

NOVA SCOTIA PUBLIC PROSECUTION SERVICE
Statement of Mandate
2012-2013

TABLE OF CONTENTS

1.	Message from the Director of Public Prosecutions. 3
2.	Mandate/Mission/Vision. 4
3.	Performance Measures. 6
4.	Budget Context. 10

Message from the Director of Public Prosecutions

I am pleased to present the 2012-2013 Statement of Mandate for the Nova Scotia Public Prosecution Service (PPS).

Providing advice to police with respect to prosecutions generally or with respect to particular investigations has always been a core function of the Crown Attorney's responsibilities. The PPS has instituted a policy requiring Crown Attorneys to record all advice given to police so that such advice is always documented and to facilitate workload measurement. A process is now underway to quantify that data.

Education and training will be an important priority this year for both Crown Attorneys and support staff. A newly invigorated Education Committee is planning a year long program of professional development. This initiative coincides with the Nova Scotia Barristers' Society new requirements for mandatory professional development for all lawyers in 2012.

The PPS will renew its efforts to develop an enhanced system to measure the caseloads of Crown Attorneys to assist in balancing workloads of staff across the province. The existing automated PICS system will be enhanced in order to accomplish this goal.

The Crown has a legal obligation to provide an accused person with all relevant evidence assembled by the police during their investigation. As an important 2012-13 priority, the PPS will work with police agencies across the province to ensure that electronic disclosure from police to Crown is uniform. Efforts are being made to facilitate the Crown's ability to receive uniform electronic disclosure from the police, vet that disclosure to ensure that privileged and other confidential information is not inadvertently disclosed and provide that disclosure in an electronic format to the defence and the courts.

The PPS is also pleased to be involved as a full participant in the Domestic Violence Court project which will get underway in the spring of 2012. The PPS will provide a dedicated Crown Attorney to this specialized court.

The PPS looks forward to the upcoming year and to moving our new initiatives along.

Martin E. Herschorn, Q.C.
Director of Public Prosecutions

MANDATE / MISSION / VISION

MANDATE

The Nova Scotia Public Prosecution Service is a functionally independent agency of government created by the Public Prosecutions Act. It shares a common Minister and some common services with the Department of Justice (DOJ), but it is not a division nor part of the Department of Justice. In addition to its statutory responsibilities, the Public Prosecution Service and its members contribute, where appropriate and feasible, to the formulation of public policy in the administration of justice.

The Public Prosecution Service, by statute, is responsible for:

- prosecution of all Criminal Code offences
- prosecution of some other Federal Statutes
- prosecution of provincial summary conviction offences
- appeals before the Supreme Court of Nova Scotia
- appeals before the Nova Scotia Court of Appeal
- appeals before the Supreme Court of Canada
- representation at Criminal Review Board hearings
- providing advice to police in respect of prosecutions generally or in respect of particular investigations

MISSION

To seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

VISION

To be a leading prosecution service in Canada, highly effective and widely respected by the legal community and the general public, staffed by valued, skilled and motivated people, working in a dynamic supportive environment.

Performance Measures

Department Mandate: Represent the Crown in the conduct of criminal and quasi-criminal appeals before all levels of courts.				
Outcome	Measure	Base Year 2006-07	Annual Target 2012-13 100% Ultimate Target	Strategic Actions
High quality trial work	Performance evaluation of Crown Attorneys, to attain competent or higher designation	100 % of Crown Attorneys received a rating of competent or better.	Maintain standard of 100%	<ul style="list-style-type: none"> - Provide continuing education to full time Crown Attorneys, Per Diem Crown Attorneys and Support Staff - Implement a Case Management Information System

The role of the Crown Attorney is not to win or lose a criminal prosecution. It is to fairly present all relevant evidence to the court, to seek justice and serve the public interest by performing prosecution duties with fairness, professionalism and integrity.

