



Accountability Report 2020–21

Justice



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Accountability Report 2020–2021

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Accountability Statement

The Accountability Report of the Department of Justice for the year ended March 31, 2021 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 2020-21 Business Plan.

Original signed by

Bradley Johns
Minister of Justice and Attorney General

Candace L. Thomas, Q.C.
Deputy Minister of Justice and Attorney General

Message from Minister and Deputy Minister

On behalf of the Department of Justice, it's our pleasure to present the Accountability Report for the 2020-21 fiscal year.

Despite the many challenges put in our path by the COVID-19 pandemic, our staff and colleagues across the justice system continued to work together keeping our justice system responsive to the needs of all Nova Scotians. Our work is guided by our goal to increase access to justice, especially for those most vulnerable.

The Department innovated, worked closely with its partners, and remained focused on advancing our commitments to the people of Nova Scotia. The department's priorities included addressing the overrepresentation of marginalized communities in the justice system, keeping our communities safe, and continuing the work of making Nova Scotia fully accessible by 2030.

This year's Accountability Report highlights the work done by the Department throughout the year.

We are pleased to report that progress has been made in many areas. In the past year, the Department continued to:

- Create and enhance a range of programs to address Intimate Partner and Domestic Violence;
- Increase our effectiveness and responsiveness to Nova Scotian families and children who rely on spousal and child support;
- Lead government's work in making our Province accessible before the decade is out;
- Expand the use of preventative crime measures as a means to support the economic and social well-being of our Province;
- Support the use of Restorative Justice as an effective approach to reducing future contact with the justice system and improve victim outcomes;
- Advance social justice and inclusion, ensuring our justice system reflects the cultural diversity of Nova Scotia;
- Work to eliminate systemic racism and promote human rights;
- Focus on supports for marginalized communities and advancing the Indigenous Justice Action Plan as well a justice plan for African Nova Scotians;
- Lead initiatives to monitor the impact of the legalization of cannabis in the Province, and;
- Continue activities to reduce delays in the justice system.

We also want to recognize the hard work and contribution of our Department's almost 1,700 staff members. Their dedication and professionalism are essential to the delivery of an efficient, effective, and impartial justice system. We present this Accountability Report with sincere thanks to our employees and partners across the Province, and to all the Nova Scotians whom we serve.

Thank You.

Original signed by

Bradley Johns
Minister of Justice and Attorney General

Candace L. Thomas, Q.C.
Deputy Minister of Justice and Attorney General

Financial Results

Accountability Report – Financial Table and Variance Explanation

	2020-2021 Estimate	2020- 2021 Actuals	2020-2021 Variance
Program & Service Area	<i>(\$thousands)</i>		
Departmental Expenses:			
Administration	29,916	33,687	3,771
Nova Scotia Legal Aid	27,674	27,724	50
Court Services	69,616	69,144	(472)
Correctional Services	75,564	78,035	2,471
Public Trustee	2,648	2,747	99
Nova Scotia Medical Examiner Service	5,011	5,525	514
Public Safety and Security	151,109	161,517	10,408
Serious Incident Response Team	673	654	(19)
Accessibility Directorate	1,928	1,766	(162)
Maintenance Enforcement and Victim Services	10,105	9,828	(277)
Total: Departmental Expenses	374,244	390,627	16,383
Additional Information:			
Ordinary Revenue	1,595	1,718	123
Fees and Other Charges	22,232	17,558	(4,674)
Ordinary Recoveries	128,475	120,310	(8,165)
Total: Revenue, Fees and Recoveries	152,302	139,586	(12,716)
TCA Purchase Requirements	2,118	5,695	3,577
Provincial Funded Staff (FTEs)	1,689.8	1,615.4	(74.4)
<u>Departmental Expenses Variance Explanation:</u>			
<p>The Department of Justice actuals were \$16.4 million or 4.4% higher than Budget primarily due to \$11.5 million in RCMP costs mainly related to the response effort to the mass shooting and fisheries dispute, \$5.8 million in WCB costs primarily for Correctional Officers, \$3.8 million in COVID-19 related salary and operating costs, \$3.0 million for Land Titles Initiative Compensation Fund and \$1.2 million for COVID-19 related Supportive Case Management Initiatives. These increases are partially offset by (\$8.9) million in vacancy and operational savings</p>			

Revenue, Fees and Recoveries Variance Explanation:

Fees and Other Charges:

Department of Justice Fees and Other charges was \$4.7 million or 21% lower than estimate primarily due to lower than anticipated fees and fines imposed by the Courts.

Recoveries:

The Department of Justice recovery actuals were \$8.2 million or 6.4% per cent lower than budget primarily due to lower than anticipated recoveries of overdue court fines \$3.3 million, lower than anticipated recoveries from the municipalities for the RCMP contract \$2.3 million; lower than anticipated recoveries from the federal government for: Access to Justice in Both Official Languages \$0.6 million; Cannabis Legalization and Regulation \$0.5 million; Federal Contraventions \$0.3 million; Victim Services Augmentation \$0.3 million; and the African Nova Scotian Justice Plan via the Anti-Racism Action Plan \$0.1 million. Victim Services Surcharge fund recoveries from Summary Offence Ticket collections was also lower than anticipated by \$0.8 million.

TCA Purchase Requirements Variance Explanation:

The Department of Justice TCA actuals were \$3.6 million or 169% higher than budget primarily due to \$3.7 million for the COVID-19 Jury compliant court rooms, offset by delayed project completion for Courts Security Systems Upgrade, and Courts Occupational Health & Safety Infrastructure leasehold improvements.

Provincial Funded Staff (FTEs) Variance Explanation:

The Department of Justice FTEs were lower than estimate primarily due to vacancies.

Measuring our Performance

Guided by the 2020-21 Department of Justice Business Plan, the Department has worked to achieve the goals and actions outlined below over the past year. These initiatives align with the overarching goals of the Department's Strategic Plan (2018-2021) which are:

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

The Department also worked to support the goals and priorities set out in the Strategic Plan and Business Plan.

1. Create and enhance a continuum of programs to address Domestic Violence.

As outlined in the 2020-21 Business Plan, the Department focused on the following priorities:

Supporting and participating on the new Domestic Violence Law Enforcement Committee of the Nova Scotia Chiefs of Police Association.

A representative from the Department serves as co-chair for the Domestic Violence Law Enforcement Committee. Through this work, the Department coordinated a training event in March 2021 for police, reflecting an increased demand for education based on feedback obtained, the committee's work, and audits.

Renewing high-risk protocols and expansion of the partners/agencies involved; improving information sharing coordination, and response in high-risk cases.

Updated high-risk local protocols have been drafted and are 80% finalized. Work is underway to bring in new high-risk protocol partners. Training materials on the updated protocols have been developed, and training is being planned for stakeholder partners to deliver in 2021-22.

