

**Other' complaints include categories such as: retail, internet transactions, professional services, hearing aids, travel, prepaid purchase cards, credit reporting agencies, loan brokers and bedding and other upholstered or stuffed articles related .*

Licensing and Registration

The Consumer Protection Act regulates payday lenders, high-cost credit grantors, vendors and direct sellers, collection agents and collectors through licensing and bonding requirements. Additionally, licences are issued to hearing aid dealers, and registrations are issued to manufacturers and renovators of stuffed articles.

- 10,029 licences, registrations and authorizations were issued in 2016-2017.
- Staff conducted licensing inspections at a number of trade shows, fairs and exhibitions.

Licences, Registrations and Authorizations

Type	2016-2017	2015-2016
Collection Agent	89	90
Collectors	3,071	3,649
Vendors	166	162
Direct Seller	2,757	2,218
Hearing Aid Dealers	84	76
High-Cost Credit Products ¹	46	
BOUSA ²	3,773	3,666
Payday Lenders	43	44
Total	10,029	9,905

¹ *The High-Cost Credit Product came into force on September 1, 2016*

² *Bedding and Other Upholstered and Stuffed Articles*

Licensing saw an increase in overall activity in 2016-2017 with increases in the number of BOUSA and Direct Seller licensees. Also, as of September 1, 2016, the Consumer Protection Office began issuing licences to high-cost credit grantors.

Special Investigations

The Consumer Protection Office administers the legislation it oversees in a way that is balanced and fair to both consumers and businesses while preventing undue hardship to businesses in the marketplace in Manitoba. The Consumer Protection Office seeks voluntary compliance with the statutes it administers, which is often obtained

through mediation. In situations where voluntary compliance cannot be obtained; the Consumer Protection Office investigates and may take further enforcement action. Following investigation, some matters may be referred to Manitoba Justice for prosecution or for other court action as appropriate. The Court may also upon conviction, order restitution for consumers, along with issuing fines or sentencing offenders to jail terms. As alternatives to prosecution, investigations may result in administrative penalties, compliance orders, obtaining assurances of voluntary compliance, or injunctions prohibiting certain actions.

In 2016-2017, the Consumer Protection Office assisted the Winnipeg Police Service and Royal Canadian Mounted Police on several investigations. A Consumer Protection Office investigation assisted the Manitoba Finance Taxation Special Investigations Unit in charging an individual with offences under The Tax Administration and Miscellaneous Taxes Act.

Information/Education

The information/educational activities of the Consumer Protection Office fall into formal and informal categories. Many of the calls and emails received are from businesses or consumers who are seeking information about their respective rights and obligations. This informal information sharing is typically accompanied by sending out written material, directing the caller to the Consumer Protection Office website, or directing them to other agencies that may be able to assist with related issues. Formal presentations and outreach activities are also important functions. In 2016-2017, staff made 14 presentations to more than 1,132 people including members of consumer groups, seniors, students, and agencies. The presentations focused on the role of the Consumer Protection Office, consumer protection and the upcoming new home warranty legislation and education, identity theft, and frauds and scams.

The Consumer Protection Office, in partnership with other departments and organizations through the Manitoba Financial Literacy Forum, developed and produced a financial literacy calendar for distribution to consumers.

Information provided by the Consumer Protection Office helped consumers make more informed decisions when participating in the marketplace. Information related to new legislation was shared with consumers and businesses through news releases, updated information on the Consumer Protection Office website and on the consumer protection mobile app.

Administration/Legislative Review

The administration/legislative review program effectively manages the internal operation of the Consumer Protection Office, including the management of financial and human resources. All staff participate in the business planning, policy reviews and legislative reviews of the Acts administered.

- The Consumer Protection Office continued to monitor the consumer landscape and conducted on-going reviews of policies and legislation to ensure that they remain effective and responsive in an ever-evolving marketplace. Following extensive consultation with homeowners and other key stakeholders, *The New Home Warranty Act* will come into force on January 1, 2018.
- On September 1, 2016, the *High-Cost Credit Products Regulation* under *The Consumer Protection Act* came into force.
- *The Regulatory Accountability Act and Amendments to The Statutes and Regulations Act* was introduced by the government and the Consumer Protection Office committed to ensuring protections for consumers while reducing the regulatory burdens on business are reasonable and appropriate.
- Amendments were made to the *Hearing Aid Regulation* to reduce red tape and allow hearing aid dealers to advertise and promote their products and offer purchase incentives. Consumers will benefit from an increased availability of marketplace information regarding hearing aid prices and products. *The Hearing Aid Act* and the *Hearing Aid Regulation* are the responsibility of the Minister of Health, Seniors and Active Living however is administered by the Consumer Protection Office.
- Staff represented Manitoba on the Federal/Provincial/Territorial Consumer Measures Committee to improve the marketplace for Canadian consumers through the harmonization of laws, regulations and practices, and through partnerships and initiatives to raise public awareness. Discussion continued in 2016-2017 on payday and other high-cost credit products, classification systems for consumer complaints, and electronic commerce. Manitoba is the co-chair, along with Alberta, of the Payday and Other High-Cost Lending Working Group.

Financial Literacy Fund

In February 2011, the Manitoba government established the Payday Borrowers' Financial Literacy Fund. All payday lenders that are licensed in Manitoba paid an annual levy for the fund of \$500 for each licensed location. In September 2016, the Payday Borrowers' Financial Literacy Fund was continued as the Manitoba Borrowers' Financial Literacy Fund and high-cost credit grantors along with payday lenders pay an annual levy of \$500 for each licensed location. The fund is used to provide borrowers and potential borrowers with information to help them make sound financial decisions.

- In 2016-2017, the following grant was provided from the fund: \$3,050 was used towards the financial literacy calendar through the Manitoba Financial Literacy Forum in order to support and improve programs to provide important financial literacy information to payday loan and high-cost credit borrowers and/or potential borrowers. These efforts lead to more educated borrowers who are better informed in the financial marketplace.

Financial Literacy Fund	2016-2017	2015-2016
Revenue	\$44.5	\$22.0
Grants	\$3.05	\$16.55
Funds remaining on March 31	\$146.1	\$105.1

6 (b) Consumer Protection Office

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,736	27.00	1,910	(174)	1
Total Other Expenditures	207		530	(323)	2
Total External Agencies	113		113		

Explanations:

- Primarily vacant positions due to deferral of *The New Home Warranty Act*
- Savings associated with IT registry for the *New Home Warranty Act* due to deferral of in force date to January 1, 2018

Residential Tenancies Branch

Objectives

- To create a rental marketplace that serves landlords and tenants fairly.
- To educate tenants and landlords to help them make well-informed, responsible decisions.
- To provide tenants and landlords with balanced, accessible and timely dispute resolution, in an informal administrative setting.
- To administer the province's rent regulation program.
- To administer *The Residential Tenancies Act*, *The Life Leases Act* and certain provisions of *The Condominium Act*.
- To identify issues and trends in the rental marketplace and recommend legislative change where appropriate.

Responsibilities

- Provides information to landlords, tenants and others about *The Residential Tenancies Act*, *The Life Leases Act* and *The Condominium Act* as it relates to residential tenancies.
- Investigates complaints of non-compliance with legislation and enforces compliance when necessary.
- Mediates disputes between landlords and tenants and issues enforceable agreements setting out the terms to which the parties have agreed.

- Makes decisions about disputes between tenants and landlords regarding:
 - deposits
 - repairs
 - terms and conditions of a tenancy agreement or life lease
 - the right to continue in occupancy, including termination of tenancy for non-payment of rent and noise and disturbance
 - claims for compensation
 - privacy
 - non-payment of utilities
 - tenant services
 - life lease entrance fees
- Makes decisions about landlords' applications for rent increases above the guideline and tenants' objections to any rent increases and applications for approval of a rehabilitation scheme.
- Hears appeals of fines imposed by Boards under *The Condominium Act*
- Administers the Security Deposit Compensation Fund.
- The branch has offices in Winnipeg, Brandon and Thompson.

Highlights of activities and initiatives in 2016/17 include the following:

Front End Dispute Resolution

Client Services Officers provide dispute resolution services. They work with tenants and landlords to resolve their concerns as quickly as possible. Resolving disputes through mediation remains a priority for the branch. In 2016-2017, more than 3,700 complaints were resolved informally. Client Services Officers resolved an additional 1,269 disputes through formal mediated agreements. If a party defaults on a term of a mediated agreement, the branch can issue a non-appealable order, which can then be enforced through the courts in the same way as a judgment of the court.

Investigation/Enforcement

Investigation Officers are responsible for investigating breaches of the legislation and enforcing compliance. Investigation Officers compile information from landlords and tenants, inspect rental units and issue orders necessary to obtain compliance (e.g. orders to make repairs or allow access to the rental unit).

Disputes related to repairs remain high at 948 requests for assistance in 2016-2017. Investigation and Enforcement Officers work with landlords to resolve repair matters, issuing orders to repair if necessary. Tenants can also be ordered to pay rent to the branch to enforce compliance with orders. The branch can hire contractors to do needed repairs, supervise the activities of the contractors and pay them using rent collected from tenants. Landlords are charged administrative fees in these types of cases.

Investigation and Enforcement Officers worked with utility service providers to ensure that utility service continued to be provided for tenants in 70 buildings after the landlords' accounts fell into arrears and the service was in danger of being cut off.

Investigation staff also continued to work with other government departments to respond to issues respecting bed bugs.

Mediation and Adjudication

Mediation and Adjudication Officers are responsible for the formal dispute resolution activities of the branch. Landlords and tenants may file claims for compensation with the branch. There is no limitation on the amount of money that can be claimed. Landlords may also apply for orders of possession to end the tenancies of tenants who refuse to move after receiving a notice of termination. Appeals of fines imposed by boards under *The Condominium Act* are also heard by the branch. One fine was appealed to the branch in 2016-2017.

Mediation is an important and effective non-adversarial method of resolving disputes. Mediation Officers attempt to resolve disputes before the date set for the determination hearing. In 2016-2017, Mediation Officers successfully resolved 19 per cent of the 1,413 compensation claims filed with the branch through mediation. In addition, 31 per cent of the 2,342 applications for orders of possession were resolved through mediation.

Mediation of order of possession cases often saves tenancies by allowing tenants to remain in occupancy after making arrangements to pay rent arrears and promising to keep future rent payments current.

When mediation is not successful, Adjudication Officers make decisions about the disputes after hearing evidence from landlords and tenants. In 2016-2017, the branch held 1,600 hearings. Following hearings, the Adjudication Officers issue written orders that are enforceable in the Courts (e.g. order to pay money, order to move out of a rental unit). These orders include written reasons, so that the parties understand how a particular decision was reached. Orders are posted on the branch's Orders System, except for rent regulation orders. Clients can access the Orders system by subscription or by individual search at branch offices.

The branch continues to help people with specific circumstances who are being evicted. These include persons with disabilities, the elderly, persons with declining medical conditions single parents and families with children. Mediation Officers ensure that these tenants understand what is happening and connect them with social services agencies that can assist them.

Rent Regulation

Rent Regulation Officers are responsible for matters relating to rent increases, including applications to increase rent above the annual rent increase guideline, tenant objections to rent increases, and applications for approval of a rehabilitation scheme. Rent Regulation Officers review submissions from landlords and tenants, do inspections in some cases and issue orders setting rents.

Landlords who upgrade and reinvest in their properties or whose costs increase by more than the guideline can apply for a rent increase above the guideline or for approval of a rehabilitation of the residential complex. In 2016-2017, 344 above guideline applications and 1 rehabilitation application were received. Demand also continued for rent status reports as many rental properties were sold to new owners. Anyone who is considering the purchase of a rental property can apply to the branch for a rent status report. The report can alert prospective purchasers to potential rent increase problems because it provides information about a property's rent history. The branch received 83 of these requests in 2016-2017.

Information/Education

Client Services Officers provide information to clients who contact the branch by phone, in-person or by e-mail. The branch's Winnipeg office has an Interactive Voice Response System. Callers may choose to speak to a Client Services Officer or listen to recorded information segments about rent increases, security deposits, landlord and tenant responsibilities, bed bugs and repairs. The branch provides fact sheets and other resource material to clients and publishes its "Open Doors" newsletter. Brochures about pets in rental units are available to tenants and landlords. The brochure for landlords provides tips suggestions for reasonable rules about the type of pets allowed and who to contact for help if there is a problem. These brochures are available in branch offices, on the branch's website and at the Winnipeg Humane Society.

A user friendly website offers detailed information including its Policies and Procedures Guidebook, fill, save and submit forms and a security deposit interest calculator. The website also includes the access to the branch's Orders System. Helpful information on how to avoid and treat for bed bugs is also available. Demand for general information continues to be strong. The branch's client services staff handled over 52,000 calls during the fiscal year and responded to 8,469 email requests for information. In 2016-2017, 13,486 people visited branch offices to request information or file a formal complaint. An additional 8,072 clients received information through the Interactive Voice Response System.

Outreach and education activities to the general public and industry stakeholders continued regarding the legislation and programs administered by the branch. The branch made 76 presentations to 1,315 participants, such as landlords, tenants, students, and support workers. The branch also had displays at six events and had the opportunity to speak with approximately 800 people at these venues. Staff also held informal drop-in information sessions at a community service agency.

The branch produces many fact sheets and guides to provide information to clients about their rights, responsibilities, and obligations. A new fact sheet was introduced in 2016-2017 to help tenants understand their responsibilities when moving out of a rental unit. A New Landlord Meeting program introduced in 2015-16, continued in popularity and staff provided sessions to approximately 200 landlords. Client Service Officers schedule individual meetings to review the resources available from the branch and to provide information regarding landlords' rights and responsibilities.

In 2016-2017 the branch partnered with the Winnipeg Rental Network and SEED Winnipeg to introduce the RentSmart Program, which is aimed at reducing evictions by providing participants with the information they need to remain in successful tenancies. The program was run several times throughout the year to: youth at risk through Resource Assistance for Youth Inc. and the North End Community Renewal Corporation; community members on parole; and inmates at Stony Mountain Institution. The branch also partnered with the Spence Neighbourhood Association to provide community outreach. Branch staff attended the monthly Tenant Meeting held by the Association to present materials, answer questions, provide assistance, and build relationships with community members.

Administration/Legislation and Policy Development

The administration staff manages the internal operation of the branch, which includes the management of financial and human resources. *The Residential Tenancies Act* is one of the most comprehensive legislative schemes of its kind in Canada. Staff members are also responsible for the review of existing legislation and policy and the development of new initiatives in these areas. To ensure that the legislation continues to meet the needs of tenants and landlords. The branch continues to consult with stakeholders to stay current with issues and trends in the rental marketplace.

