



# Specific Claims Tribunal Canada

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2011-12

## Departmental Performance Reports

### Registry of the Specific Claims Tribunal

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**The Honourable John Duncan**  
*Minister of Aboriginal Affairs and Northern Development Canada*

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## **Deputy Head's Message**

The 2011-12 Departmental Performance Report for the Registry of the Specific Claims Tribunal of Canada illustrates significant milestones and accomplishments attained over the course of the reporting period.

This year, as we strived to meet our priorities, which primarily focused on the provision of support to Tribunal Members, it was with a great sense of accomplishment that the Registry achieved its goals and entered a new chapter in the Tribunal's history.

The Registry developed and implemented procedures and a solid infrastructure that included staffing key positions and creating an information technology platform. The Registry continued to operate in an environment where it does not have control over its volume of work and can only react to the number of applications filed by parties.

The Tribunal's *Rules of Practice and Procedure* came into force on June 1, 2011 and the first claim was filed within that month.

When our doors first opened, the volume of claims filed was lower than originally anticipated. This may be the result of the Tribunal being in its initial phase of accepting claims and parties becoming familiar with the Tribunal and the *Rules of Practice and Procedure*. There has been an increase in claims filed since June 2011 and the intake of claims is expected to increase over future fiscal years.

The accomplishments of the Registry during the fiscal year clearly demonstrated its dedication to delivering on its core mandate of providing administrative services in support of the Specific Claims Tribunal in the disposition of specific claims.

It is my pleasure to present this year's Departmental Performance Report for the Registry of the Specific Claims Tribunal of Canada.

Raynald Chartrand, CMA  
Deputy Head and Registrar  
Registry of the Specific Claims Tribunal of Canada

## **Section I: Departmental Overview**

### **Raison d'être**

The Registry of the Specific Claims Tribunal is constituted under the *Specific Claims Tribunal Act* (in force October 16, 2008) to manage the administrative affairs of the Specific Claims Tribunal. The Tribunal is an adjudicative body with the express mandate of deciding First Nations' specific claims including claims related to non-fulfillment of treaties, fraud, illegal leases and dispositions or inadequate compensation for reserve lands or other assets.

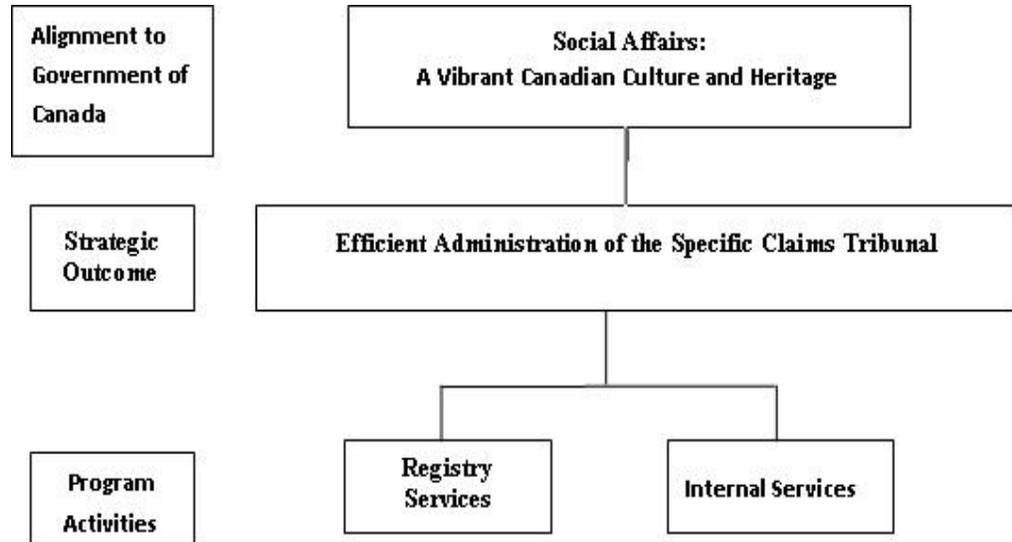
### **Responsibilities**

*The Specific Claims Tribunal Act* provides for an administrative infrastructure that supports the work of the Specific Claims Tribunal through the Registry of the Specific Claims Tribunal. The Registry is designated as a government department under Schedule I.1 of the *Financial Administration Act*, and therefore must adhere to federal public administration policies including the preparation of this Departmental Performance Report. This report pertains to the activities of the Registry that support the Tribunal and not to the Tribunal claims themselves.

