



Accountability Report 2022–23

Public Prosecution Service



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Accountability Statement

The accountability report of the Nova Scotia Public Prosecution Service for the year ended March 31, 2023 is prepared pursuant to the Finance Act and government policies and guidelines. These authorities require the reporting of outcomes against the Public Prosecution Service's Business Plan for the fiscal year just ended. The reporting of the Public Prosecution Service outcomes necessarily includes estimates, judgments, and opinions by the Public Prosecution Service.

We acknowledge that this accountability report is the responsibility of the Nova Scotia Public Prosecution Service. This report is, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the Public Prosecution Service 2022-2023 Business Plan.

In terms of accountability, it should be noted that the Nova Scotia Public Prosecution Service was established in 1990 as the first statutorily based independent prosecution service in Canada. All prosecutions within the jurisdiction of the Attorney General of Nova Scotia are the responsibility of the Director of Public Prosecutions. Crown Attorneys responsible to the Director conduct prosecutions independently of the Minister. The only limitation on the operational independence of the Director permitted by the Public Prosecutions Act arises when the Attorney General issues written instructions to the Director of Public Prosecutions. These instructions are binding and must be made public. This procedure preserves the ultimate prosecutorial authority of the Attorney General. It is a means of ensuring accountability to the electorate for the manner in which public prosecutions are conducted.

Original signed by

A/Director of Public Prosecutions

Message from the Acting Director of Public Prosecutions

I am pleased to present this accountability report of the Nova Scotia Public Prosecution Service (PPS) for 2022-2023. This report summarizes the PPS results in the context of the PPS Business Plan (including Mandate and Core Functions and Priority Areas); Financial Results; and Reporting on Public Interest and Wrongdoing Act.

Mandate and Core Business Functions

The section entitled *Measuring Our Performance* and the appendices demonstrate this has been a challenging year for the criminal justice system and the PPS. Crown Attorneys dealt with a significant backlog of cases due largely to the global pandemic. The pandemic, which began in 2020, resulted in a slowdown in court activity where, at times, in-person appearances were restricted to urgent matters and jury trials were suspended. Virtual court appearances, for a time, became the norm. In-person appearances resumed gradually and were mostly back to normal in 2022, albeit with capacity limits. Delays were experienced in Provincial Court for intake, arraignments or anytime a high volume of matters was scheduled.

The PPS collaborated with numerous criminal justice system stakeholders and the judiciary to, among other things, develop or improve efficiencies aimed at addressing this backlog. The PPS has members on various *ad hoc* committees and various court liaison committees, each of which engage in arriving at principled and practical solutions.

In 2022-2023, Crown Attorneys assumed carriage of more than 41,000 new Criminal Code charges. At the same time, almost 42,000 Criminal Code charges carried over from previous years, and were at various stages of prosecution, for a total of approximately 83,000 ongoing Criminal Code prosecutions (*Appendices A and B*).

This year, 3,793 new Provincial Statute charges were laid, and 7,200 charges were carried over from previous years at various stages of prosecution. Thus, almost 11,000 Provincial Statute prosecutions were ongoing (*Appendices C and D*).

In addition to the backlog of cases, Crown Attorneys faced increasing complexity in their cases. This is evidenced over the last number of years by the gradual increase in the number of days it takes to process a case (*Appendix E*). For example, a homicide in 2013-2014 took an average 226 days. In 2022-2023 it took an average of 375 days. In the same comparable time period, a sexual assault went from 196 days to 414 days; and a break & enter went from 130 days to 199 days.

Increasing complexity is also evidenced by an increase in the number of court appearances (*Appendix F*) by offence category. A homicide in 2013-2014 took an average of 9.5 appearances, whereas in 2022-2023 a homicide took an average of 16.9 appearances. A sexual assault went from an average of 5.7 appearances in 2013-2014 to an average of 9.4 appearances in 2022-2023. A break & enter went from an average of 6.3 appearances in 2013-2014 to an average of 9.4 appearances in 2022-2023.

The pandemic backlog and increasing case complexity created tensions with our obligation to bring a person to trial within a reasonable time, under s.11(b) of the *Charter of Rights and Freedoms*. In 2016, the Supreme Court of Canada decision, *R. v. Jordan*, created presumptive timelines to guarantee a person's right to a trial within a reasonable time. Nova Scotia Supreme Court trials must be concluded within 30 months from the

date charges were laid. Trials heard in Nova Scotia Provincial Court must be completed within 18 months. Any delay over these times and attributable to the Crown (including the judge and police) risks having the charges stayed.

