



Department of Justice
Canada

Deputy Minister of Justice and
Deputy Attorney General of Canada

Ottawa, Canada
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Ministère de la Justice
Canada

Sous-ministre de la Justice et
sous-procureure générale du Canada

February 26, 2021

Mr. Yves Giroux
Parliamentary Budget Officer
Office of the Parliamentary Officer
9th Floor, 99 Bank Street
Ottawa, ON K1A 0A9

Dear Mr. Giroux:

This response is further to your letter of February 4, 2021 addressed to the Minister of Justice and Attorney General of Canada, requesting information on the Department of Justice Canada's (Justice) measures in response of COVID-19, namely:

- Maintaining the Federal Government's Legal Services Capacity; and
- Supporting Court Operations and Access to Justice.

Maintaining the Federal Government's Legal Services Capacity (\$46 million)

At the onset of the COVID-19 pandemic, the courts across Canada have had to close or significantly reduce their operations, the result of which has had a direct impact on the operations of the Department of Justice. Mainly, it created an unanticipated reduction in spendable revenues for which Justice sought revenue protection. Over the past 11 months, with the increase of virtual hearings, Justice's situation has improved and continues to be monitored closely. Consequently, as of this date, Justice has not claimed any amount to offset its anticipated revenue shortfall but anticipates doing so before fiscal year end. On that basis, we will be in a position to respond following fiscal year end.

Supporting Court Operations and Access to Justice (\$48 million)

The funding announced under this initiative was intended to be directed to organizations under the Justice Portfolio. From the amount announced, approximately \$8 million was identified for the Court Administration Services and the Registrar of the Supreme Court of Canada to support federal court operations to enhance their technological capacity and adapt to physical distancing requirements. Reporting requirements on funding and spending are the responsibility of these organisations and should therefore be provided by each organization respectively.

Access to Justice

The remaining \$40 million was announced to increase the federal government's legal aid contributions to the provinces and territories. The COVID-19 pandemic has had an unprecedented impact on the justice system, including on legal aid plans. Both the pandemic and its impact have lasted much longer than originally anticipated. Courtrooms were closed at the height of the first wave of the pandemic, and have in most jurisdictions operated at only partial capacity since then. This has resulted in court delays that are expected to impact legal aid costs over future fiscal years as the courts attempt to deal with backlogs while simultaneously addressing new cases.

In 2020-2021, the provinces and territories, through their legal aid plans, were able to address pandemic-related pressures such as the need to procure technology and personal protection equipment using savings from reduced lawyers' billings due to court closures or reduced operations. Subsequently, Justice will not access funding ear-marked for this fiscal year (2020-2021).

However, as courts increase their levels of activity, legal aid plans will come under mounting pressure. As a result, Justice will continue its ongoing discussions with the provinces and territories to identify any funding requirements in the future.

Given the information above, the Department of Justice will not be in a position to provide you weekly reports, as requested. However, information on revenue protection, once finalized, will be shared with your office.

Yours sincerely,



Nathalie G. Drouin, Ad. E.
Deputy Minister of Justice and
Deputy Attorney General of Canada

Enclosure