

Accountability Report 2014–2015

Department of Justice ◀



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Accountability Statement

The Accountability Report of the Department of Justice for the year ended March 31, 2015 is prepared pursuant to the *Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against the Department of Justice Statement of Mandate 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 2014-15 Statement of Mandate.


Lena Metlege Diab
Minister


Tilly Pillay, QC
Acting Deputy Minister

Message from the Minister and Deputy Minister

We are very pleased to present the Department of Justice's Accountability Report for the 2014-15 fiscal year. The Department of Justice is responsible for the administration of justice and for promoting the safety and security of Nova Scotians through justice-related programs, services and initiatives. This report summarizes the progress the department has made in three priority areas:

- Improving Access to Justice
- Working Together for Community Safety and Wellbeing
- Focusing on Workplace Culture and Wellbeing

We're pleased to report that there has been progress made in each of these areas. In the past year, the Department of Justice has:

- Officially launched the CeaseFire program aimed at reducing gun violence in Halifax Regional Municipality
- Continued testing collaborative response models such as the HUB model, which targets youth and families at an elevated risk of harm
- Opened the 196-bed direct-supervision Northeast Nova Scotia Correctional Facility resulting in a net increase of 150 beds to house adult offenders in Nova Scotia
- Piloted the *Building Bridges* (formerly called *Rites of Passage*) rehabilitation program for African Nova Scotian men at the Central Nova Scotia Correctional Facility
- Introduced a new *Limitation of Actions Act* to set standard time limits for filing civil lawsuits and to eliminate time limits for victims of sexual assault and domestic violence who want to file lawsuits
- In collaboration with the Chief Justice and other leaders within the justice system, established the Access to Justice Coordinating Committee to find ways to make Nova Scotia's family, civil and criminal court systems more efficient and effective, less costly, and easier to navigate
- Consulted Nova Scotians on proposed changes to family law legislation intended to update, improve and simplify it
- Promoted access to justice by expanding Family Court services to all Nova Scotians through Family Court Rules revisions that will streamline processes, make applications and related processes easier to understand, and align service delivery and court forms between the Supreme and Family courts
- Continued our ongoing employee engagement work through our Employee Engagement Leadership Team and Divisional Action Teams.

We want to recognize our staff who have carried out this important work. Their efforts are aimed at making Nova Scotia a place where the rights and safety of all people are protected

and promoted with efficient and responsive justice programs and services. We present this Accountability Report with a sincere thank you to our employees across the province, and to you, for taking the time to read about our accomplishments.

Thank you



Lena Metlege Diab
Minister



Tilly Pillay, QC
Acting Deputy Minister

Financial Results

Justice		
	2014-15 Estimate	2014-15 Actual
Program & Service Area	(\$ thousands)	(\$ thousands)
Gross Departmental Expenses:		
Administration	23,780	23,330
Nova Scotia Legal Aid	22,181	22,181
Court Services	69,778	70,160
Correctional Services	67,796	68,232
Compliance & Internal Investigation Service	169	85
Public Trustee	2,428	2,373
Fatality Inquiry Act	4,135	4,517
Public Safety	131,619	130,639
Serious Incident Response Team	590	639
Total Gross Department Expenses	322,476	322,156
Additional Information:		
Ordinary Revenue	(1,582)	(1,491)
Fees and Other Charges	(23,268)	(22,780)
Ordinary Recoveries	(108,768)	(110,523)
TCA Purchase Requirements	1,430	948
Provincial Funded Staff (FTEs)	1,627	1,581

Measuring Our Performance

OUTCOME: Improving Access to Justiceⁱ

Enabling timeliness of serviceⁱⁱ

Timeliness of service is an essential part of improving access to justice. Delays in service delivery can have significant impacts including case collapse, increased conflict and inefficient use of court resources. When measuring the extent to which the Department of Justice enables timeliness of service, it is important to look at adult criminal law proceedings, youth criminal law proceedings, and family law proceedings.