Priority Areas of Focus

The PPS received provincial government funding enabling the reactivation of its Dartmouth Crown Attorney Intake Team to complement the Intake Team in Halifax. Each team consists of five Crown Attorneys who, through an in-depth early file review:

- Assess realistic prospect of conviction;
- Address apparent disclosure gaps from police and/or suggest early investigative follow-up;
- Establish an initial sentencing position that might be a little more favourable to an accused than what might be expected after a trial (thus, freeing up trial dates for more complex cases); and
- Initiate early resolution discussions with defence counsel.

This process has freed up court time for earlier trial dates overall and has been helpful in addressing the backlog of criminal cases.

In September 2021, the Attorney General's mandate letter included the creation of a Human Trafficking Crown Attorney to prosecute and provide legal advice to police officers and to deliver education and training to Human Trafficking victim support sectors. Human trafficking victims are particularly vulnerable and require fulsome, knowledgeable, and caring support.

In 2022, the PPS received additional funding to enhance our response to Human Trafficking. This investment allowed hiring an additional Crown Attorney, paralegal, and legal assistant. During 2022-2023 Human Trafficking Crown Attorneys handled more than 250 charges involving 51 victims.

The Human Trafficking team also collaborated to:

- organize training sessions for the team, Halifax Regional Police Vice Unit and Provincial Integrated HT Unit;
- provide training to provincial Victim Services workers;
- provide training for PPS Crowns;
- provide training for Halifax Regional Police cadets; and
- provide a full day of training, together with the YMCA and the Department of Community Services, on cooperative approaches to address the issue for partners across sectors including police, Crown Attorneys, Victim Services, social workers, transition houses, women's centres, Indigenous, African Nova Scotian, and 2SLGBTQ+ service providers.

This year the PPS began a collaboration with other government departments to develop a coordinated proposal for Digital Evidence and Case Management systems. The PPS was pleased to work with Nova Scotia Digital Service – now the Department of Cybersecurity and Digital Solutions – and the Department of Justice. Given the increased amount of disclosure and digital evidence in many cases, and the piloting of body-worn cameras by police officers, there is a need for efficient management of files with a large amount of digital evidence.

The work of the Equity and Diversity Committee deserves recognition for its work in 2022-2023, particularly regarding the development of a draft prosecutorial policy – *Fair Treatment of African Nova Scotians and People of African Descent in Criminal Prosecutions (FTANS)*. Consultation and advice were sought from the

community to ensure the policy can meaningfully address overrepresentation of Black people in the criminal justice system. Scheduled Crown Attorney training on this policy at the 2022 annual fall educational conference was postponed due to Hurricane Fiona. Training was rescheduled to the spring of 2023.

Again, this year, the PPS received government funding to hire an Articled Clerk from the Indigenous Black & Mi'kmaq program at the Schulich School of Law at Dalhousie University.

Operational Challenges and Future Goals

Like many government departments and agencies, non-governmental organizations, and the private sector, the PPS encountered staffing shortages in 2022-2023. Recruitment, retention and job satisfaction of both Crown Attorneys and support staff presented unique challenges.

Listening to our front-line colleagues, working with the Public Service Commission, and considering how other Prosecution Services across Canada have responded will help us develop a plan for the 2023-2024 fiscal year. There are foundations to build upon including the fact PPS colleagues believe their work is important and is a good fit for them. There is much more to do.

The PPS will prioritize Equity Diversity and Inclusion in the next fiscal year. It is important we increase our cultural understanding and humility; better reflect and respect diversity within the PPS; advance our FTANS policy and make it real for our Crown Attorney colleagues; better ensure a fulsome understanding through an EDI lens when exercising prosecutorial discretion; and forge closer connections across government and with community. There is much work to be done.

Words of Appreciation

I acknowledge the outstanding work our Crown Attorneys and support staff have done in the face of a challenging year. Their diligence and stamina are much appreciated.

Government funding increases as noted herein are appreciated.

Importantly, I acknowledge and appreciate the Deputy Director of Public Prosecutions for her leadership during much of the 2022-23 fiscal year.

