

Manitoba Justice

**Annual Report
2017 - 2018**



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en français qui figure en début du document.



**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, 2018.

Respectfully submitted,

A handwritten signature in black ink that reads "Cliff Cullen".

Honourable Cliff Cullen
Minister of Justice
Attorney General





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

Honourable Cliff Cullen
Minister of Justice
Attorney General
Room 104 Legislative Building
Winnipeg MB R3C 0V8

Dear Minister Cullen:

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 mention some of the great work that our Department has undertaken.

Our Department underwent transformational changes to align decision-making and change processes with the government-wide *Transformation Strategy* and the *Criminal Justice System Modernization Strategy*, announced in March 2018. Implemented changes included streamlining processes; a review of program areas to determine if there are better avenues to conduct business and support improved service to Manitobans; and building robust performance and outcome measures that provide the required knowledge to make informed decisions.

Changes to processes and procedures were implemented to address efficiency in the criminal justice system and to reduce the risk of cases being dismissed on delay applications. These processes and procedures included the requirement for early review of all cases to determine that files are complete, the best approach to prosecuting the case, whether an alternative to the justice system is appropriate and to ensure they meet the charging standard.

The Intensive Case Assessment Process (ICAP) expanded its mandate to improve the overall velocity of cases as they progress through the criminal justice system. The ICAP Unit increased the number of appropriate cases referred to diversion/restorative justice programs, which addresses the delay in the criminal justice system.

Pre-charge screening of out of custody matters expanded dramatically in the 2017/2018 fiscal year. Pre-charge review examines cases to ensure the charging standard is met, files are complete and appropriate diversion or restorative justice approaches are explored.

Our Courts Division advanced improvements to the Judicial Justice of the Peace Program of the Provincial Court, by establishing an Administrative Judicial Justice of the Peace position and creating Senior Judicial Justices of the Peace. These positions will ensure that Manitobans receive timely and efficient services from our Judicial Justices of the Peace.

The Court Security Amendment Act came into effect on September 1, 2017 and enhanced overall court security in Manitoba. The improved framework addressed safety and security concerns of key stakeholders and the public by providing Sheriff's Officers with tools to deal with potential threats and aggressive individuals more effectively.

The proclamation of The Provincial Offences Act on November 20, 2017 replaced the outdated Summary Convictions Act that governs the prosecution of provincial offences in our province. The new act has created effective, efficient and clear procedures to resolve provincial offences.

Our Victim Services Branch continued to provide a wide range of services to clients throughout Manitoba. In 2017/18, the Victim Right Support Services provided services to 871 victims, 305 victims were provided service under the Canadian Victim Bill of Rights, 1,147 victims were provided service under the Child Victim Support Service, and services via the Domestic Violence Support Service was provided to 6,837 victims in criminal charge matters and 10,539 in non-criminal charge matters.

The work that the staff have undertaken over the 2017/18 exemplifies the commitment that we have to making Manitoba a safe and prosperous province. We are committed to continuing to advance the Criminal Justice Modernization Strategy and I am grateful to have such an enthusiastic and committed group of individuals working to improve the Justice system.

Yours truly,



Dave Wright
Deputy Minister of Justice
Deputy Attorney General





Justice

Sous-ministre de la Justice et sous-procureur général
Palais législatif, bureau 110, Winnipeg (Manitoba) R3C 0V8

Monsieur Cliff Cullen
Ministre de la Justice
Procureur général
Palais législatif, bureau 104
Winnipeg (Manitoba) R3C 0V8

Monsieur le 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 de réussites et de changements majeurs à signaler cette année et je souhaite profiter de l'occasion pour mentionner des exemples de l'excellent travail accompli par notre ministère.

Notre ministère a subi des changements transformationnels visant à aligner les processus de prise de décisions et de mutation avec la Stratégie de transformation de la fonction publique du Manitoba et la stratégie de modernisation du système de justice pénale, annoncées en mars 2018. Les changements mis en œuvre comprenaient la rationalisation des processus; un examen des programmes afin de déterminer s'il existe de meilleures façons de mener ses activités et d'appuyer l'amélioration des services offerts aux Manitobains; ainsi que l'atteinte d'une performance robuste et la création de mesures de rendement qui fournissent les connaissances nécessaires pour prendre des décisions éclairées.

Les changements apportés aux processus et à la procédure ont été mis en œuvre pour rendre le système de justice pénale plus efficace et pour diminuer le risque de causes rejetées en raison de délais dans les demandes. Ces changements incluaient entre autres l'exigence d'un examen précoce de toutes les causes pour vérifier que les dossiers sont complets ainsi que la meilleure méthode pour traiter de la cause, soit examiner la pertinence d'une solution de rechange au système judiciaire et pour s'assurer que la norme de mise en accusation est respectée.

Le mandat de la section du traitement intensif des évaluations de causes a été élargi afin d'améliorer la vitesse globale de cheminement des causes au sein du système de justice pénale. Cette section a augmenté le nombre de causes appropriées renvoyées à des programmes de déjudiciarisation ou de justice réparatrice, ce qui abrège les délais au sein du système de justice pénale.

Le nombre de préinculpations dans les causes où les accusés sont en liberté a augmenté considérablement au cours de l'exercice 2017-2018. L'examen avant l'inculpation fait en sorte que la norme de mise en accusation est respectée, que les dossiers sont complets et que les options de déjudiciarisation et de justice réparatrice sont explorées.

Notre Division des tribunaux a apporté des améliorations au programme des juges de paix judiciaires de la Cour provinciale, en établissant un poste de juge de paix judiciaire administratif et en créant des postes de juges de paix judiciaires aînés. Ces postes permettront à la population manitobaine de recevoir des services opportuns et efficaces de la part de nos juges de paix judiciaires.

La Loi modifiant la Loi sur la sécurité dans les tribunaux est entrée en vigueur le 1^{er} septembre 2017 et a permis d'accroître la sécurité dans les tribunaux du Manitoba. Ce cadre de travail amélioré répond aux inquiétudes des intervenants et du public en matière de sécurité et de protection en offrant aux auxiliaires du shérif des outils pour réagir de façon plus efficace aux menaces potentielles et aux personnes agressives.

La proclamation de la Loi sur les infractions provinciales le 20 novembre 2017 a permis de remplacer la Loi sur les poursuites sommaires, qui était obsolète et qui régissait la poursuite des infractions provinciales dans notre province. La nouvelle loi a créé une procédure efficace, efficiente et claire pour ce qui est des infractions provinciales.

Notre Direction des services aux victimes a continué d'offrir une vaste gamme de services à ses clients partout au Manitoba. En 2017-2018, les Services de soutien en matière de droits des victimes ont offert des services à 871 victimes et 305 victimes ont reçu des services en vertu de la Charte canadienne des droits des victimes. De plus, 1 147 victimes ont reçu des services offerts par les Services de soutien aux enfants victimes. Les Services de soutien aux victimes de violence familiale quant à eux ont offert des services à 6 837 victimes dans des instances criminelles et à 10 539 victimes dans des instances non criminelles.

Le travail accompli par le personnel au cours de l'exercice 2017-2018 illustre l'engagement que nous avons pris de faire du Manitoba une province sécuritaire et prospère. Nous nous sommes engagés à continuer de mettre en œuvre la stratégie de modernisation du système de justice pénale et je suis reconnaissant de travailler avec un tel groupe de personnes enthousiastes et dévouées à améliorer le système de justice.

Veillez agréer mes meilleures salutations.

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



Dave Wright



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Introduction

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 3,343 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's decision-making and change processes will be driven by the government-wide Transformation Strategy and the recently announced Criminal Justice System Modernization Strategy.

Our Principles:

- We recognize that in the exercise of our authority, we at all times act in trust for the public.

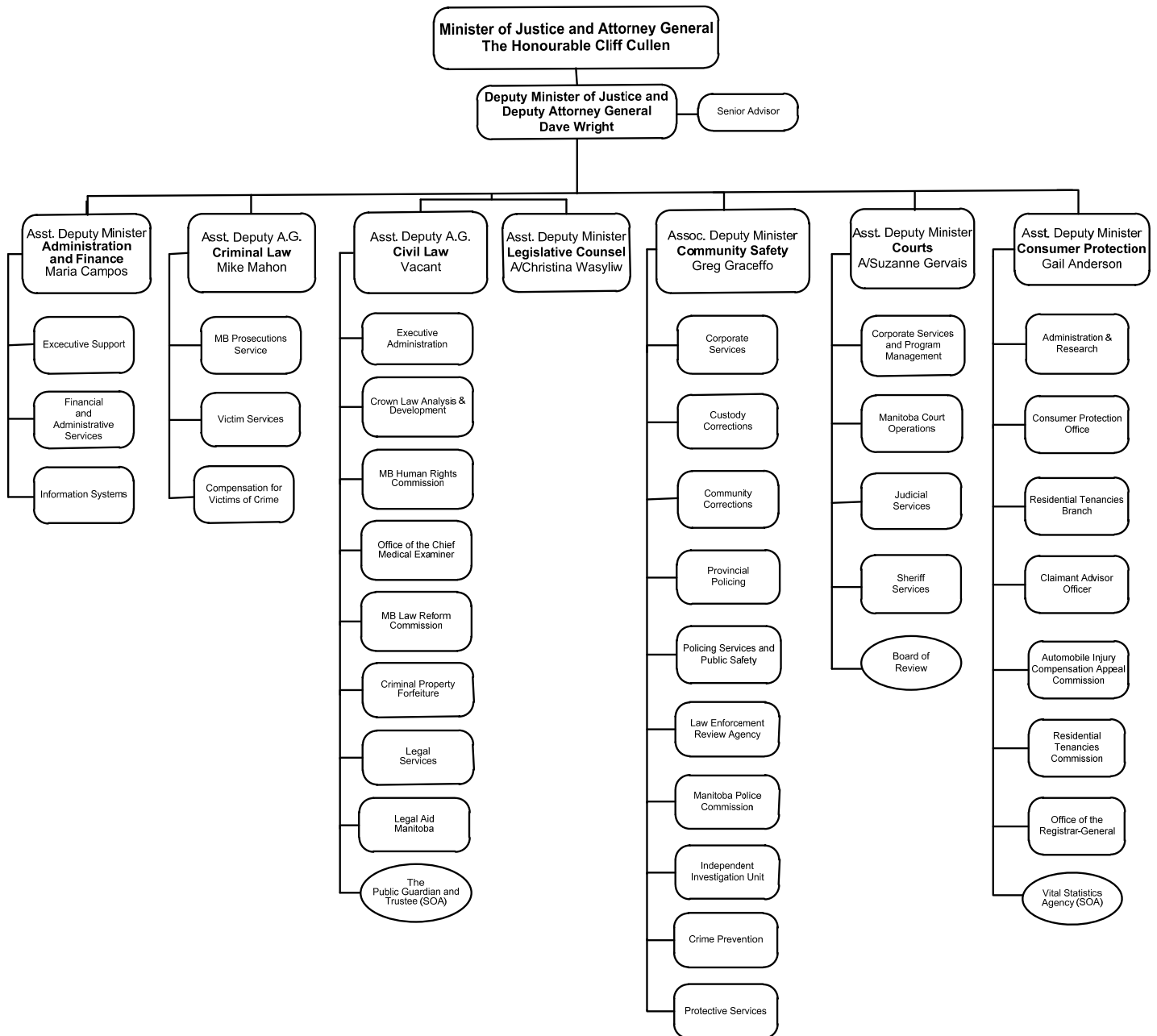
¹ See Appendix I for a complete list of acts administered by the Minister of Justice.

- 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

- In 2017/18, the Department's finances were 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 and 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, 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	41	1.00	42 (1)	

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 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	763	9.00	809	(46)	
Total Other Expenditures	77		88	(11)	

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 the 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, insurance, 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 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,445	20.50	1,845	(400)	1
Total Other Expenditures	621		216	405	2

Explanations:

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

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. During 2017/2018, these projects have been identified and worked on through the Justice Technology Advisory Committee (JTAC):

Datacentre move: Tested the Justice business applications after they were moved to a new data centre to ensure they still functioned properly.

Windows 10: A project has been started to test and remediate all applications that are on Justice computer systems to ensure that they work properly with the Windows 10 operating system so it can be installed on all Justice computers by January 2020.

Maintenance Enforcement System (M3P): Enhancements to the Maintenance Enforcement System to streamline the Support Deduction Notice processes and financial terms were worked on. The enhancements will be implemented in 2018/2019.

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: Completed and implemented system enhancements to meet the requirements of *The Provincial Offences Act*.

Collections System: Completed and implemented system enhancements to meet the requirements of *The Provincial Offences Act*.

Human Rights Compliance System: Worked on upgrading the Human Rights Compliance System. The new version will be implemented in 2018/2019.

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.

Prosecutions Information & Scheduling Management System (PRISM): Implemented an enhanced data transfer to PRISM from the Common Offence Notice (CON) system to streamline notifications to officers required to testify at hearings.

Vital Statistics Agency System - A project has been started to enhance the existing software system to allow customers to apply and pay for vital event certificates securely on the Vital Statistic Agency's website.

1 (d) Information Systems

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	951	10.00	1,025	(74)	
Total Other Expenditures	191		394	(203)	1
Recoverable from Part B – Capital	0		(216)	216	2

Explanations:

- 1. Deferral of software projects and operational efficiencies*
- 2. 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 and Compensation for Victims of Crime.

Administration

The office of the Assistant Deputy Attorney General (ADAG) 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 led by the Director of Business Operations for Manitoba Prosecutions Service along with subject matter experts from each branch.

Manitoba Prosecutions Service

Manitoba Prosecutions Service (MPS) 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. When it comes to criminal cases MPS is to effectively and vigorously prosecute serious offences and dangerous offenders in a timely manner while recognizing that effective justice often requires different approaches, such as restorative justice and other diversion options. Effective justice embodies an efficient and sustainable criminal justice system that is timely and has lower recidivism and greater victim satisfaction.

MPS is responsible for the prosecution of alleged provincial statute breaches, *Criminal Code* offences, some federal statute 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, as well as 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*.

As of March 31, 2018 MPS has a total of 310.30 staff FTEs. The total staff complement includes 5 legal management positions (including the ADAG), 183 legal positions (including 8 articling students) and 122.30 professional/administrative support staff positions.

MPS is organized into five areas of responsibility:

1. Winnipeg Prosecutions

Led by the Director of Winnipeg Prosecutions, the General Prosecution Units (GPU) of Winnipeg Prosecutions Service prosecute all preliminary hearings and trials in Winnipeg that are not the responsibility of one of the specialized units.

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

2. 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 over 50 circuit points in communities throughout Manitoba.

3. 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 by law in Canada. This area includes the staff in the Intake and Paralegal Units as well as the Intensive Case Assessment Process Unit (ICAP). The ICAP Unit is designed to increase the efficiency and effectiveness of the justice system in Manitoba through very early assessment of cases. 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 beyond the traditional criminal justice system where appropriate.

4. Specialized Prosecutions

Specialized Prosecutions is composed of the Domestic Violence Unit (DVU), Special Economic Crime and Regulatory Prosecution Unit, Criminal Organization Unit and the High Risk Offender Unit. 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.

5. Business Operations

Business Operations manages the finances, facilities, Central File Registry, technological hardware and general administration of the branch.

Workload

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

- 53,391 in 2013/2014
- 50,369 in 2014/2015
- 51,374 in 2015/2016
- 53,880 in 2016/2017
- 56,823 in 2017/2018

Highlights of activities and initiatives in 2017/2018 include the following:

- Pre-charge screening of out of custody matters expanded dramatically in the 2017/2018 fiscal year. Pre-charge review examines cases to ensure the charging standard is met, files are complete, and appropriate diversion or restorative justice approaches are explored. Previously, the cases that were reviewed before charges were laid were restricted to non-domestic matters arising from Winnipeg where the accused was out of custody. The pre-charge review has been expanded to include Brandon and the RCMP East Side District of Manitoba. The review also now includes out of custody domestic violence cases.
- The Intensive Case Assessment Process expanded to include all City of Winnipeg files with the exception of in-custody domestic violence matters, which is in the planning and development phase. This expansion includes participation in bail courts for domestic and non-domestic cases. 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 MPS to address delay in the criminal justice system.
- A Circuit Unit was created to attend all regional locations where Winnipeg Crowns attend the court hearing. This Unit is designed to bring the same approach to cases as has been successfully implemented in the ICAP Unit. The approach is to bring an early assessment and make decisions about cases at the start of the file. A new Supervising Senior Crown has been assigned to lead the Unit.
- There are ongoing and productive discussions with the RCMP and the Winnipeg Police Service to expedite disclosure and move toward increased electronic disclosure. Some electronic disclosure already exists and expansion is desired to expedite the system and create efficiencies through reduction of paper and time needed to provide the particulars of evidence to accused and their counsel.
- Changes to MPS processes and procedures have been implemented to address efficiency in the criminal justice system and to reduce the risk of cases being dismissed on delay applications. These processes and procedures include the requirement for early review of all cases to determine the files are complete, the best approach to prosecuting the case, whether an alternative to the justice system is appropriate and to ensure they meet the charging standard. As well, the potential for direct indictments must be considered for appropriate cases. Early results show that preliminary inquiry and trial dates, particularly for multiple day matters, are available much sooner reducing the time to complete serious cases.

