

# Office of the Commissioner for Federal Judicial Affairs Canada

2016–17

## **Departmental Results Report**

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The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.  
Minister of Justice and Attorney General of Canada

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## Commissioner's message

I am pleased to submit the Departmental Results Report for the Office of the Commissioner for Federal Judicial Affairs Canada (FJA) for the fiscal year ending March 31, 2017.

In administering the Judges Act, FJA has undertaken a number of initiatives during the past year to improve the efficiency and quality of its services to over 1,156 federally appointed judges, and 995 pensioners and survivors in a range of areas including finance, compensation and benefits; language training; information management/information technology; and international cooperation initiatives.

Amongst other matters, we also continued to serve the Minister of Justice and candidates for judicial appointment in managing the judicial advisory committee process and implementing new changes brought in to strengthen the role of the committees in the judicial appointments process.

As well, our office was given the responsibility of providing support and services to the new and independent Advisory Board tasked with recommending candidates to the Prime Minister for appointment to the Supreme Court of Canada.

In addition, we implemented a control framework for financial administration; focused on strengthening our organizational capacity by enhancing human resources management; and continued our efforts in increasing compliance activities in information management and modernizing our processes and technologies. We also offered support to members of the Canadian judiciary in the areas of language training and international judicial reform projects.

In closing, I wish to commend the professionalism and commitment of the employees of our office in supporting the needs of the Canadian judiciary. We continually aim to improve our practices in order to be more efficient and we stand ready to meet new challenges.

Marc A. Giroux  
Commissioner





## Results at a glance

### **What funds were used?**

The department's actual spending for 2016-17 was \$546,796,447.

### **Who was involved?**

The department's actual full-time equivalents (FTEs) for 2016-17 were 63.

### **Key Results**

- ✓ Implemented changes to strengthen and support the role of Judicial Advisory Committees in the judicial appointment process.
  
- ✓ Supported the new and independent Advisory Board tasked with recommending candidates to the Prime Minister for appointment to the Supreme Court of Canada.
  
- ✓ Finalized the implementation of an electronic management system (GCDOCS).

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



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

### Raison d'être

The office provides services to the Canadian judiciary and promotes judicial independence. The Minister of Justice and Attorney General of Canada is responsible for this organization.

### Mandate and role

The Office of the Commissioner for Federal Judicial Affairs Canada (FJA) was created in 1978 under an Act of the Parliament of Canada to safeguard the independence of the judiciary and put federally appointed judges at arm's length from the Department of Justice. Our mandate extends to promoting the better administration of justice and providing support for the federal judiciary. The [Judges Act](#)<sup>i</sup> provides for the designation of an officer called the Commissioner for Federal Judicial Affairs. One of the roles and responsibilities of the Commissioner is to act on behalf of the Minister of Justice in matters related to the administration of Part I of the Judges Act.

FJA has an appointments secretariat which administers 17 advisory committees responsible for evaluating candidates under the new superior courts judicial appointments process for federal judicial appointments. Last year, the government also gave FJA the mandate to administer the new Supreme Court of Canada Appointments Selection Panel process, established to assess candidates for appointment to the Supreme Court of Canada.

FJA provides all members of the Canadian judiciary with JUDICOM – a secure on-line system for communication and collaboration amongst members of the judiciary.

To support official languages throughout the courts, FJA develops a curriculum, and provides a language training program in English and French to enable judges to improve their second language proficiency and legal terminology.

Additionally, FJA coordinates initiatives with various government and non-government stakeholders related to the Canadian judiciary's role in international cooperation.

The Federal Courts Reports section of FJA is responsible for selecting and publishing Federal Court of Appeal and Federal Court decisions in both official languages. Selected decisions undergo a thorough editorial process that includes copy editing and citation verification, the preparation of headnotes and captions, and translation accuracy confirmation.

For more general information about the department, see the “Supplementary information” section of this report.



## Operating context and key risks

### Operating context

FJA operates in a complex environment. Reporting to the Minister of Justice but independent from the Department of Justice, its overarching role is to safeguard the independence of the judiciary. It has to administer the Judges Act, which forms the foundation of its mandate, while adhering to the requirements set out by central agencies.