Karen Hudson, KC
Acting Director of Public Prosecutions as of July 2023

Financial Table and Variance Explanation

	2022-23 Estimate	2022-23 Actuals	2022-23 Variance
Public Prosecution Service	<i>(\$thousands)</i>		
Departmental Expenses:			
Head Office	3,857	3,836	(21)
Cape Breton Region	3,870	4,094	224
Central Region	3,498	3,682	184
Halifax Region	9,974	10,175	201
Western Region	3,229	3,691	462
Appeals	1,219	1,253	34
Special Prosecutions	2,773	2,826	53
Total: Departmental Expenses	28,420	29,557	1,337
Additional Information:			
Ordinary Revenue	0	0	0
Fees and Other Charges	0	0	0
Ordinary Recoveries	403	551	148
Total: Revenue, Fees and Recoveries	403	551	148
TCA Purchase Requirements	0	0	0
Provincial Funded Staff (FTEs)	186.8	178.6	(8.2)

Departmental Expenses Variance Explanation:

Pressure due to higher than anticipated salary and operating costs.

Operating cost increases mainly due to increased expenditures for security services, telecom, case law subscriptions, office lease costs, per diem Crown Attorney fees, appeal costs and professional services for internal review and executive search fees.

Revenue, Fees and Recoveries Variance Explanation:

Increase in Municipal Recoveries related to the prosecution of Summary Offence Tickets plus the recovery of salary costs related to two (2) Crown Attorney secondments.

Provincial Funded Staff (FTEs) Variance Explanation:

Decrease due to vacancy savings within the PPS

Measuring Our Performance

OUTCOME DESCRIPTION	WHAT DOES THIS MEASURE TELL US?	WHERE ARE WE NOW?	WHERE DO WE WANT TO BE?
<p>High quality trial work</p>	<p>That the PPS is delivering high quality trial work by Crown Attorneys who attain a performance evaluation of competent or higher; are provided with adequate preparation time for in-court work; are supported by continuing legal education; and, where applicable, are mentored by senior colleagues. These elements ensure the delivery of high-quality trial work in presenting the evidence thoroughly and fairly to ensure the proper verdict is reached.</p>	<p>All Nova Scotia Crown Attorneys have achieved a performance rating of competent or higher. They are provided with continuing legal education. Crown Attorneys are challenged with heavy post-pandemic caseloads and put in significant hours of unpaid overtime to prepare.</p>	<p>A case management information system would maximize efficiencies as Crowns prepare for and deliver their cases in court. Resources are required to meet workload demands.</p>
<p>High quality appeal work</p>	<p>That the PPS is delivering high quality appeals work by Crown Attorneys who attain a performance evaluation of competent or higher; are provided with adequate preparation time for in-court work; are supported by continuing legal education; and, where applicable, are mentored by senior colleagues. These elements ensure the delivery of high-quality appeal work in presenting the evidence thoroughly and fairly to ensure the proper decision is reached.</p>	<p>All Appeals Crown Attorneys have achieved a performance rating of competent or higher. They are provided with continuing legal education. To meet their caseload, Crown Attorneys put in significant unpaid overtime to prepare. The shortage of Crown Attorney resources means the Chief Crown has a full caseload comparable to frontline Appeals Crowns.</p>	<p>A case management information system would maximize efficiencies as Crowns prepare for and deliver their cases in court. Crown Attorney resources are needed to address workload demands and to participate in important Supreme Court of Canada interventions.</p>

<p>Provide police with high quality legal advice and assistance</p>	<p>That the PPS is providing police with high quality legal advice and assistance when requested during the course of police investigations. This helps police in collecting evidence and laying appropriate charges. Ultimately, high quality legal advice to police helps to ensure quality trial work when the case goes to court.</p>	<p>The PPS continues to provide timely responses to requests from police and provincial enforcement officers for legal advice on particular cases or direction on matters of criminal law.</p> <p>The PPS requires Crown Attorneys to record all advice given to police so that the PPS may measure both quality and quantity of advice.</p> <p>The PPS provides advice to police outside of business hours via a Crown Attorney rotation schedule.</p>	<p>All advice to police should be examined and evaluated to make a determination on volume and Crown workload. As well, a quality assessment analysis should be undertaken.</p>
<p>Provide Crown representation in the development of criminal law and criminal prosecution policy</p>	<p>That the PPS provides input into the development of criminal law and criminal prosecution policy from both an administrative and a frontline perspective.</p>	<p>The PPS participates in joint meetings, including Federal/Provincial/Territorial (FPT) Ministers and Deputy Ministers meetings, Coordinating Committee of Senior Justice Officials and FPT Heads of Prosecutions, and meetings of the provincial Criminal Justice Transformation Group. Crown Attorneys also participate in provincial policy initiatives. The PPS continues to liaise with other prosecution services to maintain awareness of best practices for delivery of prosecution services. The PPS now has a dedicated policy development position with responsibilities in this area.</p>	<p>To continue to develop new operational policies and ensure PPS policies are culturally appropriate.</p>

APPENDICES

*All statistics are sourced through the
Justice Enterprise Information Network (JEIN).*

The kind cooperation of the Nova Scotia Department of Justice is appreciated.

