

STANDING COMMITTEE ON PUBLIC ACCOUNTS



MINISTRY OF JUSTICE AND ATTORNEY GENERAL

MARCH 2, 2022

STATUS UPDATES



NOTICE OF MEETING

The Standing Committee on Public Accounts will meet in the **māmawapiwin náyati room (Room 8)** of the Legislative Building on Wednesday, March 2, 2022 at 8:15 a.m.

Agenda

Consideration of Provincial Auditor's reports:

8:15 a.m. Ministry of Justice and Attorney General

2019 Report Volume 2	Chapter 8	Annual Audit Results
2020 Report Volume 2	Chapter 8	Annual Audit Results
2019 Report Volume 2	Chapter 37	Enforcing Maintenance Payments
2020 Report Volume 2	Chapter 33	Court Workloads

Saskatchewan Legal Aid Commission

2018 Report Volume 2	Chapter 41
2021 Report Volume 2	Chapter 34

Office of the Public Guardian and Trustee of Saskatchewan

2020 Report Volume 1	Chapter 9
2021 Report Volume 2	Chapter 30

Office of Residential Tenancies

2021 Report Volume 1	Chapter 9
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10:00 a.m. Ministry of Justice and Attorney General and Ministry of Corrections, Policing and Public Safety

2021 Report Volume 1	Chapter 8	Remand
2019 Report Volume 1	Chapter 16	CSWB
2021 Report Volume 1	Chapter 20	CSWB
2019 Report Volume 2	Chapter 9	Victims' Fund
2020 Report Volume 2	Chapter 9	Victims' Fund

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Chapter 8, Justice and Attorney General, 2019 Report Volume 2

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>Outstanding: We recommended the Ministry of Justice and Attorney General follow its established procedures for removing unneeded user access to its computer systems and data. (<i>2015 Report – Volume 2</i>, p. 74, Recommendation 2; Public Accounts Committee agreement January 11, 2017)</p> <p>Status—Partially Implemented</p>	<p>59</p>	<p>Implemented</p> <p>This recommendation is now considered fully implemented as per Ch.14 Summary of Implemented Recommendations, 2021 Report Volume 2.</p>	<p>In June 2021, the Ministry developed a Timely Removal from Information Technology Systems policy, which outlines circumstances when the Ministry expects a user’s access to be removed and defines what is considered timely removal.</p> <p>The Ministry continues to work with the Public Service Commission to receive notifications when staff leave the Ministry.</p>	<p>n/a</p>	<p>n/a</p>

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Chapter 8, Justice and Attorney General, 2020 Report Volume 2

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>Outstanding: We recommended the Ministry of Justice and Attorney General follow its established procedures for removing unneeded user access to its computer systems and data. (2015 Report – Volume 2, p. 74, Recommendation 2; Public Accounts Committee agreement January 11, 2017)</p> <p>Status—Partially Implemented</p>	<p>59</p>	<p>Implemented</p> <p>This recommendation is now considered fully implemented as per Ch.14 Summary of Implemented Recommendations, 2021 Report Volume 2.</p>	<p>In June 2021, the Ministry developed a Timely Removal from Information Technology Systems policy, which outlines circumstances when the Ministry expects a user’s access to be removed and defines what is considered timely removal.</p> <p>The Ministry continues to work with the Public Service Commission to receive notifications when staff leave the Ministry.</p> <p>January 2022: Integrated Justice Services has completed initial development of a timely removal reporting dashboard that will further assist the Ministries in effectively managing in the timely removal of user access to applications and data. This new automated process will leverage existing enterprise technology (the Justice Data Warehouse) and will create a detailed dashboard once a month.</p>	<p>n/a</p>	<p>n/a</p>

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Chapter 33, Justice and Attorney General-Supporting Provincial Court of Saskatchewan to Manage Court Workloads, 2020 Report Volume 2

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>Outstanding: We recommended the Ministry of Justice [and Attorney General] develop and implement a complete forecasting process that identifies administrative and financial resources (e.g., staff, facilities, and equipment) needed to support the management of court workloads. (2014 Report – Volume 1, p. 74, Recommendation 2; Public Accounts Committee agreement February 13, 2015)</p> <p>Status—Partially Implemented</p>	252	Partially Implemented	A comprehensive workload analysis is being conducted to capture numerous metrics such as the number of clerks and judges as well as court office needs and workload issues encountered.	<p>The Regina and Saskatoon Provincial Court Offices will participate in a financial forecasting pilot, concluding with a rollout to all Provincial Court Offices.</p> <p>Administrative and management components of the forecasting model to be developed, followed by a similar pilot as above.</p> <p>Full implementation of both forecasting model components at all Provincial Court Offices.</p>	<p>Pilot PC Offices – Spring 2022</p> <p>Full Office rollout - January 2023</p> <p>Components – Spring 2022</p> <p>Pilot – December 2022</p> <p>October 2023.</p>
<p>Outstanding: We recommended the Ministry of Justice [and Attorney General] improve its collection, analysis, monitoring and public reporting of information related to supporting the management of Provincial Court of Saskatchewan workloads. (2014 Report – Volume 1, p. 75, Recommendation 5; Public Accounts Committee agreement February 13, 2015)</p>	254	Partially Implemented	Quarterly analysis of the five performance measures was provided to ministry senior management by September 30, 2021.	<p>A template has been created to capture the quarterly analysis and shared with ministry senior management and is to be shared with the Chief Judge.</p> <p>Analysis has commenced for the quarter ending March 31, 2021 with process refinements being reviewed for how to best engage key stakeholders.</p>	April 2022