Working with Police and service providers to update the Intimate Partner Violence Quick Reference Guide.

Development of the next edition of the Quick Reference Guide is being deferred to 2021-22 as a new domestic violence training program is being developed. Content for the guide will reflect this updated training.

Supporting the continued implementation of domestic violence courts in Sydney, Bridgewater, and Halifax.

The Domestic Violence Court Program (DVCP) continued to operate throughout the pandemic, including offering intervention services and programs to vulnerable participants.

The stakeholders and partners of the DVCP in Halifax worked together to ensure the structure of the program continues to meet the needs of victims and families, including updates to the Roles and Responsibilities guide which helps partners work together collaboratively.

Ensuring culturally safe programming linked to the Domestic Violence Court Program in Halifax in partnership with the Creating Communities of Care through Customary Law project.

The DVCP continues to work collaboratively with the Nova Scotia Advisory Council on the Status of Women, Women and Gender Equality Canada, Transition House Association of Nova Scotia, Mi'kmaq Legal Support Network and Association of Black Social Workers to develop culturally safe outreach and supports for women experiencing gender-based violence from the urban Indigenous and African Nova Scotian communities through the Creating Communities of Care Project.

Ensuring stronger supportive connections between families experiencing violence and child protection by working with partners at the Department of Community Services, the Domestic Violence Court Program Working Group, and the Restorative Initiatives Unit.

Work is currently underway – as part of the Standing Together initiative – to explore ways to strengthen the relationship between Child Protection and the DVCP, alongside the Department's community partners.

Refinement of police training based on the results of Domestic Violence audits of all Municipal law enforcement agencies.

Fieldwork for the audits took place from December 15, 2020 to April 1, 2021. Preliminary findings will be presented to police agencies early in 2021-22.

Performance Measures

The Performance Measures outlined in the 2020-21 Business Plan have shifted as the Department changes its approach to case conferences in cases where domestic violence and child protection intersect. After input from community partners, further development is required to make case conferences successful. The mechanisms for successful case conferences with child protection involvement will be developed in 2021-22 as part of the Standing Together Initiative with the participation of Alice House.

2. Increased responsiveness to Nova Scotian families and children for maintenance enforcement.

The Maintenance Enforcement Program (MEP) is a free service of the Department that helps Nova Scotians make or receive court-ordered maintenance payments when a court order is

enrolled with the program and take steps when payments are not made to enforce a maintenance order.

Maintenance Enforcement Program staff worked in 2020-21 to enhance the program and make it more responsive to clients, including the families and children who are the recipients of enforcement payments. This has involved work in three main areas: enforcement of arrears, collaboration with other jurisdictions to improve enforcement, and focusing on client service improvements. The work in those areas is outlined here:

Increasing enforcement to reduce arrears.

As of March 31, 2021, the total amount of arrears for unpaid maintenance orders with the Maintenance Enforcement Program was \$52 Million, a reduction of 17.8% since March 2018 and the lowest level in 15 years.

Focusing on leading collaborative work with other jurisdictions to improve enforcement of support orders across provincial and territorial jurisdictions.

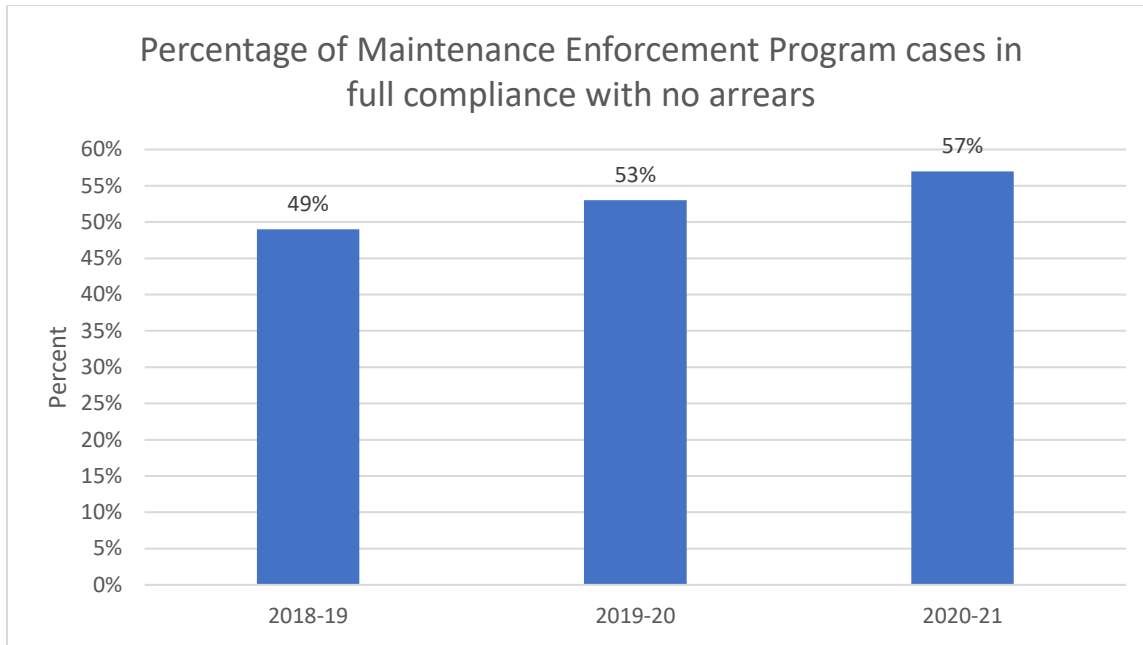
Nova Scotia MEP has a leadership role on the Deputy Ministers of Justice Working Group that is dedicated to improving interjurisdictional support order enforcement and is represented on several committees that bring together provincial and territorial enforcement programs to collaborate. The committees are focused on Trace and Locate, Secured Electronic Documents and Bank Garnishments, and Metrics, with Nova Scotia MEP co-leading the Secured Electronic Documents and Bank Garnishments committees.

Focusing on client service improvements, including leveraging new technology, client feedback, and connecting with African Nova Scotian and Mi'kmaw communities.