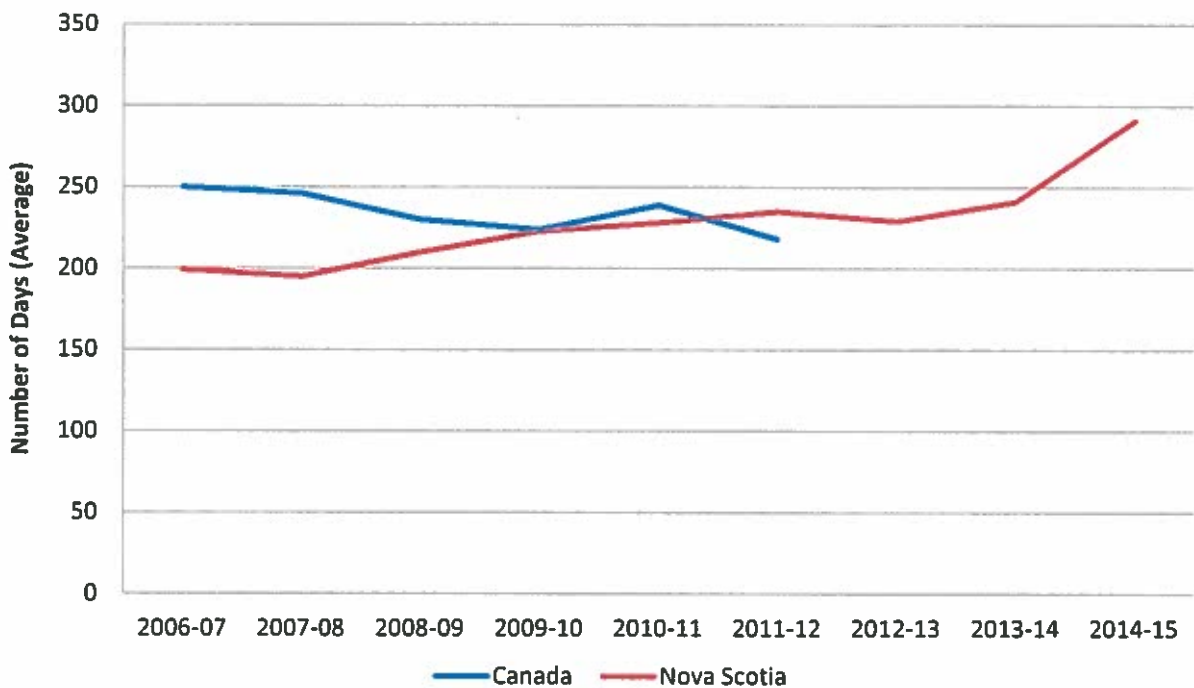
Performance Measure: Case processing times in adult criminal court

Case processing time in adult criminal court reflects the average number of days it takes to process cases from first appearance to final disposition.

In 2014-15, average case processing time for adult criminal court cases was 291 days. This is 50 days (21%) higher than the prior year and 92 days (46%) higher than the base year of 2006-07.

The substantial increase in average case processing time in 2014-15 was due in part to an increase in the number of cases which had been before the courts for 15 years or more and were withdrawn or dismissed. There were 92 such cases in 2014-15 as compared to 37 in the prior year. The increase in the number of unusually long cases concluding in 2014-15 skewed the average case processing time. When these cases are excluded, average case processing time for 2014-15 was 228 days as compared to 219 days in 2013-14. The median case processing time for 2014-15 was 162 days, which is 8 days longer than the prior year (154 days).

Chart 1: Average case processing time (days) in adult criminal court



Source: Statistics Canada, Adult Criminal Court Survey, Justice Enterprise Information Network (JEIN), Nova Scotia Department of Justice.

Note: 2012-13 to 2014-15 figures are currently unavailable from Statistics Canada. Figures included here for that time period are based on Nova Scotia Department of Justice data. When this data becomes available from Statistics Canada, Nova Scotia figures will be revised and national level data included.

