



2019 – 2022 Strategic Plan



Prosecution
Service

August 2019



Vision

An independent prosecution service that people respect and trust.

Mission

We make timely, principled, and impartial charge assessment decisions that promote public safety, justice, and respect for the rule of law.

We conduct independent, effective, and fair prosecutions and appeals.

We strive to do the right thing for the right reasons and to be transparent about how we do it.

Values

Justice

Independence

Fairness

Integrity

Professionalism

Our Vision, Mission and Values guide and inform each consideration, decision, or action that members of the BC Prosecution Service make.

STRATEGIC CONTEXT

This BC Prosecution Service 2019 – 2022 Strategic Plan sets out our key goals and strategic priorities for the next three years. The plan also includes our vision, mission and statement of values, all of which underpin our organization's practices, policies and decision-making.

The external and internal strategic contexts in which the BC Prosecution Service delivers its mandate are complex and rapidly changing. Key factors and influences include:

- Evolving jurisprudence related to the July 2016 Supreme Court of Canada ruling *R. v. Jordan*, which imposed new presumptive time limits on criminal cases as a way of enforcing an accused person's Charter right to trial within a reasonable time.
- Rapid uptake of technology by the public, which has resulted in an exponential increase in evidence collected by police and other enforcement agencies. In turn, this has heightened the sense of urgency to improve the disclosure process, which can significantly contribute to delay and increase workload pressures for police and prosecutors. Most importantly, if charges are stayed due to delay, this can potentially weaken society's confidence in a well-functioning criminal justice system.
- The March 2019 Supreme Court of Canada decision in *R. v. Myers* confirms that judicial reviews of every accused's ongoing detention are a mandatory requirement of s. 525 of the *Criminal Code*. This has increased the need for Crown Counsel's direct involvement in the detention review process.
- Significant and wide-ranging changes to criminal law and procedures were brought into force by Bill C-75, an "omnibus bill" which received Royal Assent in June 2019. The BC Prosecution Service is working with both federal and provincial justice stakeholders to coordinate implementation of these amendments.
- UNDRIP, the Truth and Reconciliation Commission's Calls to Action and the BC Government's 10 Draft Principles all call for reconciliation with Indigenous peoples. Colonialism, displacement, and forced assimilation of Indigenous people have all contributed to their overrepresentation in the Canadian criminal justice system. Bias, racism, and systemic discrimination continue to aggravate this unacceptable situation, with recognition that indigenous women, girls and 2SLGBTQQIA people have experienced disproportionate levels of violence and oppression.

*The BC Prosecution Service
2019–2022 Strategic Plan is our
framework for how we will support
our people, support excellence in
prosecutions and continuously
improve how we do our work.*

GOALS AND STRATEGIC PRIORITIES

GOAL ONE — SUPPORTING OUR PEOPLE

Strategic Priorities:

- Promote and support the mental health and wellbeing of all BCPS members through education, training, and resources
- Enhance career paths for legal administrative staff and invest in skills development and learning opportunities
- Continue to pursue better work tools and office environments for all BCPS members

GOAL TWO — SUPPORTING EXCELLENCE IN PROSECUTIONS

Strategic Priorities:

- Continue working to change the status quo and address overrepresentation of Indigenous persons in all parts of the criminal justice system
- Enhance available training and education options about the prosecution of sexual assaults and violent offences involving vulnerable victims and witnesses
- Continue to implement the comprehensive disclosure solution
- Assume full responsibility, province-wide, for all weekend and evening charge assessment and bail processes

GOAL THREE — CONTINUOUSLY IMPROVING HOW WE WORK

Strategic Priorities:

- Enhance intranet design and functionality to promote collaboration, information-sharing and internal communication
- Promote equity and diversity so that our organization may better reflect the communities we serve
- Continue using objective data to analyze workload and resource utilization and inform policies, practices, and decision-making

Each year, the BC Prosecution Service identifies projects and priority initiatives that enable us to make progress towards our strategic priorities.

OUR MANDATE UNDER THE CROWN COUNSEL ACT

The mandate of the BC Prosecution Service, the Criminal Justice Branch of the Ministry of Attorney General, is defined by the *Crown Counsel Act*, RSBC 1996 Chapter 87.

Under the *Crown Counsel Act*, the BC Prosecution Service:

- a) *approves and conducts prosecutions of all criminal and provincial offences in British Columbia;*
- b) *initiates and conducts all appeals and other proceedings for these prosecutions;*
- c) *conducts appeals or other proceedings for prosecutions in which the Crown is named as a respondent;*
- d) *advises the government on all criminal law matters;*
- e) *develops policies and procedures for the administration of criminal justice in British Columbia;*
- f) *interacts with the media and affected members of the public on matters respecting the approval and conduct of prosecutions or related appeals; and,*
- g) *completes any other function or responsibility assigned by the Attorney General.*

The Assistant Deputy Attorney General (ADAG) heads the BC Prosecution Service and is charged with administering the the BC Prosecution Service and carrying out its mandate as outlined above. The ADAG designates “Crown Counsel”, who represent the Crown in all prosecution-related matters before all courts. Subject to the ADAG’s direction, Crown Counsel are authorized to:

- a) examine all relevant information and documents and, following the examination, to approve for prosecution any offence or offences they consider appropriate;
- b) conduct the prosecutions approved; and
- c) supervise prosecutions of offences that are being initiated or conducted by individuals who are not Crown counsel and, if the interests of justice require, to intervene and to conduct those prosecutions.

CROWN COUNSEL AS MINISTERS OF JUSTICE

In carrying out these functions, Crown Counsel have legal and constitutional obligations to act as “ministers of justice” in court. They must exercise their responsibilities fairly, impartially, in good faith, and in accordance with the highest ethical standards. Political, personal, and private considerations must not affect the manner in which prosecutors proceed. The role of prosecutor excludes any notion of winning or losing. It is a public function carrying with it great personal responsibility and must be carried out efficiently, with a sense of dignity, seriousness, and justice.

While the BC Prosecution Service is part of the Ministry of Attorney General, its prosecutorial functions must be carried out independently of all outside political pressure. This independence is guaranteed by the Constitution and by the *Crown Counsel Act*, which permits the Attorney General, an elected official, to direct the ADAG’s conduct of individual prosecutions or appeals, only if he or she does so in a manner that is open to public scrutiny: by providing the direction in writing and publishing it in the BC Gazette, the official public record of all government notices.



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