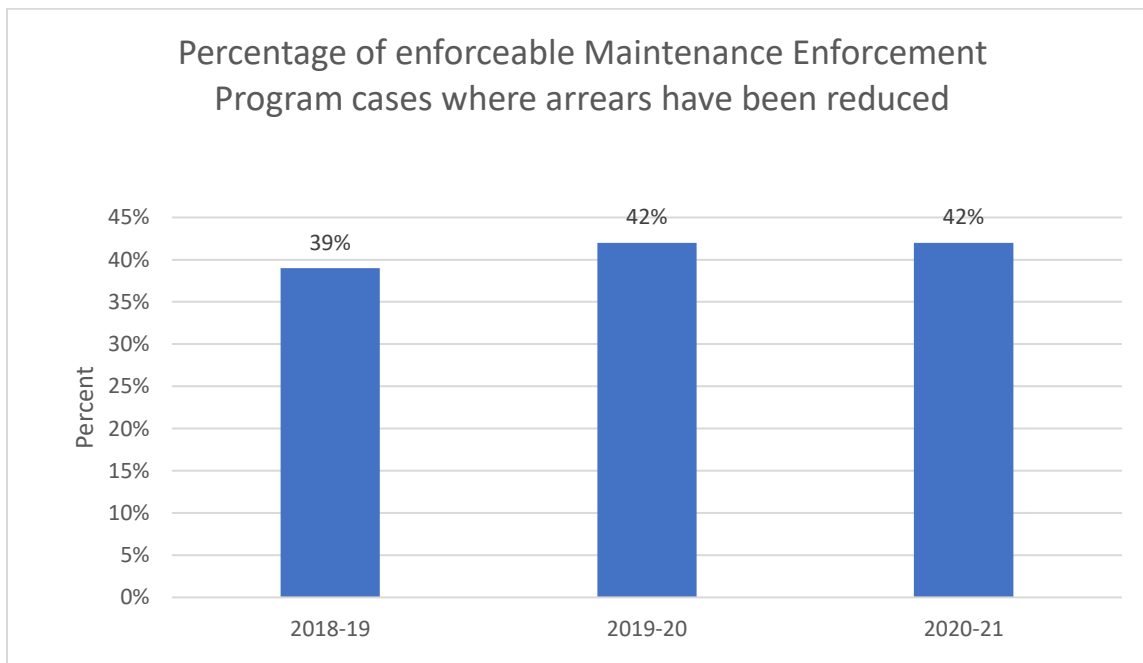
In 2020-21, MEP has expanded the rollout of the MEP Online platform, which allows clients to log into an account to access their payment information and schedule, information on enforcement actions taken, and to communicate with their case worker. Due to COVID-19 public health restrictions, outreach planned with African Nova Scotian and Mi'kmaw communities did not take place in 2020-21. This is tentatively planned to take place in 2021-22 as public health restrictions ease.

Performance Measures

As shown in the chart below, there has been an increase in the percentage of MEP cases that are in full compliance with no arrears from 49% in 2018-19 to 57% in 2020-21.



In 2020-21, arrears were reduced in 42% of enforceable MEP cases. This is the same percentage of cases as the prior year but an increase from 39% in 2018-19.



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

In 2020-2021, the Department continued its work to advance the government's goal of an accessible Nova Scotia by 2030. The Accessibility Directorate provides leadership across government with respect to preventing and removing barriers to accessibility for persons with disabilities. The key actions for 2020-2021 are described below.

Develop accessibility standards for the built environment and education, via Standards Development Committees and consultation with stakeholders.

Accessibility standards are being developed for the built environment and education, the first two of six priority areas for achieving an accessible Nova Scotia. The Directorate supports the Standard Development Committees (SDC) that are assisting the Accessibility Advisory Board with making recommendations to government for standards. The majority of the SDC members are people with disabilities, community stakeholders with subject matter expertise, and government representatives. Phase 1 recommendations from both SDCs were made public in January 2021. Government has established an Interdepartmental Working Group which is reviewing the built environment recommendations and drafting a proposed standard. Both SDCs also continued their research and analysis toward the development of Phase 2 recommendations.

Work with public-sector bodies to support them in establishing accessibility advisory committees and developing accessibility plans.

Given that COVID-19 had significant impacts on prescribed public sector bodies, the government extended the timeline by one year for all prescribed public sector bodies to meet their obligations under the *Accessibility Act*. The adjusted timelines ensure that there is sufficient time and capacity to support the development of accessibility plans. Municipalities, towns, villages, regional libraries, universities, and the Nova Scotia Community College (NSCC) are required to have plans completed by April 1, 2022, and all other prescribed public sector bodies by April 1, 2023.

The Accessibility Directorate has supported prescribed public sector bodies in establishing accessibility advisory committees and developing accessibility plans by delivering information and education presentations, hosting a variety of webinars, attending meetings of public sector bodies, reviewing materials and facilitating connections and information sharing among public sector bodies.

Launch a multi-year public awareness campaign to increase understanding of accessibility and barriers to participation.

The Accessibility Directorate is working collaboratively with Communications Nova Scotia and a marketing firm to develop a public awareness campaign for Nova Scotia. The awareness campaign strategy was finalized based on input from the Accessibility Advisory Board, disability organizations and Nova Scotians with disabilities. Work began on development and testing of the creative design, including video, print and online advertisements featuring Nova Scotians with disabilities as well as an accessibility awareness website. The campaign was delayed due to the impacts of Covid-19 and will be launched in 2021-22.

Public opinion research around the awareness of accessibility and disability in Nova Scotia continued in 2020-21. Highlights of the results from the February 2021 Atlantic Quarterly Omnibus Survey are as follows: 85% of Nova Scotians were aware that accessibility is a human right¹; 69% were aware of the *Accessibility Act*²; 59% were aware of Nova Scotia's goal to be accessible by 2030. A very high proportion of Nova Scotians (93%) recognize that disabilities can be visible and invisible. Three of every four Nova Scotians (77%) said that accessibility is *personally* important to them, and 77% also said that they believe *everyone* has a responsibility for making Nova Scotia accessible.

Support departments in implementation of specific actions outlined in the Government of Nova Scotia Accessibility Plan (2018-21).

The Accessibility Directorate meets regularly with all eight Departments who have commitments under the 2018-21 Government of Nova Scotia Accessibility Plan and coordinates quarterly updates on these commitments. In 2020-21, the Directorate was invited to join three Departmental accessibility working groups. The Directorate supports Departments delivering presentations, providing advice, sharing accessibility policy research, and fostering information sharing and collaboration.

