# B.C.’s Prosecution Service Strategic Plan

## 2014/15 - 2016/17

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Criminal Justice Branch Vision

Courageous, Fair and Efficient – a Prosecution Service that has the confidence of the public.

Branch Mission

As an integral part of the Ministry of Justice, the Criminal Justice Branch will deliver on its core responsibilities in a manner that safeguards prosecutorial independence, and supports an effective justice system through communication, collaborative effort and innovation.

Branch Values

B.C.’s Prosecution Service is governed by seven fundamental values:

- **Fairness** - We act with fairness and impartiality in our pursuit of justice.
- **Independence** - We perform our public service without regard to improper influence or interference.
- **Rule of Law** - We apply the rule of law consistently and diligently.
- **Public Safety** - We understand the importance of public safety and the need for its continued, informative role in our decision-making.
- **Excellence** - We achieve excellence by working together and by employing our skills and knowledge in accordance with the highest ethical standards.
- **Attitude** - We serve the public with courtesy and respect.
- **Our People** - We are dedicated to effectively supporting Branch staff in pursuit of their professional goals, treating one another with respect, recognizing individual achievement and sharing information, knowledge and resources.
Introduction

The 2014/15-2016/17 Strategic Plan for the Criminal Justice Branch, Ministry of Justice, establishes a clear road map for the Branch’s operational and justice reform priorities for the next three years. It also gives concrete expression to the Branch’s Vision, Mission and Values that guide its role as B.C.’s Prosecution Service.

The Criminal Justice Branch was formed in 1974 to bring consistent standards for prosecution services throughout the province. Provincial legislation governing the Prosecution Service, the Crown Counsel Act, R.S.B.C. 1996, c.87, was passed in June 1991. Under the Act, the Branch has independent authority to:

- approve and conduct all prosecutions of offences;
- conduct all related appeals and other proceedings;
- advise government on criminal law matters;
- develop policies and procedures in respect of the administration of criminal justice;
- communicate with the public; and
- complete any other function assigned by the Attorney General.

Strategic Context

In April 2013, the British Columbia legislature enacted the Justice Reform and Transparency Act, which enabled the creation of a Justice and Public Safety Council, with members appointed by British Columbia’s Minister of Justice and Attorney General. The Assistant Deputy Attorney General, Criminal Justice Branch, is a member of this Council. Over the past year, the Council has broadly consulted with individuals and organizations across the justice and public safety sector in British Columbia, with the goal of developing and delivering an inaugural strategic plan.

Vision and Goals for B.C.’s Justice and Public Safety Sector

The first Strategic Plan for the Justice and Public Safety Sector: 2014 to 2017 was released in April 2014. It outlines the Council’s shared vision for the sector, as well as the Council’s intended direction and focus over the next three years:

*British Columbia is committed to a justice and public safety sector founded on the rule of law. The sector encompasses criminal, civil, family and administrative law. It is fair, protects people, is sustainable, and has the public’s confidence.* (pg. 3)

Specifically, the Council’s vision includes four distinct goals for the sector:

- Fair – by being accessible, impartial, and timely;
- Protects people – via preventative and protective measures, and by working systemically;
- Sustainable – by being focused on key services, well managed and effective; and
- Public confidence – by being adaptive, performance-focused and empowering.
The Criminal Justice Process

**INVESTIGATION**
Police investigate possible crime. If warranted, police or other investigative agencies submit to Crown a Report to Crown Counsel (RCC) for charge assessment.

**CHARGE ASSESSMENT**
Crown receives RCC – which is then subject to charge assessment:
- Is there a substantial likelihood of conviction?
- Is prosecution required in the public interest?

**PROSECUTION**
If charges are laid, Crown Counsel conducts a prosecution against the accused on behalf of the community. Trials may be held in Provincial Court or the Supreme Court of BC.

**SENTENCING**
If the accused is found guilty after a trial, or pleads guilty to charges, a sentence will be imposed.

**APPEALS**
The decision of the judge or jury is final. However, that decision may be appealed. An appeal is a formal request for change to the decision believing an error was made in some important aspect of the trial. Appeals can be initiated:
- from a conviction and/or sentence;
- from an acquittal.

