

2021–22 Departmental Results Report

Public Prosecution Service of Canada

The Honourable David Lametti, P.C., K.C., M.P.
Minister of Justice and Attorney General of Canada



Public Prosecution
Service of Canada

Service des poursuites
pénales du Canada

Canada

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From the Director of Public Prosecutions and Deputy Attorney General of Canada

I am pleased to present the Public Prosecution Service of Canada's¹ (PPSC) Departmental Results Report (DRR) for 2021-22. While the previous year was very much about adjusting our operations as a result of COVID-19, 2021-22 allowed us to refocus ourselves as a department, and to work on renewal of our vision for the organization.

While the DRR reports against our existing priority and risk framework, we adopted new priorities for the organization, priorities that in each case reflect our mandate and commitment to public safety, and our commitment to each other as colleagues. In keeping with those priorities, we launched the Advancement Centre for Equity, Diversity, Inclusion and Accessibility (ACEDIA) and adopted an aggressive but achievable EDIA plan. The plan, as with our priorities, not only commits the PPSC to EDIA internally, but also reflects the importance of equity in the fulfillment of our mandate. While the plan took some time to complete, it was essential to take the time to consult staff with diverse jobs, and at all levels of the organization. We took the time to hear what staff needed from us as an organization, but also how they viewed their obligations towards others within the criminal justice system.

Further to the creation of the ACEDIA, we reviewed our internal EDIA structures. The former EDI national committee has been modified, and enhanced by the creation of Employee Councils, empowering employees from different backgrounds and intersectionalities to really impact internal policy. The councils for Indigenous Employees, for Black Employees and for Employees living with a disability were indeed instrumental in the renewal of our organizational values, which will be launched in the fall of 2022.

As we modernize our policy framework, we have also undertaken an extensive review of those policies that have the most impact on how we fulfill our mandate, and how Canadians can best understand how prosecutorial decisions are made. Those include policies found in the *Public Prosecution Service of Canada Deskbook (PPSC Deskbook)*, and our *Public Complaints Policy*. Throughout the year, our National Prosecution Policy Committee and our Indigenous Justice and Reconciliation Committee, worked on improving our policy framework to address issues that relate to bias in our decision-making, and to formulate policy direction that will allow us to properly consider the systemic factors that have brought accused before the court, particularly those who are Indigenous or Black. While much of this work is ongoing, we are well underway to having a renewed policy framework by the end of the next fiscal year. Finally, we were also



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

able to renew our *Public Complaints Policy*, to be launched in the fall of 2022, to allow Canadians more opportunities to provide us with feedback.

As we ended the year, there was much talk about “going back to the office”. Whether working virtually or within our offices, the PPSC’s employees never slowed down. They adapted to requirements set up by the various courts across the country, managed to keep in touch with each other, and to work as a team. While we will continue to experiment with a mix of in office and telework, our employees demonstrated, yet again, their commitment to each other and their dedication to our very complex but important work. It is with great pride that I look back on 2021-22, and with great enthusiasm that I look forward to 2022-23, when the investments made in our policy frameworks will truly bear fruit.

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

Results at a glance

<p>What funds were used? 201,380,233 Actual Spending</p>	<p style="text-align: center;">Results Highlights Public Prosecution Service of Canada</p> <ul style="list-style-type: none"> • The PPSC worked on 55,439 prosecution files in 2021-22, including files dealing with offences under the <i>Controlled Drugs and Substances Act</i>, the <i>Criminal Code</i>, and a wide range of regulatory offences. • The PPSC's staff and legal agents spent a total of 1,097,635 hours working on prosecution files.
<p>Who was involved? 1,087 Actual FTEs</p>	

In 2021-22, the PPSC continued to focus on its three organizational priorities while navigating the evolving COVID-19 pandemic landscape. Despite these challenges, the PPSC proceeded to fulfill its mandate while responding to shifting demands across the country. The following are highlights of some of the achievements realized under each priority.

Nurture a Culture of Civility, Wellness and Inclusion

This PPSC priority focuses on the well-being of employees and the culture of the organization by promoting and supporting a positive, healthy and inclusive workplace.

Mental Health and Wellness

Throughout 2021-22, Employee Assistance Program (EAP) services as well as Healthy Workplace Services continued to be offered to all employees. The PPSC Mental Health and Wellness Strategy was updated based on Public Service Employee Survey (PSES) results, PPSC Employee COVID-19 Survey, internal consultations, and the [Bias-Free Workplace Initiative](#)ⁱ. Focus was on civility and respect, balance and clear leadership and expectations. The PPSC also launched the Vicarious Trauma Program through Health Canada to support frontline prosecutors and staff across the regions.

Business Resumption Planning

The PPSC's Business Resumption Plan was systematically reviewed to ensure it prioritized the well-being of its employees while reflecting the evolving pandemic situation and integrating updates from the [Public Service Occupational Health Program COVID-19 Guidance](#)ⁱⁱ.

PPSC's People Strategy

Although the pandemic has had an impact on progress made so far, the PPSC's People Strategy is in its final stage of consultation prior to seeking senior management approval and moving forward with implementation.

Policy on Preventing Workplace Harassment and Violence

As part of the implementation of the new policy, the Harassment and Violence Prevention Series of mandatory training for employees, managers, designated recipients/functional specialists was launched. In 2021-22, the PPSC exceeded a 90% completion rate across all three courses provided by the Canada School of Public Service.

The PPSC also collaborated with the Prevention of Harassment and Violence Unit of Health Canada to identify roles and responsibilities, develop processes and ensure that all cases were handled in an expeditious fashion.