2 (a) Manitoba Prosecutions Service

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	31,531	310.30	34,098	(2,567)	1
Total Other Expenditures	7,069		4,064	3,005	2
Total Witness Programs	1,364		1,118	246	3

Explanations:

1. Primarily vacant and under filled positions
2. Allowance for contingent liability
3. Court and police transcription fees volume and increased operating costs for witnesses

Victim Services

The Victims Services Branch (VSB) 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). VSB consists of 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 where possible throughout the province.

As of March 31, 2018, VSB FTE positions consisted of 1 management position, 37.5 social worker positions, and 10 administrative support positions. In addition, there are 4.5 federally funded positions which include 2 workers supporting families involved in the Inquiry of Murdered and Missing Indigenous Women and Girls, 2 therapists and one part-time support position to support the therapists in the Wellness Program.

Victim Rights Support Service (VRSS)

The Victims' Bill of Rights (VBR) specifies the rights victims of the most serious crimes in their dealings with police, prosecutors, courts and corrections officials. Victim Service Workers support victims and help them register for their rights and explain how and when they may exercise them. In 2017/2018, VRSS provided services to 871 victims.

Canadian Victims Bill of Rights (CVBR)

In addition to the services noted above, VSB also assists victims of crime who request services under the Canadian Victim Bill of Rights (CVBR). The CVBR came into force in 2015 and established four areas of statutory rights for victims of crime (information, participation, protection and restitution) as well as a complaints process. CVBR defines "victim" as someone who has suffered physical or emotional harm, property damage or financial loss as a result of crime. In 2017/2018, Victim Services provided services to 305 victims under the CVBR.

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 2017/2018, CVSS provided services to 1,147 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. Victim Services Workers 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 2017/2018, DVSS provided services to 6,837 victims in criminal charge matters and 10,539 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 Protection Order Designates (PODS) to assist individuals with their applications for orders. There are currently 129 PODs from 43 agencies and 15 communities across the province.

Cellphone Emergency Limited Link-Up Program (CELL) and SafeTracks

The CELL program is a co-operative effort between social services agencies, police services and Manitoba Justice. BellMTS donated phones to the program. A victim services provincial coordinator 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. 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 2017/2018, 6 MTS phones were issued and 9 individuals enrolled in the program using their personal phones. In 2016, VSB 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 Northern 911 who then dispatch police to the user's location. VSB has four devices and issued all four devices in 2017/2018.

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 2017/2018, Victim/Witness Assistance provided services to 4,420 victims of crime.

In 2017/2018, independent lawyers were retained through the program to represent the interests of sexual assault victims in 52 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 2017/2018, the department provided \$512,000 from the Victims' Assistance Trust Fund to police and community agencies that provide services to victims. In 2017/2018, 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), Canadian Centre for Child Protection, Family Dynamics, Klinik Community Health Centre and Eyaa-Keen Healing Centre.

Highlights of activities and initiatives in 2017/2018 include the following:

- VSB acquired a Victim Services Accredited Facility dog (Milan) in July 2016 through funding from the Criminal Property Forfeiture Fund. Milan has continued to provide comfort to vulnerable victims of crime. As of March 31st she has assisted 338 individuals (242 children) as they have navigated the criminal justice system. She has also attended twenty trials to date.
- With the assistance of funding from Justice Canada, VSB continues to employ a Family Liaison Contact to assist the families of missing and murdered Indigenous persons. The Family Liaison Contact works alongside investigative members of Project Devote.
- 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. They 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 organizations about appropriate locations for community based supports for families (Community Family Liaison Contact ("FLC") positions). Based on the feedback received, one position was located in Manitoba Keewatinowi Okimakanak and one at Ka Ni Kanichihk. In addition to the community-based supports, an additional FLC was hired within the Winnipeg Police Service in November 2017.
- In 2017/2018, Victim Services and Community FLCs developed a gathering for families in Thompson that was focused on ceremony, honouring their loved ones and healing. The FLCs have participated in other community-based healing and commemoration events as well, and provided support to families during National Inquiry meetings and hearings which took place across Manitoba.
- 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.

- Also through a project funded by Justice Canada, VSB worked with community-based service providers and other criminal justice stakeholders to improve access to basic legal information and other resources for survivors of sexual assault through community workshops in Winnipeg and Thompson. VSB produced a brochure called *You Have Options: Help After Sexual Assault* and updated program resources to include information on the Canadian Victims Bill of Rights. Specialized training on the impacts of trauma was also offered to staff in VSB and Manitoba Prosecutions Service (MPS). VSB also explored options for enhancing access to testimonial aids for sexual assault victims around the province for consideration in 2018/2019.
- VSB continues to provide program information and training to a range of health care providers, social service agencies, police, interpreters, the Independent Investigation Unit and CFS.
- VSB participates in the Human Trafficking Response Team which addresses human trafficking and sexual exploitation. As well, to address ongoing concerns related to forced labour and human trafficking, VSB provided funding for the Trafficked Persons Hotline operating out of Klinik Community Health Centre.
- Through funding from the Criminal Property Forfeiture Fund, VSB 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. VSB staff participated in this event and offered counselling support to the families who attended.
- VSB 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.

2 (b) Victim Services

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,099	48.50	4,326	(227)	1
Total Other Expenditures	461		512	(51)	
Grants	468		512	(44)	

Explanations:

1. Primarily vacant and under filled positions

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 2017/2018, the program processed 985 new applications for compensation. Total compensation expenses for the 2017/2018 fiscal year were \$3,162. Actuarial forecasts of long-term liabilities to meet the future compensation needs of all active compensation clients have decreased an estimated \$876. The decrease in the

long-term liability is primarily due to aging, the closing of one (1) long-term pension claim and decreased expenditures on VBR claims in the 2017/2018 fiscal year.

2 (c) Compensation for Victims of Crime

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	2,286		3,534	(1,248)	1

Explanation:

- 1. Reduction in impairment, compensation, medical payments, pension and child benefits related to a decrease in the number of claims and a reduction in long term liability*

Civil Law

The Civil Law appropriation (04-3) is composed of Executive Administration, 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	192	2.00	61	131	1

Explanation:

1. Primarily related to payments associated with retirements

Crown Law Analysis and Development

The Crown Law Analysis and Development Branch (CLAD) assists the Department by providing research, analysis, options, recommendations and assistance on civil and criminal law related issues and issues that affect the justice system. CLAD participates and leads in the development of legislation, policies and programs that advance Departmental objectives.

CLAD coordinates the Department's response to legal and justice system issues having cross-divisional, cross-government or intergovernmental implications and represents the Department on Federal/Provincial/Territorial (FPT) law reform committees, such as the Coordinating Committee of Senior Officials (Criminal Justice).

As at March 31, 2018, CLAD FTE positions consisted of 1 director, 3 legal counsel and 1 administrative assistant.

Objectives

- To conduct legal research, undertake analysis of legislation, case law and legal issues, and provide commentary, options, recommendations and assistance on civil law and criminal law related issues for the Minister, the Deputy Minister and senior managers;
- To conduct research and develop options and recommendations for changes to legislation, such as the *Criminal Code* and Manitoba statutes
- To examine and comment on federal criminal law initiatives;
- To participate and lead in development and implementation of legislation;
- To participate and lead in Departmental and inter-departmental working groups to address legal and justice system issues;
- To coordinate preparation of briefing material for the Minister and Deputy Minister and prepare them for FPT meetings dealing with criminal law and other legal issues;
- To participate and lead in meetings of FPT senior justice officials committees and working groups, including the Coordinating Committee of Senior Officials (Criminal Justice);

- To assist in developing Manitoba's resolutions for the Criminal Section of the Uniform Law Conference of Canada;
- To be the Department's liaison to the Canadian Centre for Justice Statistics and to represent the Department at National Justice Statistics Initiative Liaison Officers Committee meetings; and
- To coordinate the operations of the Community Notification Advisory Committee and the operations of the Manitoba provincial sex offender website.

Highlights of activities and initiatives in 2017/2018 include the following:

- Attended and assisted the Minister at the April 2017 and September 2017 meetings of Ministers responsible for Justice and Public Safety.
- Attended with and assisted the Deputy Minister at the June 2017 and February 2018 meetings of Deputy Ministers responsible for Justice and Public Safety.
- Represented the department on the Manitoba Government's Coordinating Committee and the PT and FPT Senior Officials Working Groups on legalization and regulation of cannabis.
- Assisted in the development of the Council of the Federation report on legalization of cannabis for Canada's Premiers.
- Led the review and analysis of the Government of Canada's drug impaired driving legislation, Bill C-45, the *Cannabis Act* and Bill C-46, *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*.
- Led the development of *The Cannabis Harm Protection Act (Various Acts Amended)*.
- Assisted in the development of *The Impaired Driving Offences Act (Various Acts Amended)*.
- Represented the department on the Manitoba Provincial Road Safety Committee.
- Assisted in the planning of the June 2017 International Legislators Forum session on Criminal Justice System Reform and participated in the session as a presenter.
- Represented the department as a participant at the November 23, 2017 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 FPT Drug Issues Working Group.
- Participated in the FPT working group that developed, for the consideration of FPT Justice Ministers, *Criminal Code* reform options to reduce delays in the criminal justice system.
- Analyzed and prepared briefing material for the department on the reports released by the Canadian Centre for Justice Statistics between April 1, 2017 and March 31, 2018.

3 (b) Crown Law Analysis and Development

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	624	5.00	575	49	
Total Other Expenditures	50		61	(11)	

Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Government of Manitoba created by *The Human Rights Code* to promote and enforce human rights.

The Commission reports to the Minister of Justice on its activities and those of the Human Rights Adjudication Panel and accordingly, a joint report 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 nineteen 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 before 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 set out 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,454	20.00	1,697	(243)	1
Total Other Expenditures	239		261	(22)	

Explanation:

1. Primarily vacant and under filled positions

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 9 active fee-for-service medical examiners in Manitoba, 8 of whom are located in Winnipeg.

As of March 31, 2018, the OCME FTE positions consisted of 13 employees, including seven full-time death investigators, and an additional position for the Deputy Chief Medical Examiner.

During 2017/2018, a total of 6,499 deaths were reported to the OCME. The office investigated and certified 1,789 of these deaths, conducted 4,710 inquiries, ordered 1,219 autopsies and called five inquests. The office handled 134 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,117	13.00	1,263	(146)	1
Total Other Expenditures	2,595		3,077	(482)	2

Explanations:

1. Primarily vacant and under filled positions
2. Savings resulting from a vacancy, medical examiner fees and autopsies

Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent 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 2017/2018, MLRC released one final report: Updating the Administration of Small Estates in Manitoba (Report #135).

MLRC is currently engaged in an extensive review of *The Builders' Liens Act* in order to make recommendations to improve, modernize and clarify the legislation. MLRC is also focussing on discreet projects under the heading of "creating efficiencies in the law", which involves identifying specific issues with straightforward "tweaks" to improve the law on topics such as *The Powers of Attorney Act* (already completed), *The Beneficiary Designation Act* and *The Expropriation 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	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; the property 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 then forfeited if 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 the forfeiture process.

From April 1, 2017 through March 31, 2018, the director initiated civil forfeiture actions (Part II) against 43 properties. The majority of these matters remain under review by the Court of Queen's Bench. 47 files, mainly from previous years, were resolved by the court during 2017/2018. Under administrative forfeiture proceedings (Part III), 616 files were initiated with 517 being resolved. The total amount realized from the disposition of property under Part II and Part III was \$2.27 million.

Of the \$2.27 million forfeited, legal and administrative costs were recovered in the amount of \$196,366.38. After accounting for costs, expenses, and reimbursements, approximately \$1.75 million was retained in the Criminal Property Forfeiture Fund (CPFF) from the 2017/2018 fiscal year. Disbursements from the CPFF were then subsequently used to promote safer communities through payments to law enforcement agencies (\$1,128,227.73), to contribute to Victim Services through the Victims' Assistance Fund (\$300,000.00) and to provide compensation for specific victims of crime (\$18,918.44). In addition, horticulture equipment valued at \$23,040.00 was donated to various schools and greenhouses in Manitoba.

Since 2010, more than \$18.5 million in assets have been successfully forfeited to Manitoba through criminal property forfeitures. There are currently 198 active forfeiture files being pursued involving real properties, vehicles, cash and other assets.

3 (f) Criminal Property Forfeiture

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	531	6.00	565	(34)	
Total Other Expenditures	206		334	(128)	1

Explanations:

1. Savings primarily related to a decrease in requirement of legal services, property registry and credit reporting

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.

As of March 31, 2018, LSB FTE positions consisted of 1 director, 55 legal counsel, 1 administrative officer, 25 administrative assistants, 1 financial officer, 1 accounting clerk and 2 articling students.

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 2017/2018, Constitutional Law counsel appeared in all levels of court in Manitoba and the Supreme Court of Canada on a variety of constitutional cases. Some of the issues dealt with this year included freedom of association, equality rights, freedom of religion, taxation issues and securities regulation. Counsel also provided advice to government on a wide range of issues including federal and provincial relations, cannabis regulation, and reconciliation efforts with Indigenous communities. Constitutional Law counsel also assisted Manitoba Prosecutions Service regarding constitutional issues raised in criminal cases including issues respecting trial fairness, admissibility of evidence, trial delay motions, disclosure obligations, sentencing principles, 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.

Current Structure and Cost Recovery

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 2017/2018, clients were billed at the rate of \$171.00 per hour for services that were provided by cost recovery counsel. In 2017/2018, LSB continued the process of amalgamating the administrative operations of the three branches.

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 2017/2018, with 100 per cent of clients responding to the Client Comment Cards indicating that they were satisfied (19%) or more than satisfied (81%) with the services provided. In addition, the director meets regularly with deputy ministers to seek feedback and to discuss upcoming needs. Feedback and responsive action will ensure that LSB continues to meet the high standards of service that are demanded and required.

3 (g) Legal Services

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	10,582	86.00	11,333	(751)	1
Total Other Expenditures	852		1,418	(566)	2
Recoverable from Other Appropriations	(7,618)		(8,527)	909	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

During the Second Session of the 41st Legislature (November 21, 2016 – November 20, 2017), 42 government bills and 33 private members bills were introduced in the Legislative Assembly.

In the Third Session of the 41st Legislature (between November 21, 2017 and March 20, 2018), 24 government bills and 12 private members bills and 1 private bill were introduced in the Legislative Assembly.

Approximately 172 regulations were registered during 2017/2018. 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	2,198	21.00	2,727	(529)	1
Total Other Expenditures	293		239	54	2

Explanations:

1. Savings associated with vacancies and indirect salaries
2. Increase in translation contracts

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 2017/2018 include the following:

- LAM's Management Council launched a new strategic plan spanning 2018/2019 to 2023/2024. Key areas of focus in the plan are: people management / morale; client service; resources and finance; systems / technology; stakeholder communication; northern / rural issues; and governance.
- LAM provided coverage to over 1,189 (350 – 2016/2017) asylum seekers during 2017/2018 – the largest influx seen in Manitoba in LAM's history. In addition, LAM created a program in conjunction with the Immigration and Refugee Board to provide on-demand representation services to individuals detained by the Canada Border Services Agency on short notice thus safeguarding rights and ensuring fairness in proceedings.
- LAM provided support and assistance to the Province in its negotiations with the Federal Government to increase funding in criminal and immigration matters. A new agreement was established for the period April 1, 2017 to March 31, 2022.
- LAM is continuing its migration towards a paperless office:
 - Effective April 1, 2017, LAM migrated to a completely paperless system regarding the taxation of private bar statements of account.
 - A new web-based electronic LAM application was created and deployed in early summer 2017 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) was deployed during 2017/2018. 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.
 - The new electronic file distribution system implemented in January 2017 in conjunction with the use of e-applications has resulted in quicker processing of applications and placement of certificates with LAM's panel of staff and private bar attorneys. Certificates without a choice of counsel are automatically assigned to counsel by our system, taking into account their availability and the number of files they have recently received. The majority of LAM applications are now assessed and assigned to a lawyer 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. During 2017/2018, LAM continued to offer educational training workshops for all staff members; 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 2017/2018, LAM:

- received 34,241² applications for formal representation services (2.1% increase from 2016/2017)
- issued 35,887 certificates for formal representation by either a staff or private bar lawyers (3.6% increase from 2016/2017)

In addition, 19,392 people were provided with in-person/telephone advice and information and 41,971 were assisted by duty counsel.

In all, the total number of assists provided during the year was 97,250 (3.7% decrease from 2016/2017)

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 2017/18 \$(000s)	Estimate 2017/18 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	14,441		(3,062)	1
Total Other Expenditures	17,841		3,066	2

Explanation:

1. Savings from vacant and under filled positions
2. Increase in volume for certificate fees and disbursements, client financial eligibility review, changes to Legal Aid policy to increase/expedite case velocity and increase in volume for immigration and refugee matters

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 provides 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 is legally required to provide services. 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

² Up to 2016/17, LAM reported additional legal matters originating from the same application as additional applications. Beginning in 2017/18, LAM is reporting actual applications received to increase transparency and to increase the comparability of statistics amongst legal aid plans across the country.

- 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 reports to the Legislature through the Minister of 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/publictrustee.

Community Safety

The Community Safety appropriation (04-4) is composed of ten sub-appropriations: Corporate Services, Custody Corrections, Community Corrections, Provincial Policing, Policing Services and Public Safety, 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 2017/2018, the Community Safety Division experienced a decrease in the adult custody population. From 2016/2017 to 2017/2018 the average adult custody population decreased by 2 per cent which represents the first decline in population for adult custody since 2004/2005. The Division experienced a 13 percent decrease in the average youth custody population from 2016/2017 to 2017/2018, which is the fifth consecutive year of decline in youth custody.