With the goal of meeting or falling below the national average, mitigation strategies to address this trend included:

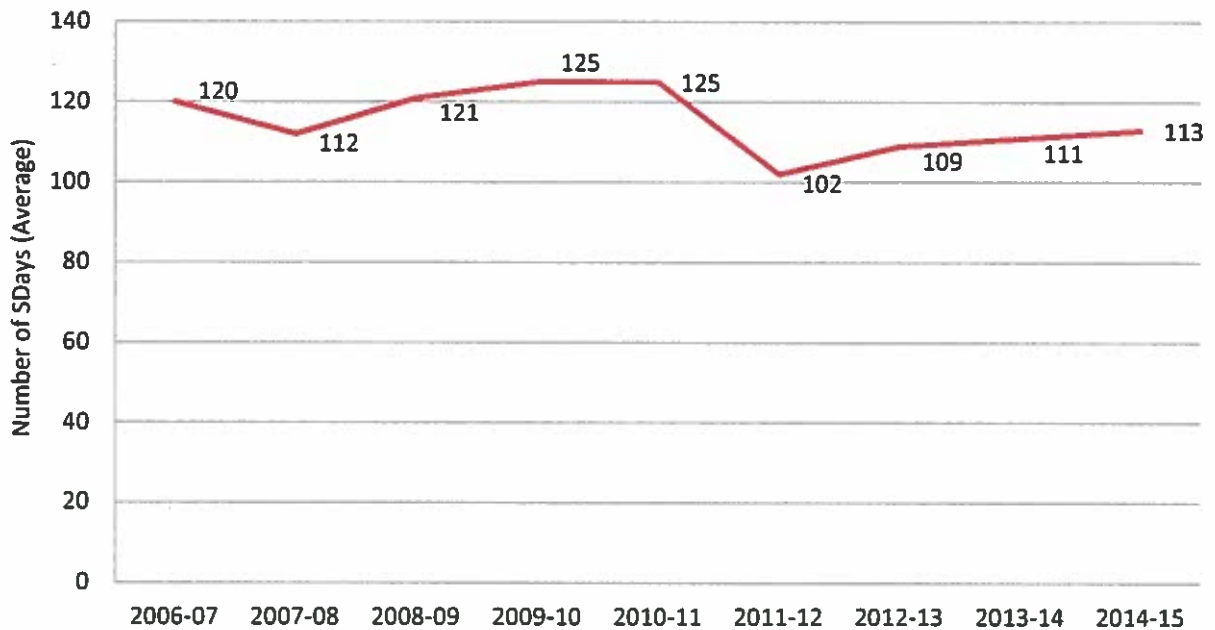
- Continuing to explore the impact of increased use of technologies in courtrooms
- Continuing its work to enable Justice Centres to operate more efficiently and effectively through the Court Services' Continuous Service Improvements Initiative
- Continuing to work with the Chief Judge of the Provincial Court and a group of senior justice partners (Public Prosecution Service, Public Prosecution Service of Canada, Nova Scotia Legal Aid, Nova Scotia Barristers' Society) to investigate programs used in other jurisdictions and to develop and test strategies that may reduce delay, including improved intake, early case assignment and court-based case management approaches.

Performance Measure: Case processing times in youth court¹

This measure indicates the average amount of time it takes to process cases in youth court from first appearance to final disposition. It is measured against a target of 98 days established upon recommendation from the Nunn Commission of Inquiry.

In 2014-15, the average time to process a case in youth court was 113 days. Since 2006-07, youth court case processing time has fluctuated (Chart 2). After a large drop in 2011-12, case processing times have increased in each subsequent year. Despite this increasing trend, average case processing time in 2014-15 was 7 days or 6% below the base year of 2006-07.