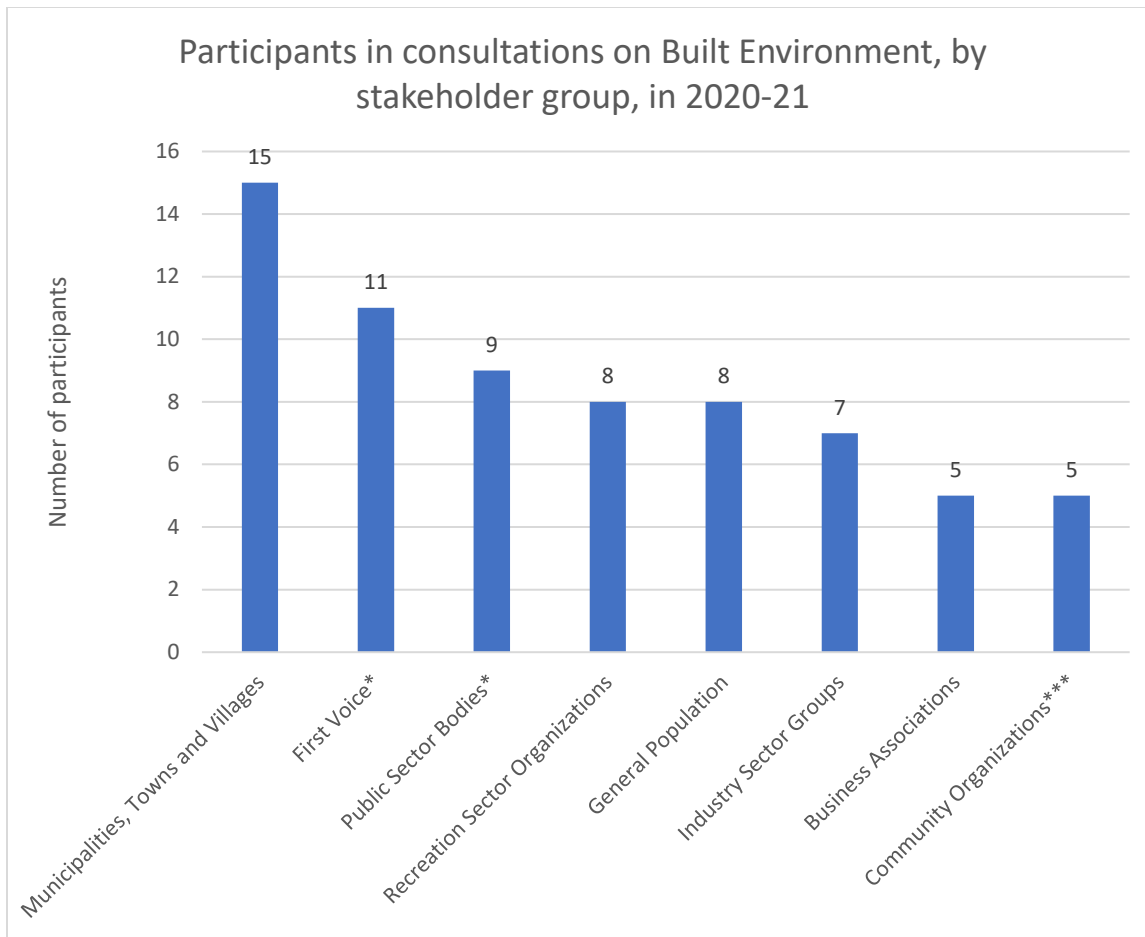
The Directorate also continues to actively support all Departments in advancing accessibility across Government through the Interdepartmental Committee on Accessibility, whose membership was expanded to include representatives from African Nova Scotian Affairs, Status of Women, Executive Council Office, and representatives from the Department of Justice in addition to those from the Accessibility Directorate.

Performance Measure: Engage public in consultations on standards development

In March and April 2021, the Accessibility Directorate supported the Built Environment Standard Development Committee to conduct nine targeted online group discussions with individuals and organizations across the Province to discuss recommendations for Phase 2 of an Accessibility Standard in the Built Environment. The following figure presents stakeholder participation in these consultations by sector.

¹ This represents a slight decrease from 2020 (88%) and an increase from 2019 (84%).

² This represents a slight increase from 2020 (65%) and 2019 (68%).



*Persons with disabilities

**Prescribed public sector bodies, not including Municipalities

***Representing persons with disabilities and not specific to persons with disabilities

Performance Measure: Annual independent Report Card by the Accessibility Advisory Board on the implementation of Access by Design 2030 and the Government of Nova Scotia Accessibility Plan to meet the target of an accessible Nova Scotia by 2030.

The Accessibility Advisory Board reviewed updates on the status of priority commitments under Access by Design 2030 and the Government of Nova Scotia Accessibility Plan regularly throughout 2020-2021. The Board worked with a consultant to develop an annual report card template and identified ways they can report on progress in their annual report.

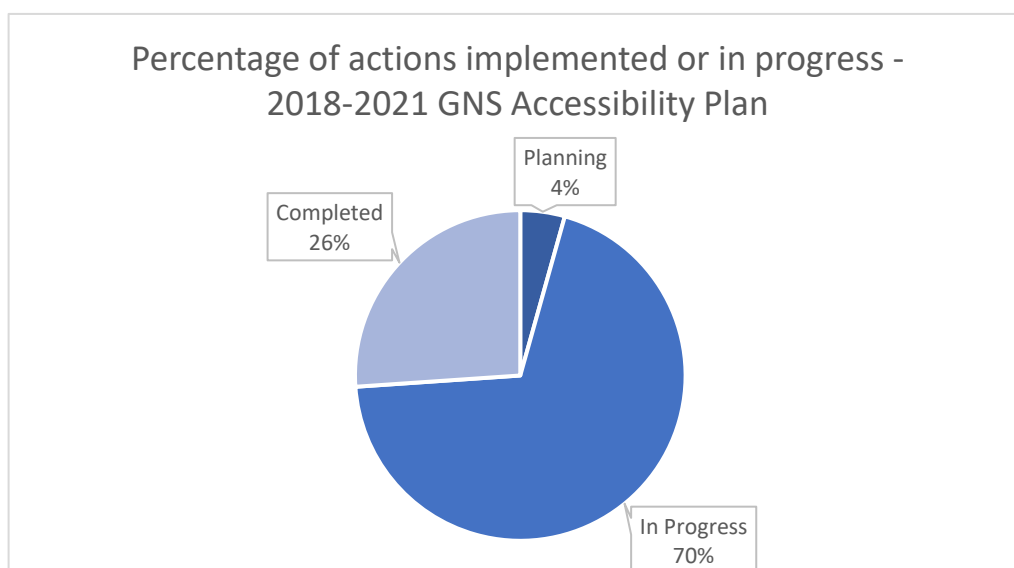
Performance Measure: Percentage of public-sector bodies who report that they have an accessibility plan.

Although the timeline was extended due to Covid-19, several public sector bodies have begun developing their accessibility plans. Universities and the NSCC developed the Nova Scotia Post-

Secondary Accessibility Framework that was released publicly in December 2020. The five municipalities in Lunenburg County (Municipality of Chester, Municipality of the District of Lunenburg, Town of Mahone Bay, Town of Lunenburg and Town of Bridgewater) developed the Lunenburg County Accessibility Plan. The Regional Libraries formed a working group to develop a Joint Accessibility Framework that will be finalized in Spring 2021. Five of Nova Scotia’s Crown Agencies are working together to form a joint accessibility committee.

Performance Measure: Percentage of actions in the Government of Nova Scotia Accessibility Plan (2018-2021) that have been implemented or are in progress.

