

# Accountability Report 2017–2018

Department of Justice

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Accountability Report 2017–2018

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## Accountability Statement

The Accountability Report of the Department of Justice for the year ended March 31, 2018 is prepared pursuant to the *Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against the Department of Justice Business Plan for the fiscal year just ended. The reporting of the Department of Justice outcomes necessarily includes estimates, judgments and opinions by Department of Justice management.

We acknowledge that this Accountability Report is the responsibility of Department of Justice management. The report is, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the Department of Justice 2017-18 Business Plan.

*Original signed by*

*Original signed by*

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**Mark Furey**  
Minister

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**Karen Hudson**  
Deputy Minister

## Message from the Minister and Deputy Minister

On behalf of the Department of Justice, it is our pleasure to present the Accountability Report for the 2017-18 fiscal year. The Department's focus for the 2017-18 fiscal year was responsive justice. The goals for the year were to:

- support access to justice for those who struggle the most;
- promote a culture of innovation in the effective and efficient delivery of our services; and,
- enhance the public safety, well-being and economic stability of all Nova Scotians.

The Accountability Report highlights the work done by the Department to support its focus and goals throughout the year.

The Department has taken important steps to address sexual assault. Sexual assault complaints must be treated fairly and effectively, with sensitivity, respect and compassion. In 2017-18, the Department launched a free legal advice program to provide survivors and victims of sexual assault up to four hours of independent legal advice. The Department also undertook audits to ensure police have the tools they need to investigate, provide trauma informed response training for first responders and sexual assault investigation training for investigators. Additionally, the Public Prosecution Service hired two new special prosecutors for sexual assault to ensure expertise in the prosecution of these types of crimes.

The Halifax Domestic Violence Court held its first sitting in March 2018. This expansion from the initial Sydney pilot, was a platform commitment of government.

The Department continues work with the Department of Health and Wellness on the implementation of the Province's Opioid Strategy, including provision of naloxone kits and training on how to use them.

Approval to proceed with the purchase of body scanners in correctional facilities was also obtained in 2017-18. Implementing this technology will reduce the flow of contraband into the facilities, creating a safer environment for both persons in custody and staff.

Improvements to Nova Scotia's Maintenance Enforcement Program (MEP) are a prioritized area of focus of the Department with the hiring of five additional staff in the New Waterford Office. Families should receive the support they are entitled to regularly and on time. This program continued to show improvements in 2017-18 with changes to legislation that increased the program's authority to enforce orders, locate payors and share information, which resulted in enforcement actions increasing by 19%.

The Department continues to seek ways to increase and facilitate access to justice, often working with other partners across government and across the justice system. In 2017-18, this included work with the Office of African Nova Scotian Affairs, Department of Natural Resources, Communities, Culture and Heritage, and Nova Scotia Legal Aid on Land Title Clarification; work with the Office of Aboriginal Affairs and the Nova Scotia Advisory Council on the Status of Women,

including Family Information Liaison Unit support to families during the Inquiry into Missing and Murdered Indigenous Women and Girls; the creation of a civil process for cases involving cyber bullying and the unauthorized distribution of intimate images; and increasing the budget for Nova Scotia Legal Aid.

We know that in order to provide a more responsive justice system, we have to understand the unique needs of our communities. Important steps were taken to improve communication and collaboration within community. Over 50 people representing a broad spectrum of service providers, and experts in the issue of violence formed a working group to support the creation of the Halifax Domestic Violence Court; and the Accessibility Directorate held over seventy consultation and engagement activities across the province.

Preventative and restorative justice initiatives continue to guide our efforts in improving the justice system. In 2017-18, we worked with the judiciary, stakeholders, and restorative justice agencies to clarify when and how restorative justice can be used in the criminal justice system. We also provided leadership on the national stage; planning for a June 2018 collaborative learning conference hosted by the Department, with participants from five other provinces and territories and the federal government. This conference provided an opportunity for jurisdictions to share learnings on restorative justice and to establish common principles, goals and objectives to help accelerate the use of restorative justice at a national level.

Developing an Aboriginal Justice Strategy remains a priority. On National Indigenous Peoples Day, the Department of Justice, working with the leadership of the communities of Wagmatcook and Waycobah, along with the Nova Scotia Judiciary, the Public Prosecution Service, Public Prosecution Service of Canada, and Nova Scotia Legal Aid officially opened Nova Scotia's first Aboriginal Wellness and Gladue Court. The grand opening brought hundreds of people together from the community and across the justice system to celebrate this important step forward in indigenous justice. We began development of the Department's Aboriginal Justice Strategy in 2017-18 with a focus on partnerships, people, programming and prevention. We worked with the Office of Aboriginal Affairs, the Mi'kmaq Legal Support Network and others to deliver more cultural competency training and more responsive programming and services.

In our ongoing effort to diversify our workforce, the Department hosted a half-day learning event in Cherrybrook. This event included attendees from the Justice Management Team, and representatives from the African Canadian Women in the Public Service to discuss how we can better support, recruit and provide advancement opportunities to African Nova Scotian employees and others of diverse backgrounds. We are committed to building a public service that truly reflects the people we serve.

The Department continues to make efforts to ensure that the justice system reflects the people it serves. In 2017-18, Nova Scotia achieved gender parity on the bench. The Department established a mentorship program for Indigenous Blacks and Mi'kmaq (IB&M) students and launched a hiring initiative to increase diversity in Correctional Services.