Administration of the Security Deposit Compensation Fund is ongoing. The purpose of the fund is to return security deposits to tenants when landlords fail to comply with orders to refund the money. In 2016-2017, \$7,605.88 was paid to ten tenants. The branch continues attempts to recover these amounts from landlords through rent redirects, garnishing orders and the Canada Revenue Agency's set-off program. Landlords are required to send money to the branch when they owe a former tenant a deposit, overcharged rent or proceeds from abandoned personal property if they cannot locate the tenant. The branch holds these monies for two years. During that period, tenants can ask the branch for any money owed to them. After two years, unclaimed money is transferred into the Security Deposit Compensation Fund. During 2016-2017, unclaimed security deposits and overpayments in the amount of \$54,590.41 were transferred into the fund. When the balance in the fund is more than \$30,000, the excess balance can be used to offset the costs of providing educational programs for landlords and tenants. In 2016-2017, the branch spent \$14,880.97 for that purpose. This included the branch's newsletter, landlord/tenant fact sheets and brochures, landlord resource manuals and pet brochures. The balance in the fund on March 31, 2017 was \$196,593.06.

Independent Advisor Program

The Independent Advisor Pilot Program, which was established to offer assistance to tenants and landlords with smaller property portfolios to file claims and prepare for hearings at the Residential Tenancies Branch and Commission, expired September 30, 2016. Legal Aid Manitoba is continuing with the delivery of on-site information and advocacy services as part of its regular program. The Independent Tenant Advisor assisted 1,112 tenants in preparing for their specific case and represented 76 tenants at Residential Tenancies Branch hearings. The Independent Landlord Advisor assisted more than 80 landlords through the information service.

Parts 1-8 of *The Residential Tenancies Act*

CASE LOAD

Case Type	2016-2017	2015-2016
Failure of Landlord/Tenant to Meet Obligations ¹	71	55
Hearings		
• Claims	1,413	1,336
• Order of Possession	2,342	2,136
• Determination	28	74
Non-payment of Utilities	70	117
Notices to Vacate	5	5
Repairs	948	651
Security Deposits	553	516
Tenancy Agreements	0	0
Other ²	155	127
Total Cases Opened	5,585	5,017
Total Cases Closed ³	5,413	4,806
Intakes Resolved ⁴	3,736	3,605
Total Cases Closed and Intakes Resolved	9,149	8,411

1 This category includes disputes over locks and doors, privacy, seizure of tenants' property, non-payment of rent, disturbance, withholding of services, unauthorized charges or fees.

2 This category includes disputes involving assignment and subletting, mobile homes, entitlement to collect rent, change of landlord and abandonment of rental unit.

3 These figures include cases carried over from the previous fiscal year which were closed during the reporting period.

4 An Intake is a client's request for assistance that does not result in a formal case file being opened. Most are resolved informally at the first stage of contact.

Part 9 of *The Residential Tenancies Act*

CASE LOAD

Case Type	2016-2017	2015-2016
Application for Above the Guideline Rent Increase ¹	344	296
Application for Approval of a Rehabilitation Scheme – Complex	1	4
Application for Approval of a Rehabilitation Scheme – Specified Unit	153	133
Application for Laundry Increase	14	15
Application for Rent Status Report	83	97
Application for Tenant Requested Improvement	11	11
Application for Withdrawal of Service	17	10
Life Lease Rent Review	1	2
Tenant Objection to Guideline, or less, Rent Increase	40	44
Unauthorized Rent Increases	696	930
Total Cases Opened	1,360	1,542
Total Cases Closed ²	1,370	1,324

1 The rent increase guideline for 2015 was 2.4, 1.1 per cent for 2016, and 1.5% for 2017.

2 These figures include cases carried over from the previous fiscal year, which were closed during the reporting period.

6 (c) Residential Tenancies Branch

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,275	64.30	4,566	(291)	1
Total Other Expenditures	636		616	20	

Explanations:

1. Savings associated with vacant and under filled positions

Claimant Adviser Office

Objectives

- To assist persons who wish to appeal an Internal Review decision made by the Manitoba Public Insurance Corporation (MPIC) in relation to bodily injury claims to the Automobile Injury Compensation Appeal Commission (AICAC).

Responsibilities

- Advise claimants about the meaning and effect of the provisions of *The Manitoba Public Insurance Corporation Act*, the regulations and decisions made under the Act.
- Carry out an investigation, including obtaining an expert opinion, respecting an appeal of an MPIC internal review decision to the AICAC. Advise claimants regarding the evidence in support of their appeals.
- May represent and advocate for claimants during mediation at the Automobile Injury Mediation Office, in discussions with MPIC and at Case Conferences and Appeal Hearings before AICAC.

Highlights of activities and initiatives in 2016/17 include the following:

- 133 new regular CAO files were opened involving the appeal of 133 MPIC Internal Review decisions.
- CAO also opened 25 Query files to assist Claimants with questions that required further discussion, meetings, or investigations regarding appealing MPIC Internal Review decisions.
- All new regular CAO files were triaged to initiate prompt action on the file.
- Regular meetings were held by the Director with each Claimant Adviser to review appeal investigation and preparation progress.
- The Director provided ongoing advocacy skills coaching and appeal strategy advice to Claimant Advisers.

CAO File Analysis

CAO Files closed in 2016/2017 - Analysis by PIPP Benefits recovered:

PIPP Benefits recovered	Amount
Wage Replacement benefits.	1014 weeks approx (equivalent of 20 years of total wage replacement)
Personal Care Assistance	236 weeks approx
Permanent Impairment Awards	\$150,000 approx
Reimbursement for Treatment and Travel to Treatment (Physiotherapy; Chiropractic; Athletic; Psychological; Dental)	\$42,000 approx
Reimbursements for Medications; Medical Aid; reduction of overpayments	\$20,000 approx

- These benefits have actual value of approximately \$750,000.
- These amounts do not include the value of ongoing benefits that will be paid to Claimants on the basis of the appeal decision; new MPI decisions or resolution agreements.
- Since the office opened on May 16, 2005, Claimant Advisers have recovered approximately \$10 million in benefits for appellants.

CAO Files closed in 2016/2017 - Analysis by Year CAO File Opened:

Year CAO File Opened	% of total CAO Files closed in 2016/2017
2016	31%
2015	44%
2014	17%
2013	6%
2012	2%

CAO Files closed in 2016/2017 - Analysis by Reason for File Closure:

CAO Files Closed	2016/2017
Commission Decisions – Appeal allowed	1
Commission Decisions – Appeal denied	6
Resolved by CAO and MPI prior to Hearing	13
Resolved at Mediation – MOA and NOW filed	56
Resolved before Mediation – Resolution Agreements with MPIC	8
CAO representation withdrawn as insufficient evidence and other reasons	29
Claimant left CAO for self or alternative representation	6
Claimant withdrew appeal on recommendation of CAO or abandoned appeal	6
Other reasons	1
Total	126

CAO files opened and Active files in 2016/2017

Files Opened	2016-2017	2015-2016	2014-2015
Regular CAO Files Opened	133	160	163
Query Files Opened	25	N/A	N/A

Total of Active Files	2016-2017	2015-2016	2014-2015
Regular CAO Files	268	255	245

CAO Matters scheduled in 2016/2017

Appeals	2016-2017	2015-2016	2014-2015
Appeal Hearings scheduled	20	30	26
Appeal Hearings that Proceeded	8	15	18
Case Conferences scheduled	58	48	79
Case Conferences that proceeded	38	33	72

Mediation	2016-2017	2015-2016	2014-2015
Pre-Mediations scheduled	97	120	94
Pre-Mediations that proceeded	86	91	85
Mediations scheduled	129	148	149
Mediations that proceeded	98	103	113

- Claimants have completed and returned 10 Client Service Satisfaction Forms out of the 126 closed CAO files.

Service Measures	Excellent	Good	Average	Fair	Poor	Yes	No
Satisfaction with service	7	3	0	0	0		
Accessibility to office and services	5	4	0	0	1		
Phone calls returned promptly	9	1	0	0	0		
Knowledge of the staff *	6	3	0	0	0		
Efficiency of service *	7	2	1	0	0		
Would you recommend our service to others? *						8	1

*one respondent did not provide a response to the question

6 (d) Claimant Adviser Office

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	768	11.50	900	(132)	
Total Other Expenditures	83		172	(89)	

Automobile Injury Compensation Appeal Commission

General

- The Automobile Injury Compensation Appeal Commission (the Commission), now in its 23rd full year of operation, is a specialist tribunal established under *The Manitoba Public Insurance Corporation Act* (the MPIC Act) to hear appeals of internal review decisions concerning benefits under the Personal Injury Protection Plan (PIPP) of the Manitoba Public Insurance Corporation (MPIC), a “no-fault” insurance program.
- The commission is composed of a chief commissioner, 1 deputy chief commissioner, a part-time deputy chief commissioner, a director of appeals, 3 appeals officers, a secretary to the chief commissioner, 2 administrative assistants and one clerical assistant. In addition, there are 17 part-time commissioners who sit on appeal panels as required.
- In 2016-2017, 152 individuals filed new appeals. This compares with 217 individuals filing new appeals in the 2015-2016 fiscal year.

Highlights of activities and initiatives in 2016/17 include the following:

- In 2016-2017 the Commission held 27 formal hearings and 117 pre-hearing meetings or case conferences as compared to 37 hearings and 80 pre-hearings or case conferences in 2015-2016. Management of appeals by case conference continues to be an important part of the Commission’s hearing schedule. Over the last eight fiscal years, the Commission’s experience has been that many appeals required additional case management by a commissioner. In keeping with past practice, the Commission continued to initiate case conference hearings in 2016-2017. Case conferences assist in determining the status of appeals,

identifying sources of delay, resolving parties' impediments to scheduling a hearing date, facilitating mediation, and scheduling hearings.

- Appellants were successful in whole or in part in 14 percent of the appeals heard by the Commission during 2016-2017.
- Since February 2012, the Commission's Notice of Appeal indicates that appellants have the option to participate in the mediation of their appeal. Established as a pilot project, mediation services are provided by the Automobile Injury Mediation Office (AIM), an independent government agency. The Commission's role is to facilitate an appellant's request to participate in mediation at AIM, in addition to proceeding with an appeal at the Commission for any matters that remain unresolved.
- Changes to the Commission's administrative procedures that were initiated during the third quarter of 2012-2013 to accommodate the mediation pilot project continued in 2016-2017. Once the mediation process concludes, unresolved or partially resolved appeals are returned for a hearing before the Commission. Indexed files are prepared by appeals officers only for those unresolved or partially resolved appeals. If mediation is not requested at the time the Notice of Appeal is filed, an indexed file will be prepared. An indexed file is the compilation of documentary evidence considered arguably relevant to the issues under appeal. It is provided to the appellant or the appellant's representative and to MPIC and will be referred to at the hearing of the appeal. Once the parties have reviewed the indexed file and submitted any further relevant evidence, a date is fixed for hearing the appeal. The number of indexed files decreased from 102 in 2015-2016 to 84 in 2016-2017. The Commission's appeals officers prepared 99 supplementary indexes in 2016-2017, compared to 85 supplementary indexes in 2015-2016 and 111 supplementary indexes in 2014-2015.
- There were 380 open appeals at the Commission at the end of 2016-2017. There were 399 open appeals at the Commission as of March 31, 2016, a decrease of 19 open appeals.
- Hearing dates were scheduled, on average, within 1.47 weeks in 2016-2017 from the time the parties were ready to proceed to a hearing (compared to 1.79 weeks in 2015-2016 and 2.33 weeks in 2014-2015).
- The Commission prepared 21 written decisions in 2016-2017, compared to 25 written decisions in 2015-2016.
- The average time from the date a hearing concluded to the date the Commission issued an appeal decision was 6.33 weeks in 2016-2017 (compared to 5.93 weeks in 2015-2016 and 5.28 weeks in 2014-2015).
- In 2016-2017 the Commission held 39 days of hearings and 119 days of pre-hearing or case conferences as compared to 55 days of hearings and 83 days of pre-hearing or case conferences in 2015-2016.
- A decision of the Commission is binding, subject only to a right of appeal to the Manitoba Court of Appeal on a point of law or a question of jurisdiction, and then only with leave of the court. There were three applications for leave to appeal in 2016-2017. Leave to appeal was dismissed in all three cases.

6 (e) Automobile Injury Compensation Appeal Commission

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	891	8.00	908	(17)	
Total Other Expenditures	115		163	(48)	

Residential Tenancies Commission

The Residential Tenancies Commission is a quasi-judicial, specialist tribunal that hears appeals from decisions and orders of the Director under *The Residential Tenancies Act*.

The Residential Tenancies Commission consists of:

- The Chief Commissioner – a full-time position; appointed for up to a five-year term, located in Winnipeg.
- Deputy Chief Commissioners – one full-time position appointed for up to a four-year term and 16 part-time

positions appointed for up to a four-year term, located in Winnipeg, Virden and Brandon. The Deputy Chief Commissioner may exercise the powers and perform the duties of the Chief Commissioner.

- Panel members – 36 part-time panel members appointed for up to a two-year term located in Winnipeg, Portage la Prairie, Thompson and Brandon – approximately half representing the views of the landlords; the others the views of the tenants.

Some appeals are heard only by the Chief Commissioner or a Deputy Chief Commissioner and some appeals are heard by a panel of three, consisting of one landlord and one tenant representative and either the Chief Commissioner or a Deputy Chief Commissioner as the neutral Chairperson. If there is not a majority decision, the decision of the neutral Chairperson is the decision of the Commission. Hearings outside of Winnipeg are held at the nearest judicial district.

A person who did not attend or otherwise participate in the hearing before the director may not appeal an order granting an order of possession to a landlord for the termination of the tenancy for non-payment of rent or a tenant services charge, unless the Commission, on application, grants the person leave to appeal.

The Residential Tenancies Commission decisions made under Parts 1-8 of *The Residential Tenancies Act* can be appealed to the Court of Appeal, but only on a question of law or jurisdiction. A Court of Appeal judge must grant leave or permission to appeal. Section 179 of *The Residential Tenancies Act* dealing with rent regulation states that “No appeal lies from a decision or order of the commission made in a matter arising under Part 9.” The Residential Tenancies Commission’s decision here is final.

Activity Summary

April 1, 2016 – March 31, 2017

Activity	Received	Processed
Claim For Security Deposit or Less	57	54
Claim	150	138
Claim and Order of Possession	178	190
Determination	6	16
Abandonment	1	1
Repairs	22	21
Rent Regulation	64	69
Total	478	489

Appeals Initiated By	2016-2017
Landlord	200
Tenant	249
Other Party	1
Multiple Parties	28
Total Appeals¹	478

¹ Total Appeals represents the number of Appeals received within the fiscal period.