Highlights of activities and initiatives in 2017/2018 include the following:

- The Division completed a reorganization and realigned resources previously allocated with the Winnipeg Auto Theft Suppression Strategy (WATSS), Spotlight, Restorative Resolutions (RR) and the Gang Response and Suppression Program (GRASP) to new priority initiatives including the Responsible Reintegration Initiative (RRI) and the Restorative Justice Centre (RJC).
- 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 2017/2018, Community Safety Officer (CSO) Programs were launched in additional municipalities across the province 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 2017/2018, the Independent Investigation Unit (IIU) received 74 notifications of police-related incidents from various services in the province. Of those, 40 resulted in Unit-led investigations, 24 were monitored agency investigations and the balance required no further involvement.
- In 2017/2018 the Manitoba Police Commission (MPC) recruited and trained four new civilian monitors and launched the third phase of the Civilian Monitor program pilot. This year, five 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 2017/2018, the training component of the Corporate Services Branch was responsible for training 171 new correctional officers/juvenile counsellors for adult and youth custody facilities.

4 (a) Corporate Services

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	3,655	43.00	4,685	(1,030)	1
Total Other Expenditures	1,109		1,202	(93)	
Total Programs and External Agencies	2,194		2,286	(92)	

Explanation:

1. Savings associated with vacant and under filled positions

Custody Corrections

The Custody Corrections branch manages adult offenders sentenced to less than two years³ 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.

The following are highlights of program volumes in 2017/2018:

- The average daily adult custody population in Manitoba decreased in 2017/2018 to 2,400 from 2,454 the previous year and represents the first decline in adult custody population since 2004/2005 fiscal year.
- The average daily youth custody population in Manitoba decreased from 211 in 2016/2017 to 183 in 2017/2018, marking the fifth consecutive year of population decline in Youth Corrections in Manitoba.

³ Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Service of Canada).

4 (b) Custody Corrections

Expenditures by Sub-Appropriation	Actual	Estimate		Variance	Expl.
	2017/18 \$(000s)	FTE	2017/18 \$(000s)	Over (Under) \$(000s)	No.
Total Salaries	204,683	1,666.10	190,209	14,474	1
Total Other Expenditures	22,340		24,016	(1,676)	2
Total Programs and External Agencies	162		166	(4)	

Explanations:

1. Additional correctional officer staff requirements as a result of population management, escorts for medical and hospital watches as well as Worker's Compensation costs, retirement severance and vacation payments
2. Overall reduction in operating expenditures due to operational efficiencies and 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 2017/2018:

- The average monthly adult probation and conditional sentence supervision caseload size in 2017/2018 decreased to 7,053 from 7,166 the previous year.
- The average youth probation supervision caseload size in 2017/18 decreased to 1,120 from 1,180 the previous year.

In 2017/18, the Restorative Justice Branch became separate from the Innovation Branch and moved alongside Rehabilitation Services within the Community Safety Division. The Restorative Justice Branch 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 Indigenous Justice Strategy (IJS), or funded solely by Manitoba.

There are 11 contracts under the IJS that service 45 communities throughout the province. Manitoba's sole-funded agreements outside of the IJS are with John Howard Society of Brandon – Westman Mediation, Onashowewin, Mediation Services and Salvation Army. The Branch is also responsible for 47 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 October 2017, the Restorative Justice Centre (RJC) was established with existent resources and staff realignments from Probation Services, and the Restorative Justice Branch. The mandate of the RJC is to enhance community safety and promote healing, by offering restorative justice options as an immediate alternative to the mainstream justice system, for victims, offenders, and the community. The RJC supports restorative justice for victims, offenders, and the community in three key ways:

1. The RJC coordinates and provides oversight to a weekly Winnipeg Community Triage (WCT).
2. The RJC provides direct service delivery to adult male and female domestic violence related diversion clients via the RJC.
3. In the future, the RJC plans to coordinate a Restorative Justice Community of Practice for restorative justice professionals within Winnipeg, which is targeted for 2018.

The RJC is committed to the goal of significantly increasing the number of cases referred to diversion programs/processes via the RJC by working with the Winnipeg Community Triage (WCT) partners to improve services for diversion referrals.

The Restorative Justice Branch works closely with Prosecutions, the Winnipeg Police Services, the RCMP and a large number of community stakeholders in an effort to increase the number and effectiveness of diversions and the use of Restorative Justice throughout the province.

4 (c) Community Corrections

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	24,415	297.10	26,587	(2,172)	1
Total Other Expenditures	2,611		2,888	(277)	2
Total Programs and External Agencies	2,693		3,048	(355)	3

Explanations:

1. *Primarily due to vacant and under filled staff positions*
2. *Overall reduction in operating expenditures due to operational efficiencies and expenditure management Savings in community programs associated with client volumes*
3. *Primarily savings in community programs related to 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 36 First Nations communities. 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 Organized Crime Task Force, the Missing and Murdered Women's Task Force (Project Devote), 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	146,722		152,736 (6,014)	1
Recoverable from Rural Economic Development Initiative (REDI)	(2,150)		(2,150)	

Explanations:

1. *Primarily savings due to reconciliation credits for RCMP costs under review by Contract Management Committee (CMC), timing related to the purchase of equipment for the First Nations Safety Officer Program and lower costs than anticipated for the DNA Biological Casework Agreement billing*

Policing Services and Public Safety

The Policing Services and Public Safety 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 First Nations 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 Witness Security Program and the Public Safety Investigations Unit are also managed by the branch.

Private Investigators and Security Guards Program

Policing Services and Public Security 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 2017/2018, the Private Investigators and Security Guards Program issued 42 licences to businesses to provide security guards, 35 licences to businesses to provide private investigators, and registered 23 new in-house employers of security guards. As of April 2018, a total of 178 employers were registered to employ security guards in-house.

During this same period, the program issued 5,736 licences to individuals to act as security guards and 194 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 2017/2018, the Private Investigators and Security Guards Program administered approximately 2,423 individual security guard training exams.

Public Safety Investigations

Policing Services and Public Safety 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

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 2017/2018, PSI received 389 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, 153 operations of drug, prostitution (exploited persons), and criminal organization offences involving 185 separate complaints were closed, 9 complaints were referred to another agency, 30 complaints were closed due to insufficient evidence and 48 complaints remain open. Eight new complaints were received under *The Fortified Buildings Act*. Seven owners removed fortifications from their property following an inspection. No complaints were unfounded and one complaint fortification was observed but were removed prior to inspection. Under *The Body Armour and Fortified Vehicles Control Act*, two permits to possess body armour and two licenses to sell body armour were issued and six permits to possess and two licences to sell body armour were renewed.

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 persona 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 153 cases involving 154 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 2017/2018, in addition to managing ongoing cases, three matters were considered by the Program. One of these cases was accepted by the Assessment Panel and two cases were assistance matters for witness protection programs outside of Manitoba.

4 (e) Policing Services and Public Safety

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	2,069	27.00	1,962	107	
Total Other Expenditures	354		545	(191)	1
Total Programs	60		285	(225)	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 185 complaints during 2017/2018 as compared to 219 complaints during 2016/2017. 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	322	7.00	326	(4)	
Total Other Expenditures	42		61	(19)	1

Explanations:

1. Savings resulting from operational efficiencies and expenditure management

Manitoba Police Commission

The Manitoba Police Commission was established during 2010/2011 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 2017/2018 include the following:

- In 2017/2018, the Police Commission recruited and trained four new civilian monitors and launched the third phase of the Civilian Monitor program pilot. Five 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 2017/2018, 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 has also provided training to police boards through individual sessions and policy directives.
- 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 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	289	3.00	316	(27)	
Total Other Expenditures	40		165	(125)	1

Explanations:

1. Savings resulting from operational efficiencies and expenditure management

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 2017/2018, the Unit received 74 notifications of police-related incidents from various services in the province. Of those, 40 resulted in Unit-led investigations, 24 were monitored agency investigations and the balance required no further involvement.

In 2017/2018, the Unit was notified of five 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,388	14.00	1,635	(247)	1
Total Other Expenditures	282		1,024	(742)	2

Explanations:

1. *Savings related to vacancies and indirect costs*
2. *Operating savings related to the location of cases (i.e. travel costs, accommodations, etc.), operational efficiencies and expenditure management*

Crime Prevention

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

- To administer 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).
- To 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.
- To promote awareness of best practices in crime prevention and collaborate with communities undertaking evidence based activities.
- To collaborate with Public Safety Canada on crime prevention issues and programming including the Crime Prevention Action Fund and Youth Gang Prevention Fund (Federal Grants).
- To 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.
- To strengthen relationships among various funding partners to assist in supporting communities that have a lack of resources.
- To 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	444	7.00	530	(86)	1
Total Other Expenditures	46		117	(71)	2
Total from External Agencies	2,038		2,244	(206)	3
Total Recoverable from Other Appropriations			(222)	222	4

Explanations:

1. *Salary savings related to vacancies*
2. *Savings resulting from expenditure management*
3. *Savings primarily due to program reviews and unallocated funds*
4. *Error in 2017/18 estimates process – recovery was mistakenly allocated to the branch*

Protective Services

The 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 examine 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 2017/2018 include the following:

- During the 2017/2018 fiscal year, the Protective Service Branch introduced a number of initiatives to improve the effectiveness of the Branch and overall security posture of the Legislative Precinct as well as other key government facilities throughout the Province.
- The Legislative Security Act was introduced to provide the Branch and Protective Services officers in the Legislative precinct specific authorities to enhance the security and safety within the area.
- Pursuant to the Legislative Security Act, a Director of Legislative Security was appointed. An in house training program was developed and reliance on an external service provider was eliminated allowing the branch to establish specific standards. The first two courses were run successfully and all new Protective Services Officers underwent the training. Protective Services continues to review all aspects of our services and operations to ensure best practices and a prioritization of core duties are inline with the transformative culture, going forward.
- The implementation of centralized scheduling has contributed to reducing deficits related to overtime costs.
- A number of unserviceable alarm and access control systems were replaced throughout the province reducing vulnerabilities and improving security and safety of the buildings.
- Security provisions 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.

4 (j) Protective Services

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	6,880	98.80	6,053	827	1
Total Other Expenditures	1,407		1,061	346	2
Total Recoverable from Other Appropriations	(1,424)		(1,259)	(165)	2

Explanations:

1. Overtime and extra staffing due to shortage of Protective Services Officers, retirement severance and vacation pay
2. Increased service requests from various departments related to Security and Protection – cost recovery basis

Courts

The Courts Division manages the effective and efficient delivery of court services throughout the province. This includes: criminal, family, civil, small claims and provincial offences 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, Manitoba Court Operations, Judicial Services and Sheriff Services.

The Division provides services 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 Provincial Offences 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.

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.⁴

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 Manitoba Court Operations, Judicial Services and Sheriff Services with expertise in administration, financial management, governance, program reviews, planning of information systems; delivery of court training, video conferencing support, as well as procurement and infrastructure management.

In addition to the collection of court-ordered family support by the Maintenance Enforcement Program, the branch includes the Fine Collection Program which, 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. When collection action is necessary, it may include: registering debts with a third party collection agency or credit reporting agency, placing 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), and if payment is not made, will provide information to the victim about the civil judgment process.⁵

⁴ In accordance with *The Public Sector Compensation Disclosure Act*, the eight members of the Review Board received \$75,390 in compensation in the aggregate and there were no board members that individually received compensation of \$50,000 or more annually. The \$75,390 includes Board fees, reasons, and prep time.

⁵ Restitution ordered solely to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors these restitution orders separately.

Highlights of activities and initiatives in 2017/2018 include the following:

- The Maintenance Enforcement Program had more than 12,598 files and disbursed \$60.2M in maintenance payments to recipients, and also directed a total of \$4.1M to the Minister of Finance to offset income assistance costs. The program took the following enforcement actions against debtors during 2017/2018: issued 1,957 federal support deduction notices, 4,469 support deduction notices for wages and bank accounts and 20 pension garnishing orders; initiated 1,041 notices of intent to suspend driver's licences; and served 147 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 2017/2018, the Fine Collection Program processed \$55.0M for provincial statute and Criminal Code fines including fines that were paid voluntarily and within court prescribed time frames. In addition, over 27,899 active driver's licence holds and 28,738 motor vehicle registration holds were put in place, and 2,420 collection actions (which include garnishing wages and bank accounts) and one writ (to seize vehicles) were utilized for the collection of outstanding fines. Overall, in 2017/2018, enforcement action resulted in a total of \$15.0M in outstanding fines recovered - including large account balances. The total provincial fine revenue processed was \$37.0M.
- The Restitution Program receipted \$472,000 and disbursed \$500,000 in restitution payments to victims of crime.
- In 2017/2018, the Workforce Planning and Staff Development unit delivered 26 training sessions to 422 court staff across the province.

5 (a) Corporate Services and Program Management

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,890	81.00	5,768	(878)	1
Total Other Expenditures	2,904		2,628	276	2

Explanation:

1. *Savings due primarily to the vacancies and under-filled positions*
2. *Operating increases related to online debit/credit card fees*

Manitoba Court Operations

Manitoba 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 Provincial Offences Court). Services are provided in Winnipeg as well as in 13 Regional Court locations and over 40 circuit court locations outside Winnipeg.

The Manitoba Court Operations branch accepts guilty pleas and/or payments of fines in Provincial Offences 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.

Manitoba Court Operations also manages the Indigenous Courtwork 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, these court workers provide information that can increase access to alternative methods of justice, resources, and programs to Indigenous clients. In addition, 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. Nine (9) persons were accidentally released in 2017/2018.

Highlights of activities and initiatives in 2017/2018 include the following:

- The Manitoba Court of Appeal opened 225 new files.
- The Winnipeg, regional and St. Boniface Court of Queen's Bench opened 20,207 new files and added 229,781 documents to the Court Registry System.
- A total of \$9.5M was held in trust within the Suitors' Trust System.
- The Provincial Court processed 108,372 new charges⁶ (youth and adult) in the Winnipeg and regional court centres.
- Provincial offences matters totaled 245,025 in new tickets throughout Manitoba, with the majority being administered through the Provincial Offences Court in Winnipeg. These included 110,041 regular Common Offence Notice (CON) tickets and 134,984 Image Capturing Enforcement System (ICES) tickets.
- On November 20, 2017, The Provincial Offences Act was proclaimed, replacing The Summary Convictions Act. Some of the key highlights include:
 - Setting preset fines for all tickets issued to reduce the number of persons having to attend court
 - Streamlining the default process
 - Transferring the prosecution of parking by-laws from the court to the municipalities
 - Allowing the use of certificate evidence in a hearing⁷
- The Pre-Plea Triage program initiated on February 8, 2016, continued to reduce the number of matters scheduled for dispute hearings and enhanced access to justice for defendants wishing to deal with their ticket matters immediately. Dispute hearings decreased an additional 11 per cent over the previous year.
- There were 19 jury trials held in Winnipeg, and Winnipeg Jury Management issued 11,250 jury summonses out of 45,000 names obtained from Manitoba Health. Four jury trials were held in regional court centres, with 9,800 summonses issued from the 25,000 names obtained from Manitoba Health.
- The Transcription Services Unit arranged for transcription of 202,003 pages of court proceedings, representing approximately 4,553 transcript requests.
- The Review Board held 145 hearings, totaling 36 sitting days, for patients under its jurisdiction. During 2017/2018, the Board dealt with a total of 129 patients. As of March 31, 2018, 105 patients remained under the Board's jurisdiction.
- The Vehicle Impoundment Registry maintained records for 3,926 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 Indigenous Courtwork Program assisted 8,423 clients.

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

⁷ Certificate evidence is admitted into evidence at the dispute hearing as proof of the facts stated in it. This allows the hearing to proceed without the necessity of the enforcement officer attending in person to give oral testimony

5 (b) Manitoba Court Operations

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	13,616	230.00	13,500	116	
Total Other Expenditures	2,851		2,719	132	

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 facilitate 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: 21 judicial justices of the peace, over 120 staff justices of the peace and over 30 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 hearings under The Provincial Offences 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 2017/2018 include the following:

- Establishment of the office of Administrative Judicial Justice of the Peace and the Senior Judicial Justices of the Peace program which will help to improve judicial justice of the peace services.
- 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 continuation of the Family Justice Resource Centre pilot initiative at the Winnipeg Law Courts Complex provided 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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	23,189	89.00	23,190	(1)	
Total Other Expenditures	2,472		2,468	4	
Total Grants	49		53	(4)	

Sheriff Services

Sheriff Services comprises 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 provide service to 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 2017/2018 include the following:

- Winnipeg sheriffs transported 7,246 prisoners to court, travelled 570,610 kilometres by road and 40,558 kilometres by air.
- Regional sheriffs transported 20,141 prisoners to court, traveled 868,760 kilometres by road and 194,503 kilometres by air.
- Sheriff Services provided security at 19 jury trials in Winnipeg and 4 in regional court offices.
- The Court Security Amendment Act came into effect on September 1, 2017 and enhanced overall court security in Manitoba. The improved framework addressed safety and security concerns for court stakeholders and the public.
- Winnipeg Sheriffs utilized video conferencing technology for 12,804 prisoner court appearances.
- Regional Sheriffs utilized video conferencing technology for 2,591 prisoner court appearances.
- Sheriff Services provided Lawyer Video Interview (LVI) terminals in 8 provincial institutions.
- Sheriff's Officers screened 194,897 individuals entering the Winnipeg Law Courts Complex.
- Sheriff's Officers screened 83,166 individuals entering regional court offices.
- Sheriffs served a total of 2,673 legal documents including protection orders and subpoenas (1,558 by Winnipeg Officers and 1,115 by regional Officers).
- Sheriffs executed 317 writs (284 by Winnipeg Officers; 33 by regional Officers).
- Winnipeg Sheriffs processed and transferred 219 accused persons through the Sheriff Officer Warrant Diversion Project Process.
- The Civil Enforcement Unit issued 5,332 sheriffs' certificates provincially.
- Total monies received from all sources (including sheriffs' certificates) were \$253,633.20

5 (d) Sheriff Services

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	10,460	105.70	9,898	562	1
Total Other Expenditures	3,425		3,026	399	1

Explanations:

1. *Additional staffing and travel costs for prisoner escorts*

Consumer Protection

The Consumer Protection appropriation (04-6) has 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 the 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, provides trustee and guardianship services, promotes and enforces human rights 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.