With the passage and proclamation of the *Accessibility Act*, a commitment has been made and the groundwork laid for creating an accessible Nova Scotia by 2030. As part of implementation efforts this year, the Accessibility Advisory Board was established to advise and make recommendations to the Minister about accessibility standards and the timelines for their implementation.

The Accessibility Directorate is currently leading the development of the Government of Nova Scotia Accessibility Plan in collaboration with representatives from all departments.

Like our counterparts across the country, the Department has been preparing for the legalization of cannabis. In 2017-18, public consultations, multiple engagements and interdepartmental work took place to ensure Nova Scotia's readiness for the federal government's decision to legalize cannabis. The Province made key decisions to prepare for the passage of the *Cannabis Control Act* in April 2018.

Another important priority that we share with other provinces and territories, is addressing delays in the court system, as established by the Supreme Court of Canada's decision in *R v. Jordan*. The Department regularly brought together stakeholders and the judiciary to create innovative approaches and utilize data to measure success and inform initiatives. Some of the initiatives include the Nova Scotia Public Prosecution Service's Early Resolution and Initial Sentencing Position Projects, the increased use of video-court options, and reducing jury "blackout" periods to allow increased scheduling of jury trials. By the end of 2017-18 we saw a 35% reduction in cases above the threshold established by the Supreme Court of Canada's *R v. Jordan* decision.

In December 2017, the Department, including the Minister, attended the Conference of Federal-Provincial-Territorial Ministers Responsible for Human Rights, re-established after 29 years. This Conference allowed the Department to highlight recent work in Nova Scotia, including that of the Human Rights Commission (HRC), such as creating online education campaigns to address consumer racial profiling and using restorative approaches to resolve more human rights complaints.

Correctional Services continued efforts to enhance the rehabilitation of offenders through collaboration and exploration of evidence-based programming opportunities for adults and youth in 2017-18. Activities included the delivery of Nova Scotia Community College (NSCC) Communication and Math courses in adult custody sites, working with the Department of Education and Early Childhood Development to obtain cultural resources and education support for offenders in custody; and establishing a partnership with the Elizabeth Fry Society in Cape Breton to provide transitional housing and program services to support female offenders transitioning from custody to community.

The Department continued implementation of the recommendations of the 2015 Occupational Health and Safety Report on Sherriff Services. Approximately seventy-five percent of recommendations were completed as of 2017-18 and training continues to be rolled out to Deputy Sheriffs.



The Department has been working on many fronts, as noted above, to meet its stated goals and promote responsive justice over the past year. We want to recognize the hard work and contribution of our Department's 1,600 staff members. Their dedication and professionalism is essential to the delivery of responsive justice and our efficient and impartial justice system. Moving forward, we will continue to focus on employee engagement, ensuring constructive and ongoing two-way communication with employees, and that they have the tools and supports to do their jobs.

We present this Accountability Report with sincere thanks to our employees and partners across the province, and to you, the reader, for the interest you show in our accomplishments.

Thank You,

*Original signed by*

*Original signed by*

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**Mark Furey**  
**Minister**

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**Karen Hudson**  
**Deputy Minister**

## Financial Results

	2017-2018 Estimate	2017-2018 Actuals	2017-2018 Variance
<b>Program &amp; Service Area</b>	<i>(\$thousands)</i>		
<b>Departmental Expenses:</b>			
Administration	21,668	21,777	109
Nova Scotia Legal Aid	25,456	25,711	255
Court Services	72,982	72,531	(451)
Correctional Services	71,550	71,687	137
Public Trustee	2,557	2,414	(143)
Nova Scotia Medical Examiner Services	4,063	4,589	526
Public Safety and Security	140,940	140,822	(118)
Serious Incident Response Team	599	584	(15)
Accessibility Directorate	896	481	(415)
<b>Total: Departmental Expenses</b>	<b>340,711</b>	<b>340,596</b>	<b>(115)</b>
<b>Additional Information:</b>			
Ordinary Revenue	1,583	1,403	(180)
Fees and Other Charges	22,251	21,922	(329)
Ordinary Recoveries	118,913	119,236	323
<b>Total: Revenue, Fees and Recoveries</b>	<b>142,747</b>	<b>142,561</b>	<b>(186)</b>
TCA Purchase Requirements	6,481	4,404	(2,077)
Provincial Funded Staff (FTEs)	1,630.2	1,594.2	(36)
<b><u>Departmental Expenses Variance Explanation:</u></b>			
<b><u>Revenue, Fees and Recoveries Variance Explanation:</u></b>			
<b><u>TCA Purchase Requirements Variance Explanation:</u></b>			
Later than anticipated start dates of the TCA projects			
<b><u>Provincial Funded Staff (FTEs) Variance Explanation:</u></b>			
Temporary Vacancies			

## Measuring Our Performance

### Goal 1: Department of Justice supports access to justice, especially for those who struggle most

Being responsive to those who struggle the most supports the safety and security of all Nova Scotians. The Department's focus on Aboriginal Justice and African Nova Scotian initiatives are important features of this work. As a Department, we are focused on becoming more people-centered, diverse and responsive.

#### Maintenance Enforcement Program

The Maintenance Enforcement Program assists Nova Scotians to make or receive court-ordered maintenance payments when a court order is enrolled with the program and takes steps to enforce maintenance orders when payments are not made. The fundamentals of the Maintenance Enforcement Program continued to show improvement in 2017-18 with changes to legislation that increased the program's authority to enforce orders, locate payors and share information. Staffing was increased with five new people hired in the New Waterford office, including a manager for staff training and development. These positive changes resulted in enforcement actions increasing by 19% including Liens, Motor Vehicle License Suspensions, Federal license denials, and referrals to Public Safety Investigations.