As a micro organization, ensuring the right complement of staff and expertise, as well as employee retention, is a key challenge. Unlike larger organizations where there is more than one person tasked with the same activity, for FJA the loss of a resource creates a gap and as such has an impact on it achieving its goals in a timely and efficient manner.

Technology and the availability of services/information online will increasingly have an impact on the service expectations of judges and FJA clients. This will put increasing pressure on the way services are delivered by FJA, with an increased focus on technology and online web self-service capabilities. The Government transition to greater standardization of corporate business processes and shared service delivery models is also resulting in increased pressure on FJA to update its processes and systems to be aligned with government-wide technologies and tools. In doing so, FJA must continue to protect the independence of the federal judiciary necessary to maintain the confidence of Canadians in our judicial system.

The government announced reforms to the superior courts judicial appointments process in October 2016. FJA continues to administer the Judicial Advisory Committees (JACs) across Canada. In 2017-18, in carrying on this duty, FJA will require further personnel and will need to assess what resources are required to fulfill this commitment on a permanent basis.

## Key risks

### Key risks

Risks	Mitigating strategy and effectiveness	Link to the department's Programs	Link to mandate letter commitments or to government-wide and departmental priorities
<p><b>Government-wide centralization of common services and shared services</b> - Maintaining a high level of support and services to judges in a manner that supports and promotes judicial independence in the context of government-wide centralization of common services and shared services.</p>	<p>Discussions are ongoing with central agencies to explain the mandate of FJA and how this initiative cannot impact judicial independence as well as service levels to judges. This risk was identified in the 2016-17 RPP.</p>	<ul style="list-style-type: none"> <li>▪ Payments pursuant to the Judges Act</li> </ul>	<p>Role of Attorney General to upholding the Constitution, the rule of law and respect for the independence of the courts.</p>
<p><b>Errors (e.g., payments, vacancies lists, procurement)</b> - Challenges of administering the unique regime in the Judges Act include ensuring a correct interpretation of the Act and consistency and accuracy in a high volume of transactions environment.</p>	<p>Current strategies to minimize risk are 100% verification of transactions, use of technology to assist in processing payments, staff training, and regular reviews of internal controls. This risk was identified in the 2016-17 RPP.</p>	<ul style="list-style-type: none"> <li>▪ Payments pursuant to the Judges Act</li> <li>• Internal services</li> </ul>	<p>To provide services and support to federally appointed judges in Canada.</p>
<p><b>Security and privacy of personal and business information</b> - Maintaining the security and privacy of personal information of judges is a key objective given cyber threats to IT security.</p>	<p>Mitigation measures include continuing to assess security threats and risks, and continued adherence to the Office's Departmental Security Policy and IT Security Framework. This risk was identified in the 2016-17 RPP.</p>	<ul style="list-style-type: none"> <li>▪ Federal judicial affairs</li> </ul>	<p>To provide greater security and opportunity for Canadians.</p>

One of FJA's risks is maintaining a high level of support and services to judges in a manner that supports and promotes judicial independence in the context of government-wide centralization of common services and shared services. The Judges Act establishes a regime of salaries, allowances and annuities unique to federally appointed judges and which is administered by the

Office of the Commissioner for Federal Judicial Affairs. The ongoing government-wide initiative to centralize common services and shared services cannot interfere with the administration of the Judges Act.

Challenges of administering the unique regime in the Judges Act include ensuring a correct interpretation of the Act and consistency and accuracy in a high volume of transactions environment. The error rate level, for example, in payments, vacancies lists, procurement, etc. may therefore be considered a risk.

Finally, security and privacy of personal and business information is a continuous risk. Maintaining the security and privacy of personal information of judges is of utmost importance given cyber threats to IT security.





## Results: what we achieved

### Programs

#### Payments pursuant to the Judges Act

##### Description

Payments of salaries, allowances and annuities to federally appointed judges, and their survivors, in the superior courts and courts of appeal in Canada.