Chart 2: Average case processing time (days) in youth court

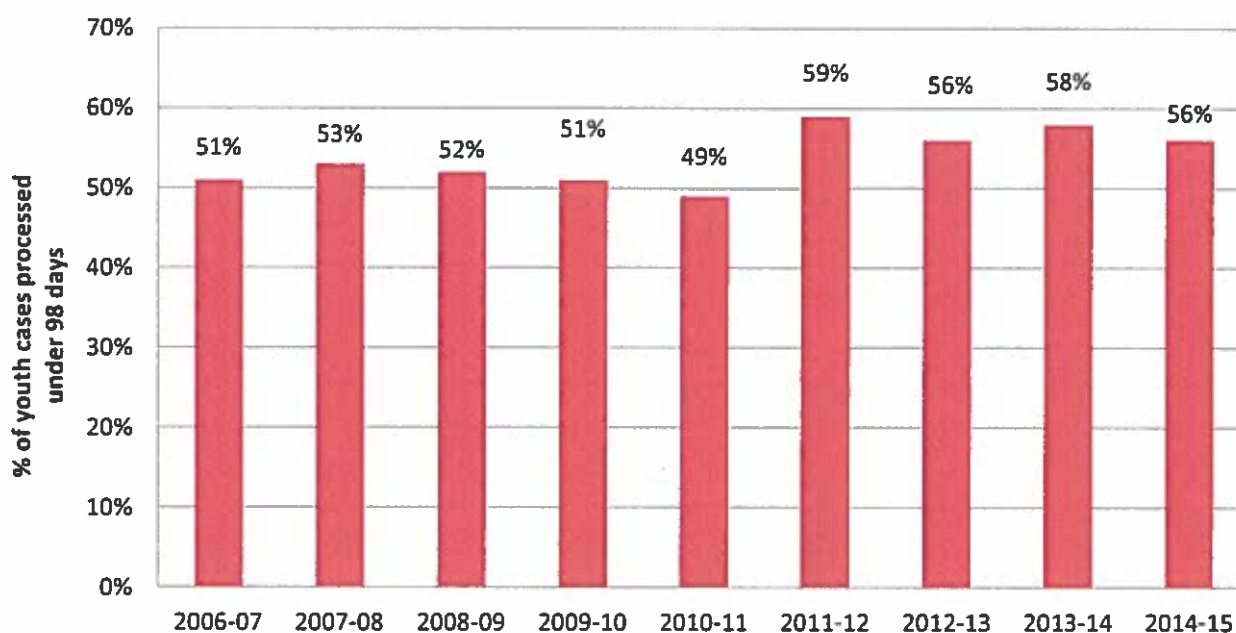


Source: Justice Enterprise Information Network (JEIN), Nova Scotia Department of Justice.

In 2014-15, 56% of youth court cases were completed within the targeted 98 days. Similar to average case processing times, the percentage of youth criminal court cases completed within the 98 day target has fluctuated over the past 9 years (Chart 3). A large increase in the percentage of cases completed within 98 days was noted in 2011-12 and it has remained relatively stable since that time.

¹ Nova Scotia excludes cases involving restorative justice and bench warrants when calculating youth case processing times. Restorative justice cases are excluded because, on average, it takes over 200 days to complete these cases and this can artificially inflate the overall processing times. Bench warrants are excluded because, once issued by the Court, the Court cannot control how long it takes to have that warrant executed.

Chart 3: Percentage of youth criminal court cases completed within the 98 day target



Source: Justice Enterprise Information Network (JEIN), Nova Scotia Department of Justice.

With the goal of meeting the targeted 98 days for youth case processing, mitigation strategies in addition to those mentioned in the adult case processing measure include:

- Continuing the work of the youth court best practices committees at Justice Centres across the province to coordinate the efforts of all stakeholders.

Performance Measure: Case processing times in family law proceedings

This measure was introduced in the Department of Justice’s 2014-15 Statement of Mandate as a new measure. The department intends to use data collected by court staff for this measure and is currently engaged in the development of a data collection tool for this purpose.

Facilitating informed decision-making by providing accurate and timely information and support to government and the publicⁱⁱⁱ

The provision of accurate and timely information and support to government and the public is another essential part of improving access to justice. The following three measures are based upon responses to an online survey on the Family Law Nova Scotia website at

<http://www.nsfamilylaw.ca/>^{iv} These measures are meant to assess the extent to which the site is providing the knowledge and information respondents need in relation to family law.

Performance Measure: Percentage of web survey respondents who agreed with the statement: *I am more confident I have the needed information to deal with my case.*^v

This measure reflects the percentage of respondents who agreed with the above survey statement about the impact of the website on their level of confidence in dealing with their own family law situation.

Year	% of web survey respondents	Total number of respondents
2014-15	52	191

In 2014-15, 52% or roughly half of respondents agreed that they were more confident they had the information they needed to deal with their case.