Appendix A

NEW Criminal Code Charges 2022-2023 by Offence Category and Justice Centre

Offence Category	Justice Centre			
	Halifax	Dartmouth	Amherst	Kentville
homicide	6			1
attempted murder	26	16		9
robbery	168	42	2	15
sexual assault	101	37	27	58
other sexual offences	71	55	51	70
major assault	705	450	43	150
common assault	826	547	143	237
uttering threats	541	433	97	148
criminal harassment	109	65	14	29
other crimes against the person	131	82	31	16
theft of motor vehicle	71	41	41	15
theft	1,086	606	106	106
break and entering	275	112	37	47
fraud	261	86	47	35
mischief	595	296	96	113
possession of stolen property	1,375	616	61	87
other property crimes	82	47	23	13
failure to attend court	277	145	8	9
breach of probation	697	503	86	58
unlawfully at large	8	4	1	4
failure to comply with order	1,978	1,467	343	380
other administration of justice offence	255	157	38	30
weapons offence	1,400	1,176	144	174
prostitution				
disturbing the peace	58	16	9	4
residual CC	145	73	14	25
CC impaired driving	523	734	120	235
other CC traffic offence	198	130	28	29
offences in relation to sexual services	6		1	10
TOTAL	11,974	7,936	1,611	2,107

Continued...

Data includes all Criminal Code charges laid on an Information or Summary Offence Ticket (SOT) between April 1, 2022 and March 31, 2023.

NEW Criminal Code Charges 2022-2023 by Offence Category and Justice Centre *CONTINUED*

Offence Category	Justice Centre			
	Bridgewater	Pictou	Sydney	Truro
homicide		1	6	2
attempted murder		2	15	1
robbery	1	3	21	5
sexual assault	38	37	47	66
other sexual offences	43	64	50	83
major assault	77	114	355	194
common assault	152	206	398	269
uttering threats	104	128	296	185
criminal harassment	12	22	18	10
other crimes against the person	13	28	47	28
theft of motor vehicle	14	14	10	5
theft	119	101	176	133
break and entering	37	43	43	57
fraud	74	48	27	34
mischief	87	143	296	146
possession of stolen property	82	96	139	93
other property crimes	7	15	17	9
failure to attend court	12	25	196	46
breach of probation	27	130	455	148
unlawfully at large		1	4	6
failure to comply with order	224	489	2,675	680
other administration of justice offence	40	54	112	66
weapons offence	157	157	288	300
prostitution				
disturbing the peace	5	13	23	13
residual CC	10	25	20	18
CC impaired driving	180	137	234	313
other CC traffic offence	32	40	88	107
offences in relation to sexual services	2	3		2
TOTAL	1,549	2,139	6,056	3,019

Continued...

Data includes all Criminal Code charges laid on an Information or Summary Offence Ticket (SOT) between April 1, 2022 and March 31, 2023.

NEW Criminal Code Charges 2022-2023 by Offence Category and Justice Centre *CONTINUED*

Offence Category	Justice Centre				TOTAL
	Antigonish	Port Hawkesbury	Yarmouth	Digby	
homicide			6		22
attempted murder			2		71
robbery	2	6	4	7	276
sexual assault	16	10	55	27	519
other sexual offences	13	16	40	39	595
major assault	29	77	114	106	2,414
common assault	60	94	197	171	3,300
uttering threats	53	74	160	117	2,336
criminal harassment	3	2	16	22	322
other crimes against the person	8	15	62	26	487
theft of motor vehicle	4	4	9	7	235
theft	27	38	61	64	2,623
break and entering	19	27	64	30	791
fraud	12	14	6	13	657
mischief	26	70	118	59	2,045
possession of stolen property	10	15	16	20	2,610
other property crimes	1	2	12	5	233
failure to attend court	2	6	7	2	735
breach of probation	43	66	42	84	2,339
unlawfully at large					28
failure to comply with order	94	257	267	315	9,169
other administration of justice offence	19	28	41	25	865
weapons offence	54	101	97	188	4,236
prostitution					
disturbing the peace		2	2	6	151
residual CC	9	5	39	10	393
CC impaired driving	89	87	152	104	2,908
other CC traffic offence	20	26	23	23	744
offences in relation to sexual services			35		59
TOTAL	613	1,042	1,647	1,470	41,163

Data includes all Criminal Code charges laid on an Information or Summary Offence Ticket (SOT) between April 1, 2022 and March 31, 2023.