##### Results

The scope of this program includes compensation and pension administration for approximately 1,156 judges and 995 pensioners and survivors. The number of judicial appointments has steadily increased and the number of pensioners increased during 2016-17.

We continue to apply an internal policy of a 100% verification of expense claims in order to maintain a low error rate in payments and exercise proper stewardship of public funds.

##### Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2016–17 Actual results	2015–16 Actual results	2014–15 Actual results
Accurate payment of salaries, allowances and annuities as per the Judges Act.	% error rate in payments to judges	Less than 2%	March 2017	All payments are verified to ensure compliance with the Judges Act.	All payments are verified to ensure compliance with the Judges Act.	All payments are verified to ensure compliance with the Judges Act.
Comprehensive, up-to-date and validated files are kept on all judges and their survivors.	% of files that are not up to date or are missing information	Less than 2%	March 2017	All judges and their survivors have comprehensive, up-to-date and validated files.	All judges and their survivors have comprehensive, up-to-date and validated files.	All judges and their survivors have comprehensive, up-to-date and validated files.

##### Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
544,838,708	544,838,708	534,886,933	534,886,933	(9,951,775)

## Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
0	0	0

The FTE complement for this program is included in the FTE allocation for Federal Judicial Affairs as reported below.

## Canadian Judicial Council

### Description

Delivery of programs for Canadians and administrative support to the various committees established by the Council, which is made up of all of the chief justices and associate chief justices in Canada as well as senior judges from the superior courts in Nunavut, Yukon and the Northwest Territories.

### Results

The secretariat, comprised of 10 employees, provides support to the Canadian Judicial Council in keeping with its mandate to foster the better administration of justice in Canada by improving efficiency, uniformity, accountability and judicial conduct in courts across the country.

During the course of the fiscal year, Council's Committees, Sub-committees and Working Groups met on a regular basis to undertake their work in line with the Council's mandate.

After consulting all chairs of the committees, sub-committees and working groups, all committee chairpersons expressed satisfaction with the secretariat support received. Despite this positive result, the Secretariat strives for excellence and continuously aims at improving its procedures.

The Canadian Judicial Council plays a pivotal role in ensuring that judges maintain the highest standards of conduct, which is essential to maintaining the rule of law and public confidence in the administration of justice. Based on the findings of complaints after a thorough review, the Council may make a recommendation ranging from remedial counselling and/or training to removal from office. During 2016-17, the CJC received 404 pieces of correspondence which resulted in 352 opened files of which 326 were processed and closed. Correspondence can include questions or comments relating to the justice system, as well as concerns about judicial conduct that warrant opening a file.

## Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2016–17 Actual results	2015–16 Actual results	2014–15 Actual results
Effective functioning of Canadian Judicial Council committees.	% of CJC Chairpersons satisfied with the administration and support of their committees	80% of Committee Chairpersons satisfied with secretariat support	March 2017	All Committee Chairpersons are satisfied with secretariat support.	All Committee Chairpersons are satisfied with secretariat support.	The chairpersons reported being very satisfied with CJC services.

## Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
1,706,144	1,706,144	3,301,145	2,762,299	1,056,155

## Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
10	10	0

**Federal Judicial Affairs****Description**

Provides services to federally appointed judges including compensation and pension services, financial services, information technology/information management, language training, editing of the Federal Courts Reports, services to the Minister of Justice through the Judicial Appointments Secretariat including the Supreme Court of Canada, and International Programs.

**Results**

FJA continued to provide a high level of service to clients in terms of core services such as payment of judges' salaries, allowances and annuities. And, FJA continues to meet service standards with respect to the range of services provided through the lifecycle of a federally appointed judge position, for example, preparing Order-in-Council submissions upon initial

appointment (within 5 days); bringing a judge “on board” (within 1 month of appointment); responding to benefits inquiries from judges (within 2 days); processing retirement documentation (within 1 month); issuing a pension in the event of death (within 3 months). With some exceptions, expense claims are processed within a 10-day standard. New registered judges in the language training program are assessed and assigned to an instructor within 30 days or less.