Performance Measure: Percentage of web survey respondents who agreed with the statement: *My knowledge of family justice matters has improved based on spending time on this website.*^{vi}

This measure indicates the percentage of respondents who agreed with the above survey statement about the impact of the website on their knowledge of family law in general.

Year	% of web survey respondents	Total number of respondents
2014-15	62	191

In 2014-15, 62% of respondents agreed that their knowledge of family justice matters improved after spending time on the website.

Performance Measure: Percentage of web survey respondents who agreed with the statement: *I feel better prepared for settlement or court.*^{vii}

This measure indicates the percentage of respondents who agreed with the above survey statement about the impact of the website on how prepared they feel for either settlement or court.

Year	% of web survey respondents	Total number of respondents
2014-15	39	191

Thirty-nine percent of respondents agreed that they felt better prepared for settlement or court after visiting the website. It should be noted that many people completing the web survey may not actually have court files and will be using dispute resolution methods outside of the formal court process. As a result, this particular question will not apply to many people accessing the website for information and completing the web survey. For this reason, the Department of Justice is considering alternative performance measures to more accurately indicate whether it is making progress towards its goal of *“Facilitating informed decision-making by providing accurate and timely information and support to government and the public.”*

OUTCOME: Working Together for Community Safety and Wellbeing^{viii}

Working with partners and communities to support innovative initiatives to prevent and reduce crime and victimization^{ix}

The department is committed to working with partners and communities to support initiatives aimed at preventing and reducing crime and victimization in Nova Scotia. Within this focus area, the department is measuring the number of partnerships maintained and/or created, the number of outreach education sessions provided by the CyberSCAN team, the number of gun-related incidents in areas where the *CeaseFire-A Nova Scotia Approach* program is being tested, the availability/reach of rehabilitative programming, and the public’s confidence in the justice system.

Performance Measure: Number of partnerships maintained and/or created (HUB, CeaseFire, Restorative Approaches in Schools)^x

This measure indicates the number of community and justice system partnerships that the Department of Justice is working to maintain and/or develop. The HUB, CeaseFire, and Restorative Approaches in Schools programs are each aimed at preventing and reducing crime

and are examples of work the department is doing in partnership with others in Nova Scotian communities.

Year	Number of partnerships
2013-14	103
2014-15	132

In 2014-15, there were a total of 132 partnerships in place for these three programs, representing an increase of 29 partnerships or 28% from the prior year.

Performance Measure: Number of outreach education sessions provided by CyberSCAN team

This measure indicates the department's efforts to build stronger understanding of digital citizenship through the provision of outreach education sessions. The base year for this measure is 2014-15. Initially, the department was contacting schools around the province and offering the outreach education sessions. Due to the interest in the subject matter and the success of the education sessions conducted, the department is pleased to report that schools and other organizations have begun proactively requesting the outreach education sessions – all within the first year of the program.

Year	Number of outreach education sessions
2014-15	373

In 2014-15, there were a total of 373 outreach education sessions provided by the CyberSCAN team.

Performance Measure: Number of gun-related incidents in geographic regions where health based gun violence response model is being testedⁱⁱ

This measure indicates the number of gun-related incidents in Halifax Regional Municipality, where the department is involved in testing the health based gun violence response model, CeaseFire-A Nova Scotia Approach.

Year	Number of gun-related incidents
2013	37
2014	28

In 2014-15, there were 28 gun-related incidents in the Halifax Regional Municipality, representing a decrease of 9 incidents (-24%) from the previous year.

Performance Measure: Availability/reach of rehabilitative programming

This measure reflects the extent of rehabilitative programming offered to adult and youth offenders in custody and community by the Department of Justice.