Appendix B

Active Criminal Code Charges CARRIED OVER to 2022-2023 From Prior Years by Offence Category and Justice Centre

Offence Category	Justice Centre			
	Halifax	Dartmouth	Amherst	Kentville
homicide	33	3	1	3
attempted murder	16	7	2	1
robbery	141	58	4	13
sexual assault	192	63	21	117
other sexual offences	182	102	26	101
major assault	818	531	73	179
common assault	981	540	128	369
uttering threats	588	429	83	209
criminal harassment	78	72	14	13
other crimes against the person	180	70	26	37
theft of motor vehicle	69	45	12	14
theft	957	569	109	233
break and entering	283	180	49	51
fraud	349	240	48	110
mischief	419	325	87	195
possession of stolen property	937	584	38	67
other property crimes	88	55	11	10
failure to attend court	222	132	27	25
breach of probation	949	544	61	90
unlawfully at large	10	18	2	
failure to comply with order	1,964	1,237	282	331
other administration of justice offence	265	137	46	72
weapons offence	1,104	1,032	116	184
prostitution		2		1
disturbing the peace	56	22	6	18
residual CC	269	172	17	87
CC impaired driving	561	529	106	197
other CC traffic offence	258	211	46	96
offences in relation to sexual services	22	1		
TOTAL	11,991	7,910	1,441	2,823

Continued...

Data includes all criminal code charges laid on an Information or Summary Offence Ticket (SOT) on or before March 31, 2022, that had at least one appearance between April 1, 2022 and March 31, 2023.

Active Criminal Code Charges CARRIED OVER to 2022-2023
From Prior Years by Offence Category and Justice Centre *CONTINUED*

Offence Category	Justice Centre			
	Bridgewater	Pictou	Sydney	Truro
homicide	1	1	9	2
attempted murder	1	1	3	1
robbery	2	4	30	10
sexual assault	37	53	76	107
other sexual offences	34	39	123	132
major assault	99	123	324	161
common assault	175	219	532	243
uttering threats	94	119	294	162
criminal harassment	19	16	10	3
other crimes against the person	29	46	42	46
theft of motor vehicle	6	11	22	20
theft	107	100	210	185
break and entering	37	66	98	59
fraud	73	41	112	110
mischief	85	118	342	166
possession of stolen property	44	69	127	161
other property crimes	5	15	25	7
failure to attend court	8	17	214	71
breach of probation	28	94	379	180
unlawfully at large		2	5	5
failure to comply with order	181	287	2,017	719
other administration of justice offence	36	41	157	77
weapons offence	95	279	288	157
prostitution				
disturbing the peace	16	4	14	13
residual CC	8	11	56	45
CC impaired driving	111	113	297	296
other CC traffic offence	26	54	147	123
offences in relation to sexual services	4			8
TOTAL	1,361	1,943	5,953	3,269

Continued...

Data includes all Criminal Code charges laid on an Information or Summary Offence Ticket (SOT) on or before March 31, 2022, that had at least one appearance between April 1, 2022 and March 31, 2023.

Active Criminal Code Charges CARRIED OVER to 2022-2023
From Prior Years by Offence Category and Justice Centre *CONTINUED*

Offence Category	Justice Centre				TOTAL
	Antigonish	Port Hawkesbury	Yarmouth	Digby	
homicide		1	2		56
attempted murder	2	1	1	2	38
robbery		1	5	4	272
sexual assault	20	77	87	47	897
other sexual offences	32	124	88	68	1,051
major assault	30	85	118	144	2,685
common assault	59	99	166	200	3,711
uttering threats	44	58	150	149	2,379
criminal harassment	3		7	19	254
other crimes against the person	10	22	33	27	568
theft of motor vehicle	2	7	8	10	226
theft	21	39	84	48	2,662
break and entering	6	31	67	29	956
fraud	10	5	38	43	1,179
mischief	40	55	191	107	2,130
possession of stolen property	13	33	21	39	2,133
other property crimes	3	3	9	5	236
failure to attend court	7	8	9	9	749
breach of probation	21	55	64	61	2,526
unlawfully at large				2	44
failure to comply with order	89	121	257	252	7,737
other administration of justice offence	10	26	43	38	948
weapons offence	21	60	169	115	3,620
prostitution					3
disturbing the peace	4	7	6	2	168
residual CC	13	7	103	45	833
CC impaired driving	55	77	110	104	2,556
other CC traffic offence	15	30	51	36	1,093
offences in relation to sexual services	1			1	37
TOTAL	531	1,032	1,887	1,606	41,747

Data includes all Criminal Code charges laid on an Information or Summary Offence Ticket (SOT) on or before March 31, 2022, that had at least one appearance between April 1, 2022 and March 31, 2023.