The judicial appointments process contributes to an independent judiciary by ensuring an effective and fair candidate assessment process. In October 2016 the application process for federal judicial nominations was updated requiring that all candidates seeking a federal judicial appointment submit their application pursuant to the new application process regardless of whether a candidate had previously applied. Between November 1, 2016 and March 31, 2017, the Judicial Appointments Secretariat received over 700 new applications, 92 of which were evaluated by the relevant Judicial Advisory Committee.

To contribute to the effective management of the judicial appointments process, FJA personnel managed and updated the list for all judicial vacancies and appointments to superior courts across Canada.

JUDICOM provides judges with a secure and restricted email and communication system as well as easy access to various reports and key links and resources. About three-quarters of judges (76%) are satisfied with the system based on the 2011 Client Satisfaction Survey. 75% of judges considered JUDICOM to be an important tool and as of March 2015, 94% of federally appointed judges have a JUDICOM account. Over the course of the years, JUDICOM has consistently remained available for judges more than 99.5% of the time. FJA also provides professional service desk support for JUDICOM users.

FJA has undertaken a number of initiatives to improve the efficiency of the services to judges:

- FJA continues to explore options for judges’ and pensioners’ pay stub printing to reduce overhead costs and increase efficiencies.
- Judges can now view the balances of their conference allowances online on demand through a self-serve module in JUDICOM. This continues to improve service to judges, reduces calls and replaces the need for monthly paper mail-outs.
- FJA is continuing to modernize JUDICOM through the implementation of new features. For example, in the near future, judges will be able to access electronic copies of their pay stubs via JUDICOM.

With respect to international cooperation work performed by Canadian judges, FJA has continued to play an active role under several initiatives. It served as an important contributor to the implementation of the Judicial Education for Economic Growth Project in Ukraine, which is

devoted to promoting an enabling environment for economic growth through increased capacity of the judiciary to respond to business-related matters. Under a project called the Justice Undertakings for Social Transformation (JUST) which was designed to address inefficiencies at all levels of the Jamaica justice system, FJA was subcontracted by the Department of Justice Canada to implement certain components on best practices in criminal case management and case flow management to address case backlog and delays in judicial and administrative processes in Jamaican courts. Furthermore, FJA has signed an Administrative Arrangement with Global Affairs Canada on a new 5-year judicial reform project whose objective is to substantially contribute to the advancement of democracy and the rule of law in Ukraine for achieving justice.

In addition, under a memorandum of understanding (MOU) with the Ontario Superior Court and as a service to other courts, including the four federal courts in Ottawa, FJA vets incoming international delegations and institutions who request meetings and programs of visit with judges, courts, administrators and institutions in Canada. Furthermore, as a result of this vetting, FJA has organized missions in Canada for incoming delegations from countries such as Mongolia, Latvia, and China.

FJA provided language training to judges through its tailored curriculum to the learners' proficiency level goals in both Second Official Language and Legal Terminology. Participation rates in FJA's program offerings continued at a sustainable level with an average new intake of 30 judges per year. Through individual, immersion, or intensive training sessions, participants enhanced their skill in both official languages at varied proficiency levels and also perfected their knowledge of legal terminology. An increasing number of judges benefited from FJA language learning opportunities, enabling them to preside in court, understand testimony, read legal texts, write decisions, participate in legal conferences and conduct presentations in their second official language. FJA pursued various curriculum development projects, updated its French as a second language and English as a second language curriculum as well as enhanced distance learning in order to maintain its provision of accessible, high quality language training to participating judges nationwide.

Since the Canada School of Public Service decision to cease direct language training services, FJA is responsible for the management of a national network of specialists and alternative service providers. This represents a significant FJA workload in order to ensure a continuous supply and quality assurance of language training specialists, as well as, developing curriculum and new courses while remaining efficient and cost effective. In 2016-17, along with the daily operations, Judges' Language Training section standardized its service delivery procedures to enhance the efficiency, and redesigned its procurement system and its information management to ensure better monitoring.

For 2016-17, according to Judges’ Language Training quality control questionnaire administered after its 5 annual immersion sessions, 98% of the 228 Judges said they were satisfied with the language training services during the immersion sessions.