The Accessibility Directorate regularly monitors the status of actions in the Government of Nova Scotia Accessibility Plan, and most actions were completed (26%) or in progress (70%) as of March 31, 2021.



4. Lead Preventative Justice as a mechanism to support the economic and social well-being of our Province.

Throughout the past year, the Department has developed and implemented initiatives across various justice areas related to preventative justice. These include:

Begin implementation of the 4-year Department of Justice Diversity and Inclusion Action Plan.

Implementation of the 4-year action plan, now renamed the Equity, Diversity, and Inclusion Action Plan, is under way. This includes work around the plan’s five pillars: Recruitment, Retention, Advancement, Culturally Competent and Inclusive Work Environment, and Culturally Responsive Programming and Services. This work is supported by each Division of the Department through the IDEA (Inclusion, Diversity, Equity, and Action) Working Group.

Partnership with the Mi'kmaq Legal Support Network (MLSN) and the Chief responsible for Justice portfolio for engaging with Mi'kmaq communities to inform the development of the Indigenous Justice Action Plan.

The Department has moved forward on plans to meet with Mi'kmaq leadership and other key stakeholders, forming the Indigenous Justice Action Plan (IJAP) Advisory Committee, comprising representatives from local Mi'kmaq leadership, the Indigenous academic, legal, and non-governmental organization (NGO) community, and government.

In 2020-21, plans to meet in person were postponed due to COVID-19. It was decided that due to the need for broad community participation, the meeting would take place once public health restrictions allowed large in-person group gatherings.

Initial work undertaken towards development of an African Nova Scotian Justice Plan in support of Count Us In: Nova Scotia's Action Plan in Response to the International Decade for People of African Descent.

The Department, in partnership with African Nova Scotian Affairs (ANSA), has received \$200K from the Department of Canadian Heritage under its Anti-Racism Action Program to support Province-wide community consultations to support the development of an African Nova Scotian Justice Plan. Work will continue on implementing this funding agreement and moving forward with plan development in 2021-22.

Development of Africentric relevant programming that better meets the needs of African Nova Scotians involved in the Justice system.

The Department is engaged in several different initiatives to better meet the needs of African Nova Scotians involved in the justice system, including the African Nova Scotian Justice Plan. In 2020-21, Correctional Services has worked on designing training for staff, Umoja, and a course for inmates called African Canadian Experience (ACE).

Continuing to engage with community, police, and other stakeholders in addressing Dr. Scot Wortley's Halifax, Nova Scotia: Street Checks Report.

Since the release of the report, the Department of Justice (DOJ) has worked with representatives from African Nova Scotian communities, other government Departments, and police to advance many of the recommendations. The Department is committed to ongoing and steady progress, in advancing these recommendations, and in increasing awareness about the negative and harmful impact of systemic racism, discrimination, and racial profiling.

The Wortley Report Research Committee (WRRRC) held its first meeting in September 2020. This Committee's mandate is to examine models of data collection, including collection of race-based data, on police stops, and make recommendations to support the development of a Nova Scotia-specific race-based data collection model for police stops.

Reviewing the Additional Officer Program to support a program that is more efficient and focused on prevention, protection, and Government policy priorities.

The Additional Officer Program (AOP) began in 2007 and currently funds additional police officers in the Province. In 2020-21, work was undertaken to make changes to the program and designate officers in response to specific law enforcement needs. This has included providing AOP positions to focus specifically on the issue of human trafficking in rural Nova Scotia.

Improving services to families with family law matters through the expansion of Unified Family Court throughout the Province.

Unified Family Court (UFC) has now been expanded throughout the Province with the exception of the Bridgewater and Kentville Justice Centres. Kentville will become a UFC in 2021-22. Court staff have received extensive training on UFC practice, programs, and services, with ongoing training occurring as needed to improve capacity. Some services are provided online and by telephone, and the development of live virtual services will continue in 2021-22.

Improving acoustics and technology to enable Nova Scotians to better see and hear court proceedings.

Most of this work has been delayed in 2020-21 due to the need for IT infrastructure to be adapted to allow virtual proceedings and maintain Court capacity with COVID-19 public health restrictions in place. Audio upgrades at select courtrooms across the Province is commencing in 2021-22.

Conducting infrastructure planning for courthouses to ensure a coordinated and prioritized approach to courthouse improvements.

Court infrastructure planning has been significantly impacted by COVID-19. Public health requirements meant that priorities for physical infrastructure upgrades were shifted to providing items like plexiglass shields, as well as to the construction of two new jury courtrooms in Dartmouth.

Enhancing training for court staff to ensure excellent service for Nova Scotians as they access the justice system.

Training for Court staff in 2020-21 has primarily focused on the technology requirements for keeping the Court system operating during COVID-19 public health restrictions.

Supporting the implementation of eCourt, an innovative online platform for case management, processing, and adjudication.

The eCourt platform is a pilot program that permits proceedings to be heard online through a chat function and documents to be uploaded and exchanged virtually. The platform went live in August 2020, and as of March 31, 2021, over 100 lawyers and members of the judiciary had been trained in its use. Matters are now being scheduled and heard, including matters with more than two parties.

Supporting the work of the Desmond Fatality Inquiry with infrastructure, security, technology, and staffing.

Due to COVID-19, the resumption of hearings in the Inquiry was postponed until February 2021, and the proceedings moved from Guysborough County to the courthouse in Port Hawkesbury. The Department continues to provide support for the Inquiry in multiple areas in 2021-22.

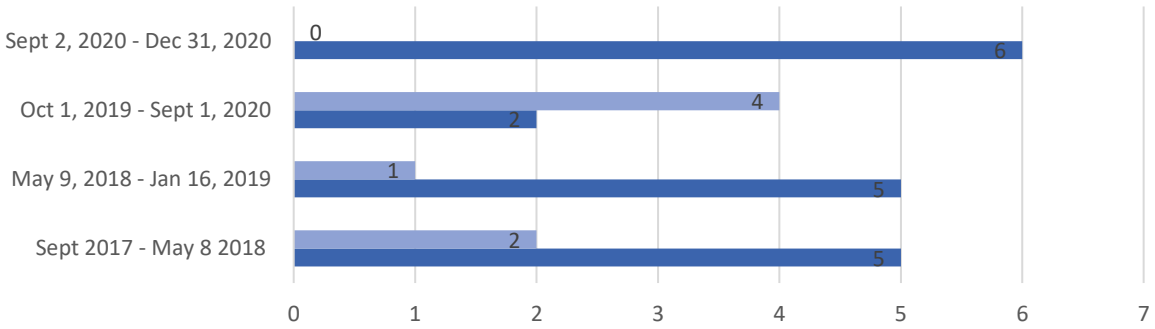
In partnership with Executive Council Office, the Public Service Commission, and the Human Rights Commission, continuing to implement the Agencies, Boards, and Commissions (ABCs) Diversity Recruitment and Inclusion Strategy developed in 2018.