The Division's roles and responsibilities are complimentary to the Ministry of Justice, 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.

Highlights of activities and initiatives in 2017-2018 include the following:

- In 2017/18, preparations for an organizational restructuring commenced which included consideration of aligning administrative tribunals and special operating agencies into one division.
- Numerous initiatives commenced related to IT projects, digitization of records, legislative and regulatory changes to eliminate unnecessary administrative burdens, and changes to processes and spaces to make them more accessible for Manitobans.
- The Vital Statistics Agency microfilm was digitized and the creation of a digital mailroom commenced.
- The Residential Tenancies Branch relocated to new office space within the government portfolio, resulting in an annual savings of \$300,000 for government. The new offices improve privacy, safety, security and accessibility for clients and staff. Further to these service benefits, a redesigned layout enables the branch to deliver these services from a smaller footprint.
- The Division continued to represent the department on the cross-departmental Regulatory Accountability Working Group, leading tabulation and annual reporting of department inventory of regulatory materials. It developed legislative amendments that reduce outdated and ineffective regulatory requirements to be

part of *The Red Tape Reduction and Government Efficiency Act, 2018*. It also continued to review legislation and regulations administered, resulting in amendments to eliminate redundancies, dual regulation and unnecessary administrative burdens. Amendments to *The Consumers Protections Act* and *The Residential Tenancies Act* were included in *The Red Tape Reduction and Government Efficiency Act 2017*.

- As part of *The Red Tape Reduction Government Efficiency Act 2018* Bill that was introduced on March 14, 2018, repeals of unused, antiquated, and yet unproclaimed provisions have been proposed, including repeal of *The Trade Practices Act* and repeal of provision within *The Threshers' Liens Act*. This requires that a copy of the Act be affixed to every threshing machine in Manitoba while being operated. Additionally, amendments which will enable greater efficiencies in operations are included, for example, an amendment to *The Consumer Protection Act* to enable the Director to approve forms (e.g. license applications) rather than requiring forms to be adopted by LGIC regulation. This change would be in keeping with the Department of Finance recommendation from a Consumer Protection Office internal audit, as well as amending *The Manitoba Public Insurance Act* to enable the Automobile Injury Compensation Appeal Commission to close an appeal without hearings in instances where the claimant has abandoned their appeal.
- Responsibility for *The Prearranged Funeral Services Act*, which was transferred effective September 1, 2017 from Manitoba Finance, Public Utilities Board to Manitoba Justice, Funeral Board of Manitoba. This transfer reduced red tape both externally and internally by consolidating all bereavement legislation under one entity, the Funeral Board of Manitoba. This has streamlined and improved service to the industry and to the public. Prior to the transfer members of the public would file complaints about funeral directors, embalmers and cemeteries with the Funeral Board of Manitoba and for complaints about prearranged funeral services the public would need to file with the Public Utilities Board.
- Moved forward on a transformation plan for the three tribunals within the Division to a more cost effective, efficient and collaborative model.
- 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 which is the maximum amount of rent to which the annual rent increase guideline applies.

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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	483	5.00	446	37	
Total Other Expenditures	144		230	(86)	1

Explanations:

1. Savings from lower than expected legal 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, payday lenders and high cost credit grantors, and manufacturers or renovators of stuffed articles.
- To support fair and honest transactions by other regulated businesses, such as motor vehicle dealers and repair shops, cell phone providers and those offering gift cards.
- 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 2017/18 include the following:

Investigation and Dispute Resolution

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

- Over 26,785 new calls or email messages and over 507 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.
- 719 written complaints were handled, with automotive and direct sales complaints registering the highest numbers. 117 files were carried over from the previous year.
- An amount of \$444,440.12 in cash settlements or adjustments was obtained for consumers.

Analysis of Complaints

Complaint Type	2017-2018	2016-2017
Payday Lender	17	24
Automotive	211	355
Credit / Finance / Credit Card	28	35
High Cost Credit	0	0
Home Renovations	55	61
Electronics Sales/Service/Manufacturing	57	36
Collections	53	45
Direct Sales	130	101
Home Furnishing / Accessories	42	21
Personal Services/Goods	39	35
*Other	87	86
Total	719	799

**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.

- 10,069 licences, registrations and authorizations were issued in 2017-2018.
- Staff conducted licensing inspections at a number of trade shows, fairs and exhibitions.

Licences, Registrations and Authorizations

Type	2017-2018	2016-2017
Collection Agent	93	89
Collectors	3,025	3,071
Vendors	171	166
Direct Seller	2,744	2,757
Hearing Aid Dealers	70	84
High-Cost Credit Products	44	46
BOUSA ¹	3,879	3,773
Payday Lenders	43	43
Total	10,069	10,029

1 Bedding and Other Upholstered and Stuffed Articles

Licensing saw an increase in overall activity in 2017-2018 with increases in the number of BOUSA, collection agent and vendor licensees.

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 2017-2018, the Consumer Protection Office assisted the Winnipeg Police Service and Royal Canadian Mounted Police on several investigations resulting in the Consumer Protection Office forwarding a file to the Prosecution Branch relating to businesses and their proprietor.

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 2017-2018, staff made 22 in-person presentations and 8 webinars to more than 1,141 people including members of business community, consumer groups, seniors, students, agencies and public administrators. The presentations focused on the role of the Consumer Protection Office, consumer protection issues, identity theft, frauds and scams, and the new home warranty legislation that was set to come into effect on January 1, 2018.

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 protection landscape and conducted ongoing reviews of policies and legislation to ensure that they remain effective and responsive in an ever-evolving marketplace.
- *The New Home Warranty Act*, scheduled to come into force on January 1, 2018, was deferred to January 1, 2020. The deferral supports the government's commitment to review provincial and municipal service responsibilities and reduce regulatory burdens. Although the new home warranty legislation has been deferred, the Consumer Protection Office will continue to leverage the case management system to improve the agility of its licensing and complaints tracking activities in the Consumer Protection Office's other business areas. As per the requirement of the new home warranty legislation, the Consumer Protection Office has developed a web-based registry that would contain information about homebuilders, warranty providers and homes covered by warranties with an integrated case management system for licensing and complaint tracking activities.
- *The Regulatory Accountability Act* was enacted by the government and the Consumer Protection Office is committed to ensuring protections for consumers while reducing the regulatory burdens on business are reasonable and appropriate.
- Amendments were made to *The Consumer Protection Act* as part of *The Red Tape Reduction and Government Efficiency Act 2017* requiring the Public Utilities Board to review the maximum charge allowed for cashing a government cheque only when directed by the minister as opposed to every three years. The amendments would eliminate a costly and time-consuming process for industry and stakeholders who had to allocate their limited resources to participate in a mandatory triennial review process.
- An amendment was made to *The Consumer Protection Act* as part of *The New West Partnership Trade Agreement Implementation Act 2017* removing the requirement for the collection agents to maintain a trust account solely in the province. This amendment was made to ensure that this provision would not constitute any trade barriers between the provinces.
- 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 2017-2018 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 2017-2018, the following grant was provided from the fund: \$2,840 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	2017-2018	2016-2017
Revenue	\$43.0	\$44.5
Grants	\$2.84	\$3.05
Funds remaining on March 31	\$186.2	\$146.1

6 (b) Consumer Protection Office

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,880	26.80	1,905	(25)	
Total Other Expenditures	277		357	(80)	1
Total External Agencies	113		113		

Explanations:

1. *Savings associated with the deferral of the New Home Warranty Act*

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 2017/18 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 2017-2018, more than 3,200 complaints were resolved informally. Client Services Officers resolved an additional 1,184 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 796 requests for assistance in 2017-2018. 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 76 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. In 2017-2018, two fines were appealed to the branch.

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 2017-2018, Mediation Officers successfully resolved 20 per cent of the 1,271 compensation claims filed with the branch through mediation. In addition, 29 per cent of the 2,441 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 2017-2018, the branch held 1,582 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.

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 2017-2018, 398 above guideline applications and two rehabilitations 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 108 of these requests in 2017-2018.

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 and 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 55,000 calls during the fiscal year and responded to 9,953 email requests for information. In 2017-2018, 15,372 people visited branch offices to request information. An additional 6,259 clients received information through the automated Interactive Voice Response System, which is accessible 24 hours a day/seven days a week.

Outreach and education activities to the general public and industry stakeholders continued regarding the legislation and programs administered by the branch. The branch made 83 presentations to 1,660 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 620 people at these venues. Staff also held informal drop-in information sessions at a community service agency.

The branch continues to produce many fact sheets and guides to provide information to clients about their rights, responsibilities, and obligations.

Administration/Legislation and Policy Development

The administration staff manages the internal operation of the branch, which includes the management of financial and human resources. 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 and other jurisdictions to stay current with issues and trends in the rental marketplace. In 2017-2018, amendments to two clauses in *The Residential Tenancies Act* were made as part of *The Red Tape Reduction and Government Efficiency Act, 2017* to clarify exemptions to living accommodations in premises which provide specific rehabilitative, therapeutic or religious purposes.

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 2017-2018, \$32,943.14 was paid to 55 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 2017-2018, unclaimed security deposits and overpayments in the amount of \$9,990.03 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 2017-2018, the branch spent \$5,939.63 for that purpose. This included

the branch's newsletter, landlord/tenant fact sheets and brochures, landlord resource manuals and participation in trade shows and exhibitions. The balance in the fund on March 31, 2018 was \$168,814.73.

Independent Tenant Advisor Program

The Independent Tenant Advisor from Legal Aid Manitoba continued to deliver on-site information and advocacy services at the RTB to tenants to file claims and prepare for hearings at the Residential Tenancies Branch and Commission. In 2017-2018 the Independent Tenant Advisor assisted 667 tenants in preparing for their specific cases and represented 60 tenants at hearings.

Parts 1-8 of *The Residential Tenancies Act* CASE LOAD

Case Type	2017-2018	2016-2017
Failure of Landlord/Tenant to Meet Obligations ¹	83	71
Hearings		
• Claims	1,271	1,413
• Order of Possession	2,441	2,342
• Determination	37	28
Non-payment of Utilities	76	70
Notices to Vacate	3	5
Repairs	796	948
Security Deposits	538	553
Tenancy Agreements	0	0
Other ²	162	155
Total Cases Opened	5,411	5,585
Total Cases Closed ³	5,444	5,413
Intakes Resolved ⁴	3,232	3,736
Total Cases Closed and Intakes Resolved	8,676	9,149

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	2017-2018	2016-2017
Application for Above the Guideline Rent Increase ¹	398	344
Application for Approval of a Rehabilitation Scheme – Complex	2	1
Application for Approval of a Rehabilitation Scheme – Specified Unit	152	153
Application for Laundry Increase	20	14
Application for Rent Status Report	108	83
Application for Tenant Requested Improvement	5	11
Application for Withdrawal of Service	22	17
Life Lease Rent Review	6	1
Tenant Objection to Guideline, or less, Rent Increase	17	40

Case Type	2017-2018	2016-2017
Unauthorized Rent Increases	358	696
Total Cases Opened	1,088	1,360
Total Cases Closed ²	1,386	1,370

1 The rent increase guideline for 2016 was 1.1%, 1.5% for 2017, and 1.3% for 2018.

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 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,299	64.00	4,708	(409)	1
Total Other Expenditures	596		636	(40)	

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 2017-2018 include the following:

- 148 new regular CAO files were opened involving the appeal of 149 MPIC Internal Review decisions.
- CAO also opened 13 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 2017-2018 - Analysis by PIPP Benefits recovered:

PIPP Benefits recovered	Amount
Wage Replacement benefits.	332 weeks approx. or \$430,000.00 approx.
Personal Care Assistance	112 weeks approx.
Permanent Impairment Awards	\$100,000 approx.
Reimbursement for Treatment and Travel to Treatment (Physiotherapy; Chiropractic; Athletic; Psychological; Dental)	\$50,000 approx.
Reimbursements for Medications; Medical Aid; reduction of overpayments	\$35,000 approx.

- These benefits have actual value of approximately \$600,000.
- 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 2017-2018 - Analysis by Year CAO File Opened:

Year CAO File Opened	% of total CAO Files closed in 2016/2017
2017	15%
2016	37%
2015	26%
2014	11%
2013	4%
2012 and prior	7%

CAO Files closed in 2017-2018 - Analysis by Reason for File Closure:

CAO Files Closed	2017-2018
Commission Decisions – Appeal allowed	1
Commission Decisions – Appeal denied	3
Resolved by CAO and MPI prior to Hearing	9
Resolved at Mediation – MOA and NOW filed	73
Resolved before Mediation – Resolution Agreements with MPIC	13
CAO representation withdrawn as insufficient evidence and other reasons	17
Claimant left CAO for self or alternative representation	6
Claimant withdrew appeal on recommendation of CAO or abandoned appeal	13
Other reasons	8
Total	143

CAO files opened and Active files in 2017-2018

Files Opened	2017-2018	2016-2017	2015-2016
Regular CAO Files Opened	149	133	160
Query Files Opened	13	N25A	N/A

Total of Active Files	2017-2018	2016-2017	2015-2016
Regular CAO Files	294	268	255

CAO Matters scheduled in 2016/2017

Appeals	2017-2018	206-2017	2015-2016
Appeal Hearings scheduled	18	20	30
Appeal Hearings that Proceeded	10	8	15
Case Conferences scheduled	47	58	48
Case Conferences that proceeded	41	38	33

Mediation	2017-2018	2016-2017	2015-2016
Pre-Mediations scheduled	94	97	120
Pre-Mediations that proceeded	71	86	91
Mediations scheduled	121	129	148
Mediations that proceeded	79	98	103

- 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	4	2	0	0	2		
Accessibility to office and services	4	3	0	0	1		
Phone calls returned promptly	4	2	2	0	0		
Knowledge of the staff *	4	2	1	0	1		
Efficiency of service *	3	3	1	0	1		
Would you recommend our service to others? *						6	2

6 (d) Claimant Adviser Office

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	800	12.00	900	(100)	1
Total Other Expenditures	82		172	(90)	2

Explanations:

- Savings associated with vacant and under filled positions
- Lower expert witness and opinion fees

Automobile Injury Compensation Appeal Commission

The Automobile Injury Compensation Appeal Commission (the Commission), now in its 24th 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 2017-2018, 158 appeals were filed; however, one appeal did not proceed and was closed due to not being eligible under section 71(1) of the MPIC Act for an accident that occurred prior to March 1, 1994. This compares with 152 appeals filed in the 2016-2017 fiscal year.

Highlights of activities and initiatives in 2017-2018 include the following:

- In 2017-2018, the Commission held 23 formal hearings and 124 pre-hearing meetings or case conferences as compared to 27 hearings and 117 pre-hearings or case conferences in 2016-2017. Management of appeals by case conference continues to be an important part of the Commission's hearing schedule. Over the last nine 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 2017-2018. 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 15 percent of the appeals heard by the Commission during 2017-2018.
- 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.
- The mediation pilot project continued in 2017-2018 to accommodate changes to the Commission's administrative procedures that were initiated during the third quarter of 2012-2013. 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 84 in 2015-2017 to 51 in 2017-2018. The Commission's appeals officers prepared 61 supplementary indexes in 2017-2018, compared to 99 supplementary indexes in 2016-2017 and 85 supplementary indexes in 2015-2016.
- There were 362 open appeals at the Commission at the end of 2017-2018. There were 380 open appeals at the Commission as of March 31, 2017, a decrease of 18 open appeals.
- Hearing dates were scheduled, on average, within 0.92 weeks in 2017-2018 from the time the parties were ready to proceed to a hearing. This compares to 1.47 weeks in 2016/17 and 1.79 weeks in 2015/16.
- The Commission prepared 22 written decisions in 2017-2018.
- The average time from the date a hearing concluded to the date the Commission issued an appeal decision was 6 weeks in 2017-2018.
- In 2017-2018, the Commission held 31 days of hearings and 124 days of pre-hearing or case conferences.
- 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 was one application for leave to appeal in 2017-2018. Leave to appeal was dismissed in this case.