Crown Counsel can:
- Lay charges;
- Not lay charges;
- Refer person to an alternative measures program; or
- Refer matter back to investigative agency for more information.

The trial will determine if the accused is found:
- not guilty; or
- guilty.
Introduction

**Ministry of Justice Strategic Direction**

The Ministry of Justice is in the process of developing a Strategic Plan that will support the Justice and Public Safety Council’s vision. The Ministry of Justice Plan may reflect the unique vision, goals, and objectives of the Ministry, but it will align with the sector plan wherever feasible.

**B.C.’s Prosecution Service**

The 2014/15-2016/17 Strategic Plan for B.C.’s Prosecution Service is aligned with the Strategic Plan for the Justice and Public Safety Sector: 2014 to 2017; and, as such, will also align with the strategic direction provided by the Ministry of Justice upon completion of its planning process.

The Branch recognizes that in its role as a provincial Prosecution Service, it has a responsibility to support collaborative, sector-wide justice reform wherever operationally feasible, and to actively participate in achieving the Ministry’s strategic priorities.

To that end, the 2014/15-2016/17 Branch Strategic Plan continues to emphasize reform efforts that were developed in response to government’s 2012 Justice Reform Initiative, and are specific to the Prosecution Service. This past fiscal year saw the Branch substantially complete its comprehensive list of innovative “Proposals for Reform” that was endorsed by Mr. Geoffrey Cowper, QC, Chair of the Justice Reform Initiative, as “a very impressive response to virtually every concern raised during [his] review”. In April 2014, the Branch produced a Progress Report on its implementation of the “Proposals for Reform”, which is available on the B.C. Prosecution Service website.

**Priority Setting**

Moving ahead into 2014/15 and beyond, the Branch’s Strategic Plan outlines specific ways in which the B.C. Prosecution Service will continue its proactive commitment to deliver on justice reform initiatives that are designed to achieve sustainable change and efficiencies in the delivery of criminal justice services.

This commitment to reform is made while recognizing that the first operational priority of the Criminal Justice Branch is to effectively conduct the prosecutions and appeals that fall within its statutory mandate. Accordingly, the Branch is also committed to supporting the training and equipment needs, change management requirements, and professional development of its legal and administrative staff.

**Moving Forward**

Without the daily courage and professionalism of members of B.C.’s Prosecution Service, both legal and administrative staff, the Branch would not have achieved its justice reform milestones over the last two years. Branch management is grateful for their expertise, their dedication and their continued commitment to the Vision, Mission and Values of the B.C. Prosecution Service.
Goal One

B.C.’s Prosecution Service is fair.

Sector Objectives:

**Accessible** - we offer services accessible to all regardless of means or location, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.

**Impartial** - we model integrity, fairness, and natural justice in our procedures and in delivering services, treating people equally.

**Timely** - we work together to reduce systemic delay in the sector as an impediment to justice; we seek early resolution of individual processes wherever possible.
Goal One - B.C.’s Prosecution Service is fair.

Criminal Justice Branch Alignment:

B.C.’s Prosecution Service will lead or participate in projects or initiatives that enhance the criminal justice system’s ability to facilitate early resolution, be timely, fair and reduce the likelihood of systemic delay.

A. Branch-Supported Ministry Priority Initiatives

1. Assignment Court Implementation (part of the Provincial Court scheduling project)

The Branch will continue to be actively engaged in preparation and planning in anticipation of the Provincial Court’s move towards an Assignment Court model, starting with a July 2014 roll-out in Port Coquitlam. The Assignment Court model is based on “queuing theory” with a “same day” method of assigning trial-ready matters to judges and courtrooms; trial readiness will be assessed prior to a judge and courtroom being assigned to hear the case. The assumed result is a more effective distribution of daily trial work and reduced lead times to trial, thereby increasing access to justice for the citizens of British Columbia.

Under the leadership and authority of the Provincial Court, other court locations that have been identified for an Assignment Court are Vancouver (222 Main Street), Robson Square, Victoria, Kelowna, Surrey and Abbotsford, with planned implementation dates going into fiscal 2015/16.