Appendix C

NEW Provincial Statute Charges by Justice Centre 2022-2023 (includes cases with prosecutor assigned)

Justice Centre	Provincial Statutes						Total
	Motor Vehicle Act	Liquor Control Act	Occupational Health and Safety Act	Emergency Management Act	Health Protection Act	Other Provincial Statutes	
Halifax	1,638	79	40		1	182	1,940
Dartmouth	9				2	87	98
Amherst	101					30	131
Kentville	62					28	90
Bridgewater	92	5				21	118
Pictou	117	3			3	23	146
Sydney	158	5				42	205
Truro	335	15				80	430
Antigonish	173	29				32	234
Port Hawkesbury	84	2				15	101
Yarmouth	106	6				31	143
Digby	127	3				27	157
Total	3,002	147	40	0	6	598	3,793

Data includes all charges laid on an Information or Summary Offence Ticket (SOT) between April 1, 2022 and March 31, 2023, that had a prosecutor assigned.

The count for provincial statute offences includes those which were handled by the summary offence court.

Appendix D

Active Provincial Statute Charges CARRIED OVER in 2022-2023 From Prior Years by Justice Centre (includes cases with prosecutor assigned)

Justice Centre	Provincial Statutes						Total
	Motor Vehicle Act	Liquor Control Act	Occupational Health and Safety Act	Emergency Management Act	Health Protection Act	Other Provincial Statutes	
Halifax	3,265	57	69	11	162	205	3,769
Dartmouth	508	4	27		1	120	660
Amherst	109	1			3	32	145
Kentville	131	4		2	37	56	230
Bridgewater	168			4	4	36	212
Pictou	129	3	3		13	48	196
Sydney	337	19		1	5	57	419
Truro	701	12	6	1	9	77	806
Antigonish	103	8			4	21	136
Port Hawkesbury	116	3			1	12	132
Yarmouth	124	6	13		12	87	242
Digby	170	11			7	65	253
TOTAL	5,861	128	118	19	258	816	7,200

Data includes all charges laid on an Information or Summary Offence Ticket (SOT) on or before March 31, 2022, that had a prosecutor assigned and at least one appearance between April 1, 2022 and March 31, 2023.

The count for provincial statute offences includes those which were handled by the summary offence court.

Appendix E

Median Case Processing Times (in days) Completed Cases, by Offence Category, 2013-2014 to 2022-2023

Most Serious Offence	2013-14	2014-15	2015-16	2016-17	2017-18
homicide	226	109	369	504	389
attempted murder	57	114	222	48	119
robbery	153	81	105	113	97
sexual assault	196	230	151	241	243
other sexual offences	196	210	211	281	266
major assault	213	190	199	168	162
common assault	170	178	170	167	154
uttering threats	159	148	163	139	162
criminal harassment	162	193	205	170	128
other crimes against the person	172	148	195	125	155
theft of motor vehicle	57	101	85	101	143
theft	86	92	113	95	83
break and entering	130	168	148	129	134
fraud	99	138	142	125	107
mischief	148	121	148	141	126
possession of stolen property	129	116	141	114	88
other property crimes	122	157	96	127	98
failure to attend court	47	64	44	73	53
breach of probation	72	64	73	80	65
unlawfully at large	40	34	66	69	35
failure to comply with order	55	67	71	72	70
other administration of justice offence	113	101	141	108	86
weapons offence	153	138	165	133	138
prostitution offences	288	38	163	344	16
disturbing the peace	122	121	122	108	113
residual CC	124	112	153	98	143
CC impaired driving	35	39	50	67	65
other CC traffic offence	129	119	114	127	139
offences in relation to sexual services			19	349	171
TOTAL	106	111	119	113	107

Continued...

Data includes all cases represented by a Criminal Code charge, with a final disposition date between April 1, 2013 and March 31, 2023.

Each case is represented by the most serious offence, based on the type of decision, sentence and the national Crime Severity Index (CSI).

Case Processing Time is calculated from the first appearance date to the final disposition date.

A case is defined as one or more charges against a person on the same Information or Summary Offence Ticket.