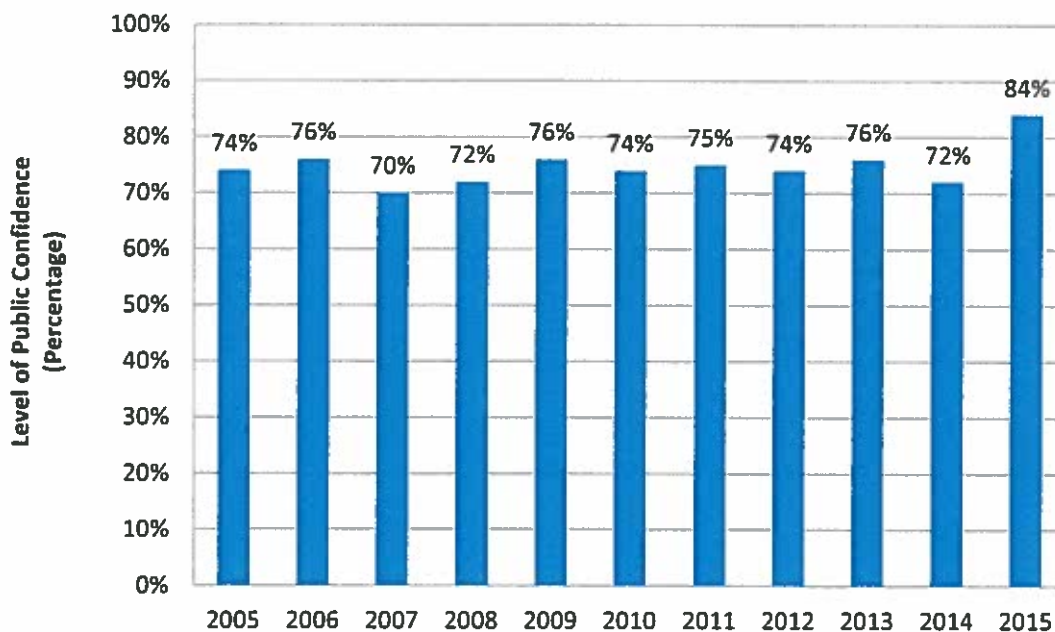
Year	Number of programs offered in custody and in community	
	Adults	Youth
2013-14	73	49
2014-15	97	55

In 2014-15, there were 97 programs offered to adults and 55 programs offered to youth in custody and community. This represents an increase of 24 programs offered to adults and six programs offered to youth as compared to the prior year.

Performance Measure: Public's confidence in the justice system

The Department of Justice annually surveys Nova Scotians about public confidence in the justice system through the *Atlantic Quarterly* survey. Responses to these questions provide an indication of the public's level of confidence in the justice system as a whole. The department has established a target of maintaining or increasing public confidence relative to the base year of 2005.

Chart 5: Level of Public Confidence in Justice System.



*Source: Atlantic Quarterly Survey
Sample size margin of error is 4.9%*

Overall, the public's confidence in Nova Scotia's justice system remained relatively stable between 2005 and 2014. However, there was a statistically significant increase in public confidence in 2015, with 84% of respondents indicating they had a great deal of confidence or some confidence, as compared to 72% in 2014 and 74% in the base year of 2005.

Confidence in the justice system is a subjective and multi-faceted measure. Departmental efforts to help ensure that Nova Scotians remain confident in all facets of the justice system include:

- Continuing work to improve access to justice as noted in the case processing performance measures
- Continuing work on the Family Law Reform Project to help families experiencing separation and custody issues by addressing specific challenges in family laws, updating them and making them clearer
- Enhancing family law programs and services, including the provision of new online resources and the expansion of assistive dispute resolution
- Targeting investments for groups at an elevated risk of harm by developing and expanding innovative and collaborative crime prevention models

OUTCOME: Focusing on Workplace Culture and Wellbeing^{xii}

Engaging and contributing to a safe and rewarding place to work^{xiii}

As part of its focus on workplace culture and wellbeing, the Department of Justice is working on engaging and contributing to a safe and rewarding place to work. The department's engagement score (based on responses to the Public Service Commission's How's Work Going Survey), and the Correctional Services division's Workers' Compensation Board claims and time loss claims are two sources of information that help to measure the department's progress in this area.

Performance Measure: PSC How's Work Going Survey – Engagement Score

This measure indicates Justice's Engagement Score based on employees' responses to the Public Service Commission's How's Work Going Survey. The survey is conducted every two years. The survey defines "employee engagement" as the extent to which employees feel connected to and involved with their jobs and their organization. The score is out of a possible 100.