6 (e) Automobile Injury Compensation Appeal Commission

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	944	8.00	908	36	
Total Other Expenditures	119		163	(44)	1

Explanations:

1. Operational efficiencies and expenditure management

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 Deputy Chief Commissioner and a 0.6 Deputy Chief Commissioner 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, 2017– March 31, 2018

Activity	Received	Processed
Claim For Security Deposit or Less	65	63
Claim	164	170
Claim and Order of Possession	175	164
Determination	8	5

Activity	Received	Processed
Repairs	20	18
Utilities	2	2
Distrain and Lockout	3	3
Rent Regulation	88	85
Total	525	510

Appeals Initiated By	2017-2018
Landlord	202
Tenant	257
Other Party	3
Multiple Parties	63
Total Appeals¹	525

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	66	
Decisions Denied		36
Decisions Granted		30

Leave to Appeal Applications to the Residential Tenancies Commission	Received	Outcome
Applications for Leave to Appeal	66	
Leave to Appeal Denied		38
Leave to Appeal Granted		28

Decisions	2017-2018
Orders upheld	235
Orders varied	171
Orders rescinded/overturned	34
Orders withdrawn/settled	61
Orders cancelled	7
Pending	2
Total Decisions²	510

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	10
Dauphin	1
Thompson	1
Russell	1
Portage la Prairie	3
Steinbach	2
Winnipeg	484
Total Appeal Hearings³	502

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	15	
Decisions Denied		28
Hearings Pending		2

6 (f) Residential Tenancies Commission

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	799	5.50	(3)	
Total Other Expenditures	103		(16)	

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 2017-2018 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 2017 was \$11.0 million.
- The Registrar-General oversees the administration of the collection of land transfer tax by the service provider. Land transfer tax of \$91.2 million was collected for 2017-2018.
- 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, 2018.
- The Registrar-General oversaw the development by the service provider of
 - Electronic Registration - a new online system which allows lawyers, financial institutions and other users to submit land titles documents
 - a new Land Titles form, Form 30 – Correction to Statutory Evidence. This will allow the maker of a document to correct certain statutory required evidence simply by signing this new form, removing the requirement to attend to a lawyers' office to swear or affirm the revised evidence.
 - Electronic delivery of Statuses of Title and Statuses of Instruments to clients on the completion of registration of documents at Land Titles. This provides faster delivery of these documents to help speed up the entire land titles transaction.
 - the testing 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.
 - a single Canada and U.S.A. wide telephone number for all contacts with Land Titles and the Personal Property Registry.
 - updates to the Personal Property Registry database for changes needed resulting from *The Provincial Offences Act* replacing *The Summary Convictions Act*.
- 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.
- The Correction Policy for the correction of Land Titles Documents was translated into French and the English and French versions made public on the Teranet Manitoba website, for greater transparency to the public of this policy.

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:** any registered survey plan in the Province can be ordered online.

- **Documents Online:** 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:** 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:** 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, couriating or dropping off/picking up plans.
 - There has been 100% voluntary uptake of this service.
- **Modern account management system:** 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:** 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 (implemented in December 2017)**
 - Immediate registration during regular registration hours
 - 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)

	2017	2016	2015
Land Titles registrations	156,564	158,779	160,393
Land Titles Searches	291,006	290,538	(1) 1,749,072
PPR Registrations	234,803	237,591	248,422
PPR Searches	225,801	227,800	227,916

(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

Survey Outline Monument Restoration Program

Outline monuments are the monuments that indicate on the ground, the location of key elements of the survey fabric of Manitoba. These monuments are the foundation of the Land Titles system. One review indicated that in any given area thirty (30%) per cent or more of these monuments were missing although there is improvement due to the Survey Outline Monument Restoration Project. This loss was having a negative impact on development and the integrity of titles issued by Land Titles. Municipalities are responsible for maintaining outline monuments.

The municipality pays the entire cost of the monument restoration. Upon approval of the monument restoration by The Property Registry, the municipalities are reimbursed for half of the cost in accordance with the guidelines and fee schedule agreed on by the Registrar-General, City of Winnipeg, the Association of Manitoba Municipalities (AMM) and the Professional Land Surveyors Business Group.

For the calendar year 2017, 577 outline monuments were restored with \$242,027.42 reimbursed to municipalities by The Property Registry.

In 2017, 77 individuals contacted The Office of the Registrar-General which is the primary point of contact for Manitobans with questions about *The Condominium Act*. There may be multiple contacts by an individual during a year.

- 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 2017-2018.

6 (g) Office of the Registrar-General

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	249	2.00	218	31	
Total Other Expenditures	37		87	(50)	1

Explanations:

1. Savings in legal fees and expenditure management

Vital Statistics Agency (SOA)

The Vital Statistics Agency is the only authoritative:

- Custodian of the Crown's records, also known as the provincial vital event registry. These records provide Manitoba-registered individuals with authenticated evidence of foundational identity or vital status, and policymakers/researchers with Manitoba-specific data in support of Manitoba programs;
- Provider of vital event registration in Manitoba;
- Provider of electronic evidence of foundational identity and vital status;
- Issuer of printed evidence of foundational identity and vital status (vital event documents);
- Source of historic and current vital event data in Manitoba.

The provincial vital event registry dates to 1882, and today includes nearly four million records. Information is added to the registry daily.

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 2017/2018 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, 2018.

04-7 Costs Related to Capital Assets

Expenditures by Sub-Appropriation	Actual 2017/18 \$(000s)	Estimate 2017/18 FTE	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Government air	178		267	(89)	
Amortization—Existing assets at March 31, 2017	2,516		2,518	(2)	
Interest expense	785		945	(160)	
Total	3,479		3,730	(251)	1

Explanation:

1. *Deferred implementation of project due to delays offset by a reduction in charges related to government air*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)	Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-1 Administration and Finance					
42	(a) Minister's Salary	41	51	(10)	
	(b) Executive Support				
809	Salaries	763	824	(61)	
88	Other Expenditures	77	74	3	
(c) Financial & Administrative Services					
1,845	Salaries	1,445	1,325	120	1
216	Other Expenditures	621	667	(46)	
(d) Information Systems					
1,025	Salaries and Employee Benefits	951	1,018	(67)	
394	Other Expenditures	191	184	7	
(216)	Less: Recoverable from Part B - Capital	0	0	0	
4,203	Subtotal 04-1	4,089	4,143	(54)	
04-2 Criminal Law					
(a) Manitoba Prosecutions Service					
34,098	Salaries and Employee Benefits	31,531	30,329	1,202	2
4,064	Operating	7,069	3,658	3,411	3
1,118	Witness Program and Grants	1,364	1,429	(65)	
(b) Victim Services					
4,326	Salaries and Employee Benefits	4,099	4,022	77	
512	Operating	461	479	(18)	
512	Grants	468	508	(40)	
3,534	(c) Compensation for Victims of Crime	2,286	2,892	(606)	4
48,164	Subtotal 04-2	47,278	43,317	3,961	

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1. Financial & Administrative Services – Increase in salaries due to severance costs and vacation pay
2. Manitoba Prosecution Services – Increase in salaries related to contractual increases (MACA), indirect salary costs, severance and vacation pay
3. Manitoba Prosecution Services – Primarily increase related to a Third Party Liability Claim
4. Compensation for Victims of Crime – Decrease primarily related to volume decreases and a decrease in long term liability

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)	Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-3 Civil Law					
	(a) Executive Administration				
61	Salaries and Employee Benefits	192	258	(66)	
0	Other Expenditures	0	138	(138)	5
	(b) Crown Law Analysis and Development				
575	Salaries and Employee Benefits	624	478	146	6
61	Other Expenditures	50	41	9	
	(c) Manitoba Human Rights Commission				
1,697	Salaries and Employee Benefits	1,454	1,499	(45)	
261	Other Expenditures	239	313	(74)	7
	(d) Office of the Chief Medical Examiner				
1,263	Salaries and Employee Benefits	1,117	1,213	(96)	
3,077	Other Expenditures	2,595	2,603	(8)	
85	(e) Grant to Manitoba Law Reform Commission	85	85	0	
	(f) Criminal Property Forfeiture				
565	Salaries and Employee Benefits	531	519	12	
334	Other Expenditures	206	223	(17)	
	(g) Legal Services				
11,333	Salaries and Employee Benefits	10,582	10,784	(202)	8
1,418	Other Expenditures	852	862	(10)	
(8,527)	Less: Recoverable from Other Appropriations	(7,618)	(8,073)	455	
	(h) Legislative Counsel				
2,727	Salaries and Employee Benefits	2,198	2,681	(483)	9
239	Other Expenditures	293	253	40	
	(i) Legal Aid Manitoba				
17,503	Salaries and Employee Benefits	14,441	14,631	(190)	
14,775	Other Expenditures	17,841	17,650	191	
47,447	Subtotal 04-3	45,682	46,158	(476)	

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5. Executive Administration– Operating decrease related to the elimination of the operating budget in 2017/18
6. Crown Law Analysis and Development – Salary increase related to the reclassification of positions
7. Manitoba Human Rights Commission – Operating decrease related to adjudication and legal fees
8. Legal Services – Savings in salaries related to vacant positions.
9. Legislative Counsel – Savings in salaries related to vacant positions and less retirements (severance / vacation pay)

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)	Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-4 Community Safety					
	(a) Corporate Services				
4,685	Salaries and Employee Benefits	3,655	3,695	(40)	
1,202	Other Expenditures	1,109	1,170	(61)	
2,286	Programs and External Agencies	2,194	2,580	(386)	10
	(b) Custody Corrections				
190,209	Salaries and Employee Benefits	204,683	201,260	3,423	11
24,016	Other Expenditures	22,340	22,650	(310)	12
166	Programs and External Agencies	162	233	(71)	
	(c) Community Corrections				
26,587	Salaries and Employee Benefits	24,415	23,990	425	13
2,888	Other Expenditures	2,611	2,724	(113)	
3,048	Programs and External Agencies	2,693	2,754	(61)	
	(d) Provincial Policing				
152,736	Gross Expenditures	146,722	144,619	2,103	14
(2,150)	Less: Recoverable from Rural Economic Developme	(2,150)	(2,150)	0	
	(e) Policing Services and Public Safety				
1,962	Salaries and Employee Benefits	2,069	2,164	(95)	
545	Other Expenditures	354	424	(70)	
285	Programs	60	99	(39)	
	(f) Law Enforcement Review Agency				
326	Salaries and Employee Benefits	322	313	9	
61	Other Expenditures	42	48	(6)	

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10. Corporate Services – Decrease in grant funding

11. Custody Corrections – Increased salary costs related to contractual increases (general salary increases)

12. Custody Corrections – Decrease in operating costs related to operational efficiencies and expenditure management

13. Community Corrections – Increase in salary costs due to retirements (severance and vacation pay) and indirect salary costs

14. Provincial Policing – Increased costs related to the contractual obligations in the RCMP Provincial Police Services Agreement (PPSA) and the Dakota Ojibway Police Service (DOPS)

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)	Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
	(g) Manitoba Police Commission				
316	Salaries and Employee Benefits	289	305	-16	
165	Other Expenditures	40	44	(4)	
	(h) Independent Investigation Unit				
1,635	Salaries and Employee Benefits	1,388	1,507	-119	
1,024	Other Expenditures	282	309	(27)	
	(i) Crime Prevention				
530	Salaries and Employee Benefits	444	560	(116)	15
117	Other Expenditures	46	55	(9)	
2,244	External Agencies	2,038	2,012	26	
(222)	Less: Recoverable from Other Appropriations	-	19	(19)	
	(j) Protective Services				
6,053	Salaries and Employee Benefits	6,880	7,269	(389)	16
1,061	Other Expenditures	1,407	1,073	334	17
(1,259)	Less: Recoverable from Other Appropriations	(1,424)	(1,133)	(291)	18
420,516	Subtotal 04-4	422,671	418,593	4,078	

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15. Crime Prevention – Decrease in salary costs due to management streamlining and realignment of positions

16. Protective Services – Decrease in salary costs due to changes to the structure of the Branch and streamlining processes

17. Protective Services - Increase in operating costs primarily due to the repair of aging security systems throughout the Province

18. Protective Services – Increase in client recoveries from other departments related to security system upgrades

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)	Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-5 Courts					
	(a) Corporate Services and Program Management				
5,768	Salaries and Employee Benefits	4,890	5,210	(320)	19
2,628	Other Expenditures	2,904	2,657	247	20
	(b) Manitoba Court Operations				
13,500	Salaries and Employee Benefits	13,616	13,412	204	
2,719	Other Expenditures	2,851	3,098	(247)	21
	(c) Judicial Services				
23,190	Salaries and Employee Benefits	23,189	22,710	479	22
2,468	Other Expenditures	2,472	2,580	(108)	
53	Grants	49	53	(4)	
	(d) Sheriff Services				
9,898	Salaries	10,460	10,333	127	
3,026	Other Expenditures	3,425	3,216	209	23
63,250	Subtotal 04-5	63,856	63,269	587	

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19. Corporate Services and Program Management – Decrease in salary costs due to vacancies and under-fills
20. Corporate Services and Program Management – Increase in operating costs due to increases in commissions related to the Provincial Offences Act and maintenance for video court equipment
21. Manitoba Court Operations – Decrease in operating costs due to reductions in travel, printing and stationary expenditures
22. Judicial Services – Increase in salary costs due to general salary increases and retirements (severance and vacation pay)
23. Sheriff Services – Increase in operating costs due to travel required for inmate court/arrest escorts and equipment required for new recruits

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)	Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
04-6 Consumer Protection					
	(a) Administration and Research				
446	Salaries and Employee Benefits	483	456	27	
230	Other Expenditures	144	118	26	
	(b) Consumer Protection Office				
1,905	Salaries and Employee Benefits	1,880	1,736	144	24
357	Other Expenditures	277	207	70	
113	External Agencies	113	113	-	
	(c) Residential Tenancies Branch				
4,708	Salaries and Employee Benefits	4,299	4,375	(76)	
636	Other Expenditures	596	640	(44)	
	(d) Claimant Adviser Office				
900	Salaries and Employee Benefits	800	768	32	
172	Other Expenditures	82	83	(1)	
	(e) Automobile Injury Compensation Appeal Commission				
908	Salaries and Employee Benefits	944	891	53	
163	Other Expenditures	119	115	4	
	(f) Residential Tenancies Commission				
802	Salaries and Employee Benefits	799	791	8	
119	Other Expenditures	103	102	1	
	(g) Office of the Registrar-General				
218	Salaries and Employee Benefits	249	235	14	
87	Other Expenditures	37	82	(45)	
11,764	Subtotal 04-6	10,925	10,712	213	
3,730	04-7 Costs Related To Capital Assets	3,479	3,634	(155)	
599,074	TOTAL EXPENDITURES	597,980	589,826	8,154	

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24. Consumer Protection Office – Increase in salary costs due to filled positions and retirements (severance and vacation pay)

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

2017/18 Estimate \$(000s)		Appropriation	2017/18 Actual \$(000s)	2016/17 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
Department Summary 04 by Main Appropriation						
4,203	(1)	Administration and Finance	4,089	4,143	(54)	
48,164	(2)	Criminal Law	47,278	43,317	3,961	
47,447	(3)	Civil Law	45,682	46,158	(476)	
420,516	(4)	Community Safety	422,671	418,593	4,078	
63,250	(5)	Courts	63,856	63,269	587	
11,764	(6)	Consumer Protection	10,925	10,712	213	
3,730	(7)	Costs Related To Capital Assets	3,479	3,634	-155	
599,074		Total	597,980	589,826	8,154	

Manitoba Justice

Revenue Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

Actual 2016/17	Actual 2017/18	Increase (Decrease)	Source	Actual 2017/18	Estimate 2017/18	Variance	Explanation Number
TAXATION							
84,703	91,207	6,504	Land Transfer Tax	91,207	84,109	7,098	1
GOVERNMENT OF CANADA							
493	447	(46)	Indigenous Court Worker Program	447	435	12	
691	607	(84)	Supporting Families Initiative	607	607	0	
5,201	6,133	932	Legal Aid Agreement	6,133	4,760	1,373	2
2,986	2,706	(280)	Special Projects	2,706	2,900	(194)	3
341	361		Winnipeg Drug Treatment Court	361	400	(39)	
5,141	5,141	0	Youth Justice Services and Programs Agreement	5,141	5,141	0	
14,853	15,395	522	Sub-Total	15,395	14,243	1,152	

Explanation Number:

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- 1. Land Transfer Tax - \$7,098 over Estimate and \$6,504 over 2016/17 Actual**
Increase in value of estates sold
- 2. Legal Aid Agreement - \$1,373 over Estimate and \$932 over 2016/17 Actual**
Increase related to a new federal funding agreement which commenced on April 1, 2017
- 3. Special Projects – (\$194) under Estimate and (\$280) under 2016/17 Actual**
Decreases in Intensive Rehabilitation Custody & Supervision Program (IRCS), French Language Contraventions and First Nations Safety Officer Program, based on actual expenditures and client activity.

