

Cost Estimate of Election Campaign Proposal

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Short title: Additional Justice and Public Safety Resources

Description: Introducing three measures which will provide additional resources in the Justice and Public Safety domains.

Measure 1: Hiring and retaining 425 Crown prosecutors and 225 judges. These costs will be split with the provinces and territories.

Measure 2: Hiring and retaining an additional 100 RCMP officers to missions abroad.

Measure 3: Providing survivors of sexual assault and intimate partner violence with free legal representation for an application hearing under Section 276 of the Criminal Code. These costs will be split with the provinces and territories.

All the measures will be implemented in 2021-22.

Operating line(s): Operating and Capital Expenses
Other Transfer Payments

Data sources:

Measure 1:	
<u>Variable</u>	<u>Source</u>
Crown Prosecutors salary	Provincial Government Websites, Governmental Job Offers, Governmental Public Sector Disclosure Lists
Provincial Judges salary	Provincial Government Websites, Governmental Public Sector Disclosure Lists, News Articles
Gross up for total compensation	Treasury Board Submission Guidance
Consumer Price Index (CPI)	PBO EPC Baseline
Measure 2:	
<u>Variable</u>	<u>Source</u>
International Police Peacekeeping and Peace Operations (IPP) Program costs	Evaluation of the Canadian Police Arrangement and the International Police Peacekeeping and Peace Operations Program
Gross up for total compensation	Treasury Board Submission Guidance
Consumer Price Index (CPI)	PBO EPC Baseline

Measure 3:

<u>Variable</u>	<u>Source</u>
Number of sexual assault cases in Canada	Statistics Canada. Table 35-10-0027-01 Adult criminal courts, number of cases and charges by type of decision.
Percent of sexual assault cases with an application hearing	Canadian Legal Information Institute (CanLII)
Hourly costs and number of hours for legal representation	Legal Aid Ontario
Population and Consumer Price Index (CPI) growth rates	PBO EPC Baseline

Estimation and projection method:

Measure 1:

Data from various sources was used to calculate an average salary for crown prosecutors and provincial judges in each jurisdiction. Provincial population shares were used to assign a specific number of prosecutors and judges to each jurisdiction. The Treasury Board (TB) Submission Guidance was used to determine the total compensation costs, which included Employee Benefit Plans (EBP) and Accommodation premiums. These yearly amounts were then projected using growth in the CPI.

To consider the time required for staffing, only half of the positions were filled in the 2020-21 fiscal year, with all positions being filled the subsequent year. A 3-month delay between the implementation date and hiring date was assumed.

Measure 2:

Costs were based on the IPP program in which Royal Canadian Mounted Police (RCMP) officers are deployed overseas. There were three main cost elements. Firstly, average salaries were calculated based on total salaries, number of deployments and an adjustment to account for corporate overhead and EBP. Secondly, incremental costs were calculated based on total incremental costs and number of RCMP deployments. Finally, EBP and accommodation costs were based on TB guidelines for submissions.

Measure 3:

Data from the Canadian Legal Information Institute (CanLII) was used to determine the percent of national sexual assault cases that had an application hearing under Section 276 of the Criminal Code over the last 10 years. A percentage was then applied to the projected amount of annual national sexual assault cases, which used average annual data from Statistics Canada from 2012-13 to 2016-17. This was grown by the population growth rate. It was assumed that the program is not means tested, and therefore available to all sexual assault complainants during the application hearing.

The second-tier hourly rate from Legal Aid Ontario, which was grown by CPI, as well as the maximum tariff hours for one day, was used to estimate the cost. As requested, 50% of these costs would be paid by the federal government.

Uncertainty
assessment:

Measure 1:

The estimate has high uncertainty. The information on provincial and territorial salaries and benefits is incomplete and assumptions were made to obtain average salaries in each jurisdiction. This may result in an upwards or downwards bias to the estimate. However, the magnitude of the error is mitigated by the size of the measure.

Measure 2:

The estimate has moderate uncertainty. This derives from the assumption that costs related to deploying RCMP staff under the IPP program would be equal to deploying staff under this measure. The IPP program has a target ratio of one support staff based in RCMP headquarters for every 3 officers deployed overseas. This target ratio is assumed to be maintained for officers to be operationally ready under this measure. A different ratio of support staff to officers posted abroad would affect the cost.

Measure 3:

The estimate has moderate uncertainty. This is largely due to the difficulty in projecting the number of future sexual assault convictions, prosecutions, and application hearings. Data from Legal Aid Ontario was used to determine the number of hours and rate for legal representation. Any changes to amounts or hours can impact the costing. However, based on the current size of the estimate, it may not have a large material impact.

Cost of proposed measure

\$ millions	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029
Total cost	-	-	122	125	127	130	133	135	138	141

Supplementary information

	Operating line	2019- 2020	2020- 2021	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	2026- 2027	2027- 2028	2028- 2029
Measure 1	Operating and Capital Expenses	-	-	89	91	93	94	96	98	100	102
Measure 2	Operating and Capital Expenses	-	-	33	34	35	35	36	37	38	38
Measure 3	Other Transfer Payments	-	-	small	small	small	small	small	small	small	small

Notes:

Estimates are presented on an accruals basis as would appear in the budget and public accounts.

Positive numbers subtract from the budgetary balance, negative numbers contribute to the budget balance.

"-" = PBO does not expect a financial cost