Year	Engagement Score
2009	69
2011	53
2013	60
2015	56

In 2015, the Department of Justice's engagement score was 56, down 4 points from 2013.

Performance Measure: Number of accepted Workers' Compensation Board (WCB) claims for Correctional Services division^{xiv}

This measure indicates the number of accepted WCB claims within the Correctional Services division. The Correctional Services division is continuing to work with WCB on a Partnership Pilot in two of the adult correctional facilities that seeks to reduce the number of WCB claims and help workers get back to work earlier through various accommodations. The Partnership Pilot also involves collaboration with physiotherapists aimed at getting injured workers treated more quickly.

Year	Number of Claims	
	Total Claims	Time Loss Claims
2012	88	31
2013	80	29
2014	76	25

In 2014, there were 76 WCB claims within the Correctional Services division, which is four claims (5%) fewer than 2013 and 12 claims (14%) fewer than 2012. In 2014, there were 25 time loss claims, which is four claims (14%) fewer than 2013 and six claims (19%) fewer than 2012.

Promoting a sense of appreciation and value for every employee^{xv}

The Department of Justice is intent on promoting a sense of appreciation and value for every employee with the goal of promoting workplace wellbeing overall. The department is measuring its average total illness rate, the number of staff who have completed Respectful Workplace training, and the department’s healthy atmosphere at work score (based on responses to the Public Service Commission’s How’s Work Going Survey).

Performance Measure: Departmental rate of absenteeism

This measure indicates the average total illness rate in days (7 hour days) for the Department of Justice. The base year is 2012-13.

Average Total Illness Rate in Days		
Year	DOJ	Province of NS
2012-13	18.92	15.77
2013-14	17.91	15.06
2014-15	18.46	15.52

In 2014-15, the average total illness rate for the Department of Justice was 18.46 days, up approximately half a day from the prior year. In 2014-15, the average total illness rate for the department was approximately three days higher than the overall Provincial government average.

Performance Measure: Number of Justice staff who completed Respectful Workplace training^{xvi}

This measure indicates the number of staff at the Department of Justice who have completed the respectful workplace training for employees. The base year is 2012-13 because the provincial government changed both the respectful workplace policy and training courses that year.

Year	Cumulative number of staff who completed Respectful Workplace training
2012-13	115
2013-14	400
2014-15	498

In 2014-15, 98 staff completed respectful workplace training. Since April 1, 2012, 498 staff have completed the training. This represents an estimated 31% of employees.^{xvii} The Department of Justice recognizes the importance of increasing these numbers overall to promote a sense of appreciation and value for every employee and to foster a positive and respectful work environment, and it has incorporated related efforts into its Strategic Plan.

Performance Measure: PSC How's Work Going Survey (Score): "A healthy atmosphere (trust, mutual respect) exists at work"

This measure indicates the extent to which Justice employees who completed the How's Work Going survey believed that "A healthy atmosphere (trust, mutual respect) exists at work". The survey is conducted every two years. The score is out of a possible 100.

Year	Healthy Atmosphere Score
2009	57
2011	48
2013	48
2015	46

In 2015, the Department of Justice's healthy atmosphere score was 46. This score is similar to the previous two surveys and down 2 points from 2013.

Supplemental Information and Appendices

Appendix A: Public Interest Disclosure of 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 2014-2015
The number of disclosures received	0
The number of findings of wrongdoing	N/A
Details of each wrongdoing (insert separate row for each wrongdoing)	N/A
Recommendations and actions taken on each wrongdoing (insert separate row for each wrongdoing)	N/A

Notes pertaining to performance measures:

ⁱ The Department of Justice has recently gone through a strategic planning process during which all of our outcomes and sub-outcomes were reviewed and revised. The wording of our outcomes was initially “Access to Justice” but has since been changed to “Improving Access to Justice.”

ⁱⁱ The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this sub-outcome was initially “Nova Scotians have better access to justice through improved court case processing times” but has been changed to “Enabling timeliness of service.”