Manitoba Justice

Revenue Summary

for the fiscal year ended March 31, 2018 with comparative figures for the previous year

Actual 2016/17	Actual 2017/18	Increase (Decrease)	Source	Actual 2017/18	Estimate 2017/18	Variance	Explanation Number
OTHER REVENUE							
483	482	(1)	Cost Recovery from City of Winnipeg (Remand Centre)	482	486	(4)	
2,856	2,856	0	Cost Recovery from Municipalities	2,856	2,856	0	
6,315	6,303	(12)	Cost Recovery from Victims' Assistance Fund	6,303	6,624	(321)	4
83	91	8	Escheats to the Crown	91	50	41	5
36,454	37,228	774	Fines and Costs	37,228	34,256	2,972	6
11,416	11,579	163	Law Fees	11,579	9,500	2,079	7
1,266	1,289	23	Automobile Injury Appeals Commission Cost Recovery	1,289	1,308	-19	
1,007	1,055	48	Claimant Adviser Office Cost Recovery	1,055	1,287	(232)	8
3,078	3,134	56	Consumer Affairs Fees	3,134	2,748	386	9
9,846	11,052	1,206	Royalty	11,052	11,000	52	
6,097	5,193	(904)	Sundry	5,193	3,855	1,338	10
78,901	80,262	1,361	Sub-Total	80,262	73,970	6,292	
178,457	186,864	1,883	TOTAL DEPARTMENTAL REVENUE	186,864	172,322	14,542	

Explanation Number:

- 4. Cost Recovery from Victims' Assistance Fund – (\$321) under Estimate**
Reduction is related to recovery of actual expenditures for victim services programs
- 5. Escheats to the Crown – \$41 over Estimate**
Reduction is related to the variation from year to year depending on the number of estates forfeited and the amount
- 6. Fines and Costs – \$2,972 over Estimate and \$774 over 2016/17 Actual**
Increase is due to costs and service fees collected from an increase in the number of RCMP e-tickets, ICES (Photo radar) and speeding tickets issued
- 7. Law Fees - \$2,079 over Estimate and \$163 over 2016/17 Actual**
Increase in volume and value of estates upon which the fee is assessed
- 8. Claimant Adviser Office Cost Recovery – (\$232) under Estimate**
Volume driven – based on actual expenditures
- 9. Consumer Affairs Fees - \$386 over Estimates**
Volume driven
- 10. Sundry - \$1,338 over Estimate and (\$904) under 2016/17 Actual**
Primarily due to volume driven items (i.e. federal prisoner detention per diems, Immigration Hold per diems, etc.), in addition to Suitors Fund write off and other sundry fees

Manitoba Justice

Historical Information

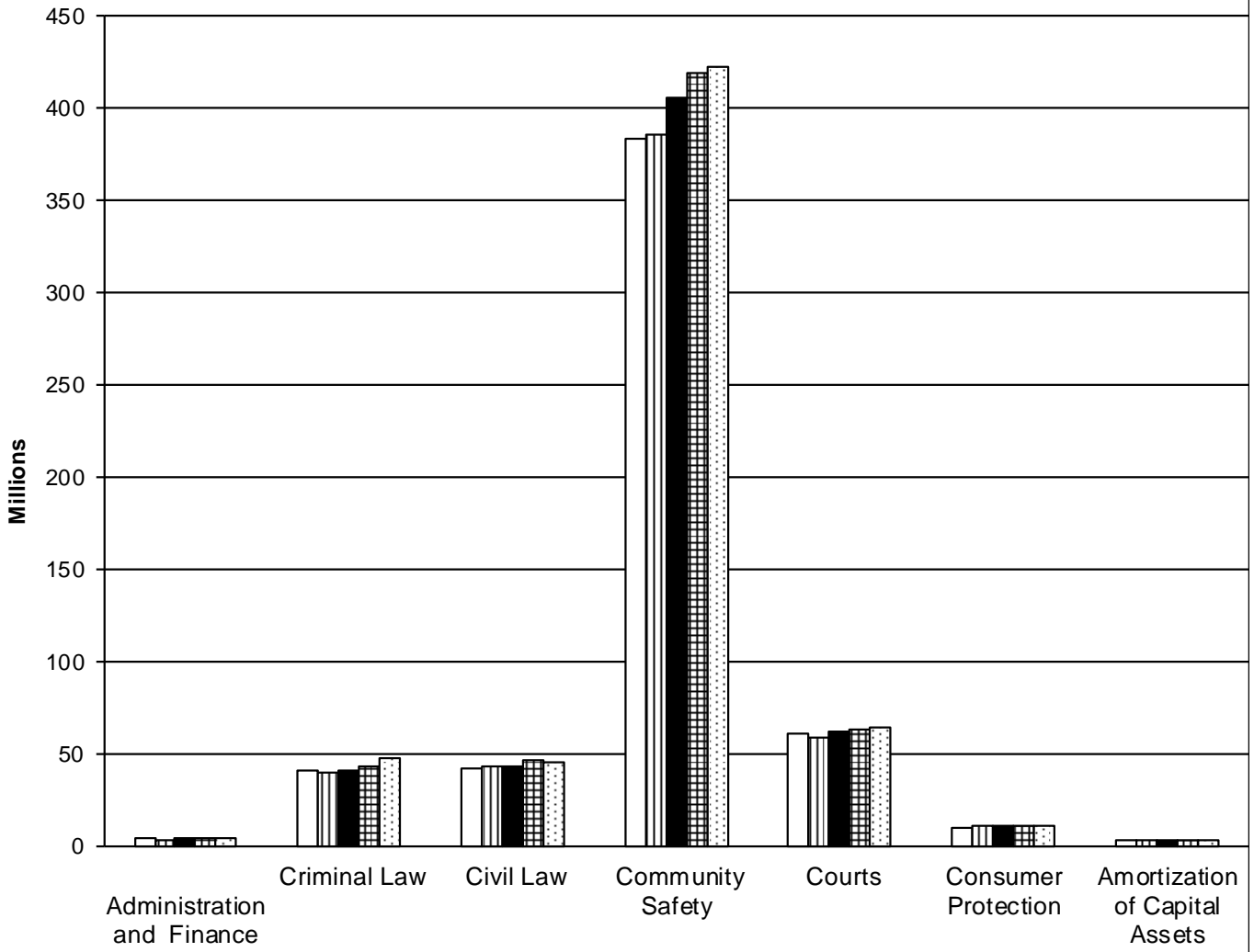
Five Year Expenditure and Staffing Summary by Appropriation \$(000s)

For Years Ending March 31, 2014 to March 31, 2018

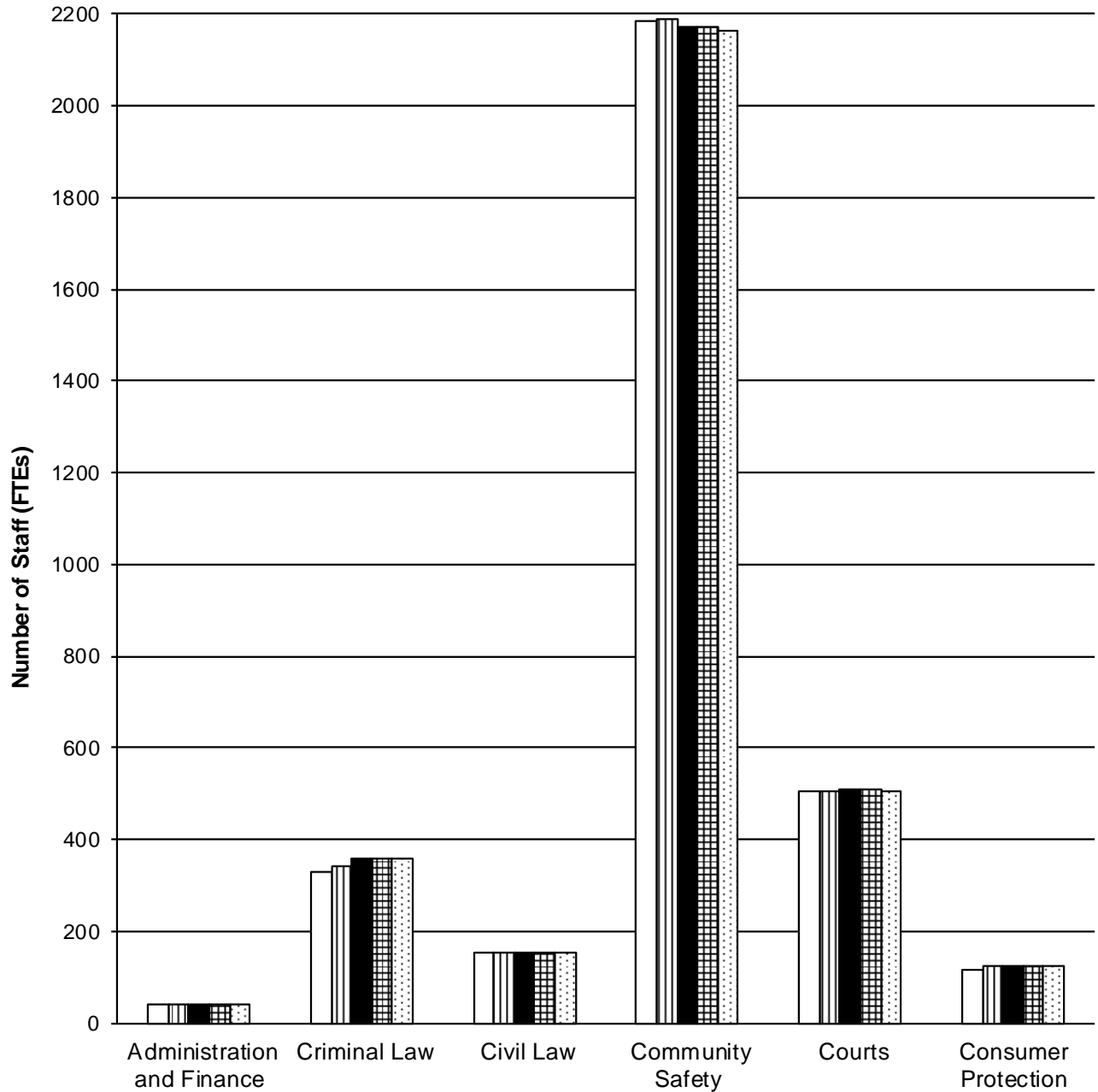
APPROPRIATION	Actual/*Adjusted Expenditures									
	2013/14		2014/15		2015/16		2016/17		2017/18	
	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)
04-1 Administration and Finance	41.50	4,194	40.50	3,661	40.50	4,036	40.50	4,143	40.50	4,089
04-2 Criminal Law	329.80	41,213	343.80	40,335	360.80	40,690	360.80	43,317	358.80	47,278
04-3 Civil Law	155.00	42,373	155.00	43,466	155.00	43,377	155.00	46,158	153.00	45,682
04-4 Community Safety	2,184.81	383,225	2,186.90	385,357	2,170.00	406,118	2,170.00	418,593	2,163.00	422,671
04-5 Courts	506.70	60,882	505.70	58,888	507.70	62,117	507.70	63,269	505.70	63,856
04-6 Consumer Protection	117.90	9,890	124.30	10,543	124.30	10,597	124.30	10,712	123.30	10,925
04-7 Costs Related To Capital Assets		3,266		3,613		3,627		3,634		3,479
Total	3,335.71	545,043	3,356.20	545,863	3,358.30	570,562	3,358.30	589,826	3,344.30	597,980

Manitoba Justice

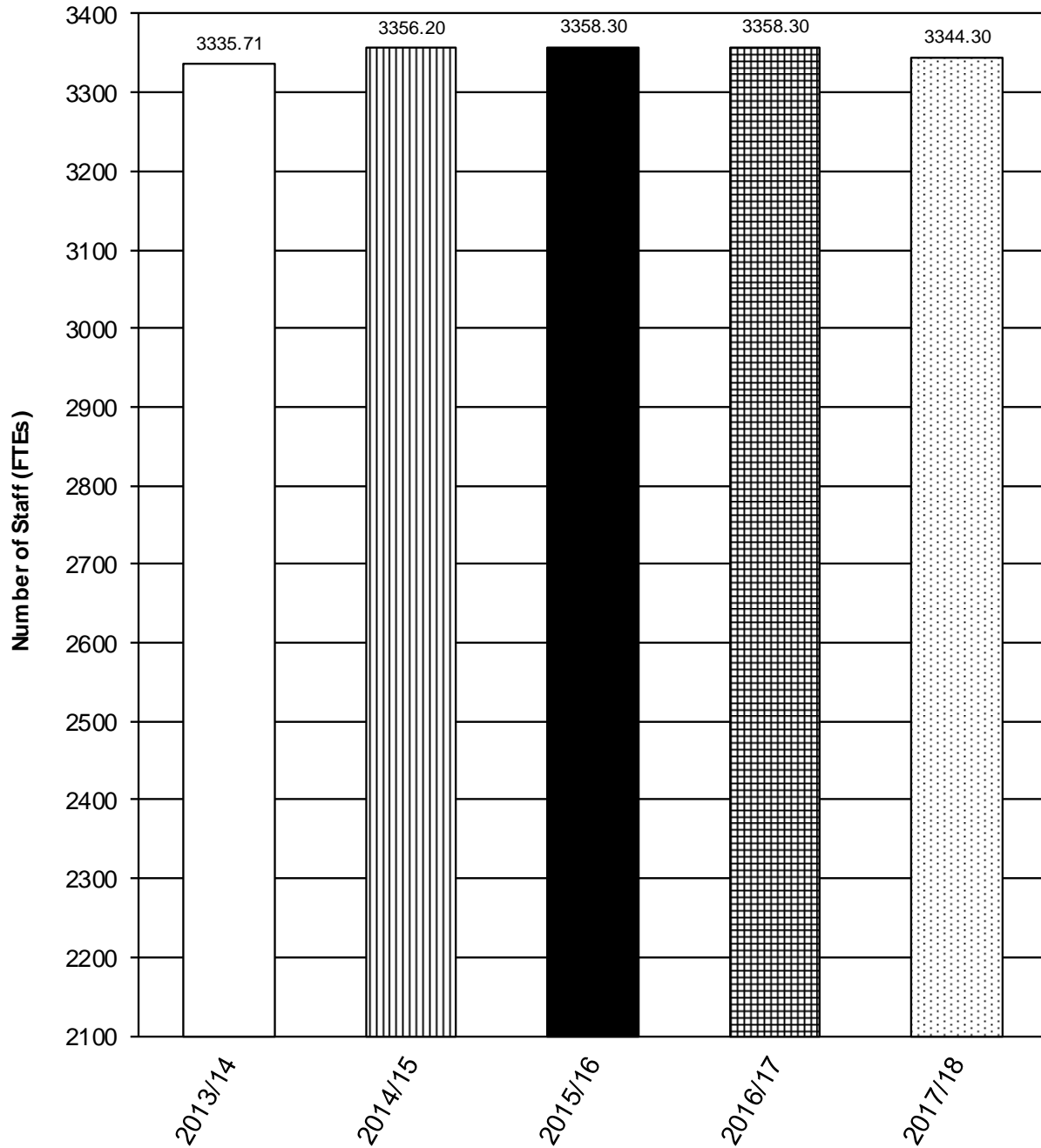
Five Year Expenditure History by Appropriation Structure



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 2017/2018, 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	2017/18 ESTIMATES \$(000s)
2017/18 MAIN ESTIMATES	\$2,429
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Capital Assets – Internal Service Adjustments	
2017/18 ESTIMATE	\$2,429

Capital Investment

Actual 2017/18 \$(000s)	Estimate 2017/18 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.	Actual 2016/17 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
1,565	2,429	(864)	1	2,274	(709)	

Explanation:

1. Correctional centre projects and IT projects were deferred/cancelled or could not be completed and will be carried over to 2018/19

Performance Reporting

The following section provides information on key performance measures for the department for the 2017/2018 reporting year.

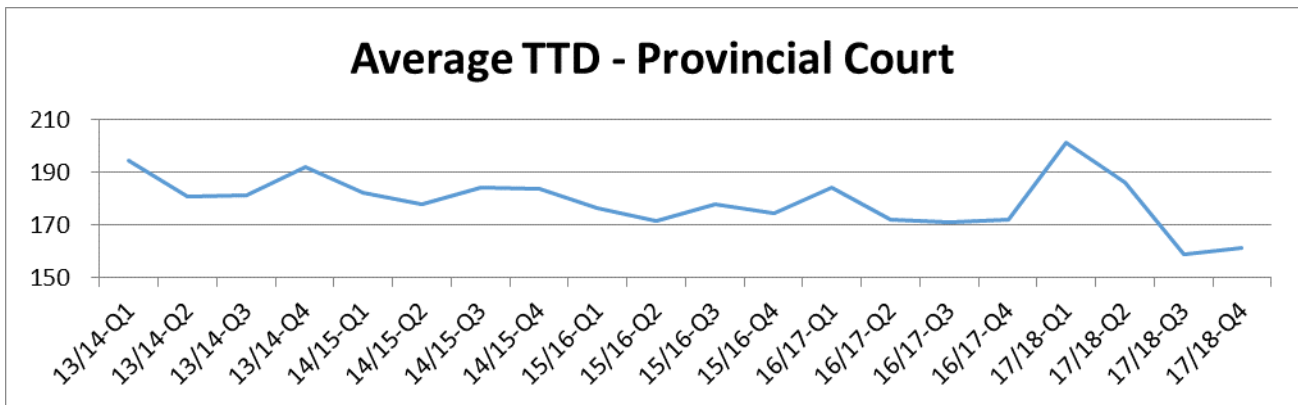
For this year, Manitoba Justice is introducing a new, more focused set of performance measures focused to the key objectives of its Criminal Justice Modernization Strategy.

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.