Official Languages

The PPSC's 2022-25 Official Languages Action Plan was developed, and is in its final stage of consultation before seeking approval from senior management. Among other things, this action plan ensures the integral and uniform application of the *Official Languages Act* at the PPSC, and strengthens the organization's bilingual capacity.

Strengthen Accountability and Transparency

This priority focuses on the need for transparency of decision-making in the criminal justice system and the management of PPSC employees and resources, as well as for strong stewardship in handling public funds.

Renewed Public Feedback and Complaints Policy

In 2021-22, the PPSC developed a new *Public Complaints Policy*. The new policy will ensure there is an effective and accessible process for members of the public to provide feedback and complaints to the PPSC. The new process is fair, impartial and objective, and designed to be effective in resolving complaints and identifying how the PPSC can improve the way it is serving Canadians. The new policy will be published in fall 2022.

Leadership Development

In 2021-22, the PPSC introduced a character leadership model to identify strong and authentic leaders when hiring its executive cadre. A pilot Leadership Development Series for executives, managers and supervisors was also developed to enhance their leadership competencies, and to deepen their awareness and understanding of mental health as well as diversity and inclusion.

The Agents Affairs Program

In 2021-22, the Agent Affairs Program² completed a full review of its operations. The focus of the review was mainly to ensure prudent spending, improve the financial stewardship of the program and identify efficiencies in business processes. A new business model for the review of

² The PPSC uses legal agents where it does not have a regional office or where it is impracticable or otherwise not cost-effective to handle cases with staff counsel. The Agent Affairs Program handles the management of legal agents.

active files was finalized and will be implemented in the new legal case management system. A full program structure review is also underway.

The National Fine Recovery Program (NFRP)

A new procurement strategy for collection agencies was launched in 2021-22, and a Request for Proposal (RFP) was developed to award a standing offer to several collection agencies. In addition, the NFRP developed a legal framework that outlines the program's legal authorities to undertake the recovery of outstanding federal fines on behalf of the Government of Canada. New procedures were developed for the Legal Division to manage files returning from a collection agency and to further undertake legal proceedings for offenders that are refusing to pay.

Foster Efficiency and Innovation

This priority focuses on positioning the organization to become more efficient and innovative, from the way we work, to the tools and technologies we adapt or develop.

GCdocs and Amicus

The PPSC on-boarded all employees to GCdocs³ in 2021-22. Everyone completed the required training and a suite of training materials is now available on PPSC's intranet, including GCdocs user guides, short videos and advanced tips. The department also continued to move forward with the Amicus⁴ project. Roll out of this new legal case management system has already begun.

Online Platform and Information Management for the NFRP

In 2021-22, an online payment portal was developed to provide additional payment options for Canadians with outstanding federal fines. Once finalized, the portal will be available on the PPSC's website.

Long-term Digital Strategy

In order to better evaluate and prioritize Information Management and Information Technology-enabled projects and initiatives, the PPSC has developed an investment and project governance framework to help the organization make sound investment decisions, and to ensure new projects are managed according to the proper project management framework.

The PPSC's Hiring Process

In 2021-22, the PPSC identified an electronic platform that will allow for greater efficiency in staffing processes. Implementation will move forward in 2022-23. In addition, a collection of checklists, forms and documents for staffing processes was renewed and made accessible through a more intuitive platform.

³ GCdocs is the Government of Canada's solution for meeting the legal and policy requirements for information management of electronic and paper documents and records. It allows for the storage, search, retrieval and lifecycle management of information resources.

⁴ Amicus is a customized, prosecution-specific legal case management system.

For more information on the PPSC’s plans, priorities and results achieved, see the “Results: what we achieved” section of this report. Additional details are also available in the [2021-22 PPSC Annual Report](#)ⁱⁱⁱ.

Results: what we achieved

Federal Prosecutions

Description

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

Results

The majority of prosecution files continue to be related to offences under drug-related statutes, most of which are under the *Controlled Drugs and Substances Act* (CDSA). In 2021-22, as the pandemic entered its second year, the PPSC continued to adapt to deliver on its core responsibility: prosecution services. The PPSC spent more than one million hours working on 55,439 files, despite the impact the pandemic had on bringing cases before the courts.

Modernization of Federal Prosecutions

In 2021-22, the PPSC increased its use of digital resources, e-signatures, and e-documents for court filings, file work, and administrative operations. The organization also continued to collaborate in initiatives launched to enhance the modernization of the criminal justice system to support the work of prosecutors and the courts. For example, the PPSC contributed to the preparation of a report by the Action Committee on Court Operations in Response to COVID-19⁵ that considers virtual court appearances and the integration of new technology in court operations.

The PPSC also advised on Bill S-4 in the Senate (formerly C-23) about amendments in the *Criminal Code* regarding the use of technology in court procedures. These initiatives attempt to mitigate court delays and tackle the backlog of files awaiting court disposition, and address the difficulties of having witnesses and counsel appearing virtually.

⁵ The Action Committee on Court Operations in Response to COVID-19 is a national leadership body co-chaired by the Chief Justice of Canada and the Minister of Justice and Attorney General of Canada. Other members include judicial representatives of the Canadian Judicial Council and the Canadian Council of Chief Judges; the Deputy Minister of Justice and Deputy Attorney General of Canada; the Attorney General of British Columbia; the President of the Public Health Agency of Canada; and the Executive Legal Officer of the Supreme Court of Canada.

