



Business Plan

2021–22

Justice



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Departmental Business Plans
Finance and Treasury Board
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Message from the Minister



These have been challenging and difficult times for our province and all Nova Scotians. We have felt the impacts of the COVID-19 pandemic throughout society and our justice system. It has challenged the way we live and work and our access to justice. The tragic events of April 18 and 19, 2020 have left our hearts broken and spirits raw. These events will continue to influence and shape who we are and what we do - now and in the years ahead.

The Department of Justice Business Plan for 2021-22 will see us continue to deliver on themes of prevention, intervention, restorative justice, equity, and inclusion, and enhancing access to justice, especially for vulnerable and marginalized Nova Scotians.

The pandemic presented challenges across the justice system and continues to affect our operations. It also created new opportunities. It has forced us to look at things differently and find new ways of working - spurring creativity, innovation, and change. We have embraced new techniques and put measures in place that allowed our courts to remain open in accordance with public health protocols and helped our correctional facilities remain safe. We will continue to use this energy to advance innovation as we work across government and collaborate with community and justice partners to ensure an open, accessible, and transparent justice system for all Nova Scotians. This includes identifying and implementing more technological solutions in our courts. A task force co-led by the Department and the judiciary will define a vision of digital transformation of the courts in Nova Scotia that will improve efficiency, access, and outcomes for citizens.

Addressing the issue of human trafficking and breaking the harmful cycle of domestic violence in our homes, workplaces and communities continues to be a priority for government and the Department. We will be participating in a new provincial interagency team to focus on early detection and early intervention for the highest-risk domestic violence cases, and we will continue to help survivors of human trafficking and domestic violence access supports, programs and services.

While the Joint Federal/Provincial Commission into the April 2020 Nova Scotia Mass Casualty is independent of government, we will continue to assist the survivors and families through our Victim Services Division. We will also continue providing logistical and infrastructure support to the fatality inquiry into the deaths of Lionel Desmond and his family members in 2017.

The Black Lives Matter movement has highlighted how our system of justice has failed members of our Black and Indigenous communities. Government has committed to working closely with African Nova Scotian and Indigenous communities to develop programming and implement recommendations to address overrepresentation and ensure our justice system is inclusive and culturally responsive. We will be working across government and in collaboration with community to eradicate inequities by accelerating the clearing of land titles in five African Nova Scotian communities that are part of the Land Titles Clarification Act, as well as working to develop African Nova Scotian and Indigenous Justice Plans. We look forward to collaborating with the new Office of Equity and Anti-Racism Initiatives to advance this work.

We continue to advance government's important work on accessibility which will guide the province toward its goal of an accessible Nova Scotia by 2030. This will include launching a multi-year public awareness campaign to increase understanding of accessibility and public awareness of barriers that exist.

These priorities supplement the important work we do every day with the support of our justice partners - supporting the courts, supporting victims, providing legal services to government, reintegrating offenders, and helping to keep communities safe.

Original signed by

Randy Delorey
Attorney General and Minister of Justice

Mandate

The Department of Justice is responsible for the administration of justice and for promoting access to justice and the safety and security of Nova Scotians through justice-related programs, services, and initiatives.

To accomplish its mandate, the Department provides services through eight core business areas:

- Public Safety and Security;
- Court Services and Sheriff Services;
- Correctional Services;
- Maintenance Enforcement and Victim Services;
- Accessibility Directorate;
- Restorative Initiatives Unit;
- Policy and Information Management; and
- Legal Services to Government.

Goals

The Department, in its Strategic Plan, has set overarching goals to focus its efforts to achieve its vision and meet its mandate. These goals are:

- Strengthening workplace culture and well-being;
- Improving access to justice; and
- Working together for community safety and well-being.

Core Responsibilities and Services

The Department has core responsibilities and provides services as outlined below:

- Implementation and administration of the *Accessibility Act* to ensure Nova Scotia achieves the goal of an accessible province by 2030;
- Provision of Courts administration and support to the judiciary;
- Provision of Sheriff Services including court security, transportation of individuals in provincial custody to and from correctional facilities and all levels of court, service of documents and execution orders;
- Provision of Family Law Services;
- Provision of the Victim Services Program;
- Provision of the Maintenance Enforcement Program;
- Legislative oversight for policing, private security, and firearms control;
- Implementation of restorative approaches through the Nova Scotia Restorative Justice Program, both within government and with community partners;
- The administration and operation of community and custody-based programs and services for adults and young persons that support public safety and well-being, including rehabilitation, reintegration, and crime-prevention initiatives;

- Provision of legal advice to government and litigation for or against the Crown; and
- The Minister is responsible for the Office of the Public Trustee, the Medical Examiner Service, and the Serious Incident Response Team (SIRT).