A new pilot project designed to increase access to the justice system was also undertaken with the Sydney court in 2017-18. The Simplified Child Variation Pilot Project introduced a simplified and more efficient way to address child support variation cases, particularly those in arrears, through a court-based intervention. An evaluation report is expected later in 2018-19.

#### Performance Measures: Maintenance Enforcement Cases

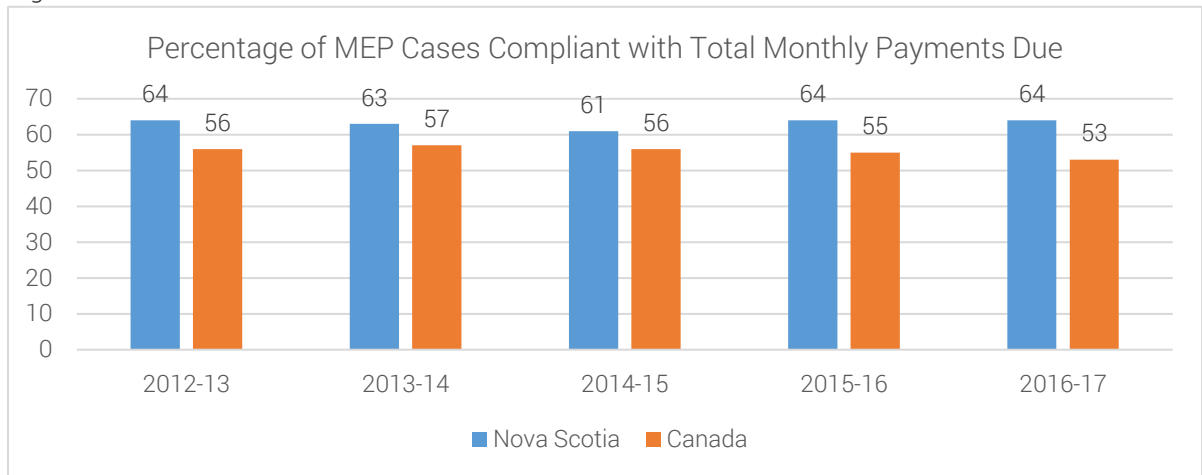
- The percentage of Maintenance Enforcement Program cases in full compliance (no arrears) was 45%. This is an increase from 41% in 2015-16.
- In 39% of Maintenance Enforcement cases, regular monthly payments were made and arrears reduced. This is an increase from 18% in the base year 2015-16, indicating that more of the money owed is being paid to recipients.
- The percentage of Maintenance Enforcement Program cases compliant with total monthly payment due, as measured by Statistics Canada, remained at 64%<sup>1</sup>, 11% higher than the national rate of 53%. The below graph shows the percentage of Maintenance Enforcement

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<sup>1</sup> Statistics Canada, Survey of Maintenance Enforcement Programs, 2016/17.

Program cases that are compliant with the total monthly payment due, as measured by Statistics Canada:

Figure 1:



- For the past five years in Nova Scotia and Canada, the percentage of cases that are compliant has remained relatively stable. It is worth noting that for each of the five years, Nova Scotia had a higher compliance rate than the national rate.
- Statistics Canada measures a 'collection' rate, which is the total amounts received over a fiscal year for maintenance enforcement program cases divided by the total amounts that were due over the same period. A rate of 100% would mean that all support payments due were made. The collection rate for Nova Scotia has remained steady at 87%, which is higher than the national rate of 81%. This is the second year in a row that Nova Scotia's collection rate was higher than the national rate. Between 2012-13 and 2016-17, the province's collection rate ranged from 84% to 87%.

## Domestic Violence Court

Building on the success of the Sydney court, the Domestic Violence Court expanded to Halifax with its first sitting on March 7<sup>th</sup>, 2018, a platform commitment of Government.

Over 50 people representing a broad spectrum of service providers, departments of government, and experts in the issue of violence formed a working group. The Working Group included Alice House, Transition House Association of Nova Scotia, Women's Centres Connect, Bridges Institute, New Start, the People's Counselling Clinic, Mulgrave Park Caring & Learning Centre, ISANS, Mi'kmaq Friendship Centre, Mi'kmaq Legal Support Network, the Association of Black Social Workers of Nova Scotia, Military Family Resource Centre, Victim Services, the police, the Public Prosecution Service, the judiciary, Nova Scotia Legal Aid and members of the academic community.

This Working Group collaborated for several months developing a model to address domestic violence in Halifax and make families safer.

### Aboriginal Justice Strategy

In its initial phase of development in 2017-18, the focus of the Aboriginal Justice Strategy (AJS) was on building internal capacity within the Department of Justice in relation to Aboriginal Justice. Key partners, including the Mi'kmaw Legal Support Network, were identified, a departmental AJS Working Group was established and initial discussions were held with key community partners/stakeholders.

The Department continued to deliver enhanced family law programs and services such as Assisted Dispute Resolution for Interjurisdictional Support Orders and family law content for Indigenous families.

The Indigenous Parent Information Program has been developed and Indigenous family law content posted to nsfamilylaw.ca in both English and Mi'kmaw (written and narrated); this included social media updates in Mi'kmaw.