B. Branch Priority Initiatives

1. Implementation of Branch Quality Control Standards and Enhanced Crown File Ownership

As part of its 2012 “Proposals for Reform”, the Criminal Justice Branch designed and implemented a series of case management and process reforms that are intended to facilitate increased early resolution of prosecution files; improve readiness on matters for which adjudication by trial is reasonably necessary; and enhance file ownership, or continuity of conduct, wherever operationally feasible. These reforms were rolled out to the B.C. Prosecution Service in February 2014. Enhanced Crown file ownership will complement the Provincial Court’s new Assignment Court model.

The Branch will support and monitor the implementation of its process reforms. An evaluation framework has been established to evaluate progress and make modifications, as needed. Measures of success include reduced number of court appearances per criminal case, increased early resolution, reduced time to disposition and reduced number of Crown Counsel appearing on a file.

2. Crown Counsel Policy Review Project

The Branch will review the Crown Counsel Policy Manual to ensure that Branch policies remain relevant, useful, fair and in compliance with legal obligations. The Branch will continue to make the Crown Counsel Policy Manual available to the public through the internet, with a view to promoting increased understanding of prosecutorial responsibilities and the policies and guidelines that condition the exercise of discretion by Crown Counsel.
Goal Two

B.C.’s Prosecution Service protects people.

Sector Objectives:

**Preventative** - we offer early, appropriate, and effective interventions to reduce and redress antisocial behaviour, assisting people in rebuilding healthy, productive lives.

**Protective** - we work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the sector.

**Systemic Approach** - we work across all levels of government to understand and address root causes of crime, and support and participate in effective innovative interventions.
Goal Two - B.C.’s Prosecution Service protects people.

Criminal Justice Branch Alignment:

B.C.’s Prosecution Service will lead or participate in projects or initiatives that improve communication and collaboration between Crown Counsel and criminal justice agencies, such as law enforcement and the Corrections Branch, and that address the need for proactive responses to maintain public safety.

A. Branch Supported Ministry Priority Projects

1. eDisclosure Phase II Implementation

The Branch will continue to work on the second phase of the Integrated Corrections Operations Network (ICON) II project. This initiative will enable continued, timelier compliance with the Supreme Court of Canada requirement to provide both in- and out-of-custody accused with appropriate access to eDisclosure evidence, protect rights and privacy, modernize Corrections information technology, and optimize efficient and effective offender management. This long-term solution will provide the Ministry of Justice with new transformational opportunities and foundational business technologies for integrated and comprehensive caseload and document management, public safety, crime reduction and workload management strategies.

B. Branch Priority Initiatives

1. Major Case Management Model Implementation and Monitoring

In December 2012, the Branch formally approved a Major Case Management Model for implementation on its largest, high profile cases. These cases often involve allegations of gang-related and criminal organization offending. The Model introduces a project management approach to these prosecutions, with a view to increasing prosecution effectiveness and process efficiency. It includes an evaluative component once a matter has reached final conclusion.

Moving forward, the Branch will continue with its application of this Model and actively engage in the consideration and development of best practices in the area of major cases through involvement in a Ministry of Justice Executive Working Group on Major Case Management.

2. Safety and Security Initiatives

The Branch remains committed to provide a safe and secure workspace for its staff, and to actively participate in a cross-Ministry effort to maintain a physically safe environment for all occupants of provincial courthouse facilities. Initiatives planned include training sessions for staff, development and support of safety and security strategies and programs to ensure compliance with government requirements, and conducting threat risk assessments when necessary.
Goal Three

B.C.’s Prosecution Service is sustainable.

Sector Objectives:

**Focused** - based on measurable demand, we make evidence-based decisions to resource the Branch’s necessary functions, ensuring that services are delivered efficiently.

**Managed** - we allocate resources prudently across the Branch according to clear and demonstrated cause and effect.

**Effective** - we measure and improve the value realized from public investment, collectively and as an institution.
Goal Three -
B.C.’s Prosecution Service is sustainable.