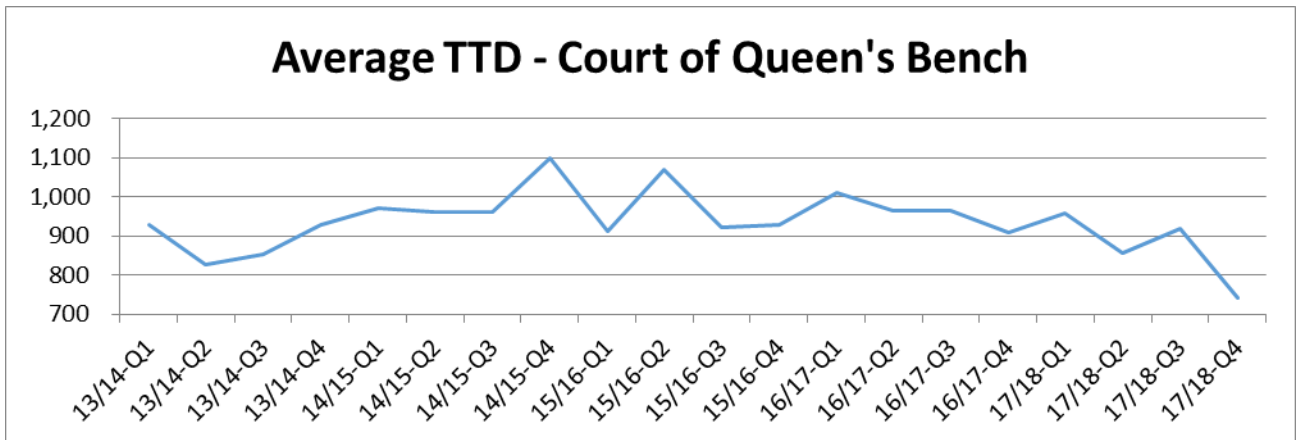
Time to Disposition

Approximately 99 per cent of criminal cases are dealt with from start to finish by the Provincial Court of Manitoba. Improving the timeliness of this process is one of the Department's top priorities.

This chart depicts the average time to disposition for criminal cases in the Provincial Court of Manitoba as measured in days from first appearance to final disposition. It should be noted that time that matters spend at warrant status (where the accused has stopped appearing in court) is excluded from this calculation. Also, matters whose final disposition in Provincial Court is a Committal to the Court of Queen's Bench are excluded from this calculation.

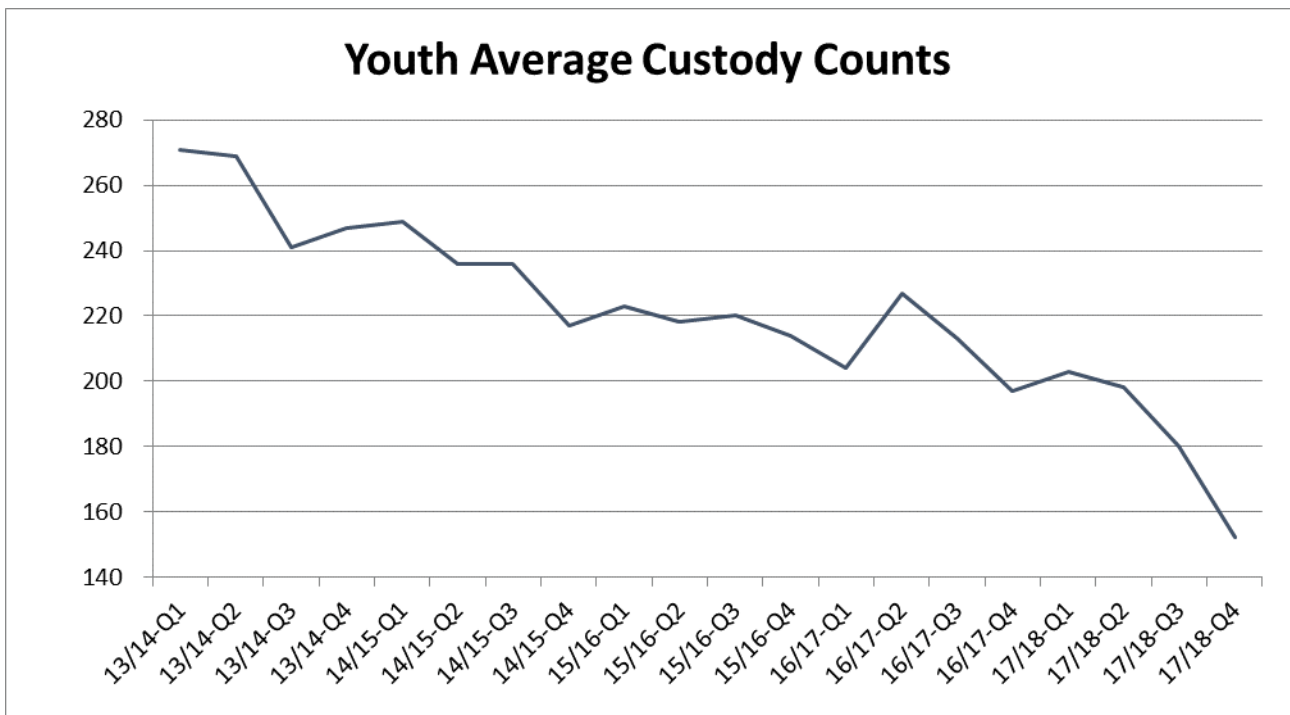
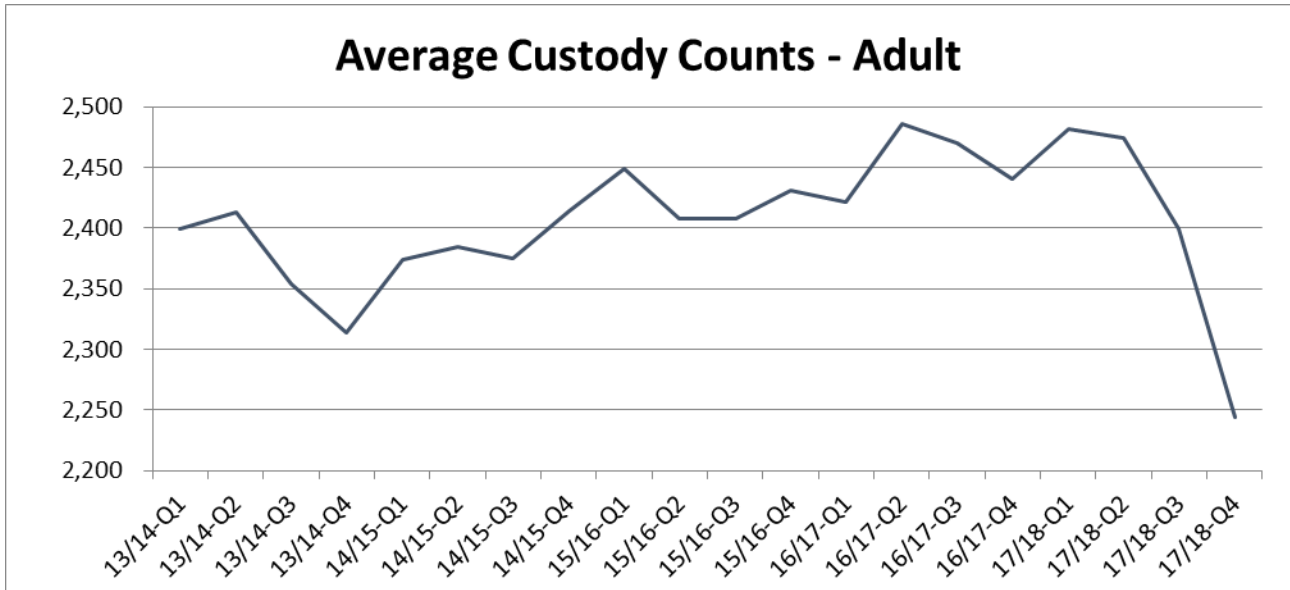


The most serious criminal charges often proceed to trial in the Court of Queen's Bench. The Department is focused on ensuring that serious criminal cases are prosecuted efficiently and effectively and as such has been tracking time to disposition in the Court of Queen's Bench. The TTD statistics reported here include time that elapsed in Provincial Court prior to committal to Queen's Bench.



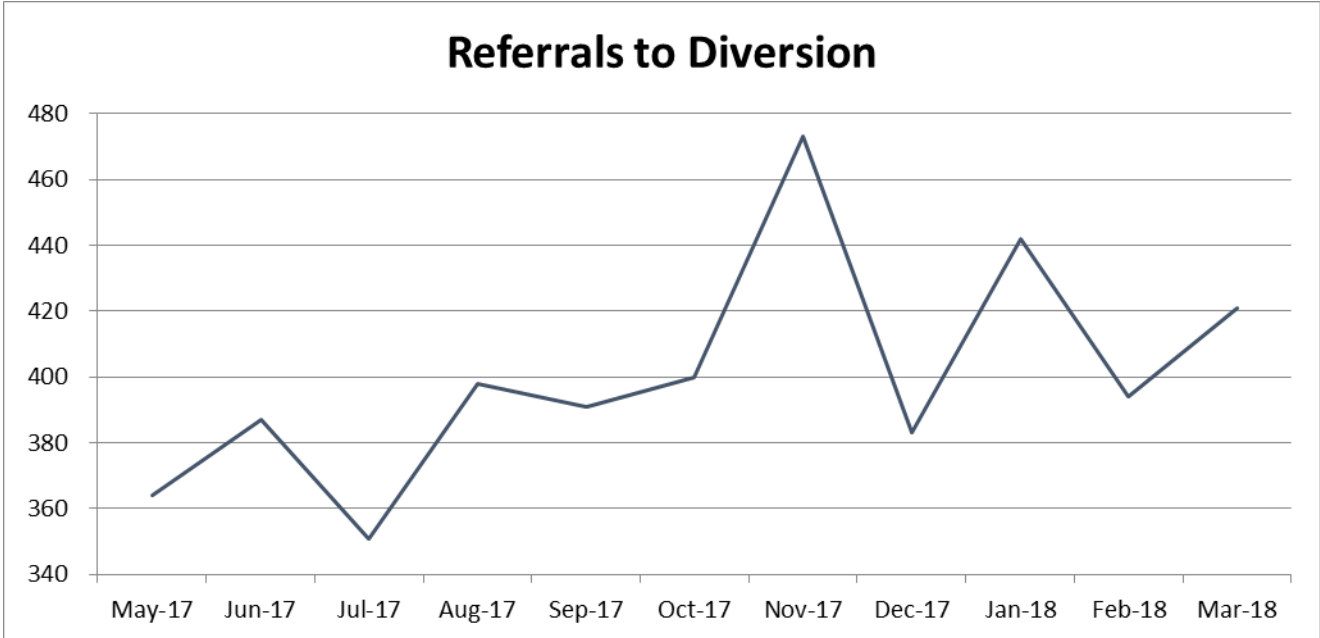
Average Custody Counts

The Department is also focused on reducing reliance on incarceration for cases where alternative approaches are more appropriate.



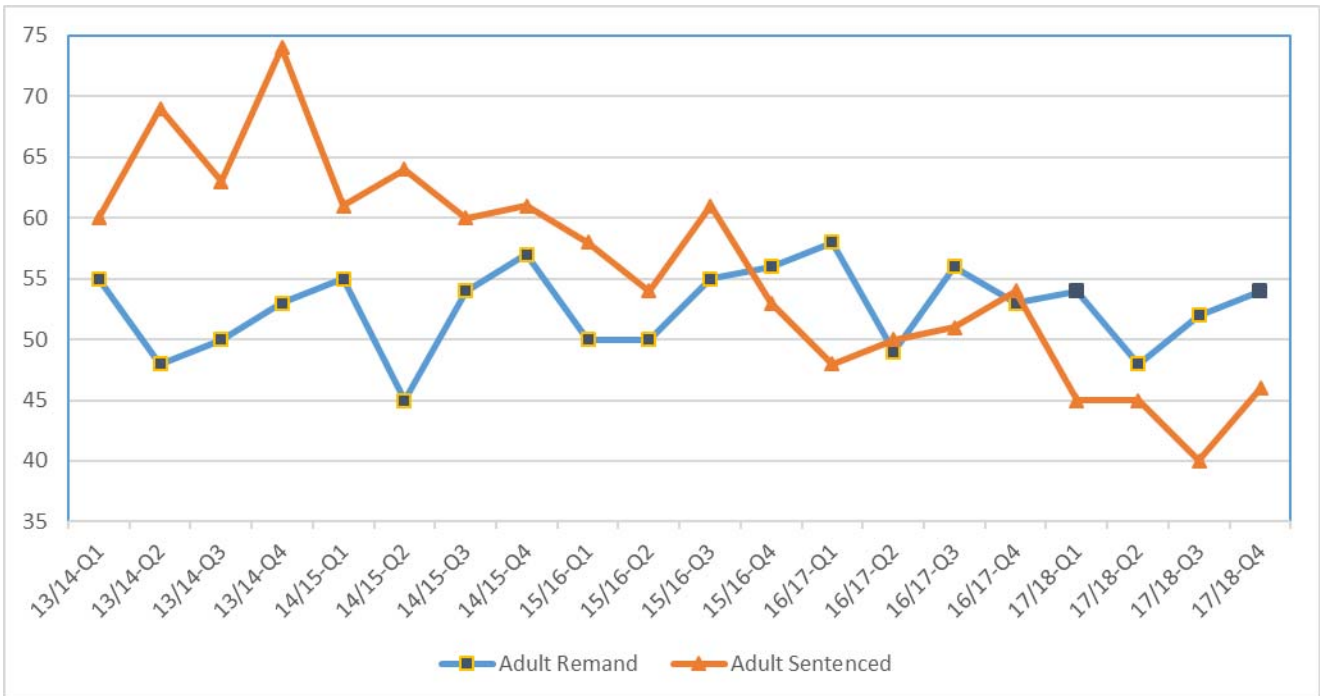
Referrals to Diversion

The Department's goal was to increase the total number of referrals to restorative justice programs to 5,000 per year (417 per month) from 3,066 in 2016 (256 per month). The last six months of 2017/2018 have seen an average of 419 referrals per month.



Average Lengths of Stay

As another measure related both to improving the timeliness of criminal prosecutions as well as the overall reliance on incarceration, the Department is tracking the average lengths of both remand (pre-sentence) and sentenced stays in provincial correctional facilities.



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 2017/2018:

Information Required Annually (per Section 18 of the act)	Fiscal Year 2017/2018
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

Regulatory Accountability and Red Tape Reduction

Manitoba Justice is committed to implementing the principles of regulatory accountability as set out in [The Regulatory Accountability Act](#). The department works to achieve balance with regulatory requirements, identify the best options for them, assess their impact and incorporate them in department activities, programs and in the development of all regulatory instruments.

A regulatory requirement is a requirement in a regulatory instrument for a person to take an action in order to

- access a program or service offered by the government or a government agency;
- carry on business; or
- participate in a regulated activity.

Regulatory accountability provides a framework to create a transparent, efficient and effective regulatory system. Red tape reduction aims to remove the regulatory requirements that are unclear, overly prescriptive, poorly designed, redundant, contradictory or antiquated. Not all regulatory requirements create red tape.

Regulatory Requirements

	Baseline (April 1, 2016)	2016/17 (March 31, 2017)	2017/18 (March 31, 2018)
Total number of regulatory requirements	45,613	45,636	45,897

	2016/17 from baseline	2017/18 from baseline
Net change in total number of regulatory requirements	23	284
% change	0.1%	0.6%

Note: The information in the tables above includes the Liquor and Gaming Authority of Manitoba as well as Special Operating Agencies (SOAs), the Public Guardian and Trustee Agency and the Vital Statistics Agency who report to the Minister.

Manitoba Justice total regulatory requirements increased from the baseline in 2017/18 as a result of responsibility for *The Prearranged Funeral Services Act* being transferred effective September 1, 2017 from Manitoba Finance, Public Utilities Board to Manitoba Justice, Funeral Board of Manitoba. This transfer reduced red tape both externally and internally by consolidating all bereavement legislation under one entity, the Funeral Board of Manitoba. Prior to the transfer members of the public would file complaints about funeral directors, embalmers and cemeteries with the Funeral Board of Manitoba and for complaints about prearranged funeral services the public would need to file with the Public Utilities Board. This was often very confusing to the public. Moving forward, the Funeral Board of Manitoba will begin a review of *The Funeral Directors and Embalmers Act*, *The Cemeteries Act* and *The Prearranged Funeral Services Act* with a view to modernize and consolidate the three under one act.

Achievements

Since April of 2016, the department's achievements in reducing regulatory requirements and eliminating red tape included:

- Overseeing the development and implementation by the service provider of The Property Registry of a modern and efficient electronic search and registry system which includes a modern account management system and smart fillable electronic forms which reduces time and costs for clients associated with submitting documents. Electronic registration was also launched December 2017 resulting in convenient access for submission of documents in the evening or weekend. Forms and guides were developed in consultation with a broad stakeholder group of client representatives resulting in plain language and user friendly documents.
- Reviewing registration and application forms utilized by the Vital Statistics Agency has also been undertaken resulting in more user friendly forms for Manitobans. In some instances, supplementary information published in companion guidebooks has been incorporated directly into revised forms, eliminating the need for separate handouts, increasing submission of correctly and fully completed forms, resulting in faster processing times.
- Undertaking a review of much of the legislation and regulations administered by Department, resulting in amendments to eliminate redundancies, dual regulation and unnecessary administrative burdens. Amended *The Consumer Protection Act* as part of *The Red Tape Reduction Government Efficiency Act 2017* requiring the Public Utilities Board to review the maximum charge allowed for cashing a government cheque when directed by the minister as opposed to every three years. The amendments eliminate a costly and time-consuming process for industry and stakeholders who had to allocate their limited resources to participate in a mandatory triennial review process.
- Amending *The Residential Tenancies Act* as part of *The Red Tape Reduction Government Efficiency Act 2017* to clarify exemptions to living accommodations in premises which provide specific rehabilitative, therapeutic or religious purposes.
- Proposing several amendments which are a part of *The Red Tape Reduction Government Efficiency Act 2018* Bill which was introduced on March 14, 2018, including:
 - Repealing S.M. 2014, c. 18, amendments to *The Consumer Protection Act*, which have not yet been proclaimed relating to contracts for distance communication services given the rules proposed are no longer needed as the Federal Government recently adopted rules for this purpose;
 - Amending *The Consumer Protection Act* to enable the Director to approve forms (e.g. license applications) rather than requiring forms to be adopted by LGIC regulation. This change would be in keeping with Department of Finance recommendation following internal audit of the Consumer Protection Office.
 - Amending *The Manitoba Public Insurance Act* to enable an appeal to be closed without hearings in instances where the claimant has abandoned their appeal;
 - Amending *The Residential Tenancies Act* to change mandatory requirement to optional for landlords to file an inventory of tenant's abandoned property with, and seek approval to dispose of the abandoned property from, the Residential Tenancies Branch. Also amending to remove appeals to rent increase that complies with or is less than the rent increase guideline;
 - Repealing unused legislation, *The Trade Practices Act*. This Act has been in place since the 1980's however has never been used;
 - Repealing antiquated provision (s.7) of *The Threshers' Liens Act* which requires that a copy of the Act be affixed to every threshing machine in Manitoba while being operated.