The Federal Courts Reports (FCR) were published in a timely and accurate fashion in both official languages. The number of decisions selected for full-text publication in the Reports went up 10%. As for the number of decisions published as digests, it went up 25%. Publication delays continued to improve. The average time it took to publish the print version of the Reports went down 30%, whereas the time it took to post new decisions to the Web site went down 8%. The requisite number of Parts were published and very few errata had to be released. Improvements were also made to FCR’s product. Hyperlinks to decisions published online are now inserted into the Reports. And formatting issues with decisions published online have been fixed. Finally, FCR began digitizing its older collection. Full volumes going back to 1993 are now available online.

Results achieved

Expected results	Performance indicators	Target	Date to achieve target	2016–17 Actual results	2015–16 Actual results	2014–15 Actual results
Federally appointed judges have access to timely and high-quality services.	% of judges satisfied with services provided	90% of judges are satisfied with services provided	March 2018	Not available*	Not available*	91% of judges said they were either “very” or “somewhat satisfied” with the services provided by FJA. Satisfaction scores were consistently high across specific FJA service areas. (2011 Client Satisfaction Survey).

\*Actual results information is not available for these fiscal years.

Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
7,902,601	7,902,601	9,728,688	8,420,415	517,814

Human resources (full-time equivalents)

2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
50.5	47.5	(3)

Information on FJA’s lower-level programs is available in the [TBS InfoBase](#).<sup>ii</sup>

## 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: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

### Results

FJA continued to meet the expectations of managers and employees with respect to human resources, financial management, procurement, information technology and other administrative services. The main improvement areas pursued during 2015-16 are noted below.

**Information management:** FJA completed the implementation of the Management Action Plan on the Office of the Comptroller General Horizontal Audit on Electronic Record Keeping. FJA has updated the Information Architecture, revised the existing file structures, identified all Information Resources of Business Value, identified retention periods and security requirements, and undertaken a clean-up exercise of older legacy information and migrated almost all of its electronic information holdings to GCDOCS.

**Human resources planning:** The principal human resources risk facing FJA is the loss of expertise and corporate memory from the departure of experienced staff and the lack of back up in specialized areas. FJA continued to do succession and integrated HR planning to mitigate this risk.

**Systems enhancements:** In accordance with TBS’ direction, FJA successfully migrated all of its IT servers away from the older, obsolete model, and, through the implementation of a new IT Security Framework, continued to enhance the security of all IT systems and infrastructure in compliance with GoC protocols. As well, development of a new modern internal enterprise management system to replace a decade-old legacy system ago was initiated

Budgetary financial resources (dollars)

2016–17 Main Estimates	2016–17 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2016–17 Difference (actual minus planned)
726,800	726,800	726,800	726,800	0

Human resources (full-time equivalents)