The Registry of the Specific Claims Tribunal supports all aspects of the Tribunal's work to ensure that the Tribunal can hold hearings. The Registry is also the repository for filing claims and all documents and orders for all claims brought before the Tribunal. The office of the Registry is located in the National Capital Region.

## Strategic Outcome and Program Activity Architecture

The chart below illustrates the Registry of the Specific Claims Tribunal's framework for how its program activities contribute towards its strategic outcome.



[text version]

## Organizational Priorities

Summary of Progress Against Priorities

Priority	Type <sup>1</sup>	Strategic Outcome
Support Tribunal Members in implementing <i>Rules of Practice and Procedure</i>	New	Efficient administration of the Specific Claims Tribunal
The <i>Rules of Practice and Procedure</i> came into force on June 1, 2011, and the first claim was filed within that month. The Registry was equipped with the required resources to provide accurate and timely information on the filing of claims and the processing of documents.		

Priority	Type <sup>1</sup>	Strategic Outcome
Provide the Tribunal the infrastructure required to hear claims	New	Efficient administration of the Specific Claims Tribunal
<ul style="list-style-type: none"> <li>Key positions within the Registry were staffed prior to June 2011 and training on the case management system was provided to ensure that the Tribunal received efficient and timely support.</li> <li>A videoconferencing room was set up to reduce travel-related time and costs. Portable audio equipment and software were procured to record hearings and alleviate costs related to court reporting services.</li> <li>The Tribunal Library was set up and its catalogue stocked with existing library holdings.</li> </ul>		

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Priority	Type <sup>1</sup>	Strategic Outcome
Develop and implement an electronic registry and case management system	Ongoing	Efficient administration of the Specific Claims Tribunal
<ul style="list-style-type: none"> <li>The Registry further developed its electronic claims Web tool to make it possible to upload claim documents to the Web site in a timely manner and provide Tribunal Members and the public with information about documents filed with the Tribunal.</li> <li>The Registry deployed the first version of its case management system, which consists of a case management module within its records management system.</li> <li>Detailed information was provided on the Web site to assist claimants with the requirements and procedures for filing claims.</li> </ul>		

Priority	Type <sup>1</sup>	Strategic Outcome
Development of work descriptions and staffing for Registry positions	Ongoing	Efficient administration of the Specific Claims Tribunal
The Registry completed numerous job descriptions and staffing processes during the year. There is now an adequate complement of staff to support the work of the Tribunal and additional staffing will be based on the number of claims filed with the Tribunal.		

Priority	Type <sup>1</sup>	Strategic Outcome
Delivery of training including cultural, values and ethics, and professional development	Ongoing	Efficient administration of the Specific Claims Tribunal
<ul style="list-style-type: none"> <li>A one-day cultural awareness workshop was developed during the year and delivered in April 2012, and the training identified on employees' learning plans was also completed.</li> <li>An administrative procedure manual was developed to assist with staff orientation. Registry procedures were also developed to standardize the processing of claims within the Registry and provide a reference manual for users of the digital recording equipment.</li> </ul>		

Priority	Type <sup>1</sup>	Strategic Outcome
Delivery of training including cultural, values and ethics, and professional developmental.	New	Efficient administration of the Specific Claims Tribunal
<b>Status: Met all</b>		
A well-trained workforce must be in place to support the work of the Tribunal when the doors officially open to accept filings. Training plans were developed at the beginning of the year and funding was set aside to support staff in the completion of their training.		

## Risk Analysis

The Registry of the Specific Claims Tribunal has a major planning challenge in that the Tribunal can only react to external demands. The Registry's primary function is the filing of claims and scheduling case management conferences and hearings. Claims may be submitted to the Specific Claims Tribunal only after they have been first submitted to the Specific Claims Branch of Aboriginal Affairs and Northern Development Canada (AANDC) and gone through the specific claims process. Claims started to be filed in June 2011 and eighteen (18) claims were filed during the fiscal year. Although a claim may be eligible for filing, the decision to file it with the Tribunal rests with a First Nation. There were over 375 claims eligible for filing at the Tribunal as at the end of the fiscal year.

Another significant risk that the Registry faced was related to the workload associated with claims filed. There was no baseline information to accurately assess the resources and time required to process an average claim because the Registry was in its first year of operations.

The filing of claims in 2011-12 has started to provide some basis for forecasting the level of resources that may be required in the future.