Indian Act Bylaws

Recognizing the pandemic's impact on Indigenous communities, the PPSC agreed to conduct the prosecution of *Indian Act* bylaws directed at controlling the spread of COVID-19, when requested to do so by those communities. As of March 31, 2022, 18 protocols had been signed; however, no bylaw prosecutions were instituted during the 2021-22 fiscal year.

Quarantine Act

The PPSC continued to engage with the Public Health Agency of Canada and enforcement partners to ensure that federal measures under the *Quarantine Act* can be effectively enforced and prosecuted. While certain limits exist to the prosecution of *Quarantine Act* offences, more than 1100 contested tickets have been referred to the PPSC in Manitoba and British Columbia for prosecution. As of March 31, 2022, 50 summary conviction prosecutions were in progress.

Deskbook Guidelines

The [PPSC Deskbook](#)^{iv} sets out the guiding principles that all federal prosecutors, and persons acting as federal prosecutors, must follow, and contains the directives and guidelines for federal prosecutions. In 2021-22, pertinent chapters were reviewed from multiple diversity and inclusion perspectives to ensure that prosecution decisions are made in a fair and equitable manner and that *PPSC Deskbook* policies are reflective of the evolution of the PPSC's role and purpose. In particular, several PPSC committees and working groups reviewed the Deskbook from an Indigenous and intersectionality perspective. While the review continues, it has led so far to modifications to three chapters of the Deskbook: [5.1 National Security](#)^v; [5.5 Domestic violence](#)^{vi}; and [6.1 Drug Treatment Courts](#)^{vii}.

The PPSC also created a new chapter regarding [Allegations of Misconduct by Persons Involved in the Investigation of Charges](#)^{viii}. It clarifies the obligations of prosecutors when they become aware of allegations of misconduct by persons involved in the investigation of charges, such as members of police and investigative agencies. It builds upon existing guidelines and addresses the situation when prosecutors become aware of an allegation of serious misconduct but where the allegation that has not yet resulted in a finding, conviction, or charge, and therefore may not yet trigger the PPSC's *McNeil* disclosure obligations. Under the new guideline, prosecutors and their managers will document, report, and track these allegations, and make appropriate decisions about whether a prosecution meets the PPSC's decision to prosecute test.

The PPSC continues to track the number of simple possession prosecutions, as part of its work to monitor the impact of the [5.13 Deskbook guideline](#)^{ix} about the prosecution of simple possession offences, which considers the realities of the health impact of substance use while acknowledging that certain drug use may present particular public safety concerns.

⁶ The Deskbook is a compilation of directives and guidelines that provide instruction and guidance to federal prosecutors, whether employees of the PPSC or private sector agents, in the exercise of their prosecutorial discretion.

The PPSC is also monitoring the progress of Bill C-5 through Parliament, which if passed, will amend certain provisions within the CDSA that will impact how police services across the country engage with persons who use drugs and exercise their discretion to charge these individuals criminally if they are found in possession of scheduled substances for personal consumption.

Crown Witness Coordinators

The PPSC is working on a digital solution to increase Crown Witness Coordinators' (CWCs)⁷ capacity to reach victims and witnesses in the northern territories. Due to private sector restrictions, a social media solution to reach out to victims and witnesses in the northern territories was not established in 2021-22. However, the PPSC continues to work on finding a means of communication via social media or other applications to increase the ability to contact and communicate with victims and witnesses.

PPSC School for Prosecutors

The PPSC School for Prosecutors continued to pivot from in-person to virtual/digital capability for training methods as the COVID-19 pandemic continued. Level 1, Level 2, and Written Advocacy courses, were delivered virtually. The Level 1 Program was delivered for the first time in two components, one entirely in French and one entirely in English, in order to avoid virtual interpretation issues. The usual Level 1 curriculum had to be condensed and adapted to the virtual format. The School for Prosecutors Level 2 program continued to offer its virtual presentation series: Advanced Issues for Prosecutors. This included presentations on topics such as combatting systemic racism in prosecutions, and information sharing between investigative agencies domestically and internationally.

Gender-based Analysis Plus (GBA Plus)

The 2021-22 fiscal year was a great year in advancing GBA Plus within the organization. Following the formal approval of the GBA Plus Statement of Intent and creation of the GBA Plus Responsibility Centre just one year prior, the PPSC has achieved many important milestones.

It began the fiscal year by launching a dedicated GBA Plus page on the organization's intranet. Here, PPSC employees can learn about the GBA Plus process, and about the current and upcoming projects undertaken by the GBA Plus Responsibility Centre. This page provides employees quick and easy access to important GBA Plus tools and resources including PPSC's

⁷ For more than 30 years, the Program has provided a service to bridge the cultural gap between the court system and First Nations and Inuit victims and witnesses engaged in the court process. The main role of Crown Witness Coordinators (CWC) is to help victims and witnesses understand the court process, the roles of the court participants and, for the victims, their rights and responsibilities under the *Canadian Victims Bill of Rights*. CWCs provide court updates, accompany witnesses to court, provide support during and after testimony, and assist with trial preparation. CWCs also act as liaisons between Crown counsel, victims, and witnesses, to ensure that their concerns are considered during the justice process.

own Guide to GBA Plus Considerations. This is an internal document created using a variety of resources including those developed by the Department of Women and Gender Equality Canada. The GBA Plus Responsibility Centre actively uses this tool when providing guidance and/or advice on programs, policies and processes that are national in scope.