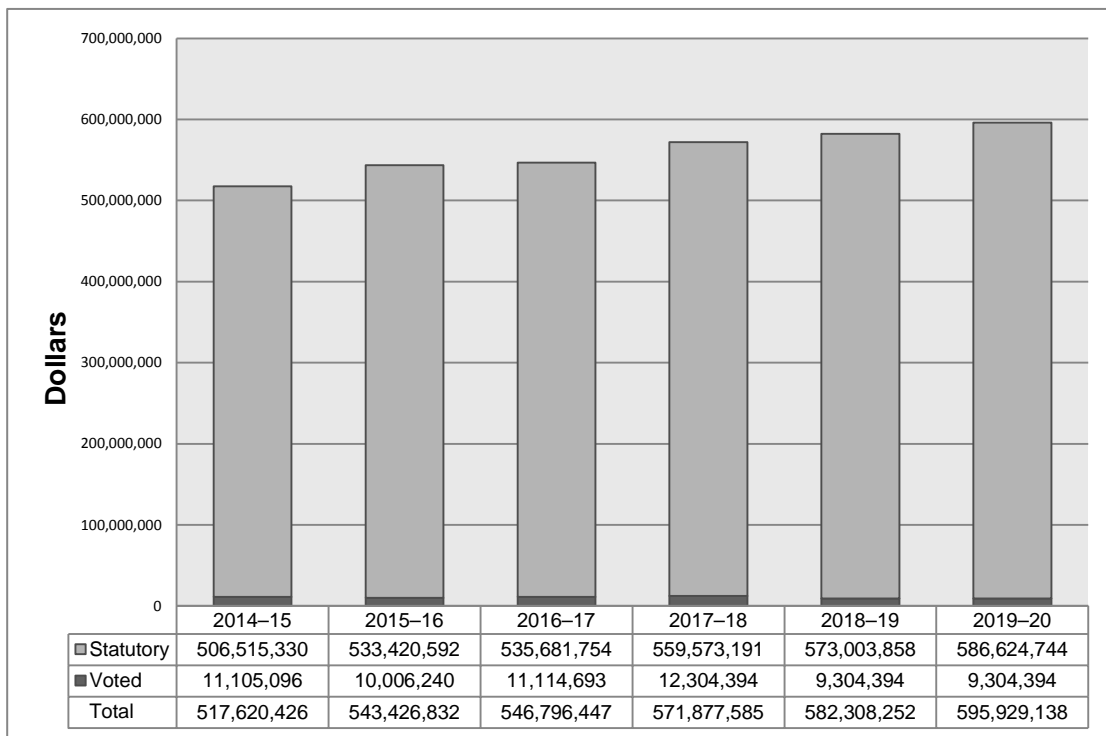
2016–17 Planned	2016–17 Actual	2016–17 Difference (actual minus planned)
5.5	5.5	0



## Analysis of trends in spending and human resources

### Actual expenditures

#### Departmental spending trend graph



## Budgetary performance summary for Programs and Internal Services (dollars)

Programs and Internal Services	2016–17 Main Estimates	2016–17 Planned spending	2017–18 Planned spending	2018–19 Planned spending	2016–17 Total authorities available for use	2016–17 Actual spending (authorities used)	2015–16 Actual spending (authorities used)	2014–15 Actual spending (authorities used)
Payments pursuant to the <i>Judges Act</i>	544,838,708	544,838,708	558,662,575	572,093,242	534,886,933	534,886,933	532,643,045	505,689,613
Canadian Judicial Council	1,706,144	1,706,144	3,707,160	1,707,160	3,301,145	2,762,299	2,488,907	3,073,719
Federal Judicial Affairs	7,902,601	7,902,601	8,781,050	7,781,050	9,728,688	8,420,415	7,576,944	8,130,290
<b>Subtotal</b>	<b>554,447,453</b>	<b>554,447,453</b>	<b>571,150,785</b>	<b>581,581,452</b>	<b>547,916,766</b>	<b>546,069,647</b>	<b>542,708,896</b>	<b>516,893,622</b>
Internal Services	726,800	726,800	726,800	726,800	726,800	726,800	717,936	726,804
<b>Total</b>	<b>555,174,253</b>	<b>555,174,253</b>	<b>571,877,585</b>	<b>582,308,252</b>	<b>548,643,566</b>	<b>546,796,447</b>	<b>543,426,832</b>	<b>517,620,426</b>

The actual spending for the department shows a continual increase over the reporting periods resulting from: an increase in funding to the Canadian Judicial Council for the costs of investigations and inquiries under the Judges Act; the annual increase in judges' salaries based on the Industrial Aggregate as provided for in the Judges Act; and an increase in the number of judges appointed to the bench and the number of pensioners receiving benefits under the Judges Act.

## Actual human resources

Human resources summary for Programs and Internal Services  
(full-time equivalents)

Programs and Internal Services	2014–15 Actual	2015–16 Actual	2016–17 Planned	2016–17 Actual	2017–18 Planned	2018–19 Planned
Payments pursuant to the Judges Act*	0	0	0	0	0	0
Canadian Judicial Council	10	10	10	10	10	10
Federal Judicial Affairs	47.5	47.5	50.5	47.5	50.5	50.5
<b>Subtotal</b>	<b>57.5</b>	<b>57.5</b>	<b>60.5</b>	<b>57.5</b>	<b>60.5</b>	<b>60.5</b>
Internal Services	5.5	5.5	5.5	5.5	5.5	5.5
<b>Total</b>	<b>63</b>	<b>63</b>	<b>66</b>	<b>63</b>	<b>66</b>	<b>66</b>

\* The FTE complement for this program is included in the FTE allocation for Federal Judicial Affairs.