Staff continue to monitor applicants and appointees for ABC positions to determine the proportion who are from equity-seeking groups, which include the 2SLGBTQI+ community, immigrants and new Canadians, persons who identify as having a disability, racially visible persons, women in roles in which they are underrepresented, young Nova Scotians (35 and under), and those who identify as Indigenous, Acadian, Gaelic, or African Nova Scotian. In 2020-21, 192 total applications were received for Justice ABCs, with 58% of applicants having self-identified as being from one or more equity-seeking groups. During the year, there have been 11 Ministerial appointments made to ABCs, and five of those appointees (45%) identify as being from an equity-seeking group. Work will continue in 2021-22 to advance the Strategy, and help ensure more applicants and appointees identify as being from the Indigenous and African Nova Scotian communities.

Performance Measures

The graphs below depict the number of applications and appointments to Department ABCs of African Nova Scotians and Indigenous people, respectively. Self-identification in the application process is voluntary.

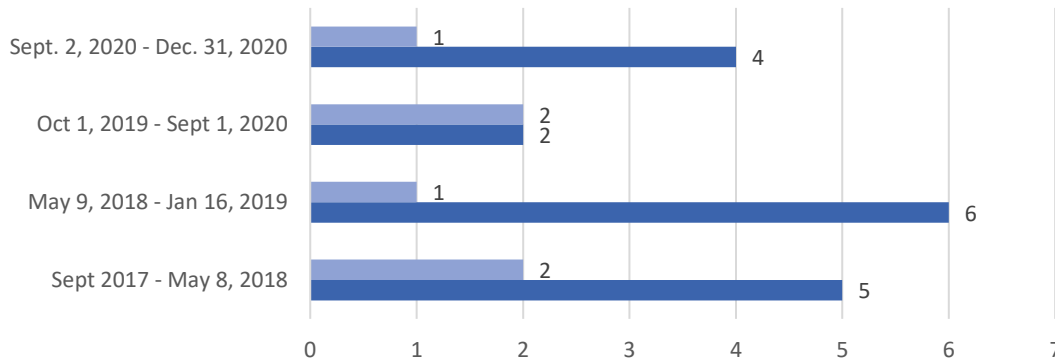
Applications and Appointments to DOJ ABCs: African Nova Scotians



	Sept 2017 - May 8 2018	May 9, 2018 - Jan 16, 2019	Oct 1, 2019 - Sept 1, 2020	Sept 2, 2020 - Dec 31, 2020
No. of Appointments	2	1	4	0
No. of Applications	5	5	2	6

■ No. of Appointments ■ No. of Applications

Applications and Appointments to DOJ ABCs: Indigenous Nova Scotians



	Sept 2017 - May 8, 2018	May 9, 2018 - Jan 16, 2019	Oct 1, 2019 - Sept 1, 2020	Sept. 2, 2020 - Dec. 31, 2020
No. of Appointments	2	1	2	1
No. of Applications	5	6	2	4

■ No. of Appointments ■ No. of Applications

Better meeting the needs of female inmates by enhancing partnerships with community agencies, and transitioning the East Unit at Central Nova Scotia Correctional Facility into a separate facility for women.

The transition of East Unit to a separate facility for women as well as the community agency partnerships have been delayed due to COVID-19's impact on Correctional Services and the need for stringent public health measures. This work will continue in 2021-22.

Better use of restorative practices by Correctional Services and technological improvements to support reintegration and safety.

The Department's Restorative Initiatives unit is working with Court Services and Correctional Services to explore ways in which the NS Restorative Justice Program can assist in alleviating court backlog and increasing referrals to restorative programming.

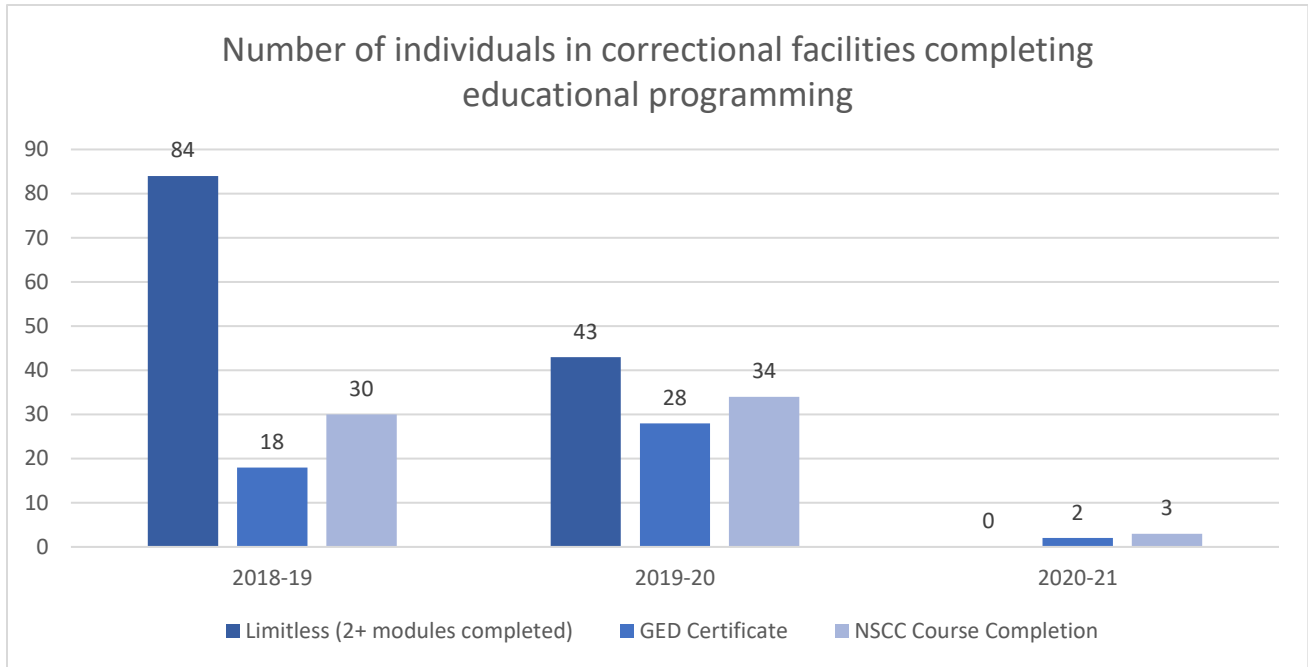
Correctional Services has developed a restorative approach to its internal disciplinary adjudication of infractions and/or offences committed by persons in custody whereby they are able to address the infractions in a more relational manner with limited use of close confinement or other disciplinary measures. As well, when the infraction rises to the level of a criminal offence, a process has been developed which would eliminate the need for a referral to police, in the first instance, and subsequent court processing to resolve the matter. Consultation is ongoing with the staff of the Restorative Initiatives Unit to ensure restorative principles are being incorporated and that the facility processes are appropriate to internally address these behaviours and resolve them without the necessity of an external referral to the criminal justice system.

