

2011 Bill 204

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Fourth Session, 27th Legislature, 60 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 204**

## **JUSTICE SYSTEM MONITORING ACT**

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MRS. FORSYTH

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 204

2011

### JUSTICE SYSTEM MONITORING ACT

(Assented to \_\_\_\_\_, 2011)

WHEREAS the administration of justice is a matter of provincial jurisdiction;

WHEREAS an effective criminal justice system is important not only to the safety of Albertans but their sense of fairness; and

WHEREAS accurate statistics are an important tool in gauging and improving the effectiveness of the justice system;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

#### Definitions

1 In this Act, “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

#### Contents of report

2(1) At the end of each calendar year following the coming into force of this Act, the Minister must prepare a statistical report on the criminal justice system.

(2) The report prepared under subsection (1) must contain statistics on

- (a) the length of time from the laying of a charge until final judicial determination of a matter,

- (b) the length of court hearings until final determination of a matter including interim or interlocutory hearings,
- (c) the length of time from the report of an alleged offence until the laying of a charge,
- (d) the number of instances in a matter where there is inactivity of more than 3 months caused by the prosecution, defence or the court,
- (e) the number of prosecutors involved in a file from the laying of a charge until final disposition for each person charged,
- (f) the number of adjournments granted to the Crown and to the defence,
- (g) the number of trials that begin on their designated day, and
- (h) the approximate cost of delays in the commencement of trials including costs of peace officers and prosecutorial staff and approximate costs to witnesses, victims and jurors.

#### **Collection of statistics**

- 3(1)** The statistics collected under section 2(2) will be from prosecutions undertaken by the Department of Justice or its agents.
- (2)** The report prepared under section 2 shall not contain any particulars that serve to identify any individual.
- (3)** Personal information reviewed pursuant to this Act shall be for the sole purpose of compiling statistics.

#### **Completion of report**

- 4(1)** The report prepared by the Minister under section 2(1) must be completed as soon as possible after the end of the calendar year and not later than the following June 30.
- (2)** The report prepared by the Minister under section 2(1) shall be made available to the public immediately after completion and shall be tabled in the Legislative Assembly if it is then sitting or, if it is not sitting, within 15 days of the commencement of the next sitting.
- (3)** In making the report publicly available under subsection (2), the Minister must post the report on the public website of the Minister's department.

**Referral to a committee**

- 5(1)** Not later than 30 days after the Minister tables the report in the Assembly under section 4(2), a motion must be introduced in the Assembly by a member of the Executive Council to refer the report to a committee of the Assembly for review.
- (2)** The committee to which the report is referred must report back to the Assembly no later than 6 months after it commences its review.
- (3)** The Minister must respond publicly to the committee's report not later than 3 months after it reports to the Assembly.







