

# Attorney General

Annual Report  
**2015–2016**

**Attorney General  
Annual Report 2015–2016**

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## Transmittal letters

### **From the Minister to the Lieutenant-Governor**

The Honourable Jocelyne Roy Vienneau  
Lieutenant-Governor of New Brunswick

May it please your Honour:

It is my privilege to submit the Annual Report of the Office of the Attorney General, Province of New Brunswick, for the fiscal year April 1, 2015, to March 31, 2016.

Respectfully submitted,



Honourable Serge Rousselle, Q.C.  
Attorney General

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### **From the Deputy Minister to the Minister**

Honourable Serge Rousselle, Q.C.  
Office of the Attorney General

Sir:

I am pleased to be able to present the Annual Report describing operations of the Office of the Attorney General for the fiscal year April 1, 2015, to March 31, 2016.

Respectfully submitted,



Lee C. Bell-Smith  
Deputy Attorney General



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# Attorney General's message

During the past year, government has continued to ensure New Brunswickers are well-served with fair access to a justice system that remains modern and reflects our values as a province and a nation. The accomplishments this year contribute to creating safe and healthy communities and support economic growth and sustainable development.

The Office of the Attorney General had a busy year. With our mandate to promote and defend the rule of law and to ensure protection of the public interest, we managed more than 20,000 prosecutions while also undertaking one megatrial.

Dozens of bills were drafted, and more than 80 regulations; each completed with the level of professionalism and integrity that New Brunswickers have come to expect from this office. Of note were the enactment of a new *Trustees Act* and a *Debtor Transactions Act*.

Unique to New Brunswick is our ability and commitment to accomplish our work in both languages, concurrently. As the legal officer of the Crown, I am proud to provide all services equally and equitably in both Official Languages.

It is an honour to be part of this institution, and I look forward to serving New Brunswickers in this capacity.

A handwritten signature in black ink, appearing to read 'S. Rousselle', written in a cursive style.

Honourable Serge Rousselle, Q.C.  
Attorney General

# Deputy Attorney General's message

The 2015-2016 annual report outlines the measures and initiatives undertaken by the Office of the Attorney General from April 1, 2015, to March 31, 2016.

The Office of the Attorney General continued to uphold its many responsibilities, including the prosecution of all offences under the *Criminal Code of Canada* and the Statutes of New Brunswick. The office also represented the Crown in all matters of civil and constitutional litigation and provided legal advice and services to all government departments and agencies. Notably, the office undertook one megatrial and much work was completed during the past 12 months in preparation for a separate upcoming megatrial.

This past year, the office continued to provide impartial services and advice, in both official languages, to government on proposed legislation. Staff provided advice and drafting services for the government and published all acts and regulations in accordance with the *Queen's Printer Act*.

Process improvements were undertaken to streamline internal procedures and find efficiencies within the operational framework. Staff continued to reach and exceed performance measures, and the office managed its expenses within budget, ensuring accountability and value to New Brunswickers.

As the Deputy Attorney General, I am proud to release this annual report, which outlines how we achieved our mandate to promote the impartial administration of justice and to ensure protection of the public interest.



Lee C. Bell-Smith  
Deputy Attorney General



# Strategic priorities

## Strategy management

The **Government of New Brunswick (GNB)** uses a formal management system built on leading business practices with the purpose to develop, communicate and review strategy. This process provides the public service with a proven methodology to execute strategy and continuously drive improvement.

The development of the strategy, using the formal management system, starts with a strategic vision of *Moving New Brunswick Forward*. This vision is anchored in four strategic themes which include:

- **More jobs** — Creating the best environment for jobs to be generated by New Brunswickers, by businesses, by their ideas, by their entrepreneurial spirit, and by their hard work. This includes providing seamless support to businesses, leveraging new technologies and innovation by supporting research and development, and developing a skilled workforce by improving literacy and education.
- **Fiscal responsibility** — Getting New Brunswick's fiscal house in order through a balanced approach to decrease costs and increase revenues.
- **Best place to raise a family** — Designing social programs to make life more affordable and make New Brunswick the best place to raise a family.
- **Smarter government** — Providing taxpayers with better value for their money by transforming the culture of government by eliminating waste and duplication, adopting new innovations in technology to improve services and savings, and improving accountability measures.

# Highlights

During the 2015-2016 fiscal year, the Office of the Attorney General focused on the following strategic priorities:

The office continued to work cooperatively with the Department of Justice on the Early Resolution and E-Disclosure projects in Moncton.