### Performance Measures: Aboriginal Justice Strategy

Over the course of the past year, the Department of Justice has:

- Officially opened Nova Scotia's first Aboriginal Wellness and Gladue Court in partnership with the communities of Wagmatcook and Waycobah, the Nova Scotia Judiciary, the Public Prosecution Service, Public Prosecution Service of Canada, and Nova Scotia Legal Aid;
- Increased the Aboriginal cultural competency of senior management and staff throughout the Department by offering Aboriginal Cultural Context training, KAIROS "blanket" exercise and L'nu-way training at management and divisional meetings. Over 465 staff participated in this training over the course of the year;
- Implemented a formal mentorship initiative with Indigenous Blacks and Mi'kmaq law students;
- Implemented targeted recruitment of Aboriginal and African Nova Scotian candidates for casual/relief staff positions, and designated vacancies to fill with Aboriginal and African Nova Scotia candidates, to be more reflective of the Nova Scotia population; and
- Developed a searchable inventory of all Aboriginal justice initiatives within the Department with the goal of enhancing coordination of this work.

## Missing and Murdered Indigenous Women and Girls

In response to calls for action from Indigenous families, communities and organizations, as well as non-governmental and international organizations, the Government of Canada launched an independent National Inquiry into Missing and Murdered Indigenous Women and Girls in September 2016. The Department's Legal Services division secured dedicated and specialized human resources and services required to sufficiently support several government departments in document discovery, collection and review processes in response to the National Inquiry on Missing and Murdered Indigenous Women and Girls.

Victim Services developed a Family Information Liaison Unit (FILU) with federal funding to provide information and support services to family members of missing and murdered Indigenous women and girls in support of the National Inquiry. The FILU team is a partnership consisting of the Victim Services Aboriginal Victim Case Coordinator and three Community Outreach Specialists hired with the Nova Scotia Native Women's Association.

## Replace the *Incompetent Persons Act*

The Department introduced the *Adult Capacity and Decision-making Act*, which became law on December 28<sup>th</sup>, 2017. It replaced the *Incompetent Persons Act*.

The *Adult Capacity and Decision-making Act* is a new law for adults who cannot make some or all decisions for themselves. The legislation allows another person to be appointed by the court to make decisions for them, in a fair and respectful way, while promoting the dignity, autonomy, independence, social-inclusion and freedom of decision-making of adults.

Information resources in written and video format were made available online as part of implementation efforts in 2017-18. Public information sessions were held in Halifax, Dartmouth, Truro, Sydney, Yarmouth and Wolfville between January and May 2018 with approximately 198 people attending, including members of the public, health professionals, lawyers and others. Lawyer information sessions were offered in Halifax, Sydney, Yarmouth and Wolfville between March and May 2018 with approximately 33 lawyers attending (plus additional lawyers participating in the Halifax session by teleconference from around the province).

## Accessibility Legislation

Work is underway to ensure the successful implementation of the Accessibility Legislation, to create a more accessible province where all persons can participate fully. The *Accessibility Act* passed in April 2017 and was proclaimed in September 2017. Implementation work includes the creation of the Accessibility Advisory Board, which will advise and make recommendations to the Minister about accessibility, including suggesting measures, policies, practices and

requirements that may be implemented by the Government to achieve accessibility and setting priorities for the establishment and content of accessibility standards and the timelines for their implementation.

The Accessibility Directorate is currently leading the development of the Government of Nova Scotia Accessibility Plan in collaboration with representatives from all departments.

An implementation plan for how Nova Scotia will be accessible by 2030 is also in development. Seventy-three consultation/engagement activities have taken place, including focus group sessions and an online survey.

The Government has been partnering with others to implement the new legislation and advance accessibility for all Nova Scotians. Municipalities play a key role in creating a more accessible province and a partnership has been formed with the Union of Nova Scotia Municipalities, to develop a Municipal Accessibility Framework that can be adapted to suit different municipalities' needs. A partnership has also been created between the NSCC and the Rick Hansen Foundation to establish the Rick Hansen Foundation/CSA Accessible Building Certification in Nova Scotia. Nova Scotia is the second province to implement this program.

The Accessibility Directorate collaborated with Communities, Culture and Heritage to develop the Small Business ACCESS-Ability Grant Program, a one-million-dollar investment in 2017-18. With this program, businesses can apply for a cost-shared grant to make accessibility-related improvements. Improvements can be for clients and customers, for employees, or both.

The Read.Ability program has also been developed. This program targets children aged 3-6 and brings volunteers from the disability community together with young children to read children's books about disability and to play games that make kids familiar with barriers disabled people face.

### Independent Legal Advice for Victims and Survivors of Sexual Assault

The Department has piloted a program to provide survivors and victims of sexual assault with independent legal advice to help make informed decisions about their cases. The Independent Legal Advice Program (ILA) was launched in November 2017 to provide additional support to survivors and victims of sexual assault. The program, which provides up to four hours of independent legal advice, divided into two two-hour certificates, initially saw 10 lawyers who applied, received training, and joined the roster. The intake for this program is provided by 211 Nova Scotia, which issues certificate numbers to the registered clients. Once registered, clients of this program will receive information about the program and additional resources, as well as a certificate number and profiles of lawyers approved to provide advice. As of March 31, 2018, 65 individuals had registered for the ILA program.