In addition, the PPSC became a member of the Government of Canada's Interdepartmental Terminology Committee on Diversity and Inclusion language and contributed to the development of a new EDI terminology guide, which is now available through the [Language Portal of Canada](#)^x.

However, the biggest milestone of 2021-22 was the launch of PPSC's new mandatory GBA Plus training for prosecutors: Expanding our Mindset – Applying an Intersectional Lens to Prosecutorial Work (a GBA Plus Approach). The training is founded on the new, strengthened GBA Plus approach and is specifically adapted for the needs of PPSC prosecutors. As of March 31, 2022, 36% of prosecutors have completed this training, and work has begun to adapt the training for the paralegal community.

Risks

The PPSC monitors its operating environment to identify and manage inherent and potential risks that may affect progress in achieving its strategic outcomes and organizational priorities. For 2021-22, the organization identified the following key risks: Risk to Stewardship, Risk to the Security of Information and Risk to the Safety of Staff.

Risk to Stewardship

There is a risk that the current state of PPSC's National Fine Recovery Program (NFRP) and Agent Affairs Program (AAP) could negatively affect the PPSC's ability to manage its funds. Actions taken to mitigate this risk included:

- the PPSC's Agent Affairs Division (AAD) reviewed its current processes and identified areas of improvement;
- the PPSC provided additional training to staff from the AAD;
- a consultant was hired to identify program risks and gaps with recommendations on how to address with the ultimate objective to clarify program mandate, roles/responsibilities and accountabilities of all relevant stakeholders; and
- regular monthly expenditure reports were produced and shared with regional offices and relevant internal stakeholders.

The NFRP continued to work on short, medium and long-term strategies. Actions taken to mitigate this risk included:

- consultations were held with central agencies to clarify program authorities and to confirm financial policies that govern federal fines;
- NFRP recovery procedures were established and a NFRP Legal Framework to outline program authorities in relation to its mandate was developed; and,

- a new online payment functionality was developed to provide additional payment options for Canadians with outstanding federal fines.

Risk to the Security of Information

There is a risk that sensitive information pertaining to the PPSC's work could be inadvertently disclosed or lost. Action taken to mitigate this risk included:

- making the Canada School of Public Services Security Awareness Training course mandatory for all employees to increase their awareness of their responsibilities towards safeguarding and handling of information.
- continued monitoring of how the organization manages, stores and manipulates sensitive information as well as reporting to senior management on trends related to security of information.
- reinforcing standardised procedures to report any unauthorized/inadvertent disclosure or loss of sensitive and/or personal information.
- introducing a virtual and interactive security escape room to increase awareness on security of information.

Risk to the Safety of Staff

There is a risk that employees and agents are exposed to incidents of threat and intimidation due to the nature of their work at the PPSC. Actions taken to mitigate this risk included:

- continuing to operate the Employee Protection Program⁸ (EPP), which consists of performing security risk assessments on particular case profiles and implement individualized risk mitigations based on each case.
- continuing to raise awareness within the organization about the EPP to ensure employees are aware of the protection services available to them and know how and where to report incidents of threats and intimidation.

⁸ The Employee Protection Program (EPP) of the PPSC supports the organization's commitment to providing a safe and supportive workplace by implementing a framework for the prevention, management and response to threats and/or acts of intimidation arising from prosecution work under the mandate of the PPSC.

Results achieved

Departmental Results	Departmental Result Indicators	Target	Date to achieve target	2019-20 actual result	2020-21 actual result	2021-22 actual result
Timely and comprehensive legal advice is provided to investigative agencies.	Percentage of respondents satisfied with the timeliness of legal advice.	Greater than or equal to 80%	March 2022	Not available ¹	Not available ¹	78% ²
	Percentage of respondents satisfied with the comprehensiveness of legal advice.	Greater than or equal to 65%	March 2022	Not available ¹	Not available ¹	85% ³
Federal prosecutions are completed in a timely manner. ⁴	Number and percentage of cases that went to trial and resulted in a judicial stay of proceedings due to Crown delay. ⁵	Less than 4%	March 2022	0.03%	0.005%	0.047% ⁶
	Number and percentage of cases that went to trial and resulted in the Crown directing a stay of proceedings due to Crown delay. ⁵	Less than 4%	March 2022	0.05%	0.03%	0.061% ⁷
Through professionally conducted prosecution-related work, the ODPP contributes to the administration of justice.	Number and percentage of prosecutions that result in a determination on the merits of the evidence. ⁵	Greater than or equal to 96%	March 2022	99.78%	99.81%	99.71% ⁸
	Number and nature of judicial stays for abuse of process based on the conduct of a federal prosecutor.	0	March 2022	0	0	0
	Number and nature of successful malicious prosecution lawsuits.	0	March 2022	0	0	0
	Number and nature of substantiated complaints made pursuant to the PPSC's Complaint Policy.	0	March 2022	2 ⁹	1 ¹⁰	0

¹ Level of satisfaction results are taken from the PPSC Survey of Investigative Agencies Report, which is conducted every three years.

² 78% of respondents were “satisfied” or “very satisfied” with the timeliness of the legal advice they received from the PPSC. Although this falls short of the 80% target, it is an increase from the last survey, where 72% of respondents were “satisfied” or “very satisfied”. The most commonly cited explanation for why respondents were unsatisfied with the timeliness of the legal advice they received was that the PPSC was slow to respond, unresponsive or it took multiple follow-ups to get a response.

³ 85% of respondents were “satisfied” or “very satisfied” with the comprehensiveness of the legal advice they received from the PPSC. This exceeds the 65% target and is an increase from the last survey, where 80% of respondents were “satisfied” or “very satisfied”.