Criminal Justice Branch Alignment:
B.C.’s Prosecution Service will lead or participate in projects that improve sustainability, effective management and the capacity to measure and display how the criminal justice system is performing.

A. Branch Supported Ministry Priority Projects

1. Corporate Business Intelligence and Performance Measurement

The Branch will continue to assist Ministry staff in the developmental work that is needed to provide key data that can enable measurement of progress against the basic goals of the sector, which include reducing unreasonable delay and seeking early resolution where appropriate.

The Branch will continue its active participation in a number of initiatives at a Ministry and sector level aimed at enhancing corporate business intelligence (BI), including the Justice and Public Safety Sector working group on performance measures, the Ministry costing of the justice system working group, and the Ministry BI Working Group.

2. Crown Counsel Electronic Scheduling and Workflow project

As part of the Ministry’s broader transformation initiative on the development of a Courts Administration Technology Suite (CATS), this work is aimed at creating an electronic scheduling module to support the Provincial Court scheduling project and enhanced Crown file ownership. The provision of an electronic scheduling system will address significant technology gaps, including the ability for the Provincial Court to more easily schedule court matters knowing the availability of an assigned Crown Counsel and defence counsel. The medium- to long-term strategic objective is for Crown scheduling functionality to be integrated as part of an electronic practice management/workflow system, which would optimize management of prosecution files, reduce the paper burden, and support the effective administration of criminal justice.

3. Refresh 2014 – Technology

Refresh refers to the cross-government project aimed at implementing technology upgrades for employee workstations. The Ministry of Justice is scheduled to be ‘refreshed’ in 2014/15 with upgrades that include new hardware and software packages to assist staff to more effectively do their jobs within a high-volume, fast-paced process environment. The Branch will focus on the enhancement of the new technology for optimum security, computer performance and usability, based on operational needs.

B. Branch Priority Initiatives

1. Branch Business Intelligence, Performance Measurement and Evaluation

The Branch will continue to strengthen its capacity in the areas of management information system development to support ongoing business intelligence, evaluation and performance measurement. Key operational metrics will be used to provide insight into operations, alongside the development of evaluation and performance frameworks for various projects and initiatives. Branch performance measures, aligned with and designed to measure improvement in achieving its Vision will be publicly reported in the 2014/15 Annual Report, due in fall 2015.
Goal Three, continued

B.C.’s Prosecution Service is sustainable.

Sector Objectives:

**Focused** - based on measurable demand, we make evidence-based decisions to resource the Branch’s necessary functions, ensuring that services are delivered efficiently.

**Managed** - we allocate resources prudently across the Branch according to clear and demonstrated cause and effect.

**Effective** - we measure and improve the value realized from public investment, collectively and as an institution.
Goal Three -
B.C.’s Prosecution Service is sustainable.

The Branch will continue to enhance its pioneering Complexity Index, which is used to measure the complexity of prosecution litigation. The Index offers an indicator of the degree to which elements of a prosecution file increase or reduce aggregate complexity. Over time, use of the Complexity Index can facilitate a greater understanding of the factors that inform the criminal litigation process and provide a tool for use in resource allocation and other business decisions.

Over the next three fiscal years, the Branch will also continue to support the use of its newly-developed File Closing Survey, which seeks to develop a stronger corporate understanding of file management decisions made by Crown Counsel and their informing factors.

2. Branch Committee for Quality Assurance and Improvement

For each of the years 2014/15-2016/17, this Branch Committee will select and undertake an internal quality assurance audit, aimed at reviewing Branch case management practices and making recommendations for improvement as appropriate. For 2013/14, the Committee focused on Branch practices for online charge assessment, using the tools available in JUSTIN, the Branch’s electronic case management system.

3. Crown Online Charge Assessment as a Branch Quality Control Standard

Emerging out of a 2013/14 recommendation from the Branch Committee for Quality Assurance and Improvement, the Branch will develop a robust training, communications and change management plan to support Crown Counsel’s use of an electronic case management system as a charge assessment best practice. It is expected that adoption of this recommendation as a Quality Control Standard will result in greater efficiency, improved quality assurance and consistency in practise.
Goal Four

B.C.’s Prosecution Service has the public’s confidence.