Correctional Services has implemented technological improvements to facilitate virtual visits and court appearances during COVID-19, with potential for this to continue after public health restrictions ease.

Leveraging existing partnerships to extend educational opportunities for those reintegrating from custody to community.

Educational programming was negatively impacted by COVID-19 as direct services were not provided for extended periods of time while contact and movement within custody were limited to reduce risk. Individuals in custody were provided with work packages and mindfulness activities in periods when programming was not offered, however this information is not included in the statistics below.

Performance Measure



In partnership with existing community-based organizations and police, supporting the Guns and Gangs initiative to restrict criminal access to firearms, reduce gun and gang violence, and address human trafficking

The Guns and Gangs initiative is a federally funded program that assists Provinces and Territories in combatting serious and organized crime inclusive of firearms and gang related incidents. The funding program was initiated in 2018-19 and will conclude on March 31, 2023 with the possibility of extension thereafter. The Department of Justice supports multiple projects through this funding stream including those that aim to combat human trafficking, community programs, crime prevention, and victim support. In 2020-21, the Department of Justice continued to administer funding to support these projects and provided oversight and evaluation.

Continuing cyber-protection actions to ensure the safety of Nova Scotians, including raising awareness through education.

The Department’s CyberSCAN unit works to improve the cyber safety of Nova Scotians through education and enforcement of the *Intimate Images and Cyber Protection Act*. The unit delivers presentations to schools and community organizations and workplaces regarding general cyber-safety.

Performance Measure

The CyberSCAN unit of the Department’s Public Safety division delivered 54 presentations comprising 2,117 total attendees in 2020-21. 46 of these presentations were given to schools.

This is a decline from 263 presentations with 7,948 participants in 2019-20, due to the public health restrictions preventing presentations from being held in the first two quarters of 2020-21.

Quarterly Statistics - All - 2020/2021	Presentations	Attendees
Q1 - April to June 2020	2	37
Q2 - July, Aug, Sept 2020	1	14
Q3 - Oct, Nov, Dec 2020	9	129
Q4 - Jan, Feb, March 2021	42	1,937
Q1 to Q4 Total	54	2,117
To Schools Only		
Q1 - April to June 2020	0	0
Q2 - July, Aug, Sept 2020	0	0
Q3 - Oct, Nov, Dec 2020	5	86
Q4 - Jan, Feb, March 2021	41	1,925
Q1 to Q4 Total for Schools	46	2,011

5. Restorative Justice is an effective approach to reduce future contact with the justice system and improve victim outcomes. Restorative approaches across government and across the Province will be supported by the Department.

Over the past several years, the Department of Justice and the Government of Nova Scotia have made significant investments to support the acceleration of restorative justice in the criminal justice system, and the use of a restorative approach more broadly to promote community safety and well-being.

The NS Restorative Justice Program (NSRJP) has continued to operate through 2020-21 while dealing with the impacts of COVID-19 on its programming. During Wave 1 of the pandemic, from March to May 2020, referrals to the NSRJP dropped by 61%. During this time and through the remainder of the fiscal year, Departmental and Regional Team staff continued to work with justice stakeholders (e.g. police, Courts, Crown, Correctional services) to support the ongoing delivery of the program.

Staff have made significant adaptations to their practice and are now able, when appropriate, to conduct session work virtually. Previously all work of this kind had been done in person. This change has been supported by holding education sessions with facilitation experts, preparing a

guide containing detailed direction on best practices for virtual program delivery, and continuing to collaborate among staff and with community partners to adapt alongside changing public health restrictions. Videoconferencing is now fully implemented across the Province for NSRJP and can be used when appropriate. This is expected to help address the backlog in cases caused by COVID-19 and allow for fewer case handling delays in the future.

Restorative Initiatives staff have continued to support various government bodies to adopt a restorative approach in their work. In 2020-21, this involved working within the Department of Justice with the Maintenance Enforcement Program, Victim Services, Correctional Services, and Legal Aid to build capacity for using restorative approaches in workplace engagement. This also involved providing support to designated schools and the Department of Early Education and Childhood Development.

Restorative Initiatives staff, in partnership with the Domestic Violence Initiatives Unit, have led the formation of a working group in 2020-21 around the intersection of restorative justice and domestic violence. This group reviewed existing community-authored reports, conducted a jurisdictional scan to explore if Restorative Justice processes have been used in any domestic violence cases across Canada, and has examined the complex intersections among domestic violence and other challenges faced by women and children.

The initiatives below have been transferred to the Office of Citizen-Centred Approaches, who are now leading the work in collaboration with the Restorative Initiatives Unit.

- Partner with the Restorative Research, Innovation, and Education Lab, Schulich School of Law, Dalhousie University to focus on justice transformation in Nova Scotia and increase the capacity for the effective use of a restorative approach beyond criminal justice.
- Support government's commitment to work differently as laid out in the Final Report of the Restorative Inquiry into the Nova Scotia Home for Colored Children.
- Continue to support the Restorative Process for Wheelchair Accessibility in Restaurants.

Performance Measure: The number of people referred to the NS Restorative Justice Program, by agency of referral.

The number of referrals to the NS Restorative Justice Program were down by 9% in 2020-21 compared with the previous year. This was driven by a decrease in Crown referrals related to COVID-19.

	2018-19	2019-20	2020-21
Corrections Referral	9	28	27
Court Referral	36	80	83
Crown Referral	883	930	690
Police Referral	240	289	402
Other/Unknown	2	0	0
TOTAL	1170	1327	1202

6. Leading initiatives to monitor the impact of the legalization of cannabis in the Province.

Following the federal legalization of cannabis in October 2018 and the introduction of cannabis edibles, extracts, and topicals into the legal market in December 2019, the Department has continued its work to monitor the impact of these changes on Nova Scotians and the Province's justice system. Department staff continue to meet with the Departments of Finance and Treasury Board and Health and Wellness on an ongoing basis to ensure the provincial framework for cannabis policy remains functional. There have been no new public awareness campaigns in 2020-21, but the Province's "Be in the Know" website remains updated with current information about legal cannabis.

Work towards the Drug Impaired Driving training plan has been delayed due to COVID-19. Training for Drug Recognition Experts (DRE) and around Standardized Field Sobriety Testing (SFST) for law enforcement personnel has not been held due to public health restrictions. In 2019-20, 101 officers and 16 officers, respectively, from both municipal police forces and the RCMP took part in this training. With the need for public health restrictions waning, the Department aims to begin offering this training again in 2021-22.