## Expenditures by vote

For information on FJA's organizational voted and statutory expenditures, consult the [Public Accounts of Canada 2017](#).<sup>iii</sup>

## Alignment of spending with the whole-of-government framework

Alignment of 2016–17 actual spending with the [whole-of-government framework](#)<sup>iv</sup>  
(dollars)

Program	Spending area	Government of Canada activity	2016–17 Actual spending
Payments pursuant to the Judges Act	Government affairs	Strong and independent democratic institutions	534,886,933
Canadian Judicial Council	Government affairs	Strong and independent democratic institutions	2,762,299
Federal Judicial Affairs	Government affairs	Strong and independent democratic institutions	8,420,415

Total spending by spending area (dollars)

Spending area	Total planned spending	Total actual spending
Economic affairs	0	0
Social affairs	0	0
International affairs	0	0
Government affairs	554,447,453	546,069,647

## Financial statements and financial statements highlights

### Financial statements

FJA's financial statements (unaudited) for the year ended March 31, 2017, are available on the [FJA's website](#)<sup>v</sup>.

### Financial statements highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2017 (dollars)

Financial information	2016–17 Planned results	2016–17 Actual	2015–16 Actual	Difference (2016–17 actual minus 2016–17 planned)	Difference (2016–17 actual minus 2015–16 actual)
Total expenses	557,225,000	548,477,849	545,177,362	(8,747,151)	3,300,487
Total revenues	15,257,000	14,959,737	15,006,147	(297,263)	(46,410)
Net cost of operations before government funding and transfers	541,968,000	533,518,112	530,171,215	(8,449,888)	3,346,897

FJA's future-oriented statement of operations (unaudited) for the year ended March 31, 2017, is available on the [FJA's website](#)<sup>vi</sup>.

The departmental Net cost of operations shows an increase of \$3.3 million over the previous fiscal year. This increase is a result of a provision in the Judges Act that allows for an annual increase in salaries to judges based on the Industrial Aggregate and an increase in the number of pensioners receiving benefits under the Judges Act.

Condensed Statement of Financial Position (unaudited) as at March 31, 2017  
(dollars)

Financial Information	2016–17	2015–16	Difference (2016–17 minus 2015–16)
Total net liabilities	(224,123,527)	(216,722,633)	(7,400,894)
Total net financial assets	1,522,903	576,387	946,516
Departmental net debt	(222,600,624)	(216,146,246)	(6,454,378)
Total non-financial assets	119,321	194,325	(75,004)
Departmental net financial position	(222,481,303)	(215,951,921)	(6,529,382)

Net liabilities for 2016-17 are comprised primarily of \$2.5 million in accrued liabilities and \$221.6 million for the Judges' Supplementary Retirement Benefits Account (SRBA). The SRBA is the pension plan for federally appointed judges which provides fully indexed annuities to judges and to all eligible survivors providing they meet minimum age and service requirements. Unlike other pension plans, the judges' plan lacks an explicit accrual rate for benefits. Instead the full benefit amount is generally payable when the member has completed 15 years of pensionable service and the total of the member's age and years of service totals 80. The increase of \$7.4 million in net liabilities over last fiscal year is fully attributable to the actuarial liability associated with the SRBA.

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## Supplementary information

### Corporate information

#### Organizational profile

**Appropriate minister:** The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.

**Institutional head:** Marc A. Giroux, Commissioner

**Ministerial portfolio:** Minister of Justice and Attorney General of Canada

**Enabling instrument:** [Judges Act](#)<sup>vii</sup> (R.S.C., 1985, c. J-1)

**Year of incorporation / commencement:** 1978

**Other:** Information about the Canadian Judicial Council, its mandate and programs are found at the Council's website: <http://www.cjc-ccm.gc.ca><sup>viii</sup>

#### Reporting framework

FJA's Strategic Outcome and Program Alignment Architecture of record for 2016–17 are shown below.