Motions for Extension of Time to Appeal	Received	Outcome
Motions for Extension of Time to Appeal	65	
Decisions Denied		25
Decisions Granted		40

Leave to Appeal Applications to the Residential Tenancies Commission	Received	Outcome
Applications for Leave to Appeal	51	
Leave to Appeal Denied		33
Leave to Appeal Granted		18

Decisions	2016-2017
Orders upheld	197
Orders varied	186
Orders rescinded/overturned	42
Orders withdrawn/settled	55
Orders cancelled	6
Pending	1
Rejected	2
Total Decisions²	489

² Total Decisions represents the number of Appeals processed where Orders have been issued and files closed within the fiscal period.

Appeal Hearings:	2016-2017
Brandon	6
Dauphin	1
Arborg	1
Ste. Anne	1
Portage la Prairie	20
Steinbach	2
Winnipeg	406
Total Appeal Hearings³	437

³ Total Appeal Hearings represents the actual number of hearings which took place within the fiscal period.

Court of Appeal	Received	Outcome
Applications for Leave to Appeal	34	
Decisions Denied		19
Hearings Pending		15

6 (f) Residential Tenancies Commission

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	791	5.50	802	(11)	
Total Other Expenditures	102		119	(17)	

Office of the Registrar-General

Objectives

- To ensure the proper operation of the land registration systems and Personal Property Registry in accordance with the service provider contract with Teranet Manitoba and applicable legislation.
- To operate a fair and efficient tribunal to decide:
 - appeals of decisions of a District Registrar, the Examiner of Surveys or the Registrar of the Personal Property Registry;
 - claims for compensation from the Assurance Fund; and
 - rights regarding estates or interests in land.
- To develop and administer land and personal property security legislation for Manitobans.
- To provide general information to the public regarding *The Condominium Act*.

Responsibilities

The Office of the Registrar-General is responsible for exercising general oversight of the private service provider and ensuring that the land registration systems and the Personal Property Registry are provided in accordance with the applicable legislation.

- The Registrar-General will:
 - Decide matters referred by someone dissatisfied with an act or omission of a District Registrar, the Examiner of Surveys or the Registrar of the Personal Property Registry.
 - Hear applications to determine ownership of rights to interests in land and for claims for compensation from The Assurance Fund related to an interest in land.
 - Establish rules of practice for the service provider and users of the land titles system and rules regarding mortgage sale and foreclosure proceedings.
 - Approve the forms to be used in the land registration system and the Personal Property Registry.

Highlights of activities and initiatives in 2016/17 include the following:

- The Registrar-General oversaw the operations of The Property Registry including covering monthly meetings with management of The Property Registry and quarterly meetings of the Joint Executive Committee.
- Manitoba receives royalties from the operation of the land and personal property registries by the service provider, Teranet Manitoba LP on a calendar year basis.
 - Royalty received for calendar year 2016 was \$9.8 million
- The Registrar-General oversees the administration of the collection of land transfer tax by the service provider. Land transfer tax of \$84.7 million was collected for 2016/2017.
- Teranet Manitoba LP met all of its contractual obligations under the License and Service Provider Agreement from the agreement's inception in March, 2014 to the date of this report, March 31, 2017.
- The Registrar-General oversaw the development by the service provider of
 - a new online system which allows Manitoba Land Surveyors to submit survey plans electronically for initial examination, along with an online communication tool to allow the examination staff and the land

surveyor to communicate in writing securely

- a new electronic eTransfer form for use in the land titles system: along with updated eMortgage, eCaveat, and eDischarge forms. These eForms materially help clients by incorporating and simplifying land titles rules, reducing research and re-work time due to deficiencies
 - a user friendly password reset process
 - the conversion from microfilm to pdf of the majority of registered land titles documents, which makes them available for ordering online, for greater convenience to clients
 - improvements to microfilming and scanning processes after registration of land titles documents making newly registered documents available for ordering online faster
 - the creation of data migration and transformation rules that will be applied when the Manitoba Land Titles Database is migrated from a mainframe database to a modern database based on a server
 - updated Terms of Use incorporating revisions related to the Common Financials project which improved online accounting services for clients
 - new Terms of Use applicable to clients who will be incorporating the new Land Titles forms within document creation software
- Registrar-General Directives: The Registrar-General may make, amend and repeal rules of practice that relate to the land registration systems and approve all forms used in the land registration system. For greater transparency, significant rules of practice and all form approvals are issued by Directive. Directives are in both official languages, posted on The Property Registry website and emailed to all users who are on a distribution list. Minor matters involving internal processes within the land registration system are given to land registry staff directly.
 - There were 14 Registrar-General Directives issued in 2016/2017 (12 in 2015/2016)

Transformation activity at Land Titles

While still part of government, The Property Registry commenced improvements to the delivery to clients of documents and plans. Following the transition in March, 2014 to Teranet Manitoba operating The Property Registry, transformation to electronic delivery of service has continued.

- **Survey Plans Online (implemented in 2011):** any registered survey plan in the Province can be ordered online.
- **Documents Online (implemented in 2012):** the public can search and order documents online, e.g. a copy of their mortgage. Since the transition Teranet has digitized microfilm documents that date back to the early 1980s. As a result, clients now have online access to over three million documents.
- **Titles Online (implemented in 2015):** provides users with fast and easy access to all titles in the electronic registry reducing the need to search approximately 20 screens to a single screen/report
- **Plan Deposit Submission (implemented in June, 2016):** an online application is now available that allows surveyors to submit electronic copies of plan deposits for examination and exchange of comments with TPR resulting in time and cost savings associated with mailing, couriering or dropping off/picking up plans.
 - There has been 100% voluntary uptake of this service.
- **Modern account management system (implemented in 2015):** this new system provides clients with electronic receipts, statements and reports and greater flexibility in managing accounts. Clients can reduce the number of accounts they maintain from a maximum of eight to two.
- **Smart fillable electronic forms (delivered in 2015 & 2016):** the benefit to users will be reduced rework time and costs associated with the need to correct and/or resubmit documents. Four of the most common forms (approximately 76% of all submissions) have been converted into smart fillable forms.
- **Electronic Registration (scheduled for implementation in December, 2017)**
 - convenient access – clients can submit documents in the evening or weekends
 - immediate registration during regular registration hours
 - immediate notification that their document has been submitted and received
 - clients can collaborate electronically between firms to prepare documents saving time and money

- payment by deposit account or electronic funds transfer
- elimination of the need to courier, mail or drop-off documents at land title offices will result in time and cost savings
- elimination of the need to complete and submit an application form for each submission

**Statistical data of registrations and searches for Land Titles and Personal Property Registry
(by Calendar year)**

	2016	2015	2014
Land Titles registrations	158,779	160,393	171,926
Land Titles Searches	290,538	(1) 1,749,072	5,402,990
PPR Registrations	237,591	248,422	246,447
PPR Searches	227,800	227,916	232,350

(1) Land Titles search methodology changed part way through 2015 from calculating “per click” on a mainframe search to a single pdf copy of a title or instrument

- The Office of the Registrar-General is the primary point of contact for Manitobans with questions about *The Condominium Act*.
2016/2017 – 38 individuals
2015/2016 – 126 individuals
- By implementing the digitization of all historic and current records, and maintaining a paper free work flow primarily utilizing email, the Office of the Registrar-General reduced its need for printing and mailing.
- There were no payments from the Assurance Fund in 2016-2017. (None in 2015/2016)

6 (g) Office of the Registrar-General

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	235	2.00	215	20
Total Other Expenditures	82		87	(5)

Vital Statistics Agency (SOA)

The Vital Statistics Agency is the only authoritative:

- Source of historic and current vital event information in Manitoba;
- Registrar of Manitoba vital events;
- Provider of digital vital event notification and validation services in Manitoba;
- Issuer of Manitoba vital event documents.

The Agency is responsible for administering and enforcing *The Vital Statistics Act*, *The Marriage Act*, *The Change of Name Act*, processing disinterments under *The Public Health Act*, and protecting privacy under *The Personal Health Information Act* and *The Freedom of Information and Protection of Privacy Act*.

The Vital Statistics Agency became a Special Operating Agency on April 1, 1994 and currently operates within the Consumer Protection Division of the Department of Justice. Detailed information on the Vital Statistics Agency can be found in the Agency’s Annual Report. This report is available online at <https://vitalstats.gov.mb.ca/>.

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 write-off 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 2016/2017 included SAP support, government air, and existing assets including equipment and information systems projects and major computer applications.

- 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 amortize the province's fleet of aircrafts, used primarily by justice personnel for circuit court travel.
- The existing asset inventory includes information technology projects, major computer applications, furniture, equipment and machinery.

The amortization of existing assets and interest expense are provided as of March 31, 2017.

04-7 Costs Related to Capital Assets

Expenditures by Sub-Appropriation	Actual 2016/17 \$(000s)	Estimate 2016/17 FTE	Variance Over (Under) \$(000s)	Expl. No.
Government air	254		254	
Amortization—Existing assets at March 31, 2017	2,439		(175)	1
Interest expense	941		(77)	
Total	3,634		(553)	

Explanation:

1. Carryover to 2017/18 of three ICT projects resulting in deferral of amortization and interest charges

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-1 Administration and Finance					
51	(a) Minister's Salary	51	37	14	
806	(b) Executive Support Salaries	824	693	131	
88	Other Expenditures	74	86	(12)	
(c) Financial & Administrative Services					
1,789	Salaries	1,325	1,669	(344)	1
216	Other Expenditures	667	192	475	2
(d) Information Systems					
1,142	Salaries and Employee Benefits	1,018	1,022	(4)	
394	Other Expenditures	184	248	(64)	
(216)	Less: Recoverable from Part B - Capital	0	0	0	
4,270	Subtotal 04-1	4,143	3,947	196	
04-2 Criminal Law					
(a) Manitoba Prosecutions Service					
32,818	Salaries and Employee Benefits	30,329	28,221	2,108	3
3,916	Operating	3,658	3,914	(256)	4
852	Witness Program and Grants	1,429	1,453	(24)	

1. Financial & Administrative Services – Decrease in salaries due to increased vacancies.
2. Financial & Administrative Services – Increase to Justice legal services charges allocated to program.
3. Manitoba Prosecution Services – Primarily increase in salary costs related to vacant positions and existing positions.
4. Manitoba Prosecution Services – Decrease in transportation, communication and other operating costs.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
	(b) Victim Services				
4,326	Salaries and Employee Benefits	4,022	3,757	265	5
512	Operating	479	505	(26)	
537	Grants	508	280	228	6
3,534	(c) Compensation for Victims of Crime	2,892	2,560	332	7
	(d) Innovation and Restorative Justice				
391	Salaries and Employee Benefits	374	371	3	
87	Operating	53	87	(34)	
2,329	Programs and External Agencies	2,226	2,067	159	
49,302	Subtotal 04-2	45,970	43,215	2,755	
	04-3 Civil Law				
	(a) Executive Administration				
263	Salaries and Employee Benefits	258	236	22	
12	Other Expenditures	138	5	133	
	(b) Crown Law Analysis and Development				
506	Salaries and Employee Benefits	478	518	(40)	
61	Other Expenditures	41	38	3	
	(c) Manitoba Human Rights Commission				
1,824	Salaries and Employee Benefits	1,499	1,721	(222)	8
268	Other Expenditures	313	294	19	
	(d) Office of the Chief Medical Examiner				
1,263	Salaries and Employee Benefits	1,213	1,175	38	
2,958	Other Expenditures	2,603	2,245	358	9
85	(e) Grant to Manitoba Law Reform Commission	85	85	0	
	(f) Criminal Property Forfeiture				
565	Salaries and Employee Benefits	519	464	55	
340	Other Expenditures	223	321	(98)	

5. Victim Services – Salary increases related to direct and indirect salary costs.
6. Victim Services – Program increases with the Continuing Service Agreements (CSA) in 2016/17.
7. Compensation for Victims of Crime – Increased counselling and travel related to number of claims.
8. Manitoba Human Rights Commission – Savings in salaries related to vacant positions.
9. Office of the Chief Medical Examiner – Volume increase in autopsy and body transport costs and increase to transport fee rate.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
	(g) Legal Services				
11,462	Salaries and Employee Benefits	10,784	9,969	815	10
1,418	Other Expenditures	862	895	(33)	
(8,527)	Less: Recoverable from Other Appropriations	(8,073)	(8,136)	63	
	(h) Legislative Counsel				
2,716	Salaries and Employee Benefits	2,681	2,268	413	11
239	Other Expenditures	253	335	(82)	
	(i) Legal Aid Manitoba				
17,503	Salaries and Employee Benefits	14,631	15,041	(410)	12
14,770	Other Expenditures	17,650	15,903	1,747	13
47,726	Subtotal 04-3	46,158	43,377	2,781	
	04-4 Community Safety				
	(a) Corporate Services				
4,829	Salaries and Employee Benefits	3,695	3,264	431	14
1,215	Other Expenditures	1,170	1,143	27	
2,616	Programs and External Agencies	2,580	2,480	100	
	(b) Custody Corrections				
189,298	Salaries and Employee Benefits	201,260	196,909	4,351	15
24,387	Other Expenditures	22,650	23,214	(564)	15
281	Programs and External Agencies	233	293	(60)	
	(c) Community Corrections				
26,458	Salaries and Employee Benefits	23,616	23,348	268	16
2,874	Other Expenditures	2,671	2,790	(119)	
795	Programs and External Agencies	528	620	(92)	

10. Legal Services – Salary increases related to direct and indirect salary costs.
11. Legislative Counsel – Increased salary costs related to filling of vacant positions.
12. Legal Aid – Decrease in salary costs related to vacant positions.
13. Legal Aid – Increase due to clients qualifying for coverage.
14. Corporate Services – Increased salary costs due to filling of vacant positions.
15. Custody Corrections – Increase in salary costs due to increased inmate populations and primarily decrease in legal services billing.
16. Community Corrections – Increased salary costs including pension.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
145,193 (2,150)	(d) Provincial Policing Gross Expenditures	144,619 (2,150)	136,895 (2,150)	7,724 0	17
	Less: Recoverable from Rural Economic Developm.				
2,060	(e) Aboriginal and Community Law Enforcement Salaries and Employee Benefits	2,164	1,950	214	18
558	Other Expenditures	424	386	38	
285	Programs	99	324	(225)	19
326	(f) Law Enforcement Review Agency Salaries and Employee Benefits	313	312	1	
61	Other Expenditures	48	44	4	
316	(g) Manitoba Police Commission Salaries and Employee Benefits	305	280	25	
165	Other Expenditures	44	64	(20)	
1,635	(h) Independent Investigation Unit Salaries and Employee Benefits	1,507	1,249	258	20
1,142	Other Expenditures	309	493	(184)	21
636	(i) Crime Prevention Salaries and Employee Benefits	560	592	(32)	
117	Other Expenditures	55	75	(20)	
2,089 (422)	External Agencies Less: Recoverable from Other Appropriations	2,012 (482)	2,363 (422)	(351) (60)	22
6,300	(j) Protective Services Salaries and Employee Benefits	7,269	7,127	142	
1,061	Other Expenditures	1,073	1,083	(10)	
(1,259)	Less: Recoverable from Other Appropriations	(1,133)	(1,044)	(89)	
0	(k) Justice Initiatives	0	0	-	
410,866	Subtotal 04-4	415,439	403,682	11,757	

17. Provincial Policing – Increase in DOPS and PPSA salary and operating as well as new First Nations Safety Officer Program and timing of payment for new contract for DNA Biological Casework.