### Performance Measure: Satisfaction with Parent Information Program

The Parent Information Program assists parents, and other parties affected by custody and access issues, to recognize the impact of separation and divorce on children, and the impacts of 'parenting apart,' and to identify and practice ways to keep children from getting caught in the middle of parental conflict. The goals of the Parent Information Program are to:

- increase parents' awareness of the impact of parental conflict on children;
- improve communication between parents about their children's needs; and
- provide parents with new ways to avoid placing children in the middle of conflict.

The percentage of clients who were satisfied with the Parent Information Program in 2017-18 was 78%. This is up five percentage points from 2016-17, but down 13 percentage points from the base year 2015-16, when 91% were satisfied.

### Goal 2: Department of Justice has a culture of innovation in the delivery of effective and efficient services

Fostering a culture of innovation is pivotal to the delivery of effective and efficient services. The Department's focus on unreasonable delays in the criminal justice system and increasing access to restorative justice are important features of this work. As well, Court Services has installed Information Monitors, providing the public with valuable Family Law information. Located in three sites; Bridgewater, Sydney, and Supreme Court (Family Division), Halifax; video monitors have been installed to provide a range of information useful to family justice participants including information from the Legal Information Society of Nova Scotia, 211, Nova Scotia Legal Aid, Family Resource Centres and Transition Houses.

The Department also received approval to proceed with the purchase of body scanners in correctional facilities. Use of this technology will reduce the introduction of contraband into the facilities, creating a safer environment for both persons in custody and staff. As a Department, we are focused on utilizing technology to best meet the needs of Nova Scotians, while increasing public confidence in the justice system.

### Leveraging Technology and Innovation

Video conferencing is an innovative approach to the use of technology. Utilizing it for court appearances for persons in custody offers benefits including alleviating administrative burden and avoiding potential challenges and risks associated with transportation.

Efforts to increase the number of appearances by video of persons in custody were successful in 2017-18. Correctional facilities have increased the number of video-ready booths available to



persons in custody. In 2017-18, six video conference booths were added to the Central Nova Scotia Correctional Facility.

#### Performance Measure: Number of Hearings where an Accused Appears via Video Conferencing:

- For 2017-18 the number of hearings via video conferencing was 1,495, an increase of 118% from the base year of 2015-16, and up 14% from 1,317 in 2016-17.
- This represents 681 individuals who appeared in court via video conference at least once in 2017-18.

#### Unreasonable Delays to the Criminal Justice System

To meet the timelines established in the Supreme Court of Canada's decision in *R v. Jordan* (18 months in the Provincial Court and 30 months in the Supreme Court), the Department of Justice must work with stakeholders and the judiciary to support innovative approaches to address delays in the court system.

The Criminal Justice Transformation Group aims to work collaboratively to ensure the Criminal Justice System in Nova Scotia moves toward positive changes and improvements, and continues to focus its attention on the issue of unreasonable delays in the criminal justice system. At the end of 2017-18, the number of cases above the thresholds established in *R v. Jordan* has been reduced by 35%, as compared to the baseline of January 2017.

Nova Scotia's Public Prosecution Service continues its Early Resolution and Initial Sentencing Position Projects. Other initiatives underway to address delay include the increased use of video-court options, reduced jury 'blackout' periods to allow increased scheduling of jury trials, and the expansion of restorative justice as an option for adults across the province, which will divert cases from the traditional court system.

#### Performance Measures: Number of Jordan Unreasonable Delay Applications

- In 2017-18, there were 17 unreasonable delay applications for Nova Scotia Public Prosecution Service files.
- Two applications were successful and received a judicial stay in 2017-18.

#### Increasing Access to Restorative Justice Programming for Adults

Efforts continue to increase the usage of the Restorative Justice Program as an option for adults in conflict with the law. An interim governance committee was formed with a mandate of developing a Memorandum of Understanding for stakeholders and partners, along with protocol

development. The Department has dedicated resources to this important work with a new position of Director, Restorative Initiatives. The two positions of Restorative Justice Coordinator and Restorative Approaches Coordinator are in the process of being filled.

Planning took place in 2017-18 to host a collaborative learning conference with counterparts from Newfoundland & Labrador, Manitoba, Saskatchewan, Alberta, Yukon, and the federal government. The Department, in collaboration with the above jurisdictions, has also been working on the launch of a research project to collect peoples' experiences with restorative justice. Results will be used to help jurisdictions measure success and understand the broader impacts of restorative justice. Federal funding has been provided to support this work.

#### Performance Measure: Adult Referrals to Restorative Justice

- In 2017-18, there was a total of 1414 adult referrals received to the Restorative Justice Program.
- Prior to the expansion of Restorative Justice as an option for adults across the province in 2016, the program was piloted at two locations – Cape Breton Regional Municipality (CBRM) and Colchester/East Hants. In CBRM there were 280 adult referrals in 2017-18; an increase of 78% from 2015-16. For Colchester/East Hants, there were 97 referrals in 2017-18; an increase of 14% from 2015-16.

#### Performance Measure: Schools Applying Restorative Approaches

- In 2017-18, there were 120 schools applying restorative approaches.