⁴ The percentage of stay of proceedings as a result of delays is determined by case and not by individual charges. If there are more than one stay of proceedings for a case, it is counted as one case being stayed. Stay of proceedings as a result of delays include both agent and in-house cases.

⁵ The results presented are based on data gathered from the regions and on information extracted from the PPSC’s internal database. The figures are extracted from a live system and may be subject to revision from time to time, based on changes made to the data for any particular reporting period.

⁶ Of the 55,439 cases in 2021-22, 26 resulted in a judicial stay of proceedings due to Crown delay.

⁷ Of the 55,439 cases in 2021-22, 34 resulted in the Crown directing a stay of proceedings due to Crown delay.

⁸ 20,489 of the 20,549 cases closed in 2021-22, resulted in a determination on the merits of the evidence.

⁹ Updated result (from 1 to 2) to reflect a late-reported outcome regarding a substantiated complaint.

¹⁰ The PPSC takes complaints seriously and seeks to ensure that they are dealt with in a timely and clear manner, thereby helping to maintain public confidence in the administration of justice. Of note, the policy was recently reviewed and will be published in Fall 2022.

Budgetary financial resources (dollars)

The following table shows, for prosecution services, budgetary spending for 2021–22, as well as actual spending for that year.

2021–22 Main Estimates	2021–22 planned spending	2021–22 total authorities available for use	2021–22 actual spending (authorities used)	2021–22 difference (actual spending minus planned spending)
174,922,531	182,526,571	183,035,594	166,144,007	(16,382,564)

The variance of \$16.4 million is partly attributable to the ongoing impacts of the pandemic, which continued to affect the criminal justice system as well as PPSC’s operations. The shift to a hybrid model of both remote and in-person appearances due to courts remaining closed for a portion of the year have continued to reduce spending for operational travel and agent-related expenditures. Delays in staffing also contributed to a reduction in salary expenses.

The variance also stems from unspent funding for the outsourcing of the collection of federal fines, offset by a decrease in revenue collection in comparison to PPSC’s maximum revenue authority level.

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

Human resources (full-time equivalents)

The following table shows, in full-time equivalents, the human resources the department needed to fulfill its core responsibility for 2021–22.

2021–22 planned full-time equivalents	2021–22 actual full-time equivalents	2021–22 difference (actual full-time equivalents minus planned full-time equivalents)
890	877	(13)

Lower than planned full-time equivalents in prosecution services reflect attrition and vacancies experienced during 2021-22.

Financial, human resources and performance information for the PPSC's Program Inventory is available in [GC InfoBase](#)^{xii}.

Internal Services

Description

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

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

Results

In 2021-22, the PPSC continued to support a virtual workplace during the second year of the pandemic. As such, the PPSC prioritized regular communications from the onset of the pandemic, including opportunities for employees to engage and provide feedback.

Equity, Diversity, Inclusion and Accessibility

The PPSC remains steadfast in ensuring that its workplace is equitable, diverse, inclusive and accessible. As such, in 2021-22, the PPSC established an Advancement Centre for Equity, Diversity, Inclusion, and Accessibility (ACEDIA) to influence and accelerate the growth and development of a diverse workplace and culture. Among many important activities, the ACEDIA has established the following National Councils for Employees (NCEs): employees living with a disability, Indigenous employees and Black employees. These NCEs are crucial to successfully achieve the organization's EDIA objectives.

The establishment of NCEs represents one of many commitments the PPSC has made in its three-year EDIA action plan to ensure progress continues in this area.

Communications

In 2021-22, the PPSC focused on its digital future and continued to enhance its user-centric approach to the development of its public-facing materials. Work also continued on ensuring strong internal communications aimed at employee engagement. Notable accomplishments included the launch of a PPSC Facebook account; increased engagement on Twitter and LinkedIn; and the addition of three standing items to the PPSC's internal newsletter – Equity, Diversity, Inclusion, and Accessibility; Mental Health Tips; and a Supervisor's Corner.

Corporate Security

The PPSC developed new internal Information Management and Security policies and directives to support the protection of information assets in the context of new work realities. The PPSC also modernized its mail logging practices by introducing a digital cloud-based solution.

Staffing

The PPSC promoted and leveraged the Federal Internship Program for Canadians with Disabilities in 2021-22. In addition, the PPSC reinforced a project management approach to staffing so that all parties are clear on roles and responsibilities as well as deliverables and timelines. Staffing resources for managers such as checklists, forms and documents were also revised and updated.

Mental Health and Wellness

The PPSC's Mental Health and Wellness Committee identified a number of areas to focus on in 2021-22, including assessing the results of the PPSC's COVID-19 Survey to understand the impact of the pandemic on employees; increasing its communication efforts related to the wellness of employees; and providing input related to the PPSC's business resumption planning and telework policy. Ongoing communication regarding mental health and wellness, observances, and other wellness campaigns continued throughout the year, and COVID-19 resources for mental health are available on PPSC's intranet.

Official Languages

The PPSC's Committee on Official Languages continued to support projects and initiatives within its Official Languages Action Plan. These activities ensure that the PPSC is able to meet its obligations under the *Official Languages Act* and related regulations. Language Twinning and the Official Languages Boot camp were also promoted to those who requested information on language training opportunities. In addition, part-time group language training was provided for interested employees, and those on non-imperative appointments have been provided with support and guidance for their second official language training and development.