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 2017/2018 fiscal year.

Prevention (principle)

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.

Along with already established Justice programs such as the Criminal Property Forfeiture Unit, the Public Safety Investigations Unit and Community Safety's Spotlight initiative, other preventative projects and programs were implemented in 2017/2018 such as;

- During the 2017/18 fiscal year, the Protective Services Branch introduced multiple measures of prevention. Along with a number of initiatives that were introduced to improve overall effectiveness of security of the Legislative Precinct and other provincial government facilities, improved standardized training was implemented for all protective service officers, numerous inoperative alarms and access control systems were replaced. Efforts also continued to reduce vulnerabilities and increase the safety and security of buildings, staff and visitors to government sites.
- In 2017/18, Community Safety funding continued for the First Nation Safety Officer (FNSO) programs which were allocated in 2016/17 to thirty one First Nation communities. The FNSO programs compliments 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.
- Due to *The Court Security Amendment Act* coming into effect September, 2017 overall court security was increased in Manitoba. The revised structure was able to address matters of concern regarding safety and security for both court employees and the public.

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 Indigenous 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:

- Aligned with the shared responsibility and understanding principle, and with on going financial assistance from Justice Canada, Victim Services, continued to enhance their services to Manitobans by supporting those affected by Missing and Murdered Indigenous Women and Girls (MMIWG) through financial support and variety of programs in 2017/ 2018.
- Victim Services was able to include a second placement of a Family Liaison Contact (FLC) within the Winnipeg Police Service and to further expand the mandate, the branch implemented Family Information Liaison Units throughout the province. The new FLC units and contacts assist the families of missing and murdered Indigenous persons, providing information and access to appropriate resources and justice partners. In 2017/2018, this partnership also provided opportunities for healing gatherings and commemoration events and have supported families during the National Inquiry meetings and hearings in the province.
- In 2017, Victim Services continued to participate in the Human Trafficking Response Team and provided funding for the Clinic Community Health Centres' Trafficked Person Hotline, addressing the many affects of human trafficking, sexual exploitation and forced labour.
- In 2017/2018, The Community Safety Division continued to deliver a Culturally Appropriate Program (CAP) to youth across the province. Based on an indigenous framework, it is a holistic program that promotes healing and self development while addressing personal and social issues related to criminal activity and its' consequences.

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 2017/2018 are as such:

- In 2017, The Restorative Justice Centre (RJC) was formed with realigned resources from Probation Services and the Restorative Justice Branch. The newly defined branch offers alternatives to the justice system's accustomed punitive measures with emphases placed on community safety, offering direct services to both victims and offenders. Working with community stakeholders, Prosecutions, Winnipeg Police Service and the RCMP, the branch is creating more opportunities for such impactful restorative diversions throughout Manitoba and is set to expand their mandate, by implementing a Restorative Justice Community of Practice in 2018 for Winnipeg based restorative justice professionals.
- The Community Safety Division realigned available resources to new initiatives in 2017. The Winnipeg Auto Theft Suppression Strategy (WATSS), Spotlight, Restorative Resolutions (RR) and the Gang Response and Suppression Program (GRASP) helped form the Responsible Reintegration Initiative (RRI) and the Restorative Justice Centre (RJC).
- Consumer Protection took measures of using resources more efficiently in 2017/2018. The Introduction of *The Red Tape Reduction Government Efficiency Act, 2018* Bill provided the opportunity for Consumer Protection to streamline operational processes, reduce wait times and offer greater service to both industry and the public. Some of the acts that were included in repeal and/or amendments were; *The Trade Practices Act, The Threshers' Liens Act, The Consumer Protection Act, The Manitoba Public Insurance Act and Prearranged Funeral Services Act.*
- With The Provincial Offences Act replacing The Summary Convictions Act in 2017, certain changes came into effect for the Courts division that have impacted numerous court processes: reduction in court appearances due to ticket pre-set fines, the transfer of parking by-laws prosecutions from courts to municipalities, streamlining the default process and certificate evidence (now allowable in court) have all had a positive impact on public court services and has allowed more efficient use of resources for the division.

- In 2017/2018, the Courts Division continued its partnership with Manitoba Prosecution Services and Summary Convictions Court in providing the Pre-Plea Triage program, offering relevant information and swifter resolution through a number of options to those dealing with ticket matters. To date, set trials have decreased 61% from the time the program was implemented, allowing court time to be utilized more effectively.
- In 2017/2018, Victim Services continued to financially support the Victim Services Intervention Dog named Milan, 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. Milan continued to provide her services and as of March 31, 2017 has attended twenty trials and accompanied 242 children and 96 adults while they appeared in court.

In 2017/2018, Manitoba Prosecutions Services initiated and/or maintained several new measures to increase efficiencies of current processes and capacity of current resources;

- The previously initiated pre-charge screening of out of custody matters was broadened to include Brandon and the RCMP East Side District of Manitoba and in 2017/2018 Prosecutions expanded the review to include out of custody domestic violence cases.
- The Intensive Case Assessment Process (ICAP) implemented by Prosecutions to improve and expedite court processes continued through 2017/2018 and was expanded to include all Winnipeg files except Domestic Violence cases, which are currently under review and will also be integrated in the assessment process in the future. 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 addition, a Circuit Unit was created with a similar function as the ICAP Unit for rural locations, with the intent to apply early assessments and decisions to newly opened cases for a more expedient process.
- Lastly, with concerns of delay in process and dismissal of serious cases, further changes to MPS processes and procedures have been implemented with an emphasis placed on early reviews to determine best approaches, alternatives, charging standards and completeness of all active case files. So far, the preliminary results are encouraging and serious cases are advancing through the criminal justice system more promptly.

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.

In 2017/2018, the department processed 176 formal FIPPA access requests. All FIPPA requests were completed within the required timeframe and in full compliance with the legislation.

In 2017/2018, Consumer Protection revised methods of communicating important consumer information to Manitobans. Instead of relying on conventional media releases and newspaper advertisements, the branch launched a new information campaign through Facebook, Twitter and a mobile App ensuring a more direct message reached a broader base of the public, while reducing costs.

In 2017/2018, The Property Registry implemented new initiatives that expanded access to information, reduced wait times, cut costs and re-allocated resources. Some of these initiatives were;

- The Electronic Registration, allowing on-line access to numerous pieces of information and submissions of multiple documents.
- Electronic delivery of Statutes of Title and Statutes of Instruments to clients and, a new Land Titles form, Form 30.

- Courts continued a pilot project (initiated in 2016/2017) 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.
- With the assistance of criminal justice stakeholders, community based service providers, and federal funding, Victim Services developed information workshops in Winnipeg and Thompson for sexual assault survivors, providing basic but essential legal information and resources. The branch also created an informational brochure and revised program resources to include information on the Canadian Victims Bill of Rights and are currently reviewing opportunities to provide more access to information for sexual assault victims in 2018/2019.

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.

- Victim Services continues to utilize funds allotted by the Criminal Property Forfeiture Fund (CPFF) to financially support families affected by family violence. In 2017/2018, the CPFF contributed \$300,000.00 to the Victim Services Fund and another \$18,918.44 to victims of crime.
- In 2017/2018, the Manitoba Police Commission (MPC) launched the third phase 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 as required by *The Police Services Act*.
- The MPC continued to work with numerous police and law enforcement associations, agencies and community groups that contributed to the development of regulations and actively assisted and consulted numerous municipal councils, police boards and agencies in crafting the governing framework and policies under *The Police Services Act*.
- Lastly, The MPC remained consistent in their participation with the Manitoba Association of Chiefs of Police, the Canadian Association of Police Governance and the Canadian Association of Civilian Oversight of Law Enforcement. The partnerships have resulted in constructive and applicable information for the Commission regarding governance, standards and regulations.
- Throughout 2017/2018, Consumer Protection continued to represent the department on the cross-departmental Regulatory Accountability Working Group. Under *The Red Tape Reduction and Government Efficiency Act 2017*, it developed legislative amendments that revised and streamlined regulations in *The Consumers Protections Act* and *The Residential Tenancies Act*.

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 2017/2018 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 newspapers 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 information about the department's programs, initiatives and reports, and its intranet site to provide important online departmental information for staff reference.

Prosecutions commenced discussions in 2017 with RCMP and the Winnipeg Police Service to further expand electronic disclosure. This process has already been put into operation in some areas and has proven to increase efficiencies in the system by decreasing time required by legal counsel as well as reducing the need for paper.

3. Reduction of Fossil Fuel Emissions

Manitoba Justice uses a variety of vehicles for circuit court, the transport of offenders in custody or property in trust, and general business needs. 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 three 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 ensuring the safety of our passengers at all times 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 2018, all Justice Employees were encouraged to register and participate in the National Commuter Challenge.

4. Resource Conservation

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.

In the 2017/2018 fiscal year, the department maintained its high average of sustainable purchases for office paper (93 per cent green), hygiene tissue paper (100 per cent), caulk, glue and tape (100 per cent), garbage bags (91 per cent), and rags and wipes (89 per cent). 100 percent of other plumbing access and 60 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, 293/2016, 227/2017 and 67/2018 the Minister of Justice is responsible for administering:

The Body Armour and Fortified Vehicle Control Act (B65)
The Child Sexual Exploitation and Human Trafficking Act (C94)
The International Commercial Arbitration Act (C151)
The Constitutional Questions Act (C180)
The Correctional Services Act (C230)
The Court of Appeal Act (C240)
The Provincial Court Act (C275)
The Court of Queen's Bench Act (C280)
The Court of Queen's Bench Small Claims Practices Act (C285)
The Court Security Act (C295)
The Crime Prevention Foundation Act (C303)
The Criminal Property Forfeiture Act (C306)
The Cross-Border Policing Act (C325)
The Crown Attorneys Act (C330)
The Child Custody Enforcement Act (C360)
The Discriminatory Business Practices Act (D80)
The Domestic Violence and Stalking Act (D93)
The Election Financing Act (E27)
The Elections Act (E30)
The Electoral Divisions Act (E40)
The Enforcement of Canadian Judgments Act (E116)
The Enforcement of Judgments Conventions Act (E117)
The Escheats Act (E140)
The Manitoba Evidence Act [Division VI of Part I] (E150)
The Executive Government Organization Act (E170)
[subsection 12(2), only, as Keeper of the Great Seal]
The Expropriation Act (E190)
The Family Property Act (F25)
The Fatality Inquiries Act (F52)
The Fortified Buildings Act (F153)
The Gunshot and Stab Wounds Mandatory Reporting Act (G125)
The Horse Racing Commission Act (H90)
The Human Rights Code (H175)
The Inter-jurisdictional Support Orders Act (I60)
The Intimate Image Protection Act (I87)
The Intoxicated Persons Detention Act (I90)
The Reciprocal Enforcement of Judgments Act (J20)
The Canada - United Kingdom Judgments Enforcement Act (J21)
The Jury Act (J30)
The Department of Justice Act (J35)
The Justice for Victims of Child Pornography Act (J39)
The Law Enforcement Review Act (L75)
The Law Fees and Probate Charge Act (L80)
The Law Reform Commission Act (L95)
The Legal Aid Manitoba Act (L105)

The Liquor and Gaming Control Act (L153)
The Lobbyists Registration Act (L178)
The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)] (M110)
The Minors Intoxicating Substances Control Act (M197)
The Missing Persons Act (M199)
The Municipal By-law Enforcement Act (M245)
The Police Services Act (P94.5)
The Privacy Act (P125)
The Private Investigators and Security Guards Act (P132)
The Proceedings Against the Crown Act (P140)
The Profits of Criminal Notoriety Act (P141)
The Provincial Offences Act (P160)
The Public Guardian and Trustee Act (P205)
The Restorative Justice Act (R119.6)
The Safer Communities and Neighbourhoods Act (S5)
The International Sale of Goods Act (S11)
The Sheriffs Act (S100)
The Statutes and Regulations Act (S207)
The Interprovincial Subpoena Act (S212)
The Summary Convictions Act (S230)
The Transboundary Pollution Reciprocal Access Act (T145)
The Uniform Law Conference Commissioners Act (U30)
The Vacant Property Act (V10)
The Victims' Bill of Rights (V55)
The Witness Security Act (W167)

CONSUMER PROTECTION ACTS

The Business Practices Act (B120)
The Cemeteries Act (C30)
The Title to Certain Lands Act (R.S.M. 1990, c. 259) (-)
The Change of Name Act (C50)
The Condominium Act (C170)
The Consumer Protection Act (C200)
The Funeral Directors and Embalmers Act (F195)
The Prearranged Funeral Services Act (F200)
The Housing and Renewal Corporation Act [clause 44(k)] (H160)
The Hudson's Bay Company Land Register Act (H170)
The International Interests in Mobile Equipment Act (Aircraft Equipment) (I63)
The Landlord and Tenant Act (L70)
The Life Leases Act (L130)
The Marriage Act (M50)
The Mortgage Act [Part III] (M200)
The New Home Warranty Act (N85)
The Personal Investigations Act (P34)
The Personal Property Security Act (P35)
The Manitoba Public Insurance Corporation Act (P215)
[sections 174.1 to 174.4 (claimant adviser office) and
sections 175 to 185 (Automobile Injury Compensation Appeal Commission)]
The Real Property Act (R30)

The Registry Act (R50)
The Residential Tenancies Act (R119)
The Special Survey Act (S190)
The Surveys Act [Part I] (S240)
The Trade Practices Inquiry Act (T110)
The Vital Statistics Act (V60)

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

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 – Provincial Offences 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 Courtwork Program 3 rd Floor – 408 York Ave. Winnipeg MB R3C 0P9 204-945-0024	Crown Law Analysis and Development 1210 - 405 Broadway Winnipeg MB R3C 3L6 204-945-6726
Administration and Finance 1110 - 405 Broadway Winnipeg MB R3C 3L6 204-945-2878	Deputy Minister's Office 110 Legislative Building – 450 Broadway Winnipeg MB R3C 0V8 204-945-3739
Automobile Injury Compensation Appeal Commission 301 – 428 Portage Avenue Winnipeg MB R3C 0E2 204-945-4155 Toll-Free in MB 1-855-548-7443	Independent Investigation Unit 700 – 155 Carlton Street Winnipeg MB R3C 3H8 204-948-7000
Claimant Adviser Office 200 – 330 Portage Avenue Winnipeg MB R3C 0C4 204-945-7413	Law Enforcement Review Agency 420 - 155 Carlton Street Winnipeg MB R3C 3H8 204-945-8667
Community Safety 810 - 405 Broadway Winnipeg MB R3C 3L6 204-945-7804	Legal Aid Manitoba 4 th Floor - 287 Broadway Winnipeg MB R3C 0R9 204-985-8500
Compensation for Victims of Crime 1410 - 405 Broadway Winnipeg MB R3C 3L6 204-945-0899 1-800-262-9344	Legal Services 730 - 405 Broadway Winnipeg MB R3C 3L6 204-945-2832
Consumer Protection Office 302-258 Portage Avenue Winnipeg MB R3C 0B6 204-945-3800 Toll free in MB 1-800-782-0067	Legal Services - Constitutional Law 1205 - 405 Broadway Winnipeg MB R3C 3L6 204-945-0679
Court of Appeal Main Floor – 408 York Ave. Winnipeg, MB R3C 0P9 204-945-2647	Legal Services - Family Law 1230 - 405 Broadway Winnipeg MB R3C 3L6 204-945-0268
Court of Queen's Bench Room 100C - 408 York Avenue Winnipeg MB R3C 0P9 General Reception: 204-945-0344	Legislative Counsel 410 - 405 Broadway Winnipeg MB R3C 3L6 204-945-5758
Courts 235 - 405 Broadway Winnipeg MB R3C 3L6 204-945-0504	Maintenance Enforcement Building #80 – 352 Donald St. Winnipeg MB R3B 2H8 204-945-7133
	Manitoba Human Rights Commission 7 th 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
204-948-1391

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

Policing Services and Public Safety
1800 – 155 Carlton Street
Winnipeg MB R3C 3H8
204-945-8042

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
1700 – 155 Carlton Street
Winnipeg MB R3C 3H8
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

Provincial Offences 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