Priorities 2021-2022

The Department's priorities for 2021-2022 are as follows:

Advance initiatives to support African Nova Scotian and Indigenous communities in their interactions with the justice system

Addressing systemic racism and its disproportionate and harmful impact on African Nova Scotians, Indigenous people, and other racialized individuals is a key priority for the Department. Efforts in this area aim to reduce the overrepresentation of these groups in the justice system and ensure that the Department's workforce reflects the diversity of Nova Scotia and the populations we serve.

Planned actions include:

- In partnership with the Departments of Lands and Forestry and Communities, Culture, and Heritage, accelerating the process of clearing title to lands in the five areas comprising the *Land Titles Clarification Act*. These areas are North Preston, East Preston, Cherry Brook/Lake Loon, Lincolnville, and Sunnyville;
- Developing an African Nova Scotian Justice Plan in collaboration with African Nova Scotian Affairs and members of the African Nova Scotian community, as outlined in the Province's report *Count Us In: Nova Scotia's Action Plan in Response to the International Decade for people of African Descent, 2015-2024*. The justice plan will help to address specific and systemic barriers to justice faced by African Nova Scotians and their overrepresentation in the justice system;
- Continuing to implement the recommendations from the Wortley Report on Halifax Street Checks through collaboration with community, police, and other stakeholders;
- Working with Mi'kmaq communities and organizations throughout the province to develop an Indigenous Justice Action Plan to ensure the justice system is more responsive to the needs of Indigenous peoples. This will include addressing the overrepresentation of Indigenous Nova Scotians in the justice system and enhancing and developing supports for those who have come into contact with the law and members of their communities; and
- Implementing the Department's Equity, Diversity, and Inclusion Action Plan to promote recruitment, retention, and advancement among members of equity-seeking groups, a culturally competent and inclusive work environment, and

culturally responsive programming and services. The overall goal is to ensure that departmental staff reflect the population they serve and have the knowledge and resources to offer services to all Nova Scotians.

Planned approach to measure progress, impact, and success:

- Tracking the process of clearing land titles in the five communities affected by the *Land Titles Clarification Act*; and
- Analysis of data on the overrepresentation of Indigenous people and African Nova Scotians in the justice system, and activities to reduce this.

Ensure that our efforts in the justice system are guided by the principles of preventative and restorative justice

Preventative justice principles aim to reduce individuals' contact with the justice system. The associated activities represent work in all stages of the justice system, from public safety and policing to courts and corrections.

Nova Scotia's Restorative Justice Program works with those who have been affected by crime by providing support to victims, perpetrators, and the community to examine the context, circumstances, and impacts related to a criminal incident and determine what is required for a just outcome.

Planned actions include:

- Enhancing educational opportunities offered to persons in custody or under community supervision through NSCC and other organizations to support reintegration into the community;
- Separating the women's unit at Central Nova Scotia Correctional Facility into its own facility to specifically address the needs of women in custody;
- Implementing and supporting bail monitoring and supportive housing programs to reduce the number of people held in custody and enable reintegration into the community;
- Continuing to fund additional law enforcement officers through the Additional Officer Program to improve law enforcement capacity throughout the province;
- Continuing the five-year Community Crime Intervention Initiative to support communities and law enforcement in their ongoing violence reduction efforts. This includes working with existing community-based organizations to ensure input from a wide range of stakeholders;
- Supporting the administration of Joint Federal/Provincial Commission into the April 2020 Nova Scotia Mass Casualty;
- Through Victim Services, assisting the families of Portapique victims in accessing services for the duration of the inquiry process;

- Providing logistical and infrastructure support to the fatality inquiry into the deaths of Lionel Desmond and his family members in 2017;
- Continuing to grow Nova Scotia's Restorative Justice Program by partnering with community-based agencies, Community Corrections, and other justice sector partners; and
- Building capacity among Department of Justice staff to take a restorative approach to employee engagement, service delivery, and engagement with external stakeholders and partners.