18. Aboriginal and Community Law Enforcement - Increase in direct and indirect salaries.

19. Aboriginal and Community Law Enforcement - Decrease in protection and security costs due to lower client activity.

20. Independent Investigation Unit – Increase in direct and indirect salaries and overtime.

21. Independent Investigation Unit – Decrease in other operating including transportation, communications and other operating supplies.

22. Crime Prevention - Decrease in grant payments due to insufficient reporting and programming.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-5 Courts					
(a) Corporate Services and Program Management					
5,878	Salaries and Employee Benefits	5,210	5,106	104	
2,628	Other Expenditures	2,657	2,819	(162)	
13,500	(b) Court Operations				
2,957	Salaries and Employee Benefits	13,412	12,847	565	23
	Other Expenditures	3,098	2,919	179	
(c) Judicial Services					
22,885	Salaries and Employee Benefits	22,710	22,997	(287)	24
2,440	Other Expenditures	2,580	2,636	(56)	
53	Grants	53	53	-	
(d) Sheriff Services					
9,902	Salaries	10,333	9,651	682	25
3,026	Other Expenditures	3,216	3,089	127	
63,269	Subtotal 04-5	63,269	62,117	1,152	
04-6 Consumer Protection					
(a) Administration and Research					
549	Salaries and Employee Benefits	456	569	(113)	
230	Other Expenditures	118	113	5	
(b) Consumer Protection Office					
1,910	Salaries and Employee Benefits	1,736	1424	312	26
530	Other Expenditures	207	228	(21)	
113	External Agencies	113	113	-	

23. Court Operations – Increase in direct and indirect salary costs.

24. Judicial Services – Primarily decrease in direct and indirect salary costs related to JCC9 increases including retroactive pay.

25. Sheriff Services - Increase in direct and indirect salary costs related to overtime, retirement severance and vacation payouts.

26. Consumer Protection Office – Increase in salary costs due to filled vacant positions.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
4,566	(c) Residential Tenancies Branch	4,275	4,048	227	27
616	Salaries and Employee Benefits	636	739	(103)	
	Other Expenditures				
900	(d) Claimant Adviser Office	768	866	(98)	
172	Salaries and Employee Benefits	83	133	(50)	
	Other Expenditures				
908	(e) Automobile Injury Compensation Appeal Commission	891	1,105	(214)	28
163	Salaries and Employee Benefits	115	121	(6)	
	Other Expenditures				
802	(f) Residential Tenancies Commission	791	754	37	
119	Salaries and Employee Benefits	102	98	4	
	Other Expenditures				
215	(g) Office of the Registrar-General	235	229	6	
87	Salaries and Employee Benefits	82	57	25	
	Other Expenditures				
11,880	Subtotal 04-6	10,608	10,597	11	
3,886	04-7 Costs Related To Capital Assets	3,634	3,627	7	
591,199	TOTAL EXPENDITURES	589,221	570,562	18,659	

27. Residential Tenancies Branch – Increase in salary costs due to filled vacant positions.

28. Automobile Injury Compensation Appeal Commission – Decrease in salary costs related to vacant positions.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2017 with comparative figures for the previous year

2016/17 Estimate \$(000s)	Appropriation	2016/17 Actual \$(000s)	2015/16 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
Department Summary 04 by Main Appropriation					
4,270	(1) Administration, Finance & Justice Innovation	4,143	3,947	196	
49,302	(2) Criminal Law	45,970	43,215	2,755	
47,726	(3) Civil Law	46,158	43,377	2,781	
410,866	(4) Community Safety	415,439	403,682	11,757	
63,269	(5) Courts	63,269	62,117	1,152	
11,880	(6) Consumer Protection	10,608	10,597	11	
3,886	(7) Costs Related To Capital Assets	3,634	3,627	7	
591,199	Total	589,221	570,562	18,659	

Manitoba Justice

Revenue Summary
for the fiscal year ended March 31, 2017 with comparative figures for the previous year

Actual 2015/16	Actual 2016/17	Increase (Decrease)	Source	Actual 2016/17	Estimate 2016/17	Variance	Explanation Number
83,736	84,703	967	Land Transfer Tax	84,703	83,736	967	1
TAXATION							
GOVERNMENT OF CANADA							
435	493	58	Aboriginal Court Worker Program	493	435	58	
647	691	44	Supporting Families Initiative	691	805	(114)	
4,870	5,201	331	Legal Aid Agreement	5,201	4,760	441	2
2,743	2,986	243	Special Projects	2,986	3,007	(21)	
278	341	63	Winnipeg Drug Treatment Court	341	400	(59)	
5,140	5,141	1	Youth Justice Services and Programs Agreement	5,141	5,141	0	
14,113	14,853	677	Sub-Total	14,853	14,548	305	

Explanation Number:

- Land Transfer Tax - \$967 over Estimate and \$967 under 2015/2016 Actual**
Increase in volume and value of the property.
- Legal Aid Agreement - \$441 over Estimate and \$331 over 2015/2016 Actual**
Variance due to increase in Federal funding contribution of \$355, 2015/2016 Write off of \$75 and \$11 related to the Immigration & Refugee claims from 201/11 to 2013/14.

Manitoba Justice

Revenue Summary for the fiscal year ended March 31, 2017 with comparative figures for the previous year

Actual 2015/16	Actual 2016/17	Increase (Decrease)	Source	Actual 2016/17	Estimate 2016/17	Variance	Explanation Number
486	483	(3)	(3) Cost Recovery from City of Winnipeg (Remand Centre)	483	486	(3)	
2,856	2,856	0	0 Cost Recovery from Municipalities	2,856	2,856	0	
5,816	6,315	499	499 Cost Recovery from Victims' Assistance Fund	6,315	6,826	(511)	3
39	83	44	44 Escheats to the Crown	83	50	33	
35,366	36,454	1,088	1,088 Fines and Costs	36,454	34,256	2,198	4
10,464	11,416	952	952 Law Fees	11,416	9,100	2,316	5
1,510	1,266	(244)	(244) Automobile Injury Appeals Commission Cost Recovery	1,266	1,255	11	
1,182	1,007	(175)	(175) Claimant Adviser Office Cost Recovery	1,007	1,214	(207)	6
2,721	3,078	357	357 Consumer Affairs Fees	3,078	2,572	506	7
10,700	9,846	(854)	(854) Royalty	9,846	11,000	(1,154)	8
6,330	6,097	(233)	(233) Sundry	6,097	4,364	1,733	9
77,470	78,901	1,431	Sub-Total	78,901	73,979	4,922	
175,319	178,457	2,108	TOTAL DEPARTMENTAL REVENUE	178,457	172,263	6,194	

Explanation Number:

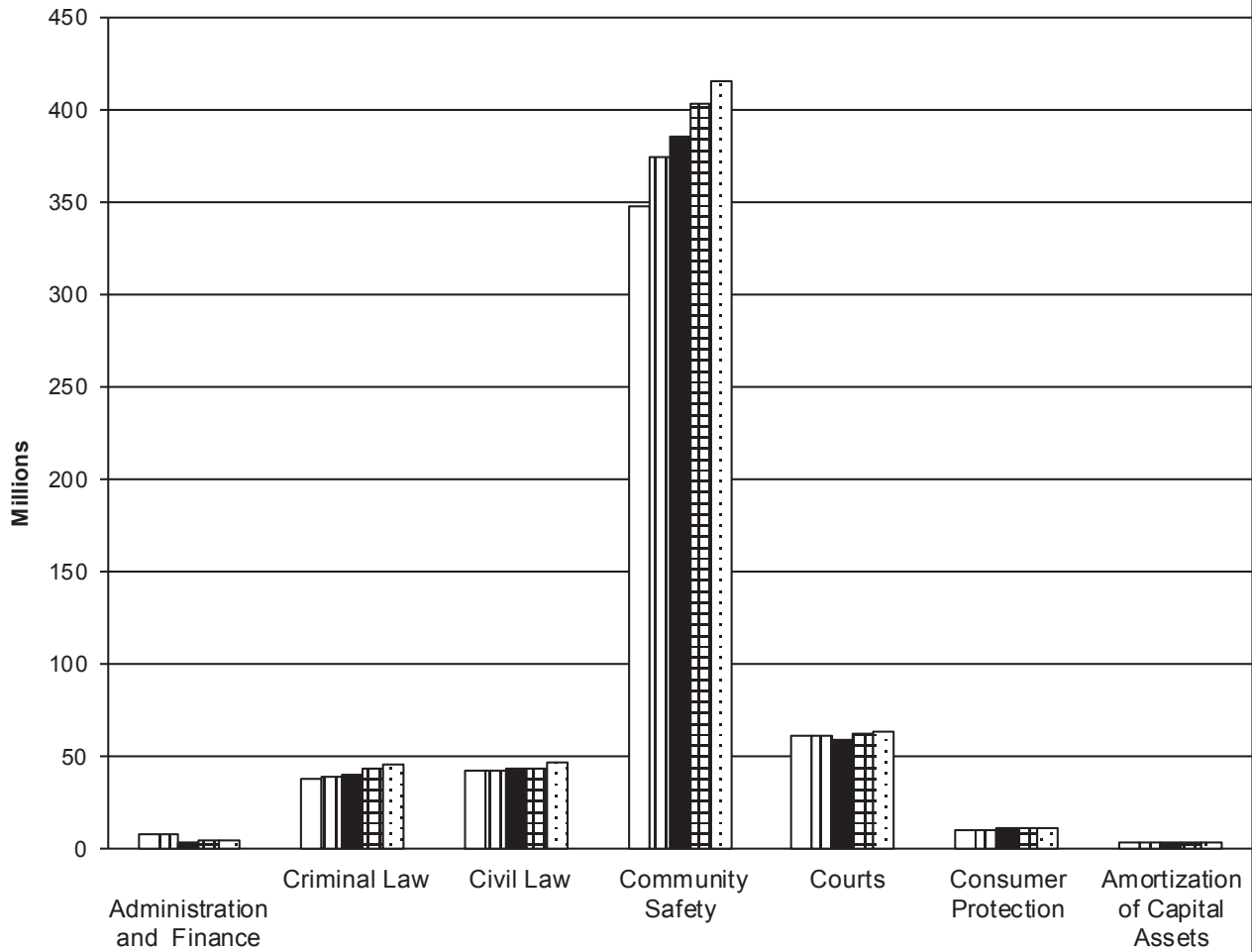
- 3. Cost Recovery from Victims' Assistance Fund – (\$511) under Estimate**
Recovery of actual expenditures for victim services programs which decreased primarily in salaries.
- 4. Fines and Costs - \$2,198 over Estimate and \$1,088 over 2015/16 Actual**
Increase in the volume of photo enforcement tickets and RCMP E-tickets issued.
- 5. Law Fees - \$2,316 over Estimate and \$952 over 2015/2016 Actual**
Increase in the value of probated estates upon which the fee is assessed.
- 6. Claimant Adviser Office Cost Recovery – (\$207) under Estimate and (\$175) under 2015/2016 Actual**
Variance is based on actual expenditures.
- 7. Consumer Affairs Fees - \$506 over Estimate and \$357 over 2015/2016 Actual**
Increase in the volume of licenses and the new rate increase implemented in 2015/2016.
- 8. Royalty – (\$1,154) under Estimate and (\$854) under 2015/2016 Actual**
Variance is based on actual transaction volumes for specified land titles, personal property registration and search activities.
- 9. Sundry - \$1,733 over Estimate**
Primarily due to increases in maintenance enforcement collection service charges, federal prisoner detention per diems, Government Services rental, Suitors Fund recoveries and other sundry fees.