Data excludes cases that have had a bench warrant issued or held and any case that was referred to restorative justice.

**Median Case Processing Times (in days) Completed Cases,
by Offence Category, 2013-2014 to 2022-2023 *CONTINUED***

Most Serious Offence	2018-19	2019-20	2020-21	2021-22	2022-23
homicide	585	701	4	908	375
attempted murder	139	55	58	111	19
robbery	141	131	127	61	123
sexual assault	230	224	407	364	414
other sexual offences	270	278	230	254	275
major assault	155	184	196	205	227
common assault	168	180	239	239	211
uttering threats	151	171	217	226	207
criminal harassment	189	167	168	213	248
other crimes against the person	148	155	117	193	250
theft of motor vehicle	121	106	168	142	161
theft	77	101	179	137	153
break and entering	150	143	175	204	199
fraud	149	122	142	162	190
mischief	148	144	163	170	227
possession of stolen property	78	104	149	71	92
other property crimes	95	87	96	83	190
failure to attend court	58	61	70	82	86
breach of probation	73	101	124	176	151
unlawfully at large	37	72	135	120	94
failure to comply with order	77	85	120	131	154
other administration of justice offence	99	93	194	134	169
weapons offence	138	172	124	156	149
prostitution offences	219	17			
disturbing the peace	187	134	292	76	181
residual CC	103	122	175	157	228
CC impaired driving	49	49	78	71	72
other CC traffic offence	132	129	147	148	233
offences in relation to sexual services	14	298	194	373	71
TOTAL	106	119	154	156	169

Data includes all cases represented by a Criminal Code charge, with a final disposition date between April 1, 2013 and March 31, 2023.

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Case Processing Time is calculated from the first appearance date to the final disposition date.

A case is defined as one or more charges against a person on the same Information or Summary Offence Ticket.

Data excludes cases that have had a bench warrant issued or held and any case that was referred to restorative justice.

Appendix F

Average Number of Court Appearances for Completed Cases, by Offence Category, 2013-2014 to 2022-2023

Most Serious Offence	2013-14	2014-15	2015-16	2016-17	2017-18
homicide	9.5	8.1	10.4	9.6	9.8
attempted murder	5.1	7.9	7.4	9.9	8.5
robbery	7.9	7.2	6.9	8.6	7.5
sexual assault	5.7	6.6	5.5	7.4	6.7
other sexual offences	6.6	7.1	7.0	8.8	8.4
major assault	6.6	6.8	6.8	6.9	7.0
common assault	5.0	5.1	5.4	5.3	5.2
uttering threats	5.5	5.5	5.9	5.8	6.5
criminal harassment	5.5	6.9	6.9	6.4	6.0
other crimes against the person	7.6	6.9	7.1	6.8	7.5
theft of motor vehicle	5.2	6.3	5.3	6.4	7.6
theft	5.0	5.1	5.7	5.5	5.9
break and entering	6.3	7.9	7.4	7.1	6.8
fraud	5.3	5.7	6.4	6.2	5.9
mischief	4.9	5.0	5.4	5.5	5.6
possession of stolen property	4.9	5.0	4.8	4.8	5.3
other property crimes	6.1	6.8	7.0	8.4	7.4
failure to attend court	4.6	5.1	4.4	5.6	5.0
breach of probation	4.9	4.7	5.0	5.1	4.8
unlawfully at large	4.7	4.6	5.4	4.7	4.3
failure to comply with order	4.6	5.2	5.1	5.5	5.6
other administration of justice offence	5.1	5.6	5.5	5.4	5.2
weapons offence	6.3	6.5	6.3	6.4	6.5
prostitution offences	9.0	3.9	9.0	7.5	1.5
disturbing the peace	4.2	4.3	4.7	5.2	5.2
residual CC	5.3	5.8	8.0	5.8	5.7
CC impaired driving	3.2	3.3	3.5	3.7	3.9
other CC traffic offence	5.1	5.4	5.6	5.5	5.8
offences in relation to sexual services			3.6	7.5	6.8
TOTAL	5.0	5.3	5.4	5.5	5.6

Continued...

Data includes all cases represented by a Criminal Code charge, with a final disposition date between April 1, 2013 and March 31, 2023.

Each case is represented by the most serious offence, based on the type of decision, sentence and the national Crime Severity Index (CSI).

Case Processing Time is calculated from the first appearance date to the final disposition date.

A case is defined as one or more charges against a person on the same Information or Summary Offence Ticket.

Data excludes cases that have had a bench warrant issued or held and any case that was referred to restorative justice.