Status—Partially Implemented				<p>Three of the five performance measures related to court data are planned for inclusion in a new Strategic Dashboard currently being development for rollout next quarter, including regular reporting updates. This dashboard is a collaboration with other Divisions in the ministry, e.g., Public Prosecutions and Justice Services, as well as the Research and Implementation Branch of Integrated Justice Services.</p>	July 2022
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Chapter 41, Saskatchewan Legal Aid Commission—Providing Legal Aid Services, 2018 Report Volume 2

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>Outstanding: We recommended that the Saskatchewan Legal Aid Commission conduct written annual performance evaluations of its lawyers. (2016 Report – Volume 1; Public Accounts Committee agreement January 11, 2017)</p> <p>Status – Partially Implemented</p>	<p>277</p>	<p>Partially Implemented</p>	<p>The first set of lawyer performance reviews took place in August and October 2021.</p>	<p>A full set of performance reviews are targeted for completion.</p>	<p>May 2022</p>
<p>Outstanding: We recommended that the Saskatchewan Legal Aid Commission use its electronic case management system to capture accurately the status of legal aid cases in a timely manner to facilitate monitoring of lawyer caseloads. (2016 Report – Volume 1; Public Accounts Committee agreement January 11, 2017)</p> <p>Status – Partially Implemented</p>	<p>278</p>	<p>Partially Implemented</p>	<p>In December 2021, a policy was developed and communicated to staff that all files will be closed between 30-45 days after the last court action.</p>	<p>Directors within the Area Offices will conduct a spot audit on a quarterly basis.</p> <p>Practice Management Counsel will conduct an annual spot audit of all files.</p>	<p>This will begin April 1, 2022.</p>

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>Outstanding: We recommended that the Saskatchewan Legal Aid Commission set expectations to assess the quality and timely delivery of legal aid services. (2016 Report – Volume 1; Public Accounts Committee agreement January 11, 2017)</p> <p>Status – Partially Implemented</p>	279	<p>Implemented</p> <p>As per Ch.34, 2021 Report, Volume 2.</p>	n/a	n/a	n/a
<p>Outstanding: We recommended that the Saskatchewan Legal Aid Commission publish reasons for key differences between actual and expected results for legal aid services and establish actions to address shortfalls in its plans. (2016 Report – Volume 1; Public Accounts Committee agreement January 11, 2017)</p> <p>Status – Partially Implemented</p>	281	<p>Implemented</p> <p>As per Ch.34, 2021 Report, Volume 2.</p>	n/a	n/a	n/a

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Chapter 34, Saskatchewan Legal Aid Commission—Providing Legal Aid Services, 2021 Report Volume 2

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>Outstanding: We recommended that the Saskatchewan Legal Aid Commission use its electronic case management system to capture accurately the status of legal aid cases in a timely manner to facilitate monitoring of lawyer caseloads. (2016 Report – Volume 1, p. 210, Recommendation 2; Public Accounts Committee agreement January 11, 2017)</p> <p>Status – Partially Implemented</p>	<p>249</p>	<p>Partially Implemented</p>	<p>In December 2021, a policy was developed and communicated to staff that all files will be closed between 30-45 days after the last court action.</p>	<p>Directors within the Area Offices will conduct a spot audit on a quarterly basis.</p> <p>Practice Management Counsel will conduct an annual spot audit of all files.</p>	<p>This will begin April 1, 2022.</p>
<p>Outstanding: We recommended that the Saskatchewan Legal Aid Commission conduct written annual performance evaluations of its lawyers. (2016 Report – Volume 1, p. 215, Recommendation 4; Public Accounts Committee agreement January 11, 2017)</p> <p>Status – Partially Implemented</p>	<p>251</p>	<p>Partially Implemented</p>	<p>The first set of lawyer performance reviews took place in August and October 2021.</p>	<p>A full set of performance reviews are targeted for completion.</p>	<p>May 2022</p>

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Chapter 9, Office of the Public Guardian and Trustee of Saskatchewan-Providing Property Guardianship Services to Adult Clients, 2020 Report Volume 1

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
New: 1. We recommend the Office of the Public Guardian and Trustee of Saskatchewan follow its established processes to keep rationale for key decisions about identification of property of adult clients receiving property guardianship services.	111	Implemented This recommendation is now considered fully implemented as per Ch.30, 2021 Report Volume 2.	n/a	n/a	n/a

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**Chapter 9, Office of Residential Tenancies-Adjudicating Tenancy Disputes, 2021
Report Volume 1**

Recommendation and Status at Time of Audit (Indicate whether new or outstanding)	Page	Current Status (implemented, partially implemented, not implemented)	Actions Taken to Implement Since PA Report	Planned Actions for Implementation	Timeline for Implementation
<p>New: 1. We recommend the Office of Residential Tenancies provide clear written guidance (including examples) about what constitutes a conflict of interest to hearing officers.</p>	120	Implemented	The Hearing Officer Onboarding Manual was updated in January 2022 to include a link to the Law Society of Saskatchewan’s definition of a conflict of interest along with their examples. This definition and examples were communicated to Hearing Officers immediately at the Hearing Officer annual meeting in April 2021. The manual also clarifies when a Hearing Officer should be notifying the ORT of any perceived or actual conflict of interest.	n/a	n/a
<p>New: 2. We recommend the Office of Residential Tenancies document reasons for significant delays in issuing hearing decisions.</p>	126	Implemented	ORT is now following up with Hearing Officers twice per week to provide a rationale for outstanding decisions. ORT is also now documenting the outcome of that conversation.	n/a	n/a
<p>New: 3. We recommend the Office of Residential Tenancies always follow up promptly with hearing officers when hearing decisions are not submitted when expected.</p>	126	Implemented	ORT is now following up with Hearing Officers twice per week to provide a rationale for outstanding decisions. ORT is also now documenting the outcome of that conversation.	n/a	n/a