#### Delivery of Family Law Information

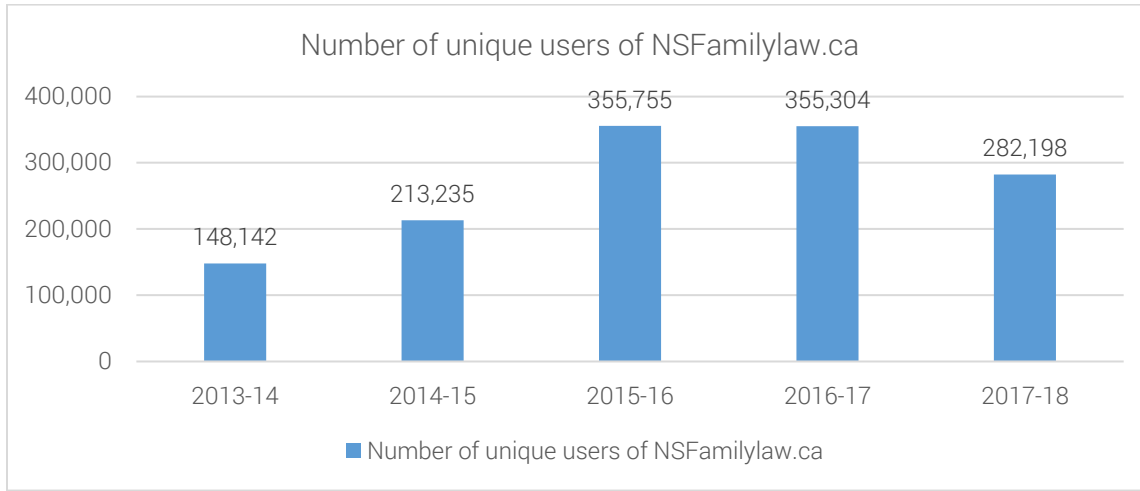
The Department has collaborated with justice partners to use technology to more effectively deliver family law information. A national Task Group was formed to share information, and encourage thinking and dialogue about, the use of technology for provincial Interjurisdictional Support Order Act (ISO) cases.

The Task Group, led by Nova Scotia, was comprised of representatives from the Bench, the Bar, provincial Court Administrators, and Federal-Provincial-Territorial (FPT) government representatives involved in processing interprovincial support matters. The Task Group surveyed provinces and territories on their use of technology during the court process for family matters, and in particular ISO matters. Survey respondents agreed that the use of technology in ISO matters could simplify the process, improve processing times, and enhance opportunity for parties to share more complete and up to date information for consideration by the court to improve access to justice and case outcomes.

Performance Measure: Number of unique users of NSFamilyLaw.ca in 2017-18

- For fiscal 2017-18 there were 282,198 users of nsfamilylaw.ca (Figure 2). This is 21% fewer users than in 2016-2017 (355,304) but is nearly double the number from the base year of 2013-2014 (148,142).
- While there were fewer users of the site in 2017-18, users visited 18% more pages, and were on the site 18% longer than they had been in the previous year.

Figure 2:

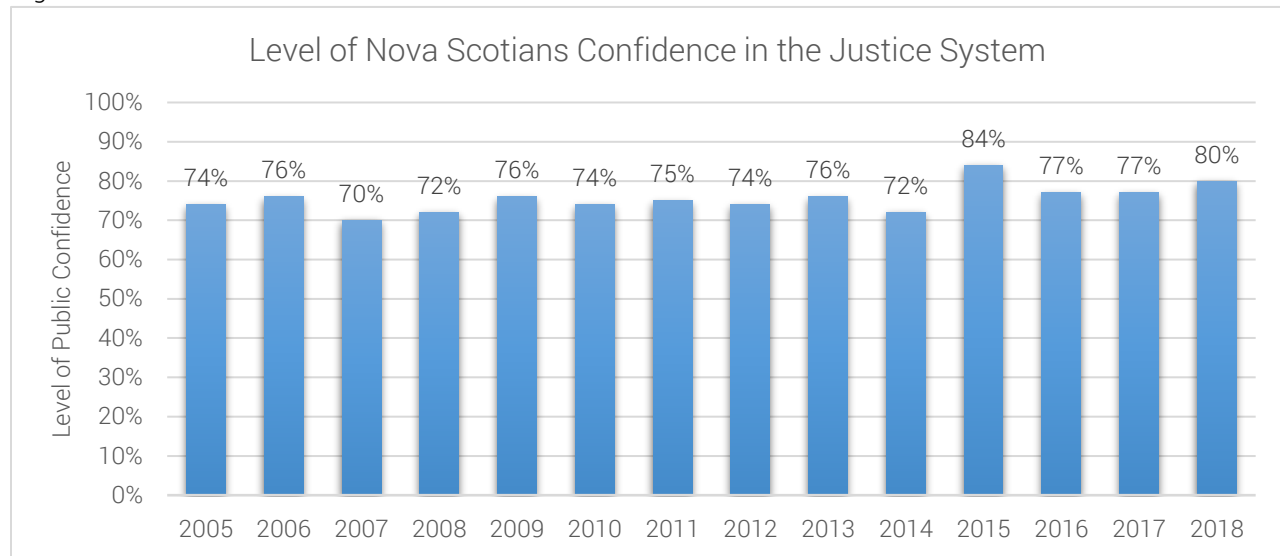


Performance Measure: Percentage of Nova Scotians who had some Confidence in the Justice System

The Department surveys Nova Scotians annually to gauge public confidence in the justice system (Figure 3)<sup>2</sup>. The Department has established a target of maintaining or increasing public confidence relative to the base year of 2005, which was 74%.

<sup>2</sup> Corporate Research Associates, The Atlantic Quarterly, May 2018

Figure 3:



In 2018, four out of five (80%) Nova Scotians indicated that they had some or a great deal of confidence in the justice system.