Sector Objectives:

**Adaptive** - we offer services and programs that are nimble; we solicit and respond to the needs of people, respond to changes in communities, and monitor the effectiveness of our programs.

**Performance-Focused** - we assume collective and respective responsibility for criminal justice system performance, engaging British Columbians in dialogue as users and observers of the system.

**Empowering** - people entering the system have sufficient opportunity and support to learn its rules and practices at their level of need; the public both understands and values the system; we treat the time of every participant as valuable.
Goal Four - B.C.’s Prosecution Service has the public’s confidence.

Criminal Justice Branch Alignment:

B.C.’s Prosecution Service will lead or participate in projects or initiatives that enhance and improve meaningful understanding of, and public confidence in the criminal justice system.

A. Branch-Supported Ministry Priority Initiatives

1. Lean Deployment

Lean is a continuous improvement approach that has been embraced within the BC Public Service, emphasizing a collaborative, employee-driven approach to finding innovative solutions that help improve operations. Over the next three years, the Branch intends to identify a ‘best fit’ opportunity within its province-wide operations with the goal of engaging a team of Crown Counsel and administrative staff to use the Lean methodology to identify improvements in the way a process or service is delivered. The Branch will continue to sustain efforts under the 5S project in Kelowna.

2. B.C. Prosecution Service Open Data-Sets

As part of its commitment to transparency and expanded external communication, the Branch will continue to update the Charge Assessment and Concluded Prosecutions data dashboards on its internet site. Justice sector information that is provided by the Ministry on this same site includes data from the Court Services and Corrections Branches; other programs areas are expected to be added in 2014/15.

3. Online Information and Services Review

The Branch will seek continual improvement of both its internal and external web presence. With respect to the Branch internet site, the Branch will actively participate in a government-wide information architecture and planning exercise aimed at improving the Ministry’s online public presence. This review will include all current internet information provided to the public, in order to ensure its relevancy, accuracy and alignment with ministry goals and objectives.

B. Branch Priority Initiatives

1. Enhanced External Communications and Public Education

Building on achievements from 2013/14 and in the interests of increased transparency, the Branch will continue to pursue external communications activities, including development of public and legal education tools and resources, such as plain language information sheets and Frequently Asked Questions about the role of B.C.’s Prosecution Service. The Branch will work collaboratively with other justice system agencies and through its work with the Justice Education Society (JES) to enhance public education and understanding of the criminal justice system.

The Branch will continue its emphasis on the use of Media and Clear Statements to increase public understanding of Branch decisions on high profile prosecution files, including the rationale underlying decisions, the processes by which decisions are made, and the factors that are considered.
Goal Five

B.C.’s Prosecution Service values its workforce.

Objectives:

**Informed** - employees have sufficient opportunity and support to learn the Branch’s policies, procedures and practices at their level of need; to understand the procedural and substantive workings of the criminal justice system; and are trained in developments within the law and management practice.

**Performance-focused** - employees will have the opportunity to have meaningful discussions with their supervisors regarding their career performance and development. Employees will be supported to take training related to their career goals. Employees will be given the tools to perform their work effectively and efficiently.

**Engaged** - employees will be informed of Branch priorities and have opportunities to participate in discussions of best practices in open, two-way dialogue between Branch management and staff.
Goal 5 - B.C.’s Prosecution Service values its workforce.

B.C.’s Prosecution Service will establish or facilitate in projects or initiatives that enhance, develop, and support its most important organizational asset: its people.

1. Training Priorities

In 2014/15, the Branch will develop and adopt a training strategy that has two main focus areas: professional development, and safety and security. The strategy will encompass both Crown Counsel and administrative staff members.

2. Succession Management

In light of its demographics, the Branch will review, and update as necessary, its succession management strategy that addresses topics such as knowledge transfer, and makes recommendations for actions as appropriate. This work includes the development of an implementation strategy to ensure continuity of knowledge and skills, especially in critical positions.