Planned approach to measure progress, impact, and success:

- Monitoring participation of those under community supervision or in custody of Correctional Services in educational opportunities (e.g. NSCC courses) and rehabilitative programs (e.g. Respectful Relationships);
- Tracking the number of adult and youth referrals to the Nova Scotia Restorative Justice Program; and
- Gathering qualitative data on restorative initiatives within the Department to understand and improve the impact on direct stakeholders and the public.

Enhance the provincial approach to addressing human trafficking and domestic violence in our communities

The Department's activities in this area include programs to support people affected by domestic violence and human trafficking and initiatives to work towards preventing these from occurring. This involves collaborating with the Department of Community Services and the Nova Scotia Advisory Council on the Status of Women, along with other government and justice partners on *Standing Together: A Provincial Action Plan to Prevent Domestic Violence*, as well as with justice partners involved in policing and public safety to enhance skills for those involved with human trafficking investigation.

Planned actions include:

- Supporting and participating on the Domestic Violence Law Enforcement Committee of the Nova Scotia Chiefs of Police Association;
- Reviewing high-risk protocols used in responding to domestic violence incidents and expanding the partners involved in their development;
- Developing a new provincial domestic violence training model and curriculum;
- Developing programming that is culturally safe and ensures stronger supportive connections within families experiencing domestic violence and who may be involved with child protection;
- Creating a new provincial interagency table demonstration project to focus on early detection and early intervention for the highest-risk domestic violence

cases, as a supplement to the existing High-Risk Domestic Violence Case Coordination Protocol Framework;

- Continuing the implementation of the Domestic Violence Death Review Committee led by the Chief Medical Examiner;
- Collaborating with other Atlantic provinces on preventing domestic violence deaths through the Atlantic Domestic Homicide Review Network;
- Redeploying six law enforcement officers to focus specifically on human trafficking investigations, domestic violence, and sexual assault; and
- Helping victims and survivors of human trafficking access supports, programs, and services through recent provincial and federal investments.

Planned approach to measure progress, impact, and success:

- An evaluation of the new domestic violence training model and curriculum to review both the learner and instructor's perspectives of the program; and
- Collecting evaluation data as part of the provincial interagency table demonstration project to assess its effectiveness in highest-risk situations.

Play a leadership role in the government's work on accessibility

The Accessibility Directorate leads government's work on accessibility, building towards the implementation of the *Accessibility Act* by 2030.

Planned actions include:

- Developing accessibility standards for the built environment, education, and a third standard area to be determined later, via committee and stakeholder consultation;
- Working with public-sector bodies to support them developing accessibility plans and accessibility advisory committees;
- Launching a multi-year public awareness campaign to increase understanding of accessibility and of barriers that exist;
- Supporting government Departments in implementing the actions of the Government of Nova Scotia Accessibility Plan (2018 – 2021) and reporting on the results;
- Leading the development of the Government of Nova Scotia Accessibility Plan (2022 – 2025);
- Beginning the development of compliance and enforcement mechanisms under the *Accessibility Act*;
- Conducting the first legislated review of the *Accessibility Act*, with the chair of the review process appointed by September 2021; and
- Providing leadership and support to address the impacts of COVID-19 on Nova

Scotians with disabilities.

Planned approach to measure progress, impact, and success:

- Measuring the percentage of public-sector bodies with accessibility plans and accessibility advisory committees;
- Measuring the percentage of actions in the 2018 – 2021 Government of Nova Scotia Accessibility Plan that have been implemented or are ongoing; and
- As public awareness campaign proceeds, conducting surveys to assess levels of public understanding around issues of accessibility.

Work towards digital transformation of the Court system

The Department continues to work on modernizing the justice system and making processes more efficient to reduce delays throughout the system whenever possible. The COVID-19 pandemic has introduced additional challenges, and work will continue to mitigate these and ensure continuity of service until the pandemic has ended.