Internal Audit and Evaluation Division

The Internal Audit and Evaluation Division continued to deliver on its plans and provided the department with reports regarding its governance maturity, regional performance, human resources directorate, and results of the survey involving investigative agencies. The annual follow-up review of audit management action plans to address prior audit recommendations showed progress in the implementation of the plans. The Evaluation function also continued to provide research assistance and advice on the establishment of performance measures for various initiatives.

Budgetary financial resources (dollars)

The following table shows, for internal services, budgetary spending for 2021–22, as well as spending for that year.

2021–22 Main Estimates	2021–22 planned spending	2021–22 total authorities available for use	2021–22 actual spending (authorities used)	2021–22 difference (actual spending minus planned spending)
28,408,496	30,928,701	35,311,146	35,236,226	4,307,525

The increase of \$4.3 million in actual spending is mainly due to increases in salary offset by lower costs than anticipated on leasehold improvements.

Human resources (full-time equivalents)

The following table shows, in full-time equivalents, the human resources the department needed to carry out its internal services for 2021–22.

2021–22 planned full-time equivalents	2021–22 actual full-time equivalents	2021–22 difference (actual full-time equivalents minus planned full-time equivalents)
187	210	23

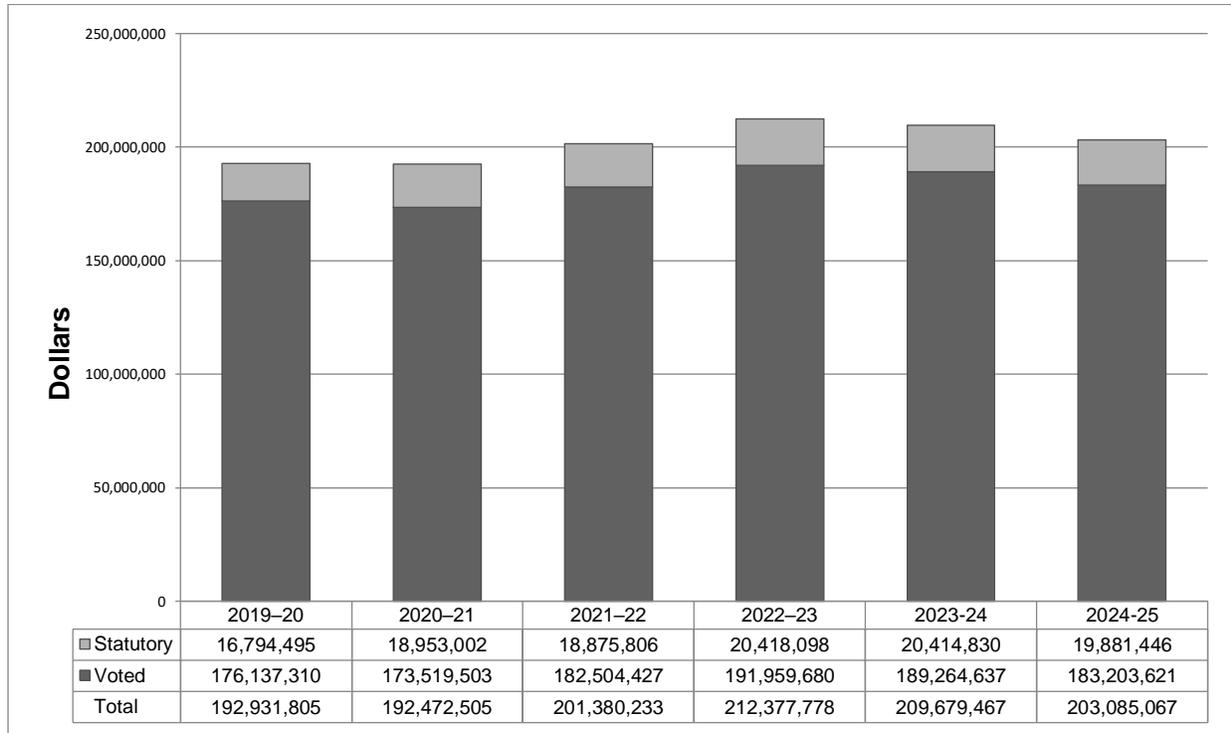
The increase in 2021-22 full-time equivalents was mainly due to a reorganization within the internal services directorates and the subsequent creation of several new positions primarily within corporate services.

Spending and human resources

Spending

Spending 2019–20 to 2024–25

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



1. Spending for 2019–20, 2020–21 and 2021–2022 represents the actual expenditures incurred during the respective fiscal years, as reported in Public Accounts.
2. Planned spending for 2022–23, 2023–24, and 2024–25 reflects funds already brought into the Department's reference levels, as well as amounts to be authorized through the Estimates process as presented in the Department's Annual Reference Level Update.

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

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

Core responsibilities and internal services	2021–22 Main Estimates	2021–22 planned spending	2022–23 planned spending	2023–24 planned spending	2021–22 total authorities available for use	2019–20 actual spending (authorities used)	2020–21 actual spending (authorities used)	2021–22 actual spending (authorities used)
Prosecution Services	174,922,531	182,526,571	183,187,421	180,690,202	183,035,594	166,397,709	160,356,626	166,144,007
Internal services	28,408,496	30,928,701	29,190,357	28,989,265	35,311,146	26,534,096	32,115,879	35,236,226
Total	203,331,027	213,455,272	212,377,778	209,679,467	218,346,740	192,931,805	192,472,505	201,380,233

The variance of \$17.0 million between the PPSC’s total available authorities of \$218.3 million and actual spending of \$201.4 million stems from an operating surplus of \$14.1 million and a surplus of \$2.9 million related to the outsourcing of the collection of federal fines. From the surplus, an amount of \$10.1 million resulting from the operating budget can be spent in the next fiscal year.