3. Change Management and Communications

A career streams initiative for administrative positions within the Branch will be implemented, assisting Prosecution Service employees in better understanding what potential career paths exist, and what skills and competencies are necessary to be considered for those positions.

Branch initiatives and change efforts will continue to be accompanied by change management and communication plans which clearly illustrate how intended outcomes fit with the Branch’s vision and strategic direction, and which provide opportunities for engagement and feedback.

The Branch will also support the development of communities of practice for office managers and Administrative Crown Counsel, including regular roundtable discussions and engagement on Branch change efforts.

4. Recruitment and Retention

In 2014/15, the employee orientation manual will be revised and re-introduced as a key tool to support new employees who are joining the Branch. This online orientation manual provides an opportunity to help new employees learn about and understand the Vision, Mission, and Values of the Branch, as well as the policies and procedures of the workplace. A well-planned and executed orientation process will help new employees learn about all the aspects of the Branch and help them understand how their contributions fit into the overall business of the Branch.

The Branch will also begin to utilize an exit survey as a learning tool to get a clearer understanding of organizational turnover; in particular, how much is voluntary and preventable, and how much is non-preventable. Departing employees are often in a great position to give constructive feedback and criticism based on their work experience, and the information gleaned from the exit survey provides the opportunity to make changes, as needed, to improve the work environment for current staff.
B.C.’s Prosecution Service values its workforce.

5. Performance Management

The Branch will continue to support the MyPerformance process for both Crown Counsel and administrative staff to ensure that all branch employees have the same opportunities for discussion and development of employment goals and career paths with their supervisor. Focus for the upcoming years will be to provide Administrative Crown Counsel and supervisor training in coaching techniques to maximize the effectiveness of the MyPerformance process and to further develop their leadership skills.

The Branch will also identify opportunities to ensure Administrative Crown Counsel are supported in their administrative role.

6. Health & Wellness Strategy

The Branch will develop a comprehensive health and wellness strategy for both Crown Counsel and administrative staff that is built on three interdependent components: the healthy person, the healthy workplace, and the healthy organization. While the focus may be on one component, information and resources for the remaining components will be gathered, updated and made available to all staff.

7. Diversity Strategy

The Diversity strategy was created to promote awareness of diversity and inclusiveness in the Branch, to research best practices and offer recommendations for initiatives to implement Branch-wide, and to ensure consistency with a broader initiative to promote the importance of diversity and inclusiveness within the Ministry of Justice and the B.C. Public Service. By increasing awareness, we can better understand, respond to, and reflect the communities we serve. Work under this initiative includes ensuring CJB publications appropriately reflect inclusive language, especially our recruitment and retention materials, professional development training on cultural awareness, and translation of CJB publications whenever possible.
Key Performance Indicators for B.C.’s Prosecution Service.

The Branch’s Key Performance Indicators are aligned with, and designed to measure improvement in achieving its Vision: Courageous, Fair and Efficient – A Prosecution Service that has the confidence of the public.

Additional performance indicators may be developed over time in accordance with the performance management framework currently being established for the Ministry.

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<th>Category</th>
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<td>Criminal Court Sitting Hours</td>
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<td>Context Measure</td>
<td>Complexity per Report to Crown Counsel</td>
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<td>Context Measure</td>
<td>Charge Assessment Decisions (e.g. Approved to Court, Alternative Measures, No Charge)</td>
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<td>Courageous</td>
<td># of CJB media statements produced with Clear Statements</td>
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<td>Courageous</td>
<td>Reported File Closing Survey completion rate</td>
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<td>Courageous</td>
<td># of open data sets or public reports</td>
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<td>Fair</td>
<td>Victim of Crime Act (VOCA) compliance reports</td>
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<td>Charge Assessment turnaround time</td>
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<td>Fair</td>
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<td>Efficient</td>
<td>Incoming Reports to Crown Counsel (per FTE) and % approved to Court</td>
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<td>Efficient</td>
<td>Files concluded (per FTE)</td>
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<td>Efficient</td>
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For more information on the Criminal Justice Branch, please visit:

www.ag.gov.bc.ca/prosecution-service