Funding requirements will vary directly with the number of claims heard. Registry support is set up to be scalable and in line with the volume of work. Financial resources have been adequate to support the work of the Tribunal until now but the Registry has already begun working with Central Agencies to extend its funding for 2013-14 and subsequent years.

## Summary of Performance

### 2010-11 Financial Resources (\$ thousands)

Planned Spending	Total Authorities*	Actual Spending*
2,851	2,897	2,434
* Excludes amount deemed appropriated to Shared Services Canada, if applicable.		

### 2010-11 Human Resources (FTEs)

Planned	Actual	Difference
17	9.9	7.1

## Summary of Performance Tables

Progress Toward Strategic Outcome

### Strategic Outcome :

Performance Indicators	Targets	2011-12 Performance
Client level of satisfaction regarding quality of service	80% or more clients are satisfied with service received from the Registry	Our measure of client satisfaction is usually based on feedback obtained informally from parties after case management conferences or received through our Web site. With the positive feedback received throughout the year, we reached a 90% level of satisfaction.
Tribunal Members' level of satisfaction regarding quality of service	80% or more of Tribunal members are satisfied with the service received from the Registry	The Tribunal members' level of satisfaction reached 90% in 2011-12. Their feedback was obtained on the quality of services provided by the Registry throughout the year on the processing of claims and on the completion of projects such as the installation of shelving for the library and videoconferencing facility.

Performance Summary, Excluding Internal Services

Program Activity	2010-11 Actual Spending (\$ thousands)	2011-12 (\$ thousands)				Alignment to Government of Canada Outcomes
		Main Estimates	Planned Spending	Total Authorities*	Actual Spending*	
Registry Services	1,392	1,454	1,454	2,318	1,826	A vibrant Canadian culture and heritage
<b>Total</b>	1,392	1,454	1,454	2,318	1,826	
* Excludes amount deemed appropriated to Shared Services Canada, if applicable.						

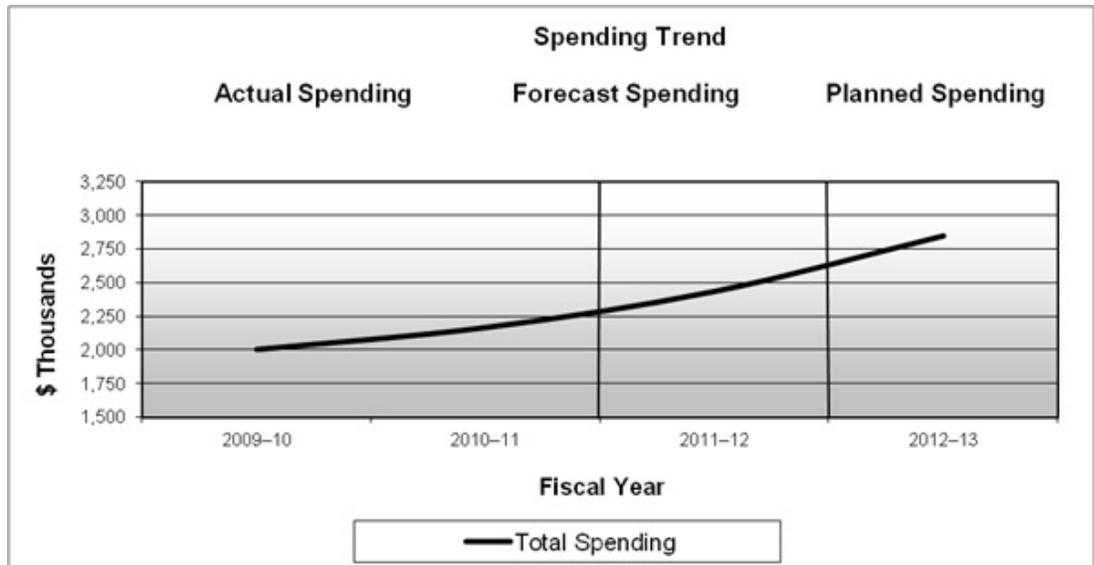
Performance Summary for Internal Services

Program Activity	2010-11 Actual Spending (\$ thousands)	2011-12 (\$ thousands)			
		Main Estimates	Planned Spending	Total Authorities*	Actual Spending*
Internal Services	773	1,397	1,397	579	608

\* Excludes amount deemed appropriated to Shared Services Canada, if applicable.