The office has undertaken one megatrial this past year, which required an extraordinary use of staffing and other resources.



The office managed 18,426 criminal prosecutions against adults and 1,827 prosecutions under the *Youth Criminal Justice Act*.



Between April 1, 2015, and March 31, 2016, 46 bills drafted by the office received Royal Assent, and 83 regulations drafted by the office were filed with the Registrar of Regulations.



The office worked on extensive law reform projects with respect to the modernization of the *Trustees Act* and the law surrounding fraudulent assignments and preferences, resulting in the enactment of a new *Trustees Act* and a *Debtor Transactions Act*, respectively.



The office developed 15 submissions for government and processed 22 requests under the *Right to Information and Protection of Privacy Act*.

# Performance measures

Based on the strategic direction, this framework translates strategy into objectives and performance measures. This allows the Office of the Attorney General to measure process in meeting its objectives. The performance measures do not reflect all the day-to-day operations of the office but rather the strategic areas where it needs to focus improvement efforts.

The Office of the Attorney General and the Department of Justice share a senior management team and Performance Excellence goals. They share a common Strategy Map, Balanced Scorecard and Lean Six Sigma resources. While the office is a fully participating member in Performance Excellence, its specific performance measures under the Enhanced Quality of Life theme for departments were for the Small Claims Court and the Moncton Provincial Court projects, neither of which pertains to the office specifically. More information about these measures is available in the Department of Justice's annual report for 2014-2015.

<b>Fiscal responsibility</b>	<b>Measures</b>
Grow revenues.	Ratio of actual to budgeted revenue.
Reduce expenditures.	Ratio of actual to budgeted expenditures.
<b>Smarter government</b>	<b>Measures</b>
Enhance employee involvement, commitment and productivity.	Percentage performance reviews complete.

## Fiscal responsibility

### Objective of the measure

Grow revenues.

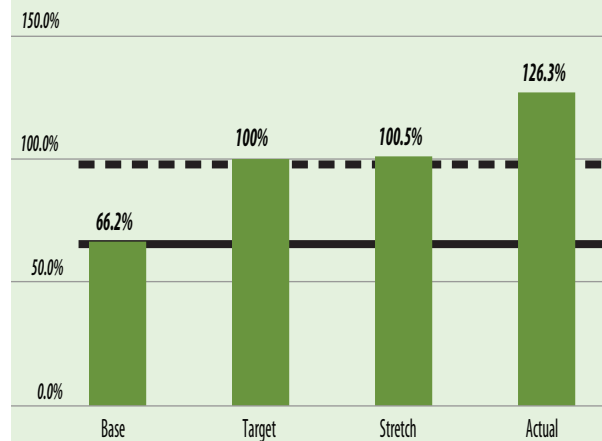
### Measure

Ratio of actual to budgeted revenue.

### Description of measure

Percentage of total revenue over total budget

### Ratio of actual to budgeted revenues



### Overall performance

Exceeded expectations.

— Baseline: 66.2%  
- - - Target: 100%  
Actual: Revenues were \$485,000, or 126.3% of budget

### Why do we measure this?

This indicator measures the ability of GNB to manage its overall revenues, with the goal of improving its finances.

### What initiatives or projects were undertaken in the reporting year to achieve the outcome?

The Public Intervener program added \$304,600 to total revenue. This program has flow-through expenses directly to industry, and the recoveries from this program go to general revenue. This program led to a higher-than-budgeted recovery (\$304,600 actual versus \$234,000 budgeted). Revenue generated from the Queen's Printer was also higher than budgeted (\$173,000 actual versus \$140,000 budgeted).

## Fiscal responsibility

### Objective of the measure

*Reduce expenditures.*

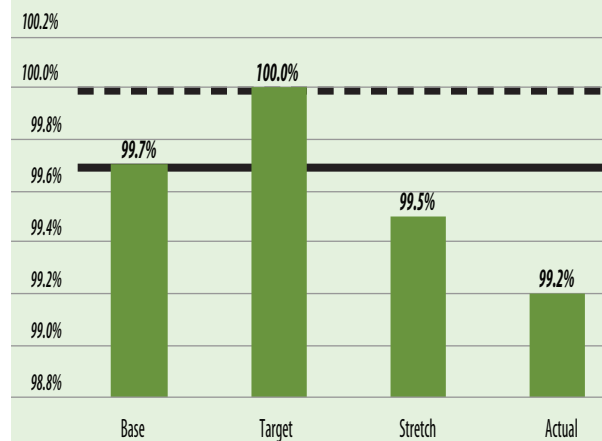
### Measure

*Ratio of actual to budgeted expenditures.*

### Description of measure

Percentage of total expenditures over total budget.