ⁱⁱⁱ The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this sub-outcome was initially “Nova Scotians have access to better information and/or services at the right time to make better decisions” but has been changed to “Facilitating informed decision making by providing accurate and timely information and support to government and the public.”

^{iv} It should be noted that because respondents “self-select” to complete the online survey on the Family Law Nova Scotia website, responses may not be representative of all users of the website. As a result, comparisons over time of these online survey results should not be made. The Department of Justice is considering alternative performance measures to more accurately indicate whether it is making progress towards its goal of “*Facilitating informed decision-making by providing accurate and timely information and support to government and the public.*”

^v This performance measure was introduced as a new measure in the Department of Justice’s 2014-15 Statement of Mandate and was initially worded as follows: “Enhanced awareness of the options available for support and assistance with issue resolution pertaining to family law.” The wording of this measure has since been revised to more closely align with the available data source (the Nova Scotia Family Law website survey).

^{vi} This performance measure was introduced as a new measure in the Department of Justice’s 2014-15 Statement of Mandate and was initially worded as follows: “Enhanced understanding among families of the family justice system, court processes/procedures and related roles and responsibilities.” The wording of this measure has since been revised to more closely align with the available data source (the Nova Scotia Family Law website survey).

^{vii} This performance measure was introduced as a new measure in the Department of Justice’s 2014-15 Statement of Mandate and was initially worded as follows: “Parties feel better able to make informed decisions about how to resolve issues / come to agreement pertaining to family law.” The wording of this measure has since been revised to more closely align with the available data source (the Nova Scotia Family Law website survey).

^{viii} The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this outcome was initially “Collaborating for Community Safety” but has since been changed to “Working Together for Community Safety and Wellbeing.”

^{ix} The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this sub-outcome was initially “Preventing and reducing crime through the development of community and justice system partnerships” but has since been changed to “Working with partners and communities to support innovative initiatives to prevent and reduce crime and victimization.”

* This performance measure was introduced as a new measure in the Department of Justice's 2014-15 Statement of Mandate and was initially worded as follows: "Number of new partnerships or initiatives formed." The wording of this measure has since been revised to improve consistency and accuracy. This measure now includes the number of partnerships maintained and/or created to reflect the Department's efforts in fostering its existing relationships as well as in developing new ones to reduce and prevent crime. This measure also now includes the number of schools in the province that are implementing restorative approaches, as each such school represents a partnership with the Department of Justice. In the 2014-15 Statement of Mandate, the number of such schools was a separate performance measure.

^{xi} For this measure, the number of gun-related incidents is the number of "shots fired calls" received by Halifax Regional Police per calendar year.

^{xii} The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this outcome was initially "The Department of Justice is a safe and rewarding place to work" but has since been changed to "Engaging and contributing to a safe and rewarding place to work."

^{xiii} The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this sub-outcome was initially "Focus on Employees" but has since been changed to "Focusing on Workplace Culture and Wellbeing."

^{xiv} This performance measure was introduced as a new measure in the Department of Justice's 2014-15 Statement of Mandate and was initially worded as follows: "Number of Workers' Compensation Board (WCB) and Occupational Health and Safety (OHS) reports". The wording of this measure has since been revised to include only WCB claims to better align with available data and because movement in the number of WCB claims will more accurately reflect the degree to which the department is engaging and contributing to a safe and rewarding place to work.

^{xv} The Department of Justice has recently gone through a strategic planning process during which our outcomes and sub-outcomes were reviewed and revised. The wording of this sub-outcome was initially "The Department of Justice staff are respected and appreciated" but has since been changed to "Promoting a sense of appreciation and value for every employee."

^{xvi} Initially this performance measure was intended to capture the percentage of Justice staff who have completed the Respectful Workplace training provided by the Public Service Commission since 2012-13. However, the department is reporting on the cumulative number of Justice employees who have completed the training since 2012-13, along with an estimated percentage, because fluctuations in the number of full time equivalents make it difficult to calculate an exact percentage.

^{xvii} The percentage of employees completing training is an estimate based on the total number who have completed the training as a Department of Justice employee relative to the total Department of Justice full time equivalents.