Achieved through:

- Performance appraisals, records kept by Crown Attorneys of quality work shared with managers during ongoing performance appraisal processes, justice statistics regarding charges laid, disposition results.
- Responding to complaints against Crown Attorneys, provide counsel and advice to Crown Attorneys when necessary.
- Regular meetings with police at regional level to obtain feedback regarding interaction with Crowns.

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Performance Measures

Department Mandate: Participate in the development of criminal law and criminal prosecutions policy.				
Outcome	Measure	Base Year 2004/05	Annual Target	Strategic Actions
Providing Crown representation in the development of criminal law and criminal prosecutions policy	Providing representation on all committees as requested	To continue to provide 100% representation, upon request.	Maintain 100% representation	- Contribute to the development of criminal law policies and procedures in conjunction with federal and provincial Departments of Justice. Liaise with law enforcement agencies, government, the judiciary and professional associations on policy and procedural matters

Policy and Procedures developed with government, law enforcement, judiciary, professional associations.

Achieved through:

- PPS involvement in development of criminal law and prosecution policy through liaison with Federal and Provincial governments, judiciary and professional associations.
- Liaison with the defence bar and the judiciary in the development of Provincial Court procedural rules.
- Liaison with Department of Justice for the enhancement of security and safety in criminal courts for Justice staff.
- Participation with the Judiciary in the development of forms for use in criminal proceedings.
- Participation with the Canadian Bar Association in the development of ethical guidelines as it relates to Crown Attorneys.
- Participation in Supreme and Provincial Court Liaison sub-committees of the Nova Scotia Barristers' Society.
- Participation with other prosecution agencies across the country to develop protocols for compliance with SOIRA (Sexual Offender Information Registry Act).

Performance Measures

Department Mandate: Provide advice to police in respect of prosecutions generally or in respect of particular investigations				
Outcome	Measure	Base Year	Annual Target	Strategic Actions
Provide police with high quality legal advice and assistance.	The PPS is providing police with high quality legal advice and assistance when requested during the course of police investigations. This assists police in collecting evidence and laying appropriate charges.		The PPS responds to all requests from police and provincial enforcement officers for legal advice on particular cases or direction on matters of criminal law.	<p>The PPS has instituted a policy requiring Crown Attorneys to record all advice given to police so that such advice is documented and to facilitate workload measurement.</p> <p>A process is underway to quantify that data.</p>

Providing advice to police is an important element of the Crown Attorney’s responsibilities.

Achieved through:

- Timely responses to police requests for pre-charge advice.
- Ongoing consultation with police during a lengthy and/or complex police investigation.
- Timely responses to police requests for general advice regarding prosecutions.
- Recording advice to police both to ensure quality of advice and to measure volume of Crown Attorney workload that is pre-charge.

Budget Context Chart

PUBLIC PROSECUTION SERVICE			
PROGRAM & SERVICE AREA	2011-12 Estimate	2011-12 Forecast	2012-13 Estimate
	(\$ thousands)	(\$ thousands)	(\$thousands)
PROGRAM EXPENSES:			
Head Office - PPS	3,006	2,839	2,773
Special Prosecutions	1,333	1,529	1,526
Appeals	921	1,032	936
Halifax Region	6,145	6,650	6,380
Cape Breton Region	2,708	2,940	2,870
Central Region	2,452	2,753	2,501
Western Region	2,359	2,744	2,522
<u>Total Program Expenses</u>	18,924	20,487	19,508
Provincial Funded Staff (FTEs)	166.2	167.3	168.2

Rounding

Estimates/Forecasts:

Departments/PSOs

- All estimates/forecasts should be rounded to the nearest thousand

FTEs:

FTEs for Departments

-Rounding should follow what appears in 1.17 of the Estimates Book

FTEs for Public Service Entities (PSOs)

-In accordance with what appears in the Nova Scotia Estimates Supplementary Detail all FTE information should be rounded to the nearest tenth