2018 – 2021 Strategic Plan

Prosecution Service

July 2018
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

*These values guide us in everything we do.*
STRATEGIC CONTEXT

This BC Prosecution Service 2018 – 2021 Strategic Plan sets out our key goals and strategic priorities for the next three years. It also includes a renewed vision, mission and values statement that was developed after considerable input from members across our organization.

Both the external and internal contexts in which the BC Prosecution Service delivers its mandate are complex and rapidly changing. Externally, the 2016 Supreme Court of Canada ruling *R. v. Jordan* 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. In addition, the rapid uptake of technology by the public has resulted in exponential increases in criminal investigative material collected by police and other enforcement agencies. These legal and technological developments have heightened the sense of urgency for improving 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.

Other pressures in the system, including the pending legalization of cannabis, amendments to the *Criminal Code* relating to alcohol and drug-impaired driving, and fundamental changes to criminal law and procedure proposed in Bill C-75, also loom large as factors that could substantially affect the practice of criminal law.

Recognizing the troubled relationship between Canada’s criminal justice system and Indigenous peoples, we are moving forward with an Indigenous justice initiative. Starting with dialogue and relationship-building with Indigenous leaders and organizations in BC, and guided by the *UN Declaration on the Rights of Indigenous Peoples* and the Truth and Reconciliation Commission’s *Calls to Action*, we seek to change fundamentally how our prosecution service engages and deals with Indigenous people, accused persons, offenders, and victims, who find themselves caught up in the criminal justice system.

Internally, the BC Prosecution Service continues to pursue, develop, and deploy the appropriate training, tools, and technology to support Crown Counsel, paralegals and legal assistants in the face of ever-increasing case complexity, workload pressures and, at times, inadequate equipment and work spaces. New processes in front-end file management and full assumption by the prosecution service of all after-hours charge assessment and bail will help to reduce delay, increase efficiency, and improve file quality.
GOAL ONE — SUPPORTING OUR PEOPLE

Strategic Priorities:
• Promote a work culture that supports physical and mental health and acknowledges the impact of vicarious trauma on all participants in the criminal justice system
• Encourage and empower our people through meaningful recognition
• Invest in skills development, pursue better work tools, and enhance career paths for administrative staff
• Promote equity and diversity so that our organization may better reflect the communities we serve
• Enhance tools for internal communication and information-sharing, including intranet renewal

GOAL TWO — SUPPORTING EXCELLENCE IN PROSECUTIONS

Strategic Priorities:
• Assume full responsibility, province-wide, for all after-hours charge assessment and bail processes
• Provide Indigenous cultural awareness and safety training to our people
• Continue developing and implementing effective disclosure strategies to support appropriate early resolution and timely and efficient case preparation
• Develop a collaborative, online legal resource and learning hub that builds upon existing legal knowledge and expertise
• Implement policies on bail and administration of justice offences which, without endangering public safety, seek to address disproportionate impacts upon accused persons from disadvantaged and vulnerable communities, and reduce the unacceptable overrepresentation of Indigenous persons in the criminal justice system

GOAL THREE — CONTINUOUSLY IMPROVING HOW WE WORK

Strategic Priorities:
• Work collaboratively to develop an end-to-end digital information management and evidence sharing system that connects with police, defence counsel, corrections, and the court
• Continue to identify and promote the best administrative and case management practices to achieve our operational goals and increase efficiency
• Develop culturally appropriate and informed approaches for Indigenous persons within the criminal justice system
• Demonstrate transparency through public education and external communications
• Continue using objective data to inform our policies, practices, and decision-making
**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.

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 it 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.