While there has been some variation year-over-year, overall, public confidence in Nova Scotia's justice system has remained relatively stable since the 2005 base year.

The Department continues its efforts to ensure Nova Scotians retain confidence in the justice system.

### Goal 3: Department of Justice supports public safety, well-being, and economic stability of Nova Scotians

Being responsive to those who struggle the most supports the safety and security of all Nova Scotians. The Department's focus on cyber safety and preparing Nova Scotians for the legalization of cannabis are important initiatives relating to this work. As a Department, we are focused on reviewing programs to ensure we are meeting the public's needs and safe-guarding the economic security of Nova Scotians.

#### Improve the Cyber Safety of Nova Scotian Adults and Youth

The Department has taken important steps to improve the cyber safety of Nova Scotians. On October 26, 2017, the Bill for the *Intimate Images and Cyber-Protection Act* passed, with proclamation on July 5, 2018. The Act replaces the *Cyber-safety Act*, struck down in 2015. The Act responds to the harms of sharing intimate images without consent and cyber-bullying. It also protects and upholds the fundamental freedoms of thought, belief, opinion and expression. Nova Scotia continues to be a leader nationally in this area.

In preparation for the new Act, work was undertaken to create a plain language guide – *What you need to know about the Intimate Images and Cyber-protection Act* – and to create other tools such as a Practice Memorandum for use by the Supreme Court of Nova Scotia, forms for court applications, and motions for discussion.

### Implement Provincial Initiatives to Accommodate the Federal Policy to Legalize Cannabis

In October 2017, the Province conducted public consultations on the federal government's decision to legalize cannabis. A *What We Heard* document, which summarized the findings of 31,000 completed online surveys, stakeholder meetings, and submissions was released publicly.

Following consultation with Nova Scotians, health experts, law enforcement officials, municipalities and other stakeholder groups, the province made key decisions to prepare for the passage of the *Cannabis Control Act* in April 2018.

Throughout 2017-18, the Department worked with an interdepartmental team, providing policy information and research to the lead Ministers, and key decisions were made regarding the retail system, minimum age, public consumption, personal possession limits, personal cultivation limits, and provincial offences.

Investments in policing continue to be negotiated with the federal government. Public education and awareness will be key to the success of the implementation of this initiative.

### Additional Officer Program Review

The Additional Officer Program began in 2007, funding 132 additional police officers in the province in response to an increase in street level violent crime and drug activity. A review took place, and the consultation report is complete. Analysis is being undertaken in early 2018-19, and a recommendation on a way forward will follow.

### Completion of Police Audits

In Fall 2017, the Nova Scotia Department of Justice commenced an audit of the capability of Nova Scotia police agencies to conduct sexual assault investigations. Staff have completed audits of all ten municipal police agencies and the RCMP in Nova Scotia. Reports and recommendations are being drafted.

Training is also being provided including trauma informed response training for first responders and sexual assault investigation training for investigators.

## Report on Sheriff Services

Implementation of the recommendations of the 2015 Occupational Health and Safety Report on Sheriff Services continues. Approximately seventy-five percent of recommendations were completed as of 2017-18.

Training continues to be rolled out to Deputy Sheriffs, and funding has been provided to upgrade security features in court facilities, such as cell blocks and access control (metal detectors) in high use facilities, as well as purchasing safety equipment, such as court house radios.

## Legal Aid and Land Title Clarification

Since the 1960s, a legislative process has been used to clear up land title and land ownership issues for residents who live in thirteen specific communities within Nova Scotia.

In September 2017, new initiatives were announced to support clarification of land ownership in Nova Scotia. The Department, along with Communities, Culture and Heritage, Natural Resources, the Office of African Nova Scotian Affairs, and Nova Scotia Legal Aid have collaborated to assist with legal and other fees, and costs associated with clarifying ownership of land through the *Land Titles Clarifications Act*, through estate administration (*Probate Act* and *Intestate Succession Act*), and migration under the *Land Registration Act*.

## Enhance Rehabilitation through Evidence-based Programming

The Department has worked to enhance the rehabilitation of offenders through exploring evidence-based programming opportunities for adults and youth, including:

- Stakeholder meetings with Nova Scotia Youth Court and SchoolsPlus to discuss partnership opportunities to support youth reintegration;
- An ongoing working group of Correctional Services and SchoolsPlus staff to focus on identification of collaborative opportunities;
- Offering the Limitless Program to all adult custody sites – 21 participants were involved as of the end of March 2018;
- Delivery of NSCC Communication and Math courses in adult custody sites – 40 completions during the 2017-18 fiscal year;
- Collaboration with the Department of Education and Early Childhood Development to obtain cultural resources and education support for offenders in custody;
- Reduction of the average number of days an inmate spends in disciplinary close confinement from 5.4 to 3.5. Less restrictions on privileges of inmates placed in close

confinement, providing for continued access to programs and services, i.e., educational and reading materials, visits, canteen and participation in programs in accordance with case management plans;

- Expansion of direct supervision within the Central Nova Scotia Correctional Facility;
- Reclassification of nine correctional officer positions to program officers to deliver evidence-based programming within correctional facilities;
- Establishment of a partnership with the Elizabeth Fry Society in Cape Breton to provide transitional housing and program services to support female offenders transitioning from custody to community; and
- Designation of a probation officer to provide evidence-based domestic violence programming in the Halifax metro area to address the increased need.