2021–22 Budgetary actual gross spending summary (dollars)

The following table reconciles gross planned spending with net spending for 2021–22.

Core responsibilities and internal services	2021–22 actual gross spending	2021–22 actual revenues netted against expenditures	2021–22 actual net spending (authorities used)
Prosecution Services	181,390,706	15,246,699	166,144,007
Internal services	35,329,259	93,033	35,236,226
Total	216,719,965	15,339,732	201,380,233

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

Human resources

The “Human resources summary for core responsibilities and internal services” table presents the full-time equivalents (FTEs) allocated to each of PPSC’s core responsibilities and to internal services.

Human resources summary for core responsibilities and internal Services

Core responsibilities and internal services	2019–20 actual full-time equivalents	2020–21 actual full-time equivalents	2021–22 planned full-time equivalents	2021–22 actual full-time equivalents	2022–23 planned full-time equivalents	2023–24 planned full-time equivalents
Prosecution Services	817	835	890	877	897	897
Internal services	148	188	187	210	222	222
Total	965	1,023	1,077	1,087	1,119	1,119

The planned full-time equivalent increase in future years represents the staffing of positions to improve access to justice for Indigenous peoples, including victims, offenders and families.

Expenditures by vote

For information on the PPSC's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2022](#).^{xiii}

Government of Canada spending and activities

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

Financial statements and financial statements highlights

Financial statements

The PPSC's financial statements (unaudited) for the year ended March 31, 2022, are available on the [departmental website](#).^{xv}

Financial statement highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2022 (dollars)

Financial information	2021–22 planned results	2021–22 actual results	2020–21 actual results	Difference (2021–22 actual results minus 2021–22 planned results)	Difference (2021–22 actual results minus 2020–21 actual results)
Total expenses	257,187,023	242,078,508	231,026,037	(15,108,515)	11,052,471
Total revenues	22,742,000	16,915,530	15,340,354	(5,826,470)	1,575,176
Net cost of operations before government funding and transfers	234,445,023	225,162,978	215,685,683	(9,282,045)	9,477,295

Planned results are based on the Future-Oriented Financial Statements presented in the 2021-22 Departmental Plan.

Expenses by type

The total expenses in 2021-22 (\$242.1 million) have increased by \$11.1 million (or 4.8%) in comparison with 2020-21 (\$231.0 million). This represents a \$9.5 million increase in salary expenses, \$1.4 million in operating and maintenance expenses, \$1.4 million increase in counsel fees, offset by a decrease of \$1.2 million in machinery and equipment.

During 2021-22, the PPSC had the following major categories of expenses:

- Salary expenses: \$165.1 million (or 68.2% of expenses);
- Professional services – counsel fees: \$36.8 million (or 15.2% of expenses);
- Accommodation: \$16.1 million (or 6.6% of expenses);
- Other operating expenses: \$24.1 million (or 10.0% of expenses).

Revenue by type

The total spendable revenues earned in 2021-22 (\$16.9 million) increased by \$1.6 million (or 10.5%) compared with the revenues in 2020-21 (\$15.3 million). During 2021-22, the PPSC had the following revenue categories:

Spendable Revenue

- Revenue earned from the provision of advisory and prosecution services to Other Government Departments and Agencies (OGDAs): \$16.9 million (or 22.9% of revenue);

Non-Respendable Revenue

- Collection of fines, forfeitures and court costs: \$56.4 million (or 76.2% of revenue);
- Rent from residential housing provided to employees: \$0.7 million (or 0.9% of revenue).

Condensed Statement of Financial Position (unaudited) as of March 31, 2022 (dollars)

Financial information	2021–22	2020–21	Difference (2021–22 minus 2020–21)
Total net liabilities	45,685,937	44,484,938	1,200,999
Total net financial assets	26,444,251	33,433,572	(6,989,321)
Departmental net debt	19,241,686	11,051,366	8,190,320
Total non-financial assets	14,409,988	14,560,060	(150,072)
Departmental net financial position	(4,831,698)	3,508,694	1,323,004

The 2021–22 planned results information is provided in the PPSC’s Future-Oriented Statement of Operations and Notes 2021–22. (Ref. [Department’s FOSO^{xvi}](#))

Assets by type

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

Net Financial Assets

Amounts due from the CRF is the aggregate of all public money on deposit to the credit of the Receiver General for Canada, who is responsible for safeguarding the integrity of the CRF and issuing all payments out of the CRF for departments and agencies. The amount due from the CRF is the net amount between accounts payables remaining at the end of the year and accounts receivable from OGDAs, and it represents \$19.1 million (or 46.8%) of assets.

The accounts receivable amount of \$7.4 million (or 18.0% of assets) largely represent expenses to be recovered from OGDAs for the provision of advisory and prosecution services and salary overpayments to be recovered.

Non-Financial Assets

Tangible capital assets total \$14.4 million (or 35.3% of assets) and largely fall in the categories of leasehold improvements, software development, as well as machinery and equipment.

Liabilities by type

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

- Accounts payable and accrued liabilities represent accounts payable at year-end in the amount of \$29.3 million (or 64.2% of liabilities);
- Vacation pay and compensatory leave represent employees' accumulated vacation and compensatory leave and total \$12.1 million (or 26.4% of liabilities);
- Employee future benefits represent the accumulated obligations of the PPSC at the end of the year and amount to \$4.3 million (or 9.4% of liabilities).