Manitoba Justice

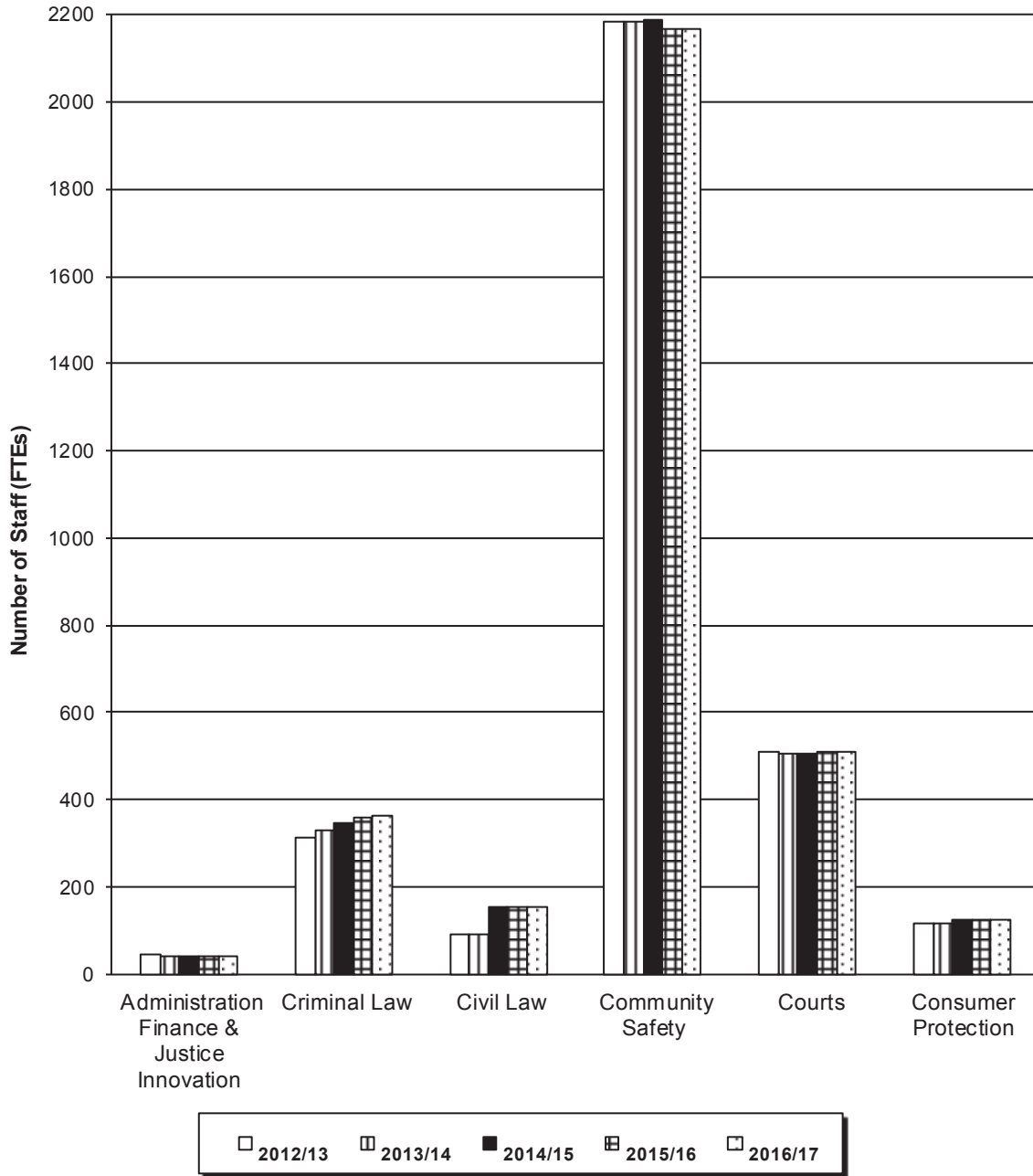
Historical Information
 Five Year Expenditure and Staffing Summary by Appropriation \$(000s)
 For Years Ending March 31, 2013 to March 31, 2017

APPROPRIATION	Actual/* Adjusted Expenditures											
	2012/13		2013/14		2014/15		2015/16		2016/17			
	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)		
04-1 Administration and Finance	43.34	7,548	40.34	7,621	39.50	3,661	41.50	3,947	40.50	4,143		
04-2 Criminal Law	313.80	38,176	329.80	38,837	344.80	40,335	360.80	43,215	364.80	45,970		
04-3 Civil Law	92.00	41,611	90.00	42,373	154.00	43,466	155.00	43,377	155.00	46,158		
04-4 Community Safety	2,183.97	347,924	2,182.97	374,538	2,187.90	385,357	2,168.00	403,682	2,166.00	415,439		
04-5 Courts	508.70	61,027	506.70	60,882	505.70	58,888	508.70	62,117	507.70	63,269		
04-6 Consumer Protection	116.67	9,649	117.90	9,860	124.30	10,543	124.30	10,597	124.30	10,608		
04-7 Costs Related To Capital Assets		3,034		3,266		3,613		3,627		3,634		
Total	3,258.48	508,969	3,267.71	537,377	3,356.20	545,863	3,358.30	570,562	3,358.30	589,221		

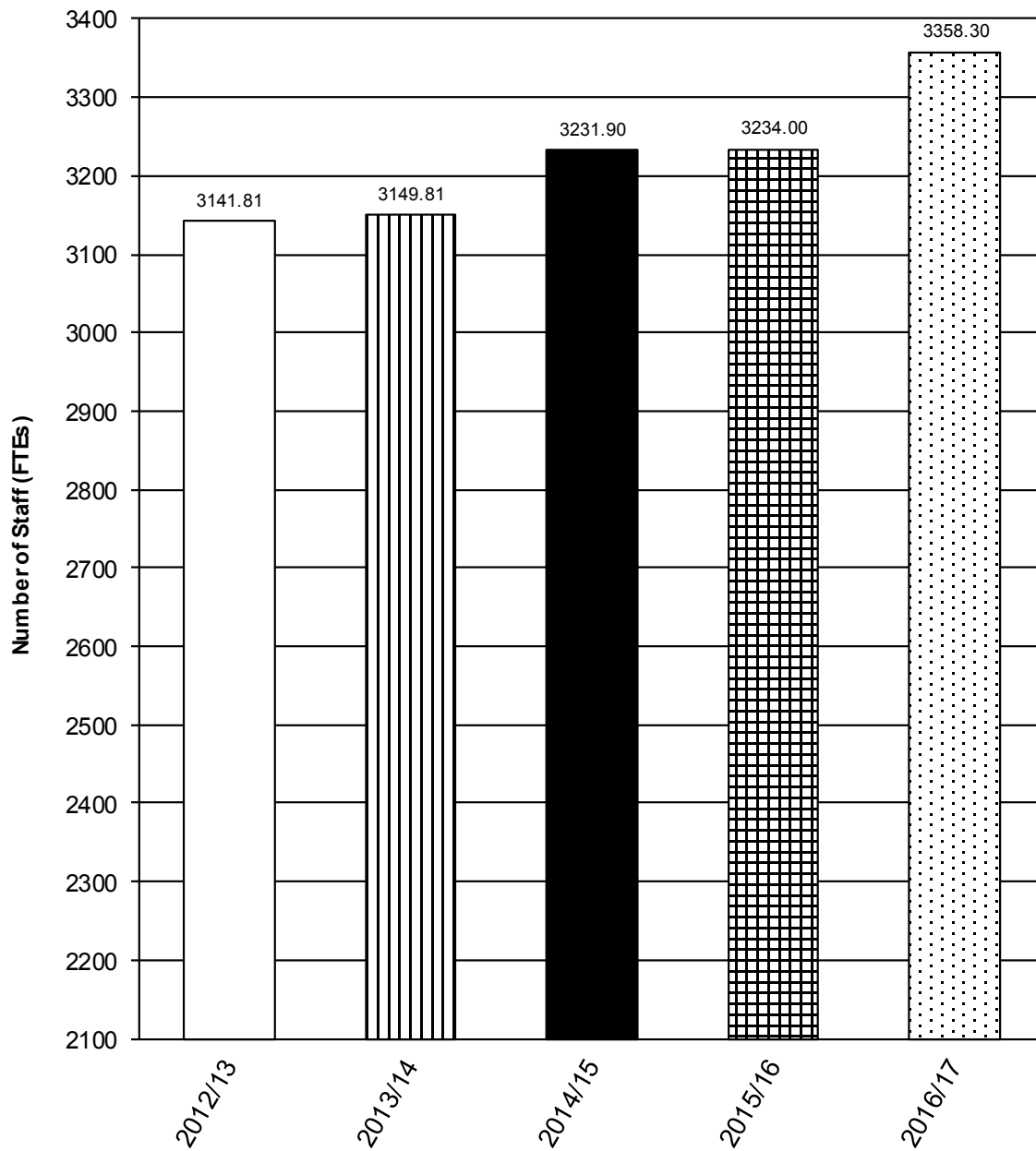
Manitoba Justice Five Year Expenditure History by Appropriation Structure



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 2016/2017, Manitoba Justice had capital expenditures for equipment acquisitions \$2,274. 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	2016/17 ESTIMATES \$(000s)
2016/17 MAIN ESTIMATES	\$3,507
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Capital Assets – Internal Service Adjustments	
2016/17 ESTIMATE	\$3,507

Capital Investment

Actual 2016/17 \$(000s)	Estimate 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.	Actual 2015/16 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
2,274	3,507	(1,233)	1	1,922	352	

Explanation:

1. Correctional centre projects, video conferencing projects, and IT projects were deferred/cancelled or could not be completed and will be carried over to 2017/18.

Performance Reporting

The following section provides information on key performance measures for the department for the 2016/2017 reporting year. This is the 11th year in which all Government of Manitoba departments have included a performance measurement section, in a standardized format, in their annual reports.

Performance indicators in departmental annual reports are intended to complement financial results and provide Manitobans with meaningful and useful information about government activities, and their impact on the province and its citizens.

Notes on Justice Performance Measure Information

The law and the justice system are important to Manitobans because they provide order in society, a peaceful way to settle disputes, and a means of expressing the values and beliefs of our province and country. The justice system deals with a broad range of criminal, constitutional and administrative laws. It also provides processes to resolve private disputes peacefully and fairly in matters such as contracts, property ownership, family rights and obligations, and damages to property.

One of the most unique, and arguably challenging, features within the justice system is the number of independent but interdependent participants in the criminal justice continuum with defined legal responsibilities: police, prosecutors, defence lawyers (including legal aid counsel), members of the judiciary in three levels of court and corrections officials. Each participant has distinct roles and responsibilities, and many are at odds with one another, yet for the system to be effective the stakeholders must understand, accept, and respect each others' roles and responsibilities. Manitoba Justice, as a provincial government department, has a variety of roles to play in supporting the overall system through its stated mission to *"support and promote safe and just communities for all Manitobans."*

Despite the importance of the justice system in supporting the social well-being of Manitobans, it is very difficult to adequately measure its effectiveness because of the complexity of our laws, the number of independent stakeholders in the system, the need for fairness and due process, and the extremely wide variety of individual matters that the system must handle.

Developing valid and reliable performance indicators will continue to pose a challenge for the Department as we look into the future. Despite these significant challenges, Manitoba Justice has committed to embarking on a performance measures initiative. The measures that the department has developed thus far are described in the table below. The Department of Justice is continuing to review and develop its performance measures.

Note: The most recent data available is used for comparisons made to national averages.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
<p>(1) Safer communities, by measuring the number of police officers per capita in Manitoba as compared to other provinces.</p>	<p>Strong and effective policing enhances safety in Manitoba communities. However, Manitoba recognizes that community safety depends on the various justice system participants working together to achieve real outcomes such as reductions in recidivism and overall offending behaviour.</p> <p>Manitoba Justice directly funds the RCMP provincial police services and the Manitoba government provides grants to support major municipal police forces.</p>	<p>This measure compares Manitoba to other provinces on an ongoing basis.</p> <p>Manitoba was second highest among the provinces in 2000, with 187 police officers per 100,000 population.</p>	<p>In the 2016 calendar year, Manitoba had the second highest number of police officers per capita of any province in Canada with 194 per 100,000 population.</p> <p>See Figure 1, page 63.</p>	<p>Manitoba has had the highest or second highest among the provinces in recent years.</p> <p>The actual per 100,000 population number has decreased from 201 in the previous year.</p>	<p>Police strength decreased in 2016 due to departures exceeding new hires, part of a continuing five-year trend in Canada as a whole.</p>
<p>(2) Safer communities, by measuring the number of operations in problem properties (including drug, sniff and prostitution houses) closed by the Public Safety Investigations Unit (PSIU).</p>	<p>Manitoba enacted <i>The Safer Communities and Neighbourhoods Act</i> and <i>The Fortified Buildings Act</i> to target properties that continually and habitually present problems of public safety.</p> <p>These problem properties include fortified buildings, places where drugs are sold or used, alcohol is sold without a licence, sniff is made available, prostitution and related activities are taking place, children are being sexually abused or exploited, or unlawful firearms, weapons or explosives are being stored.</p>	<p><i>The Safer Communities and Neighbourhoods Act</i> came into force on February 19, 2002.</p> <p>Twenty operations were closed in 2002/2003, the first full year of operations for the PSIU. Note that in past years PSIU data was reported on a calendar-year basis but is now being reported on a fiscal year basis.</p>	<p>In 2016/2017, 115 operations in problem properties were closed in Manitoba.</p> <p>See Figure 2, p. 63.</p>	<p>The number of operations closed has been increasing over the past ten years.</p> <p>From the 2002 establishment of the PSIU through to the end of 2016/2017, 1,114 operations in problem properties have been closed in Manitoba.</p> <p>See Figure 2, page 63.</p>	<p>Manitoba's <i>Safer Communities and Neighbourhoods Act</i> has established a national precedent in reclaiming the safety and security of neighbourhoods plagued by drugs, prostitution and solvent abuse.</p> <p>A number of Canadian jurisdictions have developed similar legislation based on Manitoba's example.</p>

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(3) Indigenous justice, by measuring the percentage of Indigenous people served by First Nations policing programs.	<p>Making justice processes more respectful of Indigenous cultures and values is an ongoing goal of Manitoba Justice.</p> <p>First Nations policing programs provide First Nations communities with more input into the policing services that they receive.</p>	The federal First Nations Policing Policy (FNPP) was established in 1991. The policy is implemented through the First Nations Policing Program (FNPP).	56 of Manitoba's 63 First Nation communities have FNPP funded programs.	Since the First Nations Policing Policy (FNPP) was created in 1991, the percentage of Indigenous people served by First Nations policing programs has been increasing.	<p>There are four FNPP programs funded on a cost-shared basis between Manitoba and Canada. The number of communities with each program is as follows⁷ :</p> <p>RCMP – Aboriginal Community Constable Program (ACCP) – 20 communities</p> <p>RCMP – First Nations Community Police Service (FNCPS) – 8 communities</p> <p>Dakota Ojibway Police Service (DOPS) - 6 communities</p> <p>First Nation Safety Officer Program (FNSOP)⁸ - 31 communities</p>
(3) Offender accountability and safer communities, by measuring the Manitoba adult incarceration rate as compared to other provinces.	Incarceration is an appropriate response to serious crime and serious offenders but it should be utilized with restraint and due regard to the sentencing principles in the <i>Criminal Code</i> . Manitoba recognizes that alternatives to the formal criminal justice system in certain cases can enhance public safety.	In 2000/2001, Manitoba's adult incarceration rate was 130 inmates in custody per 100,000 adult population.	Manitoba's 2015/2016 adult incarceration rate was the highest of all Canadian provinces with 242 inmates in custody per 100,000 adult population. See Figure 3, page 64.	Manitoba's adult incarceration rate has remained constant around 240 adults per 100,000 adult population for the past five years.	
(4) Offender accountability and safer communities, by measuring the Manitoba youth incarceration rate as compared to other provinces.	Manitoba is committed to ensuring incarceration is used appropriately in conjunction with other sentencing options and alternative measures to address youth crime in a manner consistent with the principles of the <i>Youth Criminal Justice Act</i>	<p>This measure compares Manitoba to other provinces on an ongoing basis.</p> <p>Manitoba's youth incarceration rate in 2000/2001 was 28 young persons in custody per 10,000 population of youth aged 12-17 years.</p>	Manitoba's 2015/2016 youth incarceration rate was the highest of all Canadian provinces with 24 young persons in custody per 10,000 youth population. See Figure 4, page 64.	Manitoba has maintained the highest rate among the provinces for the past five years. However, it has decreased over the past four years	

⁷ Some of Manitoba's First Nation communities are served by more than one FNPP funded program.