## Expenditure Profile

The lower than expected use of funds is likely temporary as the Registry does not have any control over the number of claims filed. There were over 375 claims eligible to be filed with the Tribunal. The lower than expected use of financial resources is merely a deferral of expenses and not necessarily a savings because significant expenses will be incurred as claims go through the judicial process at the Tribunal.



[text version]

## Estimates by Vote

For information on the Registry of the Specific Claims Tribunal of Canada's organizational votes and/or statutory expenditures, please see the Public Accounts of Canada 2011 (Volume II). An electronic version of the Public Accounts 2011 is available on Public Works and Government Services Canada's Web site<sup>1</sup>.

## Section II: Analysis of Program Activities by Strategic Outcome

### Strategic Outcome:

Efficient administration of the Specific Claims Tribunal.

### Program Activity 1: Registry Services

#### Program Activity Description

Facilitates timely access to the Specific Claims Tribunal through client service, quality of advice, and efficient and timely processing, and unbiased service delivery.

#### 2011-12 Financial Resources (\$ thousands)

Planned Spending	Total Authorities*	Actual Spending*
1,454	2,318	1,826

\* Excludes amount deemed appropriated to Shared Services Canada, if applicable.

The variance between planned spending, total authorities and actual spending is due to the fact that the allocation between the two programs, Registry Services and Internal Services, was based on different approaches. For planned spending, only salary figures were used while the allocation for total authorities and actual spending used a more realistic allocation of salary, operating and maintenance figures.

### 2011-12 Human Resources (full-time equivalents [FTEs])

Planned	Actual	Difference
11.5	6.4	5.1

### Program Activity Performance Summary

Expected Results	Performance Indicators	Targets	Actual Results
Facilitate timely access to the Specific Claims Tribunal through client service, quality of advice, efficient and timely processing, and unbiased service delivery.	A Registry staffed with qualified individuals capable of providing corporate and registry services in an efficient and effective manner.	<ul style="list-style-type: none"> <li>Completion of Registry staffing processes.</li> <li>Delivery of developmental staff training.</li> <li>Administration of Registry within financial allocation.</li> </ul>	<p>The emphasis at the beginning of the year was placed on providing the Tribunal with an infrastructure able to support the filing of claims as of June 2011.</p> <p>Staffing of key positions was completed and training was provided as required.</p> <p>The financial and human resources allocated to the Registry were sufficient this year.</p>
	An electronic Registry that utilizes technology to introduce efficiencies and overcome logistical challenges associated with administering a national tribunal.	<ul style="list-style-type: none"> <li>Operational electronic registry and case management system.</li> <li>Electronic filing through the Registry's website.</li> <li>Immediate access by Tribunal Members to Registry operations from their respective chambers across Canada.</li> </ul>	<p>The first version of the case management system was successfully deployed and all documents were received through our electronic system.</p> <p>All documents were processed within established timeframes.</p> <p>Tribunal members were provided full remote access to the network to enable them to access claims from various locations across the country.</p>

### Performance Summary and Analysis of Program Activity

The Registry of the Specific Claims Tribunal does not have control over its workload, it can only react to the number of claims filed. The Tribunal accepted its first claim in June 2011 and a total of eighteen (18) claims were filed during the year. The Tribunal is in its initial phase of accepting claims and parties have to become familiar with the Tribunal's *Rules of Practice and Procedure*. We expect intake to increase steadily. Case management conferences have already taken place for some of the claims filed during the year.

### Lessons Learned

The intake of claims was not as high as expected. It was more challenging than expected to match the level of human resources required with the anticipated volume of work. Some

staff was lost because of the small size of the organization and the low volume of claims filed with the Tribunal. To remedy this situation we put in place a number of secondment agreements to ensure there is the right mix of people to support the Tribunal while providing a scalable number of resources. The seconded employees feel they have opportunities for development while keeping their options open should the challenges being offered in the Registry not meet their expectations.

## Program Activity 2: Internal Services

### Program Activity Description

The Internal Services Program Activity supports all strategic outcomes and is common across government. Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communication Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Material Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

### 2011-12 Financial Resources (\$ thousands)

Planned Spending	Total Authorities*	Actual Spending*
1,397	579	608
* Excludes amount deemed appropriated to Shared Services Canada, if applicable.		

The variance between planned spending, total authorities and actual spending is due to the fact that the allocation between the two programs, Registry Services and Internal Services, was based on different approaches. For planned spending, only salary figures were used while the allocation for total authorities and actual spending used a more realistic allocation of salary, operating and maintenance figures.