Corporate Information

Organizational profile

Appropriate minister[s]: The Honourable David Lametti

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

Ministerial portfolio: Justice

Enabling instrument[s]: *Director of Public Prosecutions Act*^{xvii}

Year of incorporation / commencement: 2006

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

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

For more information on the department's organizational mandate letter commitments, see the [Minister's mandate letter](#)^{xix}.

Operating context

Information on the operating context is available on the [PPSC's website](#)^{xx}.

Reporting framework

PPSC’s Departmental Results Framework and Program Inventory of record for 2021–22 are shown below.

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

Supporting information on the program inventory

Financial, human resources and performance information for PPSC's Program Inventory is available in [GC InfoBase](#).^{xxi}

Supplementary information tables

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

Reporting on Green Procurement
Gender-based analysis plus

Federal tax expenditures

PPSC's Departmental Plan does not include information on tax expenditures that relate to its planned results for 2021–22.

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

Organizational contact information

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

Appendix: definitions

appropriation (*crédit*)

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

budgetary expenditures (*dépenses budgétaires*)

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

core responsibility (*responsabilité essentielle*)

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

Departmental Plan (*plan ministériel*)

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

departmental priority (*priorité*)

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

departmental result (*résultat ministériel*)

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

departmental result indicator (*indicateur de résultat ministériel*)

A quantitative measure of progress on a departmental result.

departmental results framework (*cadre ministériel des résultats*)

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

Departmental Results Report (*rapport sur les résultats ministériels*)

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

experimentation (*expérimentation*)

The conducting of activities that seek to first explore, then test and compare the effects and impacts of policies and interventions in order to inform evidence-based decision-making, and improve outcomes for Canadians, by learning what works, for whom and in what circumstances.

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

full-time equivalent (*équivalent temps plein*)

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

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

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

government-wide priorities (*priorités pangouvernementales*)

For the purpose of the 2021-22 Departmental Results Report, those high-level themes outlining the government's agenda in the 2020 Speech from the Throne, namely: Fighting climate change; Strengthening the Middle Class; Walking the road of reconciliation; Keeping Canadians safe and healthy; and Positioning Canada for success in an uncertain world.

horizontal initiative (*initiative horizontale*)

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

non-budgetary expenditures (*dépenses non budgétaires*)

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

performance (*rendement*)

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

performance indicator (*indicateur de rendement*)

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

performance reporting (*production de rapports sur le rendement*)

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

plan (*plan*)

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

planned spending (*dépenses prévues*)

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

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

program (*programme*)

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

program inventory (*répertoire des programmes*)

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

result (*résultat*)

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

statutory expenditures (*dépenses législatives*)

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

target (*cible*)

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

voted expenditures (*dépenses votées*)

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

Endnotes

- ⁱ Bias-Free Workplace Initiative, <https://www.ppsc-sppc.gc.ca/eng/pub/bf-ep/index.html>
- ⁱⁱ Public Service Occupational Health Program guidance on COVID-19, <https://www.canada.ca/en/government/publicservice/covid-19/easing-restrictions/general-occupational-health-advisory.html#update>
- ⁱⁱⁱ PPSC 2021-2022 Annual Report, https://www.ppsc-sppc.gc.ca/eng/pub/ar-ra/2021_2022/index.html
- ^{iv} PPSC Deskbook, <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/index.html>
- ^v PPSC Deskbook, Chapter 5.1 National Security, <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/p5/ch01.html>
- ^{vi} PPSC Deskbook, Chapter 5.5 Domestic Violence, <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/p5/ch05.html>
- ^{vii} PPSC Deskbook, Chapter 6.1 Drug Treatment Courts, <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/p6/ch01.html>
- ^{viii} PPSC Deskbook, Chapter 2.13 Allegations of Misconduct by Persons Involved in the Investigation of Charges, <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/p2/ch13.html>
- ^{ix} PPSC Deskbook, Chapter 5.13 Prosecution of Possession of Controlled Substances Contrary to s. 4(1) of the *Controlled Drugs and Substances Act*, <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/p5/ch13.html>
- ^x Language Portal of Canada, <https://www.noslangues-ourlanguages.gc.ca/en/index>
- ^{xi} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{xii} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{xiii} Public Accounts of Canada, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- ^{xiv} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{xv} Departmental Website, <https://www.ppsc-sppc.gc.ca/eng/index.html>
- ^{xvi} PPSC Future-Oriented Statements 2021-22, https://www.ppsc-sppc.gc.ca/eng/pub/fr-rf/fofs-efp/2021_2022/index.html
- ^{xvii} Director of Public Prosecutions Act, <https://laws-lois.justice.gc.ca/eng/acts/d-2.5/page-1.html>
- ^{xviii} PPSC's website, <https://www.ppsc-sppc.gc.ca/eng/bas/index.html><https://laws-lois.justice.gc.ca/eng/acts/d-2.5/page-1.html>
- ^{xix} Minister's Mandate Letter, <https://pm.gc.ca/en/mandate-letters>
- ^{xx} PPSC's website, <https://www.ppsc-sppc.gc.ca/eng/index.html>
- ^{xxi} GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ^{xxii} PPSC's website, <https://www.ppsc-sppc.gc.ca/eng/pub/dp-pm/index.html>
- ^{xxiii} Report on Federal Tax Expenditures, <https://www.canada.ca/en/department-finance/services/publications/federal-tax-expenditures.html>