



National Defence

Défense nationale

Deputy Minister

Sous-ministre

National Defence Headquarters
Ottawa, Ontario
K1A 0K2

Quartier général de la Défense nationale
Ottawa, (Ontario)
K1A 0K2

The Honourable Dean Allison
Chair, Standing Committee on Public Accounts
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Allison,

In response to your letter of 13 March 2020, received on 22 April 2020, National Defence presents the enclosed update on Recommendation 6 of the Standing Committee on Public Accounts' *Report 3, Administration of Justice in the Canadian Armed Forces, of the 2018 Spring Reports of the Auditor General of Canada*, and on the Justice Administration and Information Management System.

Sincerely,



Jody Thomas

Enclosures: 2

Canada 

Update to the Standing Committee on Public Accounts on Report 3, Administration of Justice in the Canadian Armed Forces, of the 2018 Spring Reports of the Auditor General of Canada

Recommendation 6

That, by 30 April 2019, the Department of National Defence present the House of Commons Standing Committee on Public Accounts with a report detailing what progress has been made with regard to the new policy mandating five year postings within the Office of the Judge Advocate General to support the development of litigation expertise necessary for prosecutors and defence counsel.

Background

On 22 April 2020, National Defence received a letter from the Committee for a status update on the formal message that the Office of the Judge Advocate General committed to send out mandating five-year postings, and clarity on how it would differ from a directive in terms of authority and compliance.

Further, the letter also requested an update on the implementation of the Justice Administration and Information Management System, including initial feedback on its use, details of National Defence's training practices, and feedback on improvements to the administration of military justice.

In response, National Defence is pleased to provide this update which directly addresses these two issues.

Status update on the formal message on five-year postings

In the Government Response, National Defence committed to institutionalizing its new approach through a formal message, issued by 1 April 2019. On 25 March 2019, the Judge Advocate General mandated the new policy on five-year postings for legal officers through a formal letter issuing direction to the Chief of Staff of the Office of the Judge Advocate General, the official responsible for recommending all legal officer postings. The letter is attached to this update.

The Judge Advocate General's letter constitutes the formal message committed to in the Government Response. In addition to the Chief of Staff, the Judge Advocate General provided the letter to the Deputy Judge Advocate General (Military Justice), the independent Director of Defence Counsel Services, and the independent Director of Military Prosecutions for their information. Further, the Chief of Staff has also shared and referenced the letter with staff when corresponding on posting matters.

In terms of authority and compliance, the letter is analogous to a directive in confirming the Judge Advocate General's direction in writing. This approach directly addresses the Auditor General's recommendation.

Update on the Justice Administration and Information Management System

The Justice Administration and Information Management System, or JAIMS, is a case management tool and database developed by National Defence to more effectively monitor and manage the progress and completion of military justice cases.

JAIMS launch and rollout

In its Management Action Plan and Government Response to the Committee, National Defence committed to beginning a pilot in January 2019, and launching the system across the units of the Canadian Armed Forces in September 2019.

National Defence began the JAIMS pilot early, in November 2018, and successfully launched JAIMS' core functionality in September 2019 across two units at the 4th Canadian Division Support Base Petawawa, totaling approximately 50 users. As with any new information management platform, there have been technical challenges associated with its development. National Defence has been working diligently to address each of these issues with a view to continue the rollout in a gradual, measured, and responsible manner that ensures the system is responsive to the needs of the Canadian Armed Forces.

National Defence plans to continue to roll out JAIMS to additional units in Petawawa, Trenton, and Cold Lake. This staged approach across the Canadian Armed Forces will ensure that JAIMS remains stable as its use increases, that issues are corrected efficiently as they arise, and that technical support and training are available, as required.

The ongoing impact of COVID-19 has halted the rollout to additional units, as well as the further development of the JAIMS software. Due to the unpredictability of the current crisis, National Defence is at this time unable to provide a concrete rollout timeline or a projected completion date for JAIMS' advanced functionality. When work on JAIMS resumes, the development focus will be on improving existing functionality and integrating the system with other departmental software platforms in order to improve efficiency in data sharing and reporting.

National Defence commits to updating the Committee on JAIMS' resumed rollout by 31 December 2020.

Feedback on JAIMS use

Initial feedback on both JAIMS use and training have been positive. Users have expressed appreciation for JAIMS being built on the same software platform as other National Defence systems, allowing for an easy transition. Users have also communicated satisfaction with the training they received prior to using the system, and an overall confidence in their abilities to use JAIMS to perform their duties.

JAIMS training practices

National Defence has developed a number of training resources and practices to assist with the use of this new system. As committed to in the Government Response, training resources have been developed in multiple formats and mediums for users, including manuals and aides-memoires to provide a system overview with detailed instructions for each type of user role. System experts also provide personnel with in-person training, which includes hands-on practice with test cases in the JAIMS training environment. Further, telephone-based support is available to users, and additional training can be provided on an as-needed basis once members are using the system. JAIMS training has also been incorporated into Legal Officer Certification Training.

National Defence continues to develop its overall training program and is making regular adjustments based on user feedback. For example, National Defence is developing training videos to guide users through specific tasks, and will incorporate JAIMS training into Presiding Officer Certification Training going forward. Other training elements noted in the Government Response, including discussion groups, local peer support, and web-based support, will be developed and incorporated into the overall training system as the rollout continues and additional users transition to the system.

Administrative improvements to the military justice system

Although it is too early in the rollout of JAIMS to draw definitive conclusions of overall improvements in military justice administration, initial signs are positive. JAIMS' core functionality will allow the Canadian Armed Forces to directly address many of the Auditor General's key findings related to delays, communication, and oversight, once the system is more widely adopted and JAIMS is integrated with other National Defence systems. The result will be a more effective and efficient military justice system. Finally, as additional users transition to the platform, National Defence anticipates more complete information and fulsome feedback, enabling data-driven analysis of the system's overall benefits, and the resolving of system weaknesses as they arise.

Judge Advocate General



Juge-avocat général

National Defence Headquarters
Major-General George R. Pearkes Building
101 Colonel By Drive
Ottawa, Ontario
K1A 0K2

Quartier général de la Défense nationale
Édifice Major-général George R. Pearkes
101, promenade Colonel By
Ottawa (Ontario)
K1A 0K2

0160-1-06580-13-0001

25 March 2019

Chief of Staff – Judge Advocate General

FIVE (5) YEAR POSTING RULE

As you know, on release of the Auditor General's report on the Administration of Justice in the Canadian Armed Forces in Spring 2018, I directed that most legal officers assigned to the Canadian Military Prosecution Service (CMPS) and Defence Counsel Services (DCS) were to remain in their positions for the 2018/2019 posting year.

Following that immediate response, and in advance of the 2019/2020 posting season, I directed that legal officers will be posted to CMPS or DCS for a minimum of five years, subject only to the availability of a vacant position on the establishment at the appropriate rank and to the Director of Military Prosecutions' or the Director of Defence Counsel Services' assessment of their respective operational requirements.

I confirm that this continues to be my direction to you, as the Chief of Staff for the Office of the JAG.

It is possible that this direction will change once the analysis of the Legal Officer occupation is completed. It is my hope that this analysis will provide the data to identify the appropriate approach to ensure the necessary litigation expertise, which could result in a different approach to postings within the Office of the JAG.

Geneviève Bernatchez
Commodore
613-992-3019 / 613-995-3155

c.c. Deputy Judge Advocate General – Military Justice
Director of Defence Counsel Services
Director of Military Prosecutions