#### *Ratio of actual to budgeted expenditures*



### Overall performance

Exceeded expectations

- **Baseline:** 99.7%
- - - - - **Target:** 100%
- Actual:** Expenditures were \$18.5 million, or 99.2% of budget

### Why do we measure this?

This indicator measures the ability of GNB to manage its overall expenses as compared to budget. The government must ensure expenses are managed in accordance with the budget and be prepared to take corrective action if expenses are projected to be over budget during the year.

### What initiatives or projects were undertaken in the reporting year to achieve the outcome?

The Office of the Attorney General was able to balance its operating budget effectively in 2015-2016. There was very little variance between actual and budget in any of the regional offices, with Public Prosecutions finishing the year in a \$775,000 surplus. The overall budget is more than 90 per cent salaries, with the other major expenditure stemming from ad hoc work from outside legal counsel. There was an efficient balance between these two types of expenditures and helped lead to a strong year in terms of cost control.

## Smarter government

### Objective of the measure

Enhance employee involvement, commitment and productivity.

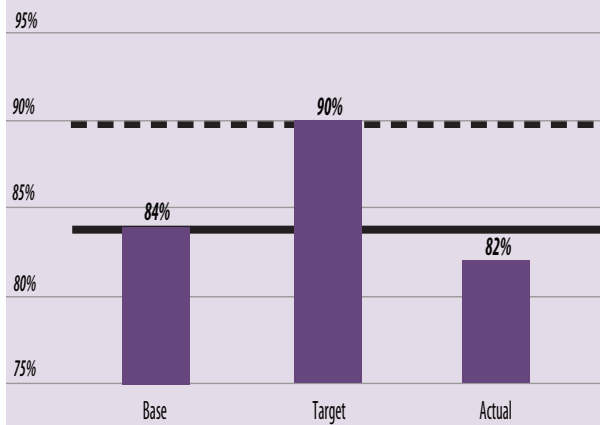
### Measure

Percentage of employee performance reviews completed.

### Description of measure

The completion of performance reviews will provide an opportunity for managers and employees to discuss, review and assess the accomplishment of work objectives, demonstrated competencies and overall individual employee contribution against GNB's business results.

#### Percentage of employee performance reviews completed



### Overall performance

The office reported an 82-per-cent completion rate for all performance reviews. The completion rate dropped slightly due to workload and competing work priorities.

————— **Baseline:** 84 %  
- - - - - **Target:** 90%  
————— **Actual:** 82 %

### Why do we measure this?

Employees are entitled to receive their year-end performance reviews in a timely manner.

The completion of performance reviews will provide an opportunity for managers and employees to discuss and review the accomplishment of work objectives, demonstrated competencies and overall individual employee contribution toward the overall strategy of the Office of the Attorney General. By completing reviews, employees and their supervisors can discuss strategic and organizational goals in an effort to increase organizational and individual performance.

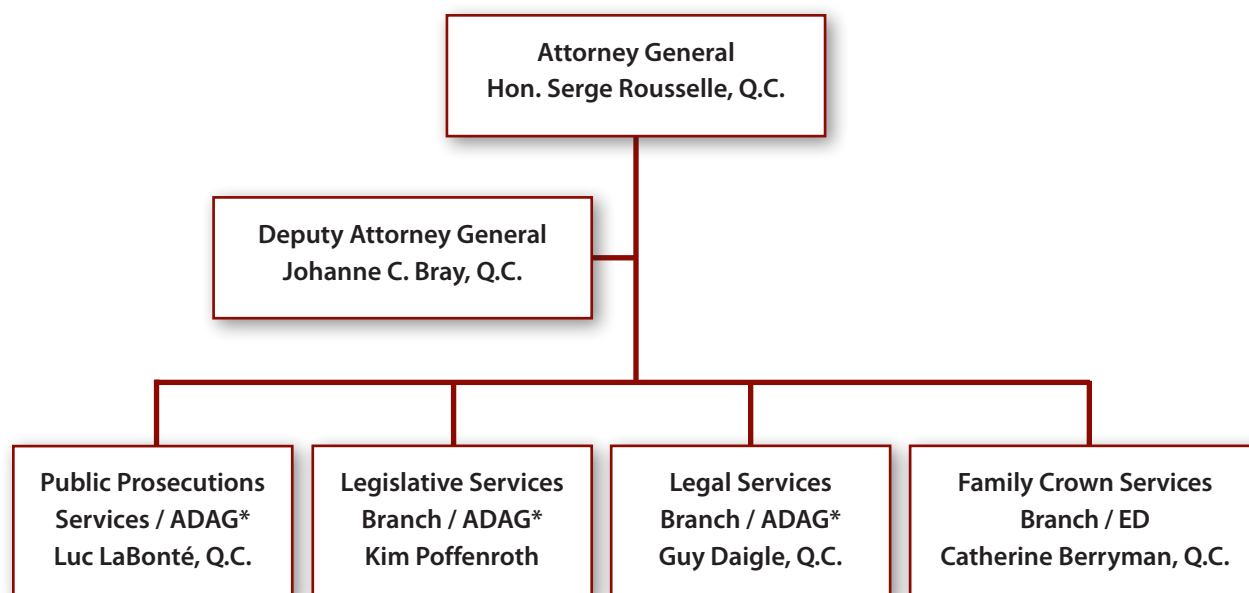
### What initiatives or projects were undertaken in the reporting year to achieve the outcome?