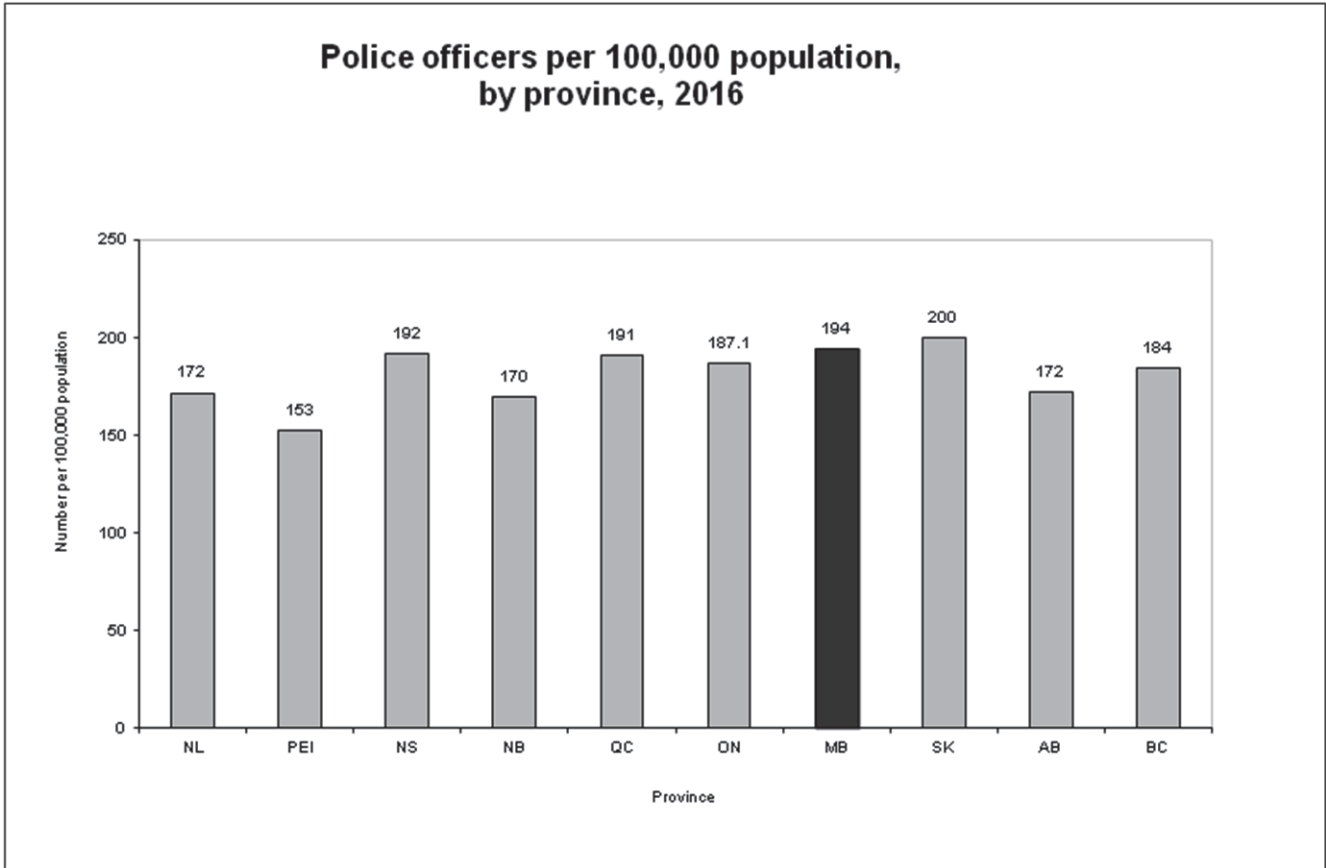
⁸ The FNSOP replaced the federal Band Constable Program, which was terminated by Canada effective March 31, 2015.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
<p>(5) Maintaining the integrity of the justice system, particularly access to justice, by measuring the average time from first appearance to disposition in Provincial Court.⁹</p>	<p>A core element of the department's mission is to provide mechanisms for timely and peaceful resolution of civil and criminal matters.</p> <p>Time to disposition is a measure of the justice system's capacity to resolve matters in a reasonable amount of time.</p> <p>This indicator measures the average amount of time it takes to dispose of a criminal file, not including charges where a warrant for arrest was issued by the court.</p>	<p>Due to changes in methodology, comparisons can only be made back to 2011/2012. In that year the average time to disposition was 185 days.</p>	<p>For 2016/2017 the average time to disposition was 180 days.</p> <p>See Figure 5, page 65.</p>	<p>The average time to disposition peaked in 2013/2014 at 193 days and has been declining since.</p>	<p>Process reviews, improved procedures and information technology are being employed to address the growing volume and legal complexity of cases in the justice system.</p>
<p>Client perceived fairness and effectiveness with decisions of the Residential Tenancies Branch as measured by the rate of appeals of decisions under <i>The Residential Tenancies Act</i>.</p>	<p>To ensure that the branch's hearing processes and decisions continue to be fair and effective.</p>	<p>3,198 orders were issued under Parts 1 – 8 of <i>The Residential Tenancies Act</i> (landlord and tenant disputes) in 2005-2006 of which 568 (17.8%) were appealed.</p> <p>Orders were issued for 469 cases under Part 9 of the Act (rent regulation matters) in 2005-2006 of which 98 (20.9%) were appealed.</p>	<p>3,362 orders were issued under Parts 1 – 8 of <i>The Residential Tenancies Act</i> (landlord and tenant disputes) in 2016-2017 of which 444 (10.9%) were appealed.</p> <p>Orders were issued for 581 cases under Part 9 of the Act (rent regulation matters) in 2016-2017 of which 66 (11.4 %) were appealed.</p>	<p>The appeal rate for both types of orders decreased from the baseline in 2013-2014.</p>	

⁹ More detailed information on this indicator is provided in the *Annual Report of the Provincial Court of Manitoba* - available on the Provincial Court of Manitoba's website at http://www.manitobacourts.mb.ca/pr/provincial_court.html.

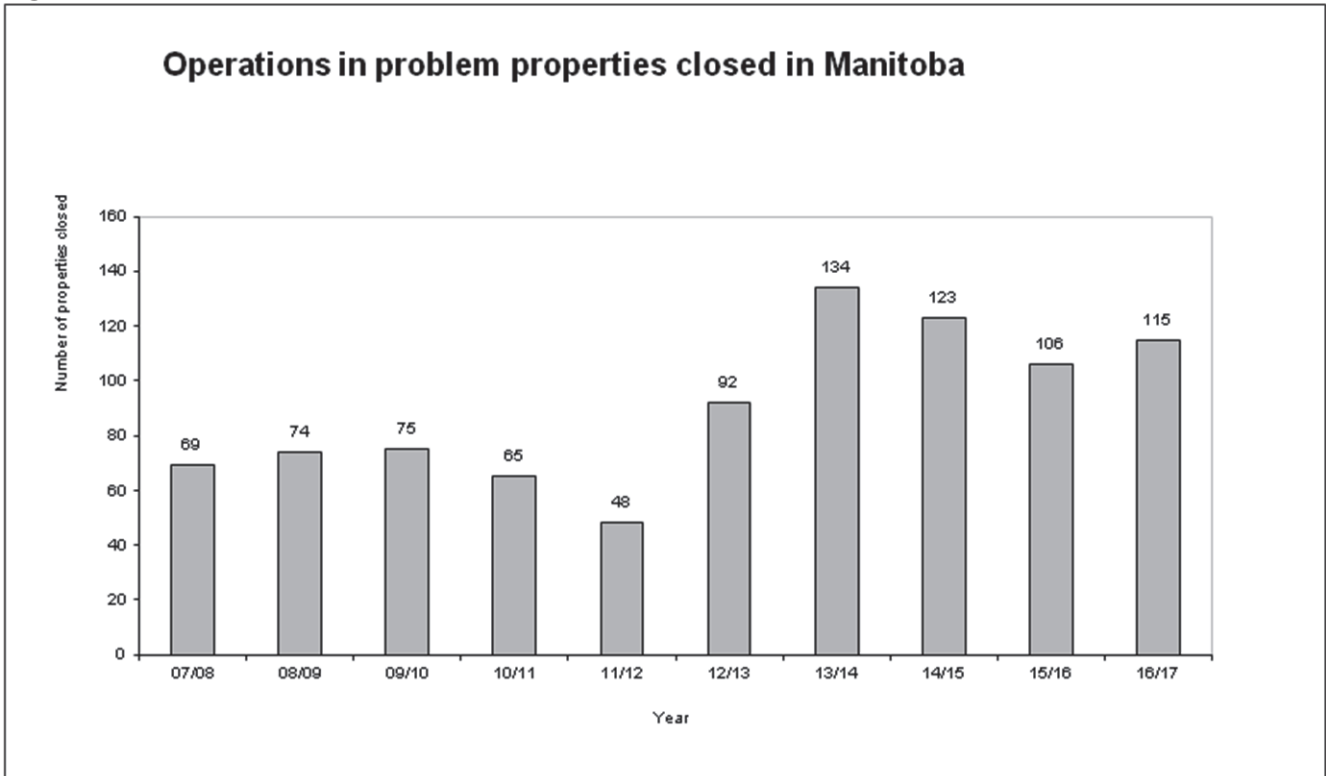
What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
<p>Fairness for consumers in payday lending, as indicated by the number of consumer complaints regarding payday loans filed with the Consumer Protection Office (CPO)</p>	<p>To ensure that consumers are benefitting from fair business practices when taking out payday loans.</p>	<p>There were 135 complaints in 2010-2011, the first year this indicator was tracked.</p> <p>4 Director's Orders were issued in 2011-2012, the first year this indicator was tracked under new legislation.</p>	<p>There were 24 payday loan complaints in 2016/2017.</p> <p>In 2015/2016, the CPO issued 6 Administrative Penalties against payday lenders.</p> <p>There were 206 complaints received in 2014/2015.</p>	<p>Manitoba's payday lending laws came into force in October 2010.</p> <p>Payday loan complaints rose to 336 in 2013/2014. Since then the number of complaints have been decreasing due to changes in the industry.</p>	<p>The decrease in complaints can be attributed to a national payday lender, in 2014, obtaining an Initial Order under the <i>Companies' Creditors Arrangement Act</i>, which led to the company closing its doors. Also, more lenders now offer high-cost installment loans in place of, or along with, payday loans. In September 2016, Manitoba addressed this change in the industry when its high-cost credit product legislation, which regulates high-cost credit grantors and is administered by the CPO, came into force.</p>
<p>Fairness for consumers in cell phone contracts, as indicated by the number of consumer complaints regarding cell phone contracts filed with the Consumer Protection Office.</p>	<p>To ensure that cell phone contracts are fair for consumers and business.</p>	<p>There were 35 cell phone complaints received in 2010-2011.</p>	<p>There were 18 cell phone complaints received in 2016/2017.</p> <p>In 2015/2016, the Consumer Protection Office received 17 cell phone complaints.</p> <p>There were 48 cell phone complaints received in 2012-2013 when the legislation was introduced.</p>	<p>Complaints have decreased since the legislation came into effect, with the amount of complaints remaining steady over the last two years.</p>	<p>The Consumer Protection Office continues to monitor the cell phone marketplace.</p>

Figure 1



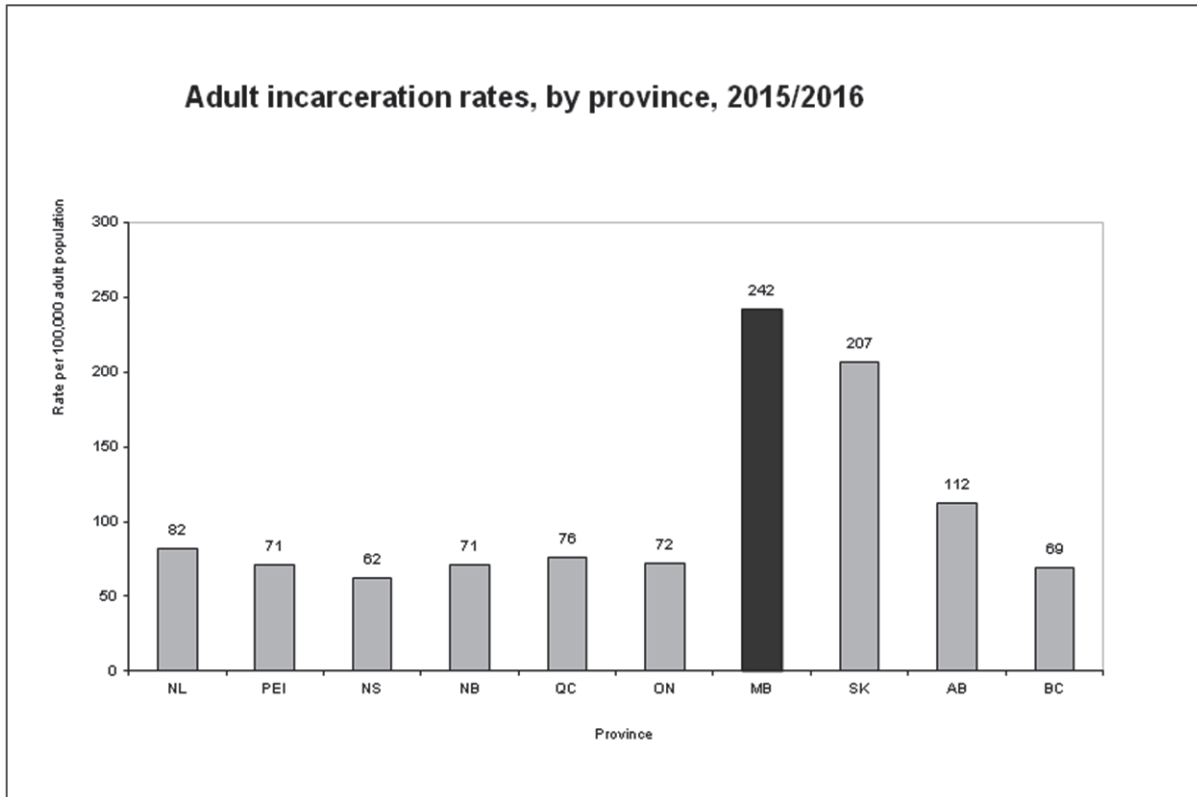
Source: Police Administration Survey, Canadian Centre for Justice Statistics, Statistics Canada