Planned actions include:

- Expanding the implementation of the E-Court online platform for judicial case management, settlement conferencing, and adjudication to speed up processes and reduce the need for in-person meetings and travel;
- Evaluating the needs for modified court infrastructure and activities according to public health guidelines for the duration of the COVID-19 pandemic;
- Developing a vision for digital transformation of courts in collaboration with the Judiciary and others; and
- Working with the judiciary and justice partners to implement new actions to reduce the number of cases approaching the R v. Jordan threshold of unreasonable delay. This includes efforts to deal with the growing population of people on remand and awaiting trial and with the overrepresentation of marginalized populations in the court and correctional systems.

Planned approach to measure progress, impact, and success:

- Tracking the number of cases that approach the Jordan threshold;
- Continuing to track the number of individuals on remand, and the percentage of those in custody who are on remand; and
- Assessing the use of E-Courts by measuring the number of individuals using it to access the court system.

Increase responsiveness to Nova Scotian families and children for maintenance enforcement

The Department continues to improve its Maintenance Enforcement Program which enforces maintenance orders for Nova Scotians receiving child and spousal support payments.

Planned actions include:

- Continuing efforts to increase enforcement of arrears;
- Leading collaborative work with other jurisdictions to improve case management of maintenance orders being enforced across provinces and territories;
- Fully implementing an operational dashboard to improve case management practices; and
- Promoting the use of digital technology to improve administration, program effectiveness, and services for clients, including increasing the percentage of clients accessing MEP's online system.

Planned approach to measure progress, impact, and success:

- Measuring the reduction in overall arrears;
- Measuring the percentage of enforceable Maintenance Enforcement cases where arrears have been reduced;
- Measuring the percentage of Maintenance Enforcement cases in full compliance with no arrears;
- Measuring the number of enforcement actions; and
- Tracking the percentage of clients accessing MEP's online system.

Conclusion

The activities and planned measures for 2021 – 2022 listed above represent the broad spectrum of responsibilities that fall under the Department of Justice. Many of these activities are long-term initiatives designed to work towards goals of reducing individuals' interactions with the justice system through preventative and restorative justice. Others are targeted programs to address a specific need that requires more attention, such as the clearing of land titles under the *Land Titles Clarification Act* or the implementation of the *Accessibility Act* in 2030. And others, such as Maintenance Enforcement, represent ongoing programs that provide crucial services to Nova Scotians and require periodic evaluation to ensure they remain as effective as possible.

In addition to the regular work of the Department, events arise that require us to adapt

our service delivery and plans to the current circumstances. The COVID-19 pandemic has required adjustments across the Department in terms of workplaces and employee collaboration. It has also necessitated a creative approach to continue to provide services through Correctional Services, Court Services and Sheriff Services, and other public-facing programs while ensuring that public health requirements are met and everyone accessing the Department's services is safe and secure. The tragic events of April 18th and 19th, 2020 in Portapique and northern Nova Scotia have also demonstrated the need to adapt when tragedies occur, and to provide government resources to assist with supporting the families of victims and evaluating the manner in which the situation was handled.

As we look ahead to 2021 – 22, we look forward to carrying out this work and making progress towards the goals outlined in this business plan. The Department's 1700 employees will continue to adapt to whatever challenges are ahead and ensure we are carrying out work that serves all Nova Scotians.

Departmental Expenses Summary

(\$ thousands)			
<u>Programs and Services</u>	<u>2020-21 Estimate</u>	<u>2020-21 Forecast</u>	<u>2021-2022 Estimate</u>
Administration	29,916	33,395	31,817
Nova Scotia Legal Aid	27,674	27,724	28,892
Court Services	69,616	70,313	73,221
Maintenance Enforcement and Victim Services	10,105	9,939	9,816
Correctional Services	75,564	78,426	82,951
Public Trustee	2,648	2,760	2,841
Nova Scotia Medical Examiner Service	5,011	5,596	5,137
Public Safety and Security	151,109	160,130	154,772
Serious Incident Response Team	673	666	647
Accessibility Directorate	1,928	1,852	2,248
Total - Departmental Expenses	374,244	390,801	392,342
Ordinary Recoveries	128,475	124,337	131,832
<u>Funded Staff (# of FTEs)</u>			
Department Funded Staff	1689.8	1615.4	1687.6
Note:			
For Ordinary Revenues, see Estimates and Supplementary Detail Book, Chapter 2			
For TCA Purchase Requirements, see Estimates and Supplementary Detail Book, Chapter 1			