Progress was regularly discussed with senior management and reminders were sent to managers. Lists of outstanding performance reviews and completion rates were provided throughout the year.

# Overview of departmental operations

The mission of the Office of the Attorney General is to ensure the application of the rule of law, impartial administration of justice and the protection of the public interest.

## High-level organizational chart



*As of March 31, 2016*

*\*Assistant Deputy Attorney General*

# Division overview and highlights

The mission of **Public Prosecutions Services Branch** is to seek justice according to law and to do so firmly but fairly, and with an ingrained sense of dignity, in search of the truth.

The branch attempts to achieve its objective with a contingent of 55 Crown prosecutors, administrative and regional directors located in six regions as well as specialized prosecutions, all of which are overseen by an assistant deputy Attorney General, an executive director and a manager of operations.

The branch performs a quasi-judicial function whereby it independently and objectively determines whether there is sufficient evidence to pursue a prosecution in any given investigation carried out by a policing agency.

Where a prosecution is commenced, the branch tries to obtain a just outcome while protecting the rights of charged persons and obtaining the participation of victims and other vulnerable persons without exposing them to undue hardship or abuse.

The branch performs these functions while taking into account the *Canadian Charter of Rights and Freedoms*, language rights, Aboriginal and treaty rights and the current statutes and case law.

In the performance of its duties, the branch at all times balances its obligation to function at a high level in determining and seeking the public interest with its obligation to make every effort to remain within its budgetary restraints.

## HIGHLIGHTS

◆ *The branch has managed 18,426 criminal prosecutions against adults and a further 1,827 prosecutions under the Youth Criminal Justice Act. These have resulted in 60,027 appearances in Provincial Court during the year. There have also been 39 matters before the Court of Appeal and seven matters in the Supreme Court of Canada.*

- ◆ *The branch continues to be involved in the Early Resolution and E-Disclosure projects in Moncton. The Early Resolution project shows promising results in reducing court backlogs and increasing overall efficiencies at the prosecutor and court levels. The E-Disclosure project increases efficiencies in the disclosure of files and further reduces storage costs. This project is being considered for the Bathurst region as the next testing area.*
- ◆ *The branch has developed nationally recognized expertise in a number of fields with its prosecutors providing training through the Federation of Law Societies' National Criminal Law Program, the National Judicial Institute and the Canadian Police College.*
- ◆ *The branch has undertaken one megatrial this past year. These are prosecutions or groups of prosecutions identified according to established criteria based on their size, complexity and public interest. This matter is now at the Court of Appeal.*
- ◆ *The branch also faced an inordinately high number of homicide files. One of those involves numerous accused involved in the killing of one individual. This file has been weighed as a megatrial. It is currently at the preliminary hearing stages. The number of homicides is a strain on resources, which will likely necessitate further funding requests as was done in the past to allow the branch to meet its constitutional obligations.*
- ◆ *The branch is testing a new case management system called SCOPE. This system is used successfully by Ontario and is being considered by Nova Scotia, Saskatchewan and Quebec. The case management system in use by the branch will no longer be supported by 2018. It is imperative to have a solution before then.*
- ◆ *The branch has instituted a Quality Assurance program. The first audits will be conducted before the end of the calendar year.*



The **Legal Services Branch** is responsible for the provision of legal advice to and representation of departments and agencies in all matters not pertaining to public prosecution and legislative drafting. The legal advice and representation services provided by professional staff of the branch is intended to assist the Attorney General of New Brunswick in the fulfilment of his or her constitutionally mandated role as Chief Law Officer of the Crown and legal advisor to government.