Figure 2



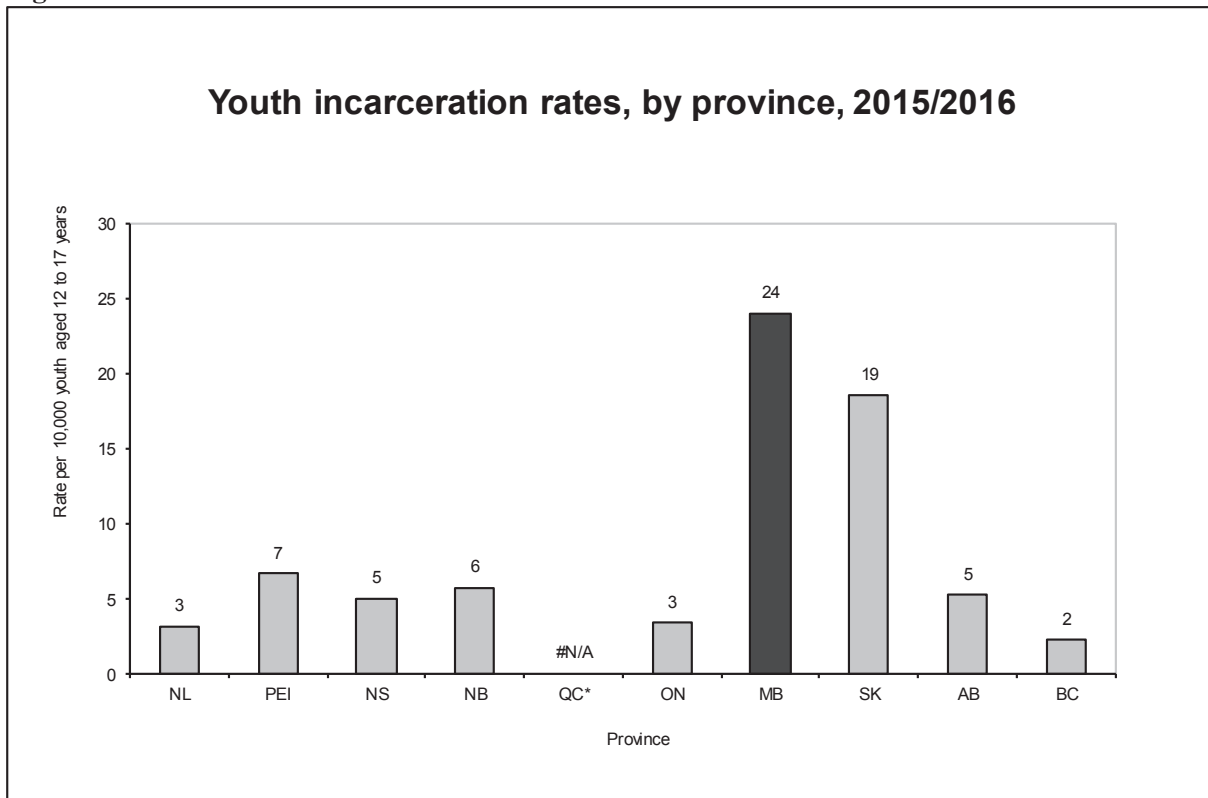
Source: Manitoba Justice Public Safety Investigations Unit

Figure 3



Source: Corrections Key Indicators Report, Canadian Centre for Justice Statistics, Statistics Canada

Figure 4

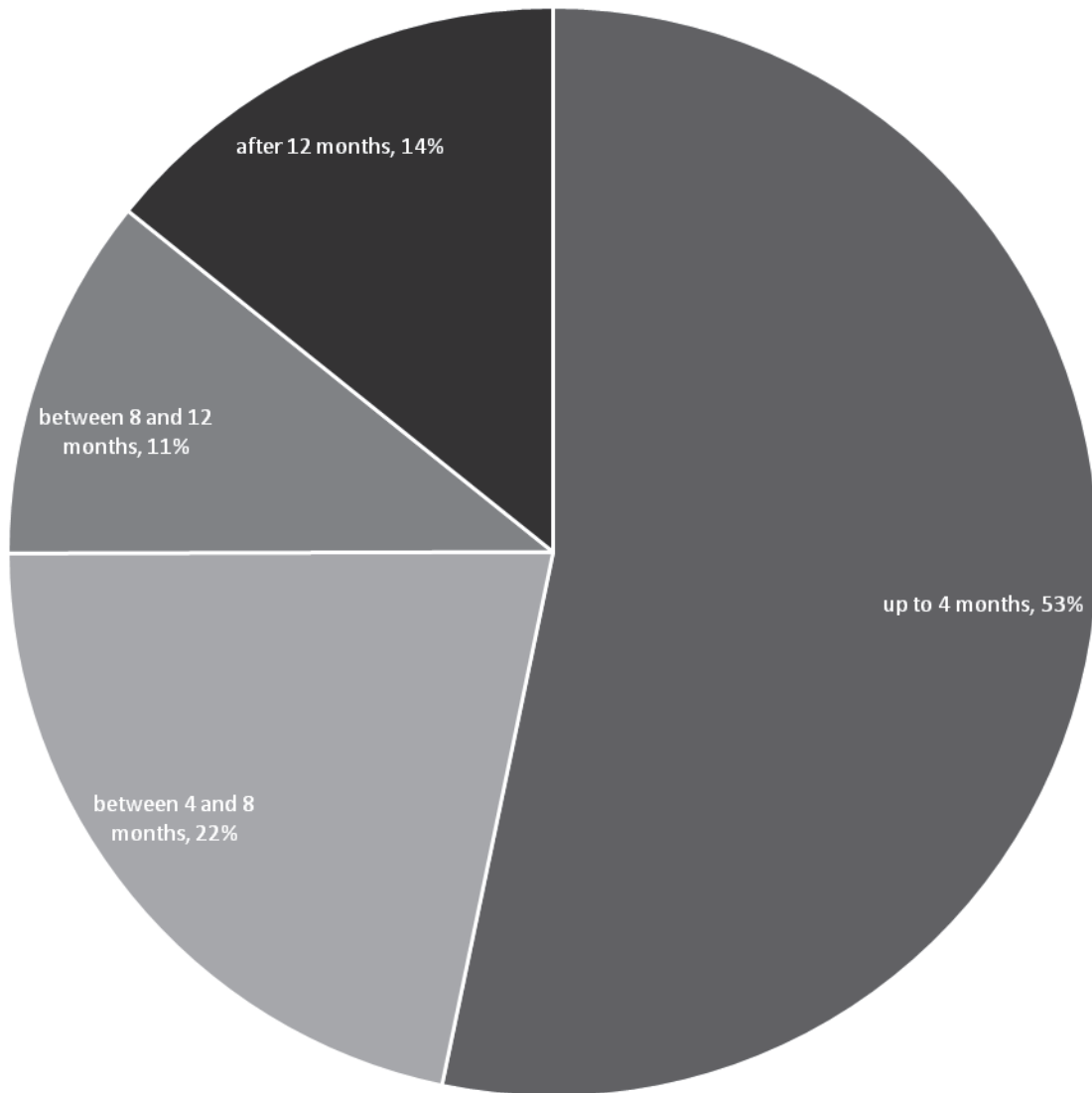


Source: Corrections Key Indicators Report, Canadian Centre for Justice Statistics, Statistics Canada

*Data not available for the province of Quebec

Figure 5

**Time to Disposition, 2016/2017
Percentage of Court Files disposed by time frame**



Source: Manitoba Courts

The Public Interest Disclosure (Whistleblower Protection) Act

The Public Interest Disclosure (Whistleblower Protection) Act came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the act, and must be reported in a department's annual report in accordance with Section 18 of the act.

The following is a summary of disclosures received by Manitoba Justice including The Public Guardian & Trustee and Vital Statistics Agency for fiscal year 2016/2017:

Information Required Annually (per Section 18 of the act)	Fiscal Year 2016/2017
The number of disclosures received, and the number acted on and not acted on. <i>Subsection 18(2)(a)</i>	NIL
The number of investigations commenced as a result of a disclosure. <i>Subsection 18(2)(b)</i>	NIL
In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken. <i>Subsection 18(2)(c)</i>	NIL

Sustainable Development

Section 12 (1) of *The Sustainable Development Act* requires each provincial government department to include information in its annual report about the progress made incorporating sustainable development into its activities. This section of the annual report is intended to identify the department's sustainability in relation to the principles and guidelines of the act, as well as the provincial government's sustainable development procurement goals and guidelines.

Principles and Guidelines

The Sustainable Development Act identifies seven principles and six guidelines to determine the sustainability of an activity. The seven principles of sustainable development include: 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 uses 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. Here are a few highlights of how Manitoba Justice incorporated sustainable development principles and guidelines into its activities for the 2016/2017 fiscal year.

Prevention

The principle of prevention illustrates actions taken to foster an anticipatory and precautionary approach to decision making with the goal of identifying possible adverse effects on the economy, environment, health or society in advance and preventing or mitigating effects that pose as a threat.

The department has a long standing commitment of providing sustainable crime prevention programs focused on creating safer communities for all Manitobans. Along with already established Justice Programs such as the Criminal Property Forfeiture Unit, the Public Safety Investigations Unit and the Community Safety's Spotlight initiative, noted below are a few more examples of this continued commitment to increase public safety in 2016/2017:

- In continued partnership with the Manitoba Public Insurance, Manitoba Prosecutions and the Winnipeg Police, the Winnipeg Auto Theft Suppression Strategy (WATSS), continued to provide an intervention strategy aimed at reducing auto theft. The program has proven to be effective, reducing auto theft by over 75% since 2004.
- In conjunction, a pilot project continued in 2016/2017 also focused on high risk auto theft offenders as well as domestic violence offenders. The Manitoba and Nova Scotia project used GPS surveillance capabilities to monitor more specifically, the young offenders charged with auto theft.
- In 2016, Manitoba took part in a Roundtable discussion with North Dakota to discuss Human Trafficking. The event was funded through a Criminal Property Forfeiture grant and discussions included developing programs and policies that would put a stop to the illegal activity in both jurisdictions.

Global Responsibility

Global Responsibility is a principle that 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 solution to problems. Some examples of this in the 2016/2017 fiscal year include:

In 2016/2017 Crown Law Analysis and Development participated in numerous projects that were geared towards global responsibility, such as:

- The division continued to take part in a number of Federal/Provincial/Territorial (FPT) working groups and consulted on changes to criminal law and on collection of justice data: The Impaired Driving Working Group, the Cybercrime Working Group, the Criminal Procedure Working Group, the Sentencing Working Group as well as the Youth Justice Working Group
- Participated and often led development in many aspects of the legalization and regulation of cannabis including; representing Manitoba in the interdepartmental and FPT working groups, piloted the development of submissions to the Government of Canada's Task Force and *The Cannabis Harm Protection Act* , and assisted in the review and analysis of the Task's Force report.
- Assisted in a review and analysis of the implications of the federal Bill c-226 amendments to *The Highway Traffic Act*.

Shared Responsibility and Understanding

Shared responsibility and understanding is a principle that illustrates actions taken to foster a partnership approach to decision making and program delivery. Actions are taken to engage, involve and reflect the interests of various Manitoba communities and groups in departmental decisions and actions.

The department's various Aboriginal justice programs and initiatives exemplify how the department regularly incorporates the principle of shared responsibility and understanding into its ongoing program activities with other levels of government, First Nations communities, non-profit organizations, and Crown corporations. Some examples include:

- In 2016/2017, Provincial Policing maintained support and assistance to a number of integrated policing units, including Project Devote, an integrated RCMP-Winnipeg Police Service unit that investigates cases of missing and murdered Indigenous women and girls. The unit consists of a Family Liaison Contact and two prosecutors who provide legal advice to investigators on specific files.
- In 2017 Manitoba consulted with numerous indigenous groups to identify locations best suited to address the needs of families of Missing and Murdered Indigenous Women and Girls (MMIWG). The Canada wide, federally funded project will establish Family Information Liaison Units offering investigative, judicial, cultural and healing resources and support to the families. This project will work in conjunction with the previously established, federally funded Family Liaison Contact position, already assisting MMIWG family members through Victim Services.
- Funding for the First Nation Safety Officer (FNSO) programs was allocated to 31 First Nation communities in 2016/2017. The FNSO programs will compliment the two year pilot project, the Community Safety Officer (CSO) Program, by assisting local policing authority, delivering crime prevention information and programs and stand as an on-going public presence within the communities.
- In 2016/2017 the Manitoba Police Commission (MPC) launched a second pilot of the Civilian Monitor program, recruiting and training an additional four civilian monitors. The monitors are designated to oversee assigned Independent Investigative Unit (IIU) cases, involving police action causing death.

In 2016/2017 Victim Services introduced numerous programs aligned with the shared responsibility and understanding principle to enhance the services they already provide to Manitobans.

- In 2016 Victim Services participated in the Human Trafficking Response Team and provided funding for the Klinik Community Health Centres' Trafficked Person Hotline, addressing the many affects of human trafficking, sexual exploitation and forced labour.
- The branch acquired a Victim Services Intervention Dog named Milan in 2016, through funding provided from Criminal Property Forfeiture. The function of this special canine is to accompany and provide reassurance to victims of crime, especially young children who must make their way through the

unfamiliar territory of the judicial system. So far, Milan has attended six trials and has supported 170 children and 8 adults.

- In 2016, Victim Services continued their services on a rotational basis at Snowflake Place for Children and Youth, a child advocacy centre providing multi-level services and support to child and youth victims of abuse.

Efficient Use of Resources

Efficient use of resources is a sustainable guideline that involves the application and use of proper resource pricing, demand management and resource allocation together with incentives to encourage the efficient use of resources; and employs full cost accounting to provide better information for decision makers. Some of the department's achievements for 2016/2017 are as such:

- The Intensive Case Assessment Process (ICAP) implemented by Prosecutions to improve and expedite court processes continued through 2016/2017 and was expanded to include more Winnipeg files. In addition, the ICAP was responsible for an increase of referred applicable cases to be processed through Restorative Justice Programs, rather than the more formal criminal justice system.