**Average Number of Court Appearances for Completed Cases,
by Offence Category, 2013-2014 to 2022-2023** *CONTINUED*

Most Serious Offence	2018-19	2019-20	2020-21	2021-22	2022-23
homicide	17.6	28.6	10.5	17.6	16.9
attempted murder	8.4	4.8	10.8	12.2	5.1
robbery	7.8	10.5	9.5	7.0	9.7
sexual assault	6.7	7.1	9.8	10.3	9.6
other sexual offences	8.6	8.2	7.8	8.4	8.4
major assault	7.0	7.4	7.8	7.8	8.7
common assault	5.6	6.3	7.0	7.0	6.4
uttering threats	6.1	6.7	7.7	7.1	7.3
criminal harassment	6.6	6.4	7.6	7.1	7.8
other crimes against the person	6.7	7.2	7.1	7.6	8.1
theft of motor vehicle	6.6	5.7	9.2	8.0	7.9
theft	6.2	6.5	8.5	8.7	9.0
break and entering	8.3	8.2	8.9	7.0	9.4
fraud	6.9	7.5	7.7	9.0	9.6
mischief	6.2	6.0	6.8	6.8	7.7
possession of stolen property	5.6	6.1	7.5	6.1	6.9
other property crimes	6.4	6.3	7.4	8.0	10.7
failure to attend court	5.2	5.3	5.9	6.1	7.1
breach of probation	4.8	6.0	7.8	8.3	7.3
unlawfully at large	4.4	6.1	6.0	9.5	7.3
failure to comply with order	5.9	6.6	7.3	7.5	8.1
other administration of justice offence	6.5	6.3	8.1	8.5	7.9
weapons offence	7.0	7.5	7.3	7.7	7.9
prostitution offences	6.7	2.0			
disturbing the peace	9.2	5.2	8.9	6.9	5.0
residual CC	6.0	6.4	7.9	8.4	8.5
CC impaired driving	3.8	3.7	4.4	4.4	4.4
other CC traffic offence	5.8	5.9	6.8	7.5	8.6
offences in relation to sexual services	2.1	7.3	9.4	12.7	3.5
TOTAL	5.9	6.3	7.1	7.2	7.4

Data includes all cases represented by a Criminal Code charge, with a final disposition date between April 1, 2013 and March 31, 2023.

Each case is represented by the most serious offence, based on the type of decision, sentence and the national Crime Severity Index (CSI).

Case Processing Time is calculated from the first appearance date to the final disposition date.

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Appendix G

Appeals Statistics 2022-2023

The following are statistics related to appeals covering the period April 1, 2022 to March 31, 2023.

The section participated in 25 appeals heard by the Court of Appeal. Of this number:

- 6 were initiated by the Crown
- 19 were initiated by offenders

Of the appeals initiated by the Crown:

- 2 dealt with appeal of an extraordinary remedy
- 3 dealt with acquittals
- 1 dealt with sentence

Of the 19 appeals initiated by offenders:

- 17 dealt with conviction
- 1 dealt with conviction and sentence
- 1 dealt with sentence

Of the appeals initiated by the offenders, two fell under the *Youth Criminal Justice Act* and none were argued by a self-represented inmate.

The PPS was involved in four appeals that were abandoned, quashed or dismissed without a full hearing in the Court of Appeal.

The PPS participated in 219 Chambers motions heard by a single judge of the Court of Appeal. Chambers motions include motions for a hearing date and the filing of the appeal books and factums, adjournments, bail pending appeal, extension of time to appeal, directions and status updates in appeals, appointment of counsel in prisoners' appeals and striking appeals from the Court's docket. Uncontested motions are usually conducted over the telephone (teleconference Chambers), and both contested and uncontested motions are heard in open court (regular Chambers).

Fifteen recommendations for appeal were received from trial Crown Attorneys. Eight were approved for appeal.

With regard to the Supreme Court of Canada, the PPS received no notices of appeal from an offender and one application for leave to appeal. The PPS sought leave to appeal to the SCC on two matters. The PPS participated in no hearings before the SCC.

Appendix H

Public Interest Disclosure of Wrongdoing

The Public Interest Disclosure of Wrongdoing Act 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 Labor 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 Nova Scotia Public Prosecution Service.

Information Required Under Section 18 of the Act	FISCAL YEAR 2022-2023
The number of disclosures received	0
The number of findings of wrongdoing	0
Details of each wrongdoing	N/A
Recommendations and actions taken on each wrongdoing	N/A