The branch consists of five practice groups: a Litigation Practice Group, an Employment and Administrative Law Practice Group, a Corporate, Commercial and Property Law Practice Group, a Legal Advice Services Practice Group, and a Constitutional Law Practice Group.

The practice group mode of service delivery is designed to encourage the sharing of knowledge among group members. The particular mode of service delivery implemented in the Legal Services Branch retains sufficient flexibility to accommodate the delivery of services in a cross-disciplinary environment. It thereby allows the Attorney General to take full advantage of in-house resources to expedite resolution of matters submitted to him or her.

The increasing complexity of legal matters dealt with by solicitors of the branch on behalf of the Executive Branch of government requires a certain degree of specialization on their part. The practice group mode of service delivery combined with a collegial approach to the practice of law has been determined as the most effective model for the delivery of legal services.

The Family Crown Services Branch was separated from the Public Prosecution Services Branch on Nov. 1, 2015, and it became the fourth legal branch of the Office of the Attorney General.

The mission of the **Family Crown Services Branch** remains to seek justice according to law and to do so firmly but fairly, and with an ingrained sense of dignity, in search of the truth.

The branch attempts to achieve its objective with a contingent of 13 Family Crown prosecutors, four permanent administrative assistants and five administrative assistants

shared with the Public Prosecution Services Branch, all of whom are overseen by an executive director who reports directly to the Deputy Attorney General.

The branch performs a quasi-judicial function whereby it independently and objectively determines whether there is sufficient evidence to initiate court proceedings in adult and child protection matters which engage section 7 of the *Canadian Charter of Rights and Freedoms*.

The branch provides additional services to the Minister of Social Development in subrogated support and private custody, access and support matters involving a government interest; to the director of Support Enforcement in judicial support enforcement matters; as agent of the Attorney General in the civil aspects of international child abduction under the International *Child Abduction Act*; and in interjurisdictional matters under the *Divorce Act* and under the *Interjurisdictional Support Orders Act*.

The branch seeks to obtain a just outcome while protecting the most vulnerable members of society and balancing the rights of opposing parties to fundamental justice.

The branch performs these functions while taking into account the *Canadian Charter of Rights and Freedoms*, language rights, Aboriginal rights and the current statutes and case law.

In the performance of its duties, the branch at all times balances its obligation to function at a high level in determining and seeking the public interest with its obligation to make every effort to remain within its budgetary restraints.

## HIGHLIGHTS

- ♦ *The branch continues to deal with highly complex adult and child protection, subrogated support and support enforcement applications. During the period covered by this report, inquiries from left-behind parents under the Hague Convention on the Civil Aspects of International Child Abduction have increased considerably.*

- ◆ *Child support issues litigated by the Family Crown prosecutors account for more than 50 per cent of work of Family Crown Services. This litigation assists those receiving income assistance in obtaining child support orders and contributes to the successful recovery of income assistance costs by GNB (through the Family Support Orders Services) each year.*
- ◆ *Family Crown Counsel provides a number of services under the Hague Convention on the Civil Aspects of International Child Abduction. It has dealt with a number of incoming requests from foreign states for the return of children wrongfully removed from them or wrongfully retained in Canada. It has also processed outgoing requests for the return of New Brunswick children wrongfully removed from New Brunswick or wrongfully retained in a foreign state. Additionally, Family Crown Counsel has responded to inquiries from New Brunswick residents and/or their lawyers seeking to prevent international child abduction by referring them to websites that identify preventative measures to consider in custody/access litigation or agreements or when dealing with children travelling outside Canada.*

The mandate of the **Legislative Services Branch** is to provide to all departments and agencies a central legislative drafting service, in both English and French. The branch provides advice to the Attorney General, the Deputy Attorney General, the Executive Council Office and Cabinet on all legislative matters before the Officials Committee, the Policy Committee, the Legislative Instruments and Regulations Board and on Cabinet agenda. It carries out law reform projects for the Office of the Attorney General.

The Registrar of Regulations is located within the branch and discharges the responsibilities of that office as provided by the *Regulations Act*. The Legislative Publishing Unit discharges the responsibilities of the Queen's Printer as provided by the *Queen's Printer Act*, including the publication and distribution of all public acts and regulations.