In 2016/2017 other divisions were initiating new methods of using resources more efficiently as well;

- Legal Aid Manitoba (LAM) continued to employ a new interfaced, web-based electronic application within the city and rural offices, giving access to all pertinent staff and private bar lawyers, province wide. The e-application has proven to save time, provide improved accuracy and offer data collection capabilities for reporting purposes.
- In 2017 LAM launched a new electronic file distribution system. A panel of both private and staff lawyers are now electronically able to indicate the legal matters and locations they choose suitable. The software assigns cases, based on availability and numbers of cases already received, increasing process efficiency.
- The Courts Division, in partnership with Manitoba Prosecution Services and Summary Convictions Court introduced the Pre-Plea Triage program, offering relevant information and swifter resolution through a number of options to those dealing with ticket matters. Crown attorneys were made available at court for in person or over the phone consultation and outreach court staff were designated to inform the public, mailing in not guilty pleas, of their options. The outcome of identifying and proactively addressing these high-volume concerns has been positive in quantifiable ways. With fewer people attending court, wait times were notably decreased, set trials were reduced by over 50% and Court's time operated more effectively.

Access to Information

Manitoba Justice provides information to the general public in a variety of ways including but not limited to news releases, the Courts, publications, processing requests under *The Freedom of Information and Protection of Privacy Act* (FIPPA), *The Personal Health Information Act* (PHIA), and its website at www.gov.mb.ca/justice.

- The department processed 137 formal FIPPA access requests in the 2016/2017 fiscal year. All of the FIPPA requests were completed within the required time frame and in full compliance with the legislation.

In 2016, many programs and projects were underway to increase public access to information. Some of those projects are as follows.

- Information Systems began implementing the New Home Warranty Program, into Consumer Protection's already existing Licensing and Complaint tracking system. The new function will offer Manitobans further on-line access to information on the browser-based system.

- Courts initiated a pilot project aimed at providing Manitobans with family law information and assistance, including program referrals and resources that focus on dispute resolutions without the necessity of court proceedings.
- In 2016 an adapted version of the successful e-application, first introduced through Legal Aid Manitoba (LAM), was launched in Welcome Place where legal aid assistance is top priority for those seeking asylum in Manitoba. It is anticipated that in 2017/2018 this application will also be made available through LAM's external website for public use, including off-line applications that will be accessible in locations where Internet is not readily available.

Integrated Decision Making and Planning

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

- In 2017 Protective Services was repositioned under the Community Safety Division of Manitoba Justice from the Emergency Measures division of Manitoba Infrastructure. The branch provides security services to staff, visitors and property purposed in government sites owned or leased by Manitoba Justice. The move realigned the branches' purpose and policy into the more compatible framework of the Community Safety Division.
- Innovation and Aboriginal Community Justice merged particular elements to form Innovation and Restorative Justice in 2017. The redefined branch adopted new functions and responsibilities that focused on improving the overall efficiency of the criminal justice system through an innovative lens, addressing such matters as; redundancies, convoluted or unnecessary processes and ineffective policies. Restorative Justice continued their commitment to manage numerous agreements, some bilateral, offering restorative justice programs throughout Manitoba. The diversions to restorative justice programs are on the rise, due to more attention to criminal cases identified as being suitable for the programs.

Victim Services continued to utilize funds allotted by the Criminal Property Forfeiture Fund to financially support families through the Victims' Assistance Program and through the provision of compensation to victims of crime. In 2016/2017, this support was expanded to include the following:

- Financial support for the National Wiping Away the Tears Gathering for the Missing and Murdered Indigenous Women and Girls as well as counselling support for the families who attended.
- Financial coverage for surviving family members requiring transportation and parking to attend preliminary hearings, sentencing hearings and trials.
- Support for Indigenous and non-Indigenous community agencies, to provide additional services to victims of crime.

Sustainable principles and guidelines are further demonstrated in the department's sustainable procurement practices.

Sustainable Development Procurement

Manitoba Justice's sustainable procurement practices are based on the provincial government's sustainable development procurement goals that were first established in 2002. The following occurred in the 2016/2017 fiscal year:

1. Education, Training and Awareness

To increase awareness of the benefits of sustainable development procurement practices, key administrative and procurement staff attended a highly informative session on "Advancing Sustainable Development in the Public Sector" that supplied new tools, resources, ideas and success stories on how to improve on purchasing practices that are environmentally friendly and socially responsible.

Manitoba Justice also continued with the provision of an online sustainable development intranet site that is used as a reference guide for department staff. The website covers a variety of sustainable development topics including legislative requirements, sustainable business practices that relate to the department's action plan, reports, green choice products and resources. The department also encouraged staff to use sustainable methods of transportation.

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; the department continued recycling a variety of waste including paper, beverage cans, plastic, books, cardboard, furniture and equipment to reduce solid waste sent to landfills.

To further minimize the waste of paper, the department continued best practices of scanning, storing and sending documents in electronic form; replacing paper based business magazines and news papers with online subscriptions, printing and copying double-sided when possible, and scheduling, corresponding and reporting by email. To minimize paper-based mailings, Manitoba Justice continued the practice of referring the general public to its internet site to obtain more information about the department's programs, initiatives and reports, and its intranet site to provide important departmental information online for staff reference.

Legal Aid Manitoba (LAM) continued to lead the department in becoming paperless in their processes.

- The new POnline system was first implemented in LAM in 2014, providing electronic certificates, file authorizations and disbursements. In 2016, the POnline billing system followed, eliminating all paper processes for the taxation of private bar statement of account.

3. Reduction of Fossil Fuel Emissions

Manitoba Justice uses a variety of vehicles for circuit court, the transport of offenders in custody, property in trust and business in general. To contribute to the provincial government's overall goal to reduce the consumption of fossil fuels, the department annually reviews its fleet for efficiency and sustainability. We currently have five environmentally friendly vehicles (electric hybrids) that run on a combination of electricity and gas.

In efforts to substitute regular fossil fuels with ethanol-blended fuel and alternate energy sources, the department continued the practice of using various types of fuels and electricity as an alternate energy source for the department's owned and leased vehicles and equipment.

Manitoba Justice continually strives to reduce the consumption of fossil fuels while applying the Value for Money principle.

Further contributions are made by the department to reduce fossil fuel consumption by continuing the use of walker and cyclist couriers for deliveries within downtown Winnipeg. In 2017, all Justice Employees were

encouraged to register and participate in the National Commuter Challenge.

4. Resource Conservation (goal)

To assist the provincial government with its commitment to reducing the total consumption of utilities in provincial government premises, the department continued working with Manitoba Infrastructure and Transportation to ensure Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ standards were used where feasible in construction projects for Justice facilities.

To increase the proportion of environmentally preferable products and services within the context of reduced resource use, the department purchased products that minimize waste by replacing virgin consumable products with sustainable (green) choices that contain post-consumer waste, are remanufactured, reusable or recyclable. Where possible, the department also purchased products that are non-toxic, biodegradable, energy efficient and use minimal packaging.

For the 2016/2017 fiscal year, the department maintained its high averages of sustainable purchases for office paper (98 per cent green), hygiene tissue paper (100 per cent), caulk, glue and tape (100 per cent), garbage bags (96 per cent), and rags and wipes (90 per cent). 89 percent of other plumbing access, 39 percent of shipping supplies and 50 percent of calculating products were also sustainable purchases.

Appendix I

In accordance with Schedule K of OIC 192/2016 dated May 3, 2016 as amended by OIC 251/2016 and 293/2016, the Minister of Justice is responsible for administering:

The Body Armour and Fortified Vehicle Control Act
The Child Sexual Exploitation and Human Trafficking Act
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 of Queen's Bench Small Claims Practices 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 Act
The Election Financing Act
The Elections Act
The Electoral Divisions Act
The Enforcement of Canadian Judgments Act
The Enforcement of Judgments Conventions Act
The Escheats Act
The Manitoba Evidence Act [Division VI of Part I]
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 Gunshot and Stab Wounds Mandatory Reporting Act
The Helen Betty Osborne Memorial Foundation Act
The Human Rights Code
The Inter-jurisdictional Support Orders Act
The Intimate Image Protection 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 Justice for Victims of Child Pornography Act
The Law Enforcement Review Act
The Law Fees and Probate Charge Act
The Law Reform Commission Act
The Legal Aid Manitoba Act

The Liquor and Gaming Control Act
The Lobbyists Registration Act
The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)]
The Minors Intoxicating Substances Control Act
The Missing Persons Act
The Municipal By-law Enforcement Act
The Police Services 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 Offences Act
The Public Guardian and Trustee Act
The Restorative Justice Act
The Safer Communities and Neighbourhoods Act
The International Sale of Goods Act
The Sheriffs Act
The Statutes and Regulations 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
The Witness Security Act

CONSUMER PROTECTION ACTS

The Business Practices Act
The Cemeteries Act
The Title to Certain Lands Act (R.S.M. 1990, c. 259)
The Change of Name Act
The Condominium Act
The Consumer Protection Act
The Funeral Directors and Embalmers Act
The Prearranged Funeral Services Act
The Housing and Renewal Corporation Act [clause 44(k)]
The Hudson's Bay Company Land Register Act
The International Interests in Mobile Equipment Act (Aircraft Equipment)
The Landlord and Tenant Act
The Life Leases Act
The Marriage Act
The Mortgage Act [Part III]
The New Home Warranty Act
The Personal Investigations Act
The Personal Property Security Act
The Manitoba Public Insurance Corporation Act
[sections 174.1 to 174.4 (claimant adviser office) and
sections 175 to 185 (Automobile Injury Compensation Appeal Commission)]
The Real Estate Services Act

The Real Property Act
The Registry Act
The Residential Tenancies Act
The Special Survey Act
The Surveys Act [Part I]
The Trade Practices Inquiry Act
The Vital Statistics Act

and:

The Bedding and Other Upholstered or Stuffed Articles Regulation, M.R. 78/2004,
made under The Public Health Act

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 Civil Remedies against Organized Crime Act
The Class Proceedings 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 Good 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

Court Centres and Circuit Court locations within Manitoba – Winnipeg and Regional

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

Brandon

- Boissevain
- Sioux Valley

Dauphin

- Camperville
- Roblin

Flin Flon

- Cranberry Portage
- Snow Lake

Minnedosa

- Rossburn
- Russell
- Waywayseecappo

Morden

Portage la Prairie

- Sandy Bay

Selkirk

- Arborg
- Ashern
- Beausejour
- Berens River
- Bloodvein
- Fisher Branch
- Garden Hill
- Gimli
- Little Grand Rapids
- Lundar
- Pauingassi
- Peguis
- Poplar River
- Powerview (formerly Pine Falls)
- St. Martin
- St. Theresa Point
- Stonewall

Steinbach

- Altona
- Emerson
- St. Pierre-Jolys

Swan River

The Pas

- Easterville
- Grand Rapids
- Moose Lake
- Pukatawagan

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

Virden

Winnipeg – 408 York Avenue

- Manitoba Youth Centre

Winnipeg – St. Boniface

Winnipeg – Summary Convictions Court

Appendix V

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
1800 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-2408

Aboriginal Courtwork Program
3rd Floor – 408 York Ave.
Winnipeg MB R3C 0P9
204-945-0024

Administration and Finance
1110 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2878

Automobile Injury Compensation Appeal Commission
301 – 428 Portage Avenue
Winnipeg MB R3C 0E2
204-945-4155
Toll-Free in MB 1-855-548-7443

Claimant Adviser Office
200 – 330 Portage Avenue
Winnipeg MB R3C 0C4
204-945-7413

Community Safety
810 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-7804

Compensation for Victims of Crime
1410 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0899
1-800-262-9344

Consumer Protection Office
302-258 Portage Avenue
Winnipeg MB R3C 0B6
204-945-3800
Toll free in MB 1-800-782-0067

Court of Appeal
Main Floor – 408 York Ave.
Winnipeg, MB R3C 0P9
204-945-2647

Court of Queen's Bench
Room 100C - 408 York Avenue
Winnipeg MB R3C 0P9
Civil: 204-945-0344
Criminal: 204-945-3040
Family Division (Divorce): 204-945-2920
Administration: 204-945-0091

Courts
235 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0504

Crown Law Analysis and Development
1210 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-6726

Deputy Minister's Office
110 Legislative Building – 450 Broadway
Winnipeg MB R3C 0V8
204-945-3739

Independent Investigation Unit
700 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-948-7000

Law Enforcement Review Agency
420 - 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-8667

Legal Aid Manitoba
4th Floor - 287 Broadway
Winnipeg MB R3C 0R9
204-985-8500

Legal Services
730 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2832

Legal Services - Constitutional Law
1205 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0679

Legal Services - Family Law
1230 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-0268

Legislative Counsel
410 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-5758

Maintenance Enforcement
Building #80 – 352 Donald St.
Winnipeg MB R3B 2H8
204-945-7133

Manitoba Human Rights Commission
7th Floor - 175 Hargrave Street
Winnipeg MB R3C 3R8
204-945-3007

Manitoba Law Reform Commission
432 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2896

Manitoba Police Commission
1801 – 155 Carlton St.
Winnipeg MB R3C 3H8
204-948-1400

Manitoba Prosecutions Service
510 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-2852

Minister's Office
104 Legislative Building – 450 Broadway
Winnipeg MB R3C 0V8
204-945-3728

Office of the Chief Medical Examiner
210 - 1 Wesley Avenue
Winnipeg MB R3C 4C6
204-945-2088

Office of the Registrar-General
1203 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-0300

Provincial Court
Main Floor, 408 York Avenue
Winnipeg MB R3C 0P9
204-945-3454

Provincial Policing
1801-155 Carlton Street
Winnipeg MB R3C 3H8
204-945-2825

The Public Guardian and Trustee
155 Carlton Street – Suite 500
Winnipeg MB R3C 5R9
204-945-2700

Residential Tenancies Branch
302 – 254 Edmonton Street
Winnipeg MB R3C 3Y4
204-945-2476
Toll-Free in MB 1-800-782-8403

Residential Tenancies Branch
340 – 9th Street
Brandon MB R7A 6C2
Toll-Free in MB 1-800-656-8481

Residential Tenancies Branch
113 – 59 Elizabeth Drive
Thompson MB R8N 1X4
Toll-Free in MB 1-800-229-0639

Residential Tenancies Commission
1650 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-2028
Toll-Free in MB 1-800-782-8403

Review Board (Criminal Code)
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
204-945-4438

Sheriff Services, Civil Enforcement Section
2nd Floor - 373 Broadway
Winnipeg MB R3C 4S4
204-945-2107

Summary Convictions Court
100 – 373 Broadway
Winnipeg MB R3C 4S4
204-945-3156

Vehicle Impoundment Registry
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
204-945-4454

Victim Services
1410 - 405 Broadway
Winnipeg MB R3C 3L6
204-945-6851
1-866-484-2846

Victim/Witness Assistance
400 - 408 York Avenue
Winnipeg MB R3C 0P9
204-945-3594
1-866-635-1111

Vital Statistics Agency
254 - 258 Portage Avenue
Winnipeg MB R3C 0B6
204-945-3701