7. Continue activities to reduce delays in the justice system.

The 2016 Supreme Court of Canada decision in *R. v. Jordan* established a limit of 18 months between the laying of charges and the actual or anticipated end of a trial in provincial court, and 30 months in the Supreme Court.

Performance Measure

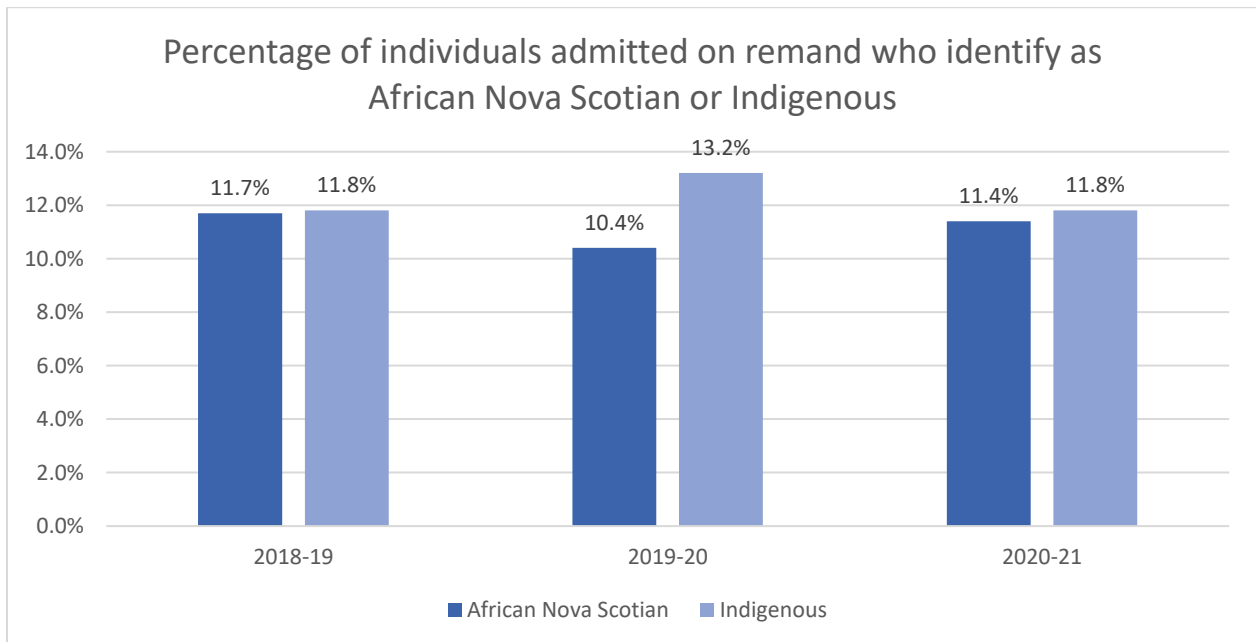
At the end of 2020-21, the number of cases above the threshold established in *R. v. Jordan* decision had reached the highest level seen since tracking began in January 2017, with a 92% increase over the 2017 baseline. The COVID-19 pandemic impacted every area of the Justice system and caused significant delays in the Court system in 2020-21, leading to this increase. Work will continue in 2020-21 to reverse this increase.

In 2020-21, the Department provided ongoing support to the Criminal Justice Transformation Group (CJTG), comprised of senior leaders from Nova Scotia’s criminal justice system. CJTG has worked to decrease the overrepresentation of African Nova Scotians in remand, reduce the number of cases exceeding the Jordan threshold, and mitigate the impact of COVID-19.

Performance Measure

Indigenous and African Nova Scotian accused individuals are overrepresented in the Province’s remand admission. Indigenous adults represent 6% of Nova Scotia’s population but 12% of adults admitted to remand in 2020-21. African Nova Scotian adults represent 2% of the Province’s population but 11% of adults admitted to remand in 2020-21.

Indigenous women are overrepresented in remand admissions to a greater extent than their male counterparts. In 2020-21, Indigenous women represented 15% of female admissions to remand while Indigenous men represented 11% of male admissions.



Supplemental Information and Appendices

Key Facts about the Department of Justice

The Department of Justice consists of approximately 1,700 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 170 different Acts and 100 different Regulations.

The Department provides services through six Divisions, the Restorative Initiatives Unit, and the Accessibility Directorate:

- Accessibility Directorate: responsible for implementing and administering Nova Scotia's new *Accessibility Act* with the goal to ensure Nova Scotia is accessible by 2030.
- Restorative Initiatives Unit: has a mandate to support and advance restorative initiatives in the Province. The unit is anchored by the Restorative Justice Program for youth and adults across the Province.
- 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.
- Court Services: responsible for improving access to justice and improving public safety and security through support to the judiciary and the administration of Nova Scotia's Courts at 24 sites in 18 communities across the Province:
 - Civil law court services;
 - Criminal law court services;
 - Family law court services; and
 - Sherriff Services - focuses on the safety and security of the judiciary, court staff, the public, and persons in custody. There are Sheriffs across the Province, numbering over 200 in total.
- Legal Services: responsible for providing a full range of legal advice and services to support government operations and help government achieve its corporate priorities while ensuring the administration of public affairs is carried out in accordance with the law:
 - 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.
- Maintenance Enforcement and Victim Services: responsible for improving access to justice for families by registering, collecting, and enforcing court orders or agreements registered with the court for child and spousal support. Victim Services is responsible for four Regional Offices and operates four core programs which aim to reduce the harmful impact of crime on victims.
- Policy & Information Management: responsible for supporting the Minister, Deputy Minister, Senior Management and all divisions through four sections.

- Research, Planning and Information Management provides, research, statistics, and evaluation services, leads the business planning process and manages the appointment process for the Department’s agencies, boards, and commissions.
- Legislation and Federal/Provincial/Territorial (FPT) Relations supports and advises on all aspects of the departmental legislative agenda, policy; and FPT committees and working groups.
- Records Management administers the departmental records management program and provides guidance to the Courts of Nova Scotia in relation to their records management program.
- The Facilities Group manages accommodation requirements including capital construction, leasehold acquisition, leasehold renovation and building maintenance projects.
- 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, as well as enforcement of community safety processes and security intelligence management services.

Public Interest Disclosure of Wrongdoing Act (PIDWA)

The *Public Interest Disclosure of Wrongdoing Act* (PIDWA) was proclaimed into law on December 20, 2011. The Act provides a mechanism for current and past government employees 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 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 defined as:

- 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.

Information Required under Section 18 of the Act	Fiscal Year 2020-21
The number of disclosures received	0
The number of findings of wrongdoing	N/A
Details of each wrongdoing	N/A
Recommendations and actions taken on each wrongdoing	N/A