## HIGHLIGHTS

- ◆ *The branch dealt with a heavy workload in terms of the breadth and complexity of the legislative portfolio. A total of 46 bills drafted in the Legislative Services Branch received Royal Assent between April 1, 2015, and March 31, 2016, many of which dealt with significant GNB priorities.*
- ◆ *Significant work was done by the branch during this same period on 26 acts that received Royal Assent between April 8, 2016, and July 8, 2016. Between April 1, 2015, and March 31, 2016, 83 regulations drafted in the branch were filed with the Registrar of Regulations.*
- ◆ *The Legislative Development Group, Legislative Services Branch, continued to work on the modernization of the law relating to the enforcement of money judgments, amending legislation as a result of consultation with stakeholders and developing supporting regulations. The Legislative Development Group also worked on extensive law reform projects with respect to the modernization of the Trustees Act and the law surrounding fraudulent assignments and preferences, resulting in the enactment of a new Trustees Act and a Debtor Transactions Act.*
- ◆ *On Dec. 31, 2015, the first acts were repealed under the Statute Repeal Act, administered by the branch under the authority of the Attorney General. This resulted in 30 outdated, unproclaimed acts or portion of acts being removed from the statute books.*

The **Communications Branch** provides public awareness and promotion of departmental programs, services and policies. The branch is responsible for public communication and education/awareness programs as well as providing strategic communications planning and advice to the Minister, senior managers and staff. The branch prepares news releases, advertisements, speeches, speaking notes and briefing notes for the office. Along with providing ministerial support, the branch coordinates departmental news conferences and events as well as coordinating activities related to the Legislative Assembly of New Brunswick.

The **Policy and Planning Branch** provides leadership in the identification and development of broad policy initiatives. It provides advice and support services in relation to the overall corporate strategy, policies and direction. It is responsible for the strategic and departmental planning, represents the Office of the Attorney General on numerous federal/provincial/territorial committees, plays an integral role in policy development and program design and reviews, and provides executive support to the Attorney General and Deputy Attorney General.

### HIGHLIGHTS

- ♦ *The Policy and Planning Branch was involved in the following projects and initiatives on behalf of the Office of the Attorney General:*
  - *Reviewed and coordinated 15 submissions for the Office of the Attorney General, including legislative, regulatory and policy proposals, intergovernmental agreements and appointments;*
  - *Coordinated responses to 22 requests under the Right to Information and Protection of Privacy Act.*

The **Administrative Services Division** supports the Office of the Attorney General in meeting its mission, goals and objectives through the provision of quality support, advice, consultation, monitoring and coordinating services to all managers and employees in the areas of departmental services, financial services, human resources, information systems and facilities management. It also oversees the expropriation advisory function. The employees responsible for the execution of the Lean Six Sigma aspect of GNB's Performance Excellence process, the departmental Process Improvement facilitators, are part of this division.

The **Human Resources Branch** provides leadership and support to the Department of Justice and the Office of the Attorney General on human resource planning, recruitment, classification, labour relations, employee relations, training, Performance Management, Change Management, organizational development, human resource policies and program implementation.

The **Expropriations Advisory Officer**, pursuant to the *Expropriation Act*, reviews expropriation proposals and holds public hearings on disputes over proposed property expropriations. The function of the Expropriations Advisory Officer, as an independent advisor on the merits of expropriation proposals, has evolved as an effective, cost-efficient alternative to the previous advisory board. The Expropriations Advisory Officer has fulfilled this role on a contractual basis since 1989.

### HIGHLIGHTS

Activities	2015	2014	2013
Notices of intention to expropriate	17	14	15
Properties involved in proposed expropriations	30	156	658
Owners of property involved in proposed expropriations	51	119	375
Uncontested expropriations by Order-in-Council, non-objection, or objection	12	1	3
Expropriations with hearings scheduled or limitation on objection period not yet expired	6	0	0
Hearings	1	1	0

# Financial overview

**Table 1: Ordinary Account expenditures by program**

For year ending March 31, 2016 (in thousands of dollars)			
	Budget	Actual	Variance Over/(Under)
Prosecutions	\$ 11,268.8	\$ 11,191.3	\$ (77.4)
Legislative Services	3,057.9	3,094.7	36.7
Legal Services	4,353.7	4,248.0	(105.7)
<b>Total Program</b>	<b>\$ 18,680.4</b>	<b>\$ 18,534.0</b>	<b>\$ (146.4)</b>