**1. Strategic Outcome:** An independent and efficient federal judiciary

**1.1 Program:** Payments pursuant to the Judges Act

**1.2 Program:** Canadian Judicial Council

**1.3 Program:** Federal Judicial Affairs

**1.3.1 Sub-Program:** Services to Judges

**1.3.2 Sub-Program:** Judges' Language Training

**1.3.3 Sub-Program:** Federal Courts Reports

**1.3.4 Sub-Program:** Judicial Appointments Secretariat

**1.3.5 Sub-Program:** Judicial Compensation and Benefits Commission

**Internal Services**

#### Supporting information on lower-level programs

Supporting information on results, financial and human resources relating to FJA's lower-level programs is available on [InfoBase](#)<sup>ix</sup>.

## Supplementary information tables

The following supplementary information tables are available on [FJA's website](#)<sup>x</sup>:

- ▶ Departmental Sustainable Development Strategy

## Federal tax expenditures

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

## Organizational contact information

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## 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)**

Provides information on the plans and expected performance of appropriated departments over a three-year period. Departmental Plans are tabled in Parliament each spring.

### **Departmental Result (résultat ministériel)**

A Departmental Result represents the change or changes that the department seeks to influence. 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 factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

### **Departmental Results Framework (cadre ministériel des résultats)**

Consists of the department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

### **Departmental Results Report (Rapport sur les résultats ministériels)**

Provides information on the actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

### **Evaluation (évaluation)**

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine

questions related to relevance, effectiveness and efficiency. Depending on user needs, however, evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

**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. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

**Government-wide priorities (priorités pangouvernementales)**

For the purpose of the 2016–17 Departmental Results Report, government-wide priorities refers to those high-level themes outlining the government’s agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

**Horizontal initiatives (initiative horizontale)**

An initiative where two or more federal organizations, through an approved funding agreement, work toward achieving clearly defined shared outcomes, and which has been designated (for example, by Cabinet or a central agency) as a horizontal initiative for managing and reporting purposes.

**Management, Resources and Results Structure (Structure de la gestion, des ressources et des résultats)**

A comprehensive framework that consists of an organization’s inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

**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.

**Planned spending (dépenses prévues)**

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the 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.

**Plans (plans)**

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 up to the expected result.

**Priorities (priorité)**

Plans or projects that an organization 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 Strategic Outcome(s).

**Program (programme)**

A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

**Program Alignment Architecture (architecture d'alignement des programmes)**

A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

**Results (résultat)**

An external 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.

**Strategic Outcome (résultat stratégique)**

A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

**Sunset program (programme temporisé)**

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

**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.

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## Endnotes

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- i. Judges Act, <http://lois-laws.justice.gc.ca/eng/acts/J-1/index.html>
- ii. TBS InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- iii. Public Accounts of Canada 2017, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- iv. Whole-of-government framework, [https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#tag-nav/~\(current\\_branch~'GOCO~sort\\_key~'name~sort\\_direction~'asc~open\\_nodes~\(~'tag\\_SA0001~'tag\\_SA9999~'tag\\_SA0002~'tag\\_SA0003~'tag\\_SA0004~'tag\\_SA0005\)\)](https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#tag-nav/~(current_branch~'GOCO~sort_key~'name~sort_direction~'asc~open_nodes~(~'tag_SA0001~'tag_SA9999~'tag_SA0002~'tag_SA0003~'tag_SA0004~'tag_SA0005)))
- v. FJA's website, <http://www.fja-cmf.gc.ca/publications/statement-etat/index-eng.html>
- vi. FJA's website, <http://www.fja-cmf.gc.ca/publications/future-prospectifs/index-eng.html>
- vii. Judges Act, <http://lois-laws.justice.gc.ca/eng/acts/J-1/index.html>
- viii. CJC's website, <http://www.cjc-ccm.gc.ca>
- ix. TBS InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- x. FJA's website, <http://www.fja-cmf.gc.ca/>
- xi. Report on Federal Tax Expenditures, <http://www.fin.gc.ca/purl/taxexp-eng.asp>