### Address Opioid Misuse in partnership with the Department of Health and Wellness

The Department has worked with the Department of Health and Wellness to develop and implement a comprehensive strategy to address opioid misuse. The Department of Justice has provided naloxone kits to Police, Sheriffs and Correctional Services staff along with training on how to use them. At-risk inmates are also being provided naloxone kits within facilities.

In February 2018, government approved \$1.7 M of annual funding for harm reduction, \$380,000 annualized funding for naloxone, \$230,000 annualized funding for naloxone for Police, Sheriffs, and Correctional Services staff, and \$400,000 to support initiatives to improve opioid and benzodiazepine prescribing through the Prescription Monitoring Program (PMP) and Drug Evaluation Alliance of NS (DEANS).

### Performance Measure: Number of Staff Attending Sessions on Opioid Abuse

- In 2017-18, the Department provided training on naloxone kits to over 130 sheriffs, 86 Correctional Services officers, and 1,900 police officers across the province.

### Competency Training

Participation of divisions in competency training and expansion of service delivery programs were held to address the over-representation of both Aboriginals and African Nova Scotians in the justice system.

### Performance Measure: Number of Staff Attending Competency Training

- In 2017-18, over 550 staff participated in cultural competency training, over multiple events including courses, week-long training events and senior management meetings.

## Supplemental Information and Appendices

### Changes in Measures:

The Department is unable to report on the following:

1. Percentage of clients who rated overall service received from Provincial Victim Services as good or very good.
2. Percentage of Provincial Victim Service clients who would recommend program to others in a similar situation.

An online survey was developed to collect feedback on the Victim Services program, including the above two performance measures. When the client's matter concludes within the criminal justice system the client is sent a letter from Victim Services that asks them to complete the survey and provides a link. As of May 1, 2018, there were 27 surveys started online and a total of 4 completed.

Due to the small number of responses, the Department is not able to report on the above two performance measures in the 2017-18 accountability report.

Additionally, the department is unable to report on:

3. Participant feedback on enhanced knowledge and online security from CyberScan presentations through surveys of participants.

In 2017-18, surveys were developed to gather participant feedback on enhanced knowledge and online security resulting from CyberSCAN presentations. Due to significant changes proposed to the structure and processes of how education would be delivered in NS, the Department was unable to obtain permission from school boards to distribute the youth survey during the time frame requested.

Recently, approval was obtained to distribute the survey in schools. However, CyberSCAN is preparing for the implementation of the *Intimate Images and Cyber-protection Act* and the presentation will change as a result of this. Moving forward, the 2018-19 Business Plan includes an updated measure of the "number of complaints resolved by CyberSCAN through informal measures."



## Key Facts about Department of Justice

The Department of Justice consists of approximately 1,600 employees (FTEs) and is responsible for the administration of justice and for promoting the safety and security of Nova Scotians through justice-related programs, services and initiatives.

The Department is responsible for over 150 different Acts.

The Department provides services through five divisions and the Accessibility Directorate:

- **Public Safety and Security:** responsible for public safety initiatives in the province, including oversight, governance and advice to police, private security services and firearms license holders, restorative justice, as well as enforcement of community safety processes and security intelligence management services.
- **Court Services:** responsible for improving access to justice and improving public safety and security through:
  - Civil law court services;
  - Criminal law court services;
  - Family law court services;
  - Management of Victim Services;
  - Management of the Maintenance Enforcement Program; and,
  - Management of Sherriff Services.
- **Correctional Services:** responsible for improving public safety and security through effective community and custody-based case management, rehabilitation, and supervision of remanded persons or sentenced offenders
  - Operates four adult correctional facilities, and one youth centre, and
  - 22 Community Corrections offices throughout the province.
- **Legal Services:** provides a full range of legal advice and services to support government operations and help government achieve its corporate priorities.
  - The Division represents government in legal proceedings, except prosecutions. This includes formal litigation on behalf of the Crown before all levels of courts in the Province, the Federal Courts and the Supreme Court of Canada.
  - The Division has extensive experience with legal issues that uniquely affect the Crown and offers a full range of commercial, administrative and legislative advice.
  - The Division is also home to the Registry of Regulations.

- Policy & Information Management: is an interrelated group of department functions dedicated to the creation, coordination, analysis, sharing, accuracy, storage, and business use of information.
- The Accessibility Directorate: responsible for implementing and administering Nova Scotia's new *Accessibility Act* and addressing broader issues related to disability.

## Public Interest and Wrongdoing Act

The *Public Interest Disclosure of Wrongdoing Act* (PIDWA) was proclaimed into law on December 20, 2011.

The Act provides for government employees to be able to come forward if they reasonably believe that a wrongdoing has been committed or is about to be committed and they are acting in good faith.

The Act also protects employees who do disclose from reprisals, by enabling them to lay a complaint of reprisal with the Labour Board.

A wrongdoing, for the purposes of the Act is:

- a. a contravention of provincial or federal laws or regulations
- b. a misuse or gross mismanagement of public funds or assets
- c. an act or omission that creates an imminent risk of a substantial and specific danger to the life, health or safety of persons or the environment, or
- d. directing or counselling someone to commit a wrongdoing

The following is a summary of disclosures received by the Department of Justice.

Information Required under Section 18 of the Act	Fiscal Year 2017-2018
The number of disclosures received	1
The number of findings of wrongdoing	0
Details of each wrongdoing	N/A
Recommendations and actions taken on each wrongdoing	N/A