**Table 2: Ordinary Revenue**

For year ending March 31, 2016 (in thousands of dollars)			
	Budget	Actual	Variance Over/(Under)
<b>Sale of Goods and Services</b>			
Queen's Printer	\$ 140.0	\$ 173.2	\$ 33.2
<b>Fines and Penalties</b>			
Court Cost – Recoveries	10.0	7.0	(3.0)
<b>Miscellaneous</b>			
Public Intervener – Recoveries	234.0	304.6	70.6
<b>Total Revenue</b>	<b>\$ 384.0</b>	<b>\$ 484.9</b>	<b>\$ 100.9</b>

**Table 3: Special Purpose Account Revenue and Expenditures**

For year ending March 31, 2016 (in thousands of dollars)			
	Budget	Actual	Variance Over/(Under)
<b>Proceeds of Crime Trust Fund</b>			
Revenue	\$ 200.0	\$ 196.3	\$ (3.7)
Expenditures	200.0	21.4	(178.6)
<b>Total Program</b>	<b>\$ 0.0</b>	<b>\$ 175.0</b>	<b>\$ (175.0)</b>

# Summary of staffing activity

Pursuant to section 4 of the Civil Service Act, the Deputy Minister of the Department of Human Resources delegates staffing to each Deputy Head for his or her respective department. Please find below a summary of the staffing activity for 2015-2016 for the Office of the Attorney General.

Number of permanent and temporary employees, as of Dec. 31 of each year		
Employee type	2015	2014
Permanent	163	163
Temporary	9	14
<b>Total</b>	<b>172</b>	<b>177</b>

The Office of the Attorney General advertised 14 competitions, including eight open (public) competition and six closed (internal) competitions.

Pursuant to section 15 and 16 of the *Civil Service Act*, the department made the following appointments using other processes to establish merit, than the competitive process:

Employee type	Appointment description	Section of the Civil Service Act	Number
Specialized Professional, Scientific or Technical	An appointment may be made without competition when a position requires: <ul style="list-style-type: none"> <li>• a high degree of expertise and training</li> <li>• a high degree of technical skill</li> <li>• recognized experts in their field</li> </ul>	15(1)	0
Equal Employment Opportunity Program	Provides Aboriginals, persons with disabilities and members of a visible minority group with equal access to employment, training and advancement opportunities.	16(1)(a)	0
Department Talent Management Program	Permanent employees identified in corporate and departmental talent pools, who meet the four-point criteria for assessing talent, namely performance, readiness, willingness and criticalness.	<b>16(1)(b)</b>	0
Lateral transfer	The GNB transfer process facilitates the transfer of employees from within Part 1, 2 (school boards) and 3 (hospital corporations) of the Public Service.	16(1) or 16(1)(c)	1
Regular appointment of casual/temporary	An individual hired on a casual or temporary basis under section 17 may be appointed without competition to a regular properly classified position within the Civil Service.	16(1)(d)(i)	1
Regular appointment of students/ apprentices	Summer students, university or community college co-op students or apprentices may be appointed without competition to an entry level position within the Civil Service.	16(1)(d)(ii)	0

Pursuant to section 33 of the *Civil Service Act*, no complaints alleging favouritism were made to the Deputy Head of the Office of the Attorney General and no complaints were submitted to the Ombudsman.

# Summary of legislation and legislative activity

Ch. #	Name of legislation	Date of Royal Assent	Summary of changes
19	<i>An Act to Amend the Enforcement of Money Judgments Act</i> <a href="http://www.gnb.ca/0062/acts/BBA-2015/Chap-19.pdf">http://www.gnb.ca/0062/acts/BBA-2015/Chap-19.pdf</a>	June 5, 2015	The amendment clarified the regulation-making authority and made some minor adjustments.
21	<i>Trustees Act</i> <a href="http://www.gnb.ca/0062/acts/BBA-2015/Chap-21.pdf">http://www.gnb.ca/0062/acts/BBA-2015/Chap-21.pdf</a>	June 5, 2015	The Act was a major law reform initiative that modernized trust law in New Brunswick. The previous <i>Trustees Act</i> was repealed.
22	<i>An Act Respecting the Trustees Act</i> <a href="http://www.gnb.ca/0062/acts/BBA-2015/Chap-22.pdf">http://www.gnb.ca/0062/acts/BBA-2015/Chap-22.pdf</a>	June 5, 2015	The Act contained the consequential amendments related to the new <i>Trustees Act</i> .
23	<i>Debtor Transactions Act</i> <a href="http://www.gnb.ca/0062/acts/BBA-2015/Chap-23.pdf">http://www.gnb.ca/0062/acts/BBA-2015/Chap-23.pdf</a>	June 5, 2015	The Act governs two related areas of law known as “fraudulent conveyances” and “fraudulent preferences.” It allows the court to grant a remedy to a creditor when the debtor has given away or sold property and thereby prevented the creditor from having the property seized and sold to pay off the debt. The Act replaces the <i>Statute of Elizabeth</i> (1571) and the <i>Assignments and Preferences Act</i> (1895).