### 2011-12 Human Resources (full-time equivalents [FTEs])

Planned	Actual	Difference
5.5	3.5	2.0

### Program Activity Performance Summary

Expected Results	Performance Indicators	Targets	Actual Results
High-quality internal services to the Registry function to ensure the infrastructure is in place to assist the Tribunal in meeting its mandate	Continuous review or development of internal policies.	25% per year	An inventory of financial and human resources policies and procedures was developed and priorities were established to review them. A review was conducted of 20% of internal policies. The focus during the year was on planning for the implementation of the Policy on Internal Controls.
	Public Service Commission and Receiver General's rating of financial and human resources management.	80%	Reports to Central Agencies were submitted on time and were complete and accurate. The Receiver General gave a rating of 80% to the Registry in its assessment of the accuracy and timeliness of reports submitted to them. The assessment of staffing accountabilities of the Registry was good with limited improvements identified by the Public Service Commission.

### Performance Summary and Analysis of Program Activity

Prior to June 2011, the Registry supported the Tribunal by developing a solid infrastructure, including staffing, information technology and administrative procedures in preparation for the opening of the Tribunal's doors. Once the Tribunal began accepting claims, the priorities of Registry Services shifted and the demand for support from the Registry increased significantly.

### Lessons Learned

Making technology available and reliable does not mean that all users will embrace it. Further training of users continued to be required to incorporate the benefits of technology in the day-to-day provision of services to Registry staff, Tribunal members and parties.

Sharing resources between organizations has turned out to be a solid option for attracting qualified staff and mitigating the risk of significant downward fluctuations in workload. Some employees fully support this initiative and have used these developmental opportunities to further their careers. The extension of these opportunities will continue to be assessed on a case-by-case basis and will be in accordance with the expected increased in workload.

## Section III: Supplementary Information

### Financial Highlights

#### Condensed Statement of Financial Position (Unaudited)

As at March 31, 2012  
(\$ thousands)

	Change %	2011-12	2010-11
Total net liabilities	40%	547	391
Total net financial assets	59%	327	206
Departmental net debt	19%	220	185
Total non-financial assets	6%	1,105	1,041
Departmental net financial position	3%	885	856

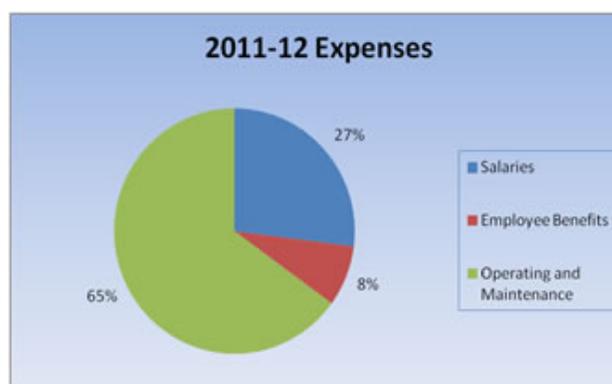
#### Condensed Statement of Operations and Departmental Net Financial Position (Unaudited)

For the year ended March 31, 2012  
(\$ thousands)

	Change %	2011-12	2010-11
Total Expenses	3%	2,620	2,535
Total Revenues	0%	0	0
Net cost of operations before government funding and transfers	3%	2,620	2,535
Departmental net financial position	3%	885	856

Total expenses are only marginally higher than those of last year.

### Financial Highlights Charts/Graphs



The 2011-12 financial statements report \$2,619,785 in total expenses. Salaries and Employee Benefits represent a total of 35% of the expenses while Operating and

Maintenance represent 65%.

## **Financial Statements**

The Registry of the Specific Claims Tribunal's financial statements can be found on the Tribunal's Web site<sup>ii</sup>

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## **Section IV: Other Items of Interest**

### **Organizational Contact Information**

#### *Registry of the Specific Claims Tribunal of Canada*

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#### **General Information**

Tel: 613-947-0751

#### **Deputy Head and Registrar**

Tel: 613-947-0740

#### **Web site**

<http://www.sct-trp.ca>

## **Endnotes**

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**1:** Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

<sup>i</sup> Public Accounts of Canada 2012, <http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html>

<sup>ii</sup> Financial Statements of the Registry of the Specific Claims Tribunal of Canada, [http://sct-trp.ca/repor/FS-EF/FS-EF\\_e.htm](http://sct-trp.ca/repor/FS-EF/FS-EF_e.htm)