The acts and regulations for which the Office of the Attorney General is responsible are at: <http://laws.gnb.ca/en/deplinks?subjectnumber=43>

# Summary of Official Languages activities

## Introduction

The Office of the Attorney General has developed and submitted an action plan to Intergovernmental Affairs that includes strategic means for each of the four sectors of activity (focus) found in the GNB's *Plan on Official Languages – Official Bilingualism: A Fundamental Value*.

## Focus 1

*Ensure access to service of equal quality in English and French throughout the province:*

*Objectives for 2015-2016:*

- Extend a bilingual offer of service at first point of contact;
- Ensure a balance of linguistic capabilities to provide service in both Official Languages;
- Ensure bilingual signage is properly displayed at first point of contact;
- Ensure staff understand requirement for bilingual voice mail messages;
- Ensure correspondence is provided in the client's Official Language of choice;
- Generic correspondence is sent in both Official Languages.

*Activities to meet objectives:*

- As part of the employee orientation package, mandatory completion of the iLearn module on Language of Service is required;
- Review and update linguistic profiles as required;
- Language of Service policy is reviewed yearly with employees during their work planning meeting;
- Managers monitor the use of bilingual messaging and interactions with clients;
- Additional signage is ordered and posted in public areas as required;
- Managers ensure correspondence is provided in the client's Official Language of choice;
- Employees are reminded periodically of their obligations.

## Focus 2

*An environment and climate that encourages, for all employees, the use of the Official Language of their choice in their workplace:*

*Objectives for 2015-2016:*

- Ensure performance reviews are conducted in the employee's Official Language of choice;
- Employees are offered upon hire Official Language preference for computer set-ups.

*Activities to meet objectives:*

- As part of the employee orientation package, mandatory completion of the iLearn module on Language of Work is required;
- Language of Work policy is reviewed yearly with employees during their work planning meeting;
- Periodically review linguistic profiles to ensure compliance;
- Managers conduct performance reviews in their employee's preferred Official Language;

- During orientation, employees are asked for their preferred Official Language for computer set-up;
- Training is offered in both Official Languages;
- Departmental communication is provided in both Official Languages.

### **Focus 3**

#### ***Development of the two official linguistic communities:***

To ensure that new and revised government programs and policies took into account the realities of the province's Official Language communities, the department took into consideration the location of services to ensure adequate access to a bilingual workforce. As well, when meeting and consulting with stakeholders/public, meetings proceeded in their preferred Official Language.

### **Focus 4**

#### ***Ensure public service employees have a thorough knowledge and understanding of the Official Languages Act, relevant policies, regulations and GNB's obligations with respect to Official Languages:***

##### ***Objectives for 2015-16:***

- Raise new employees' awareness of the Language of Work and Language of Service policies and remind employees of their obligations through their yearly work planning meetings.

##### ***Activities to meet objectives:***

- The department requires all new employees to complete the iLearn modules on Language of Work and Language of Service;
- All employees are informed of their obligations as part of their orientation program and/or through their work planning meetings.

### **Conclusion**

The department's Official Languages action plan was developed in accordance with GNB's *Plan on Official Languages – Official Bilingualism: A Fundamental Value*. Increased efforts have been made to raise individual and departmental awareness about the obligations and requirements associated with Official Languages.

During this last fiscal year, the department did not receive any Official Languages complaints.



# Summary of recommendations from the Office of the Auditor General

The Office of the Auditor General has not issued any recommendations to the Office of the Attorney General since 2009-2010.

## Report on the *Public Interest Disclosure Act*

As provided under section 18(1) of the *Public Interest Disclosure Act*, the chief executive shall prepare a report of any disclosures of wrongdoing that have been made to a supervisor or designated officer of the portion of the public service for which the chief executive officer is responsible. The Office of the Attorney General did not receive any disclosure of wrongdoings in the 2015-2016 fiscal year.