

WORTLEY REPORT UPDATE

2023

Summary of Department of
Justice-led Recommendations



INTRODUCTION

On March 27th, 2019, Dr. Scot Wortley released his *Halifax, Nova Scotia: Street Checks Report* (the “Wortley Report”). It makes 53 recommendations that fall under the categories of a street check ban, the regulation of street checks, data collection on police stops, and improving police-community relations. Government is responsible for 12 of these recommendations, as detailed below.

The Wortley Report shows that every year between 2006 and 2017, Black Nova Scotians were 5-6 times more likely to appear in street check statistics than their representation in the general population would predict. The report calls for a collective response to bring about change. Government is committed to this and continues to engage with communities, police, and other partners to address the recommendations in the Wortley Report.

Since the release of the report, representatives from African Nova Scotian communities, the Department of Justice (DOJ), police, and other partners have worked to advance many of the recommendations. Government is committed to increasing awareness about the negative and harmful impact of systemic racism, discrimination, and racial profiling.

Our commitment to delivering on the recommendations supports the Minister of Justice’s mandate to support the implementation of the Wortley Report and ensure that street checks end. DOJ is also developing an African Nova Scotian Justice Action Plan in collaboration with African Nova Scotian Affairs and African Nova Scotian communities. An initial and critical component of the plan was the establishment of the African Nova Scotian Justice Institute (ANSJI) by the African Nova Scotian Decade for People of African Descent Coalition (ANSDPAD). The Institute is creating programs and services that address systemic racism faced by African Nova Scotians in their interactions with the justice system. It is being established in a phased approach over three years, 2021-2024. Government supported the establishment of the ANSJI in July 2021 and additional funding was provided in December 2022 to support operational costs through to March 31st, 2026.

This update reflects Government’s progress to date on the Wortley Report recommendations.

Street Checks were permanently banned in Nova Scotia on October 18, 2019. Therefore 24 of the 53 recommendations that relate to regulating street checks are no longer relevant.

Of the remaining 29 recommendations, 12 are led by DOJ – four have been completed and eight are in progress.

COMPLETED

- Minister of Justice issued a directive that **street checks cannot be used as part of a quota system and performance management tool**. This makes it clear that officers must adhere to their Code of Ethics, relevant policies, and review the Canadian Charter of Rights and Freedoms, human rights legislation, and the Wortley Report. [March 28, 2019 (Rec 2.13)]
- The Minister of Justice issued a **moratorium on street checks of pedestrians and passengers in motor vehicles**. [April 19, 2019 (Rec 2.1)]
- The Minister of Justice announced a **permanent ban on the practice of street checks** without a new directive. [October 18, 2019 (Rec 1.1)]
- With the release of the *Minister's Directive – Street Checks Ban*, effective December 1, 2021, the **Province strengthened the ban on street checks** to provide clearer direction to police and ensure no Nova Scotian is subjected to the practice.
- Coordinated the **establishment of the Wortley Report Research Committee (WRRC)**. [September 2020 (Rec 3.1)] The WRRC is composed of representatives from African Nova Scotian community organizations, individual African Nova Scotian representatives from the Northern Region, Cape Breton Region, and Southwest Region, police, police governance, African Nova Scotian Affairs, the Nova Scotia Human Rights Commission, and DOJ.
 - Part of the WRRC's mandate is to develop a report and recommendations to guide the development of a race-based data collection model for police stops in Nova Scotia.
 - The WRRC is also responsible for examining recommendations 1.6, 1.7, 3.2 and 3.5 in the Wortley Report to determine how they may be advanced through the WRRC's work.
 - The WRRC's *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova Scotia* was released on September 1st, 2022.
 - Prepared by academic researcher, Dr. Timothy Bryan, the report and recommendations align with the *Minister's Directive – Street Checks Ban* effective, December 1, 2021.

IN PROGRESS

- **Committee to monitor progress on the recommendations** (Rec 4.16): The Wortley Report Action Planning Working Group was formed to develop an action plan and accountability framework. While the committee is no longer active, DOJ continues to engage bilaterally with the African Nova Scotian organizations that participated.
- **Develop a Know Your Rights Initiative** (Rec 4.10): DOJ coordinated an initial meeting with the Nova Scotia Human Rights Commission, Nova Scotia Legal Aid, Halifax Regional Police, RCMP, African Nova Scotian Affairs and the Office of L’nu Affairs. **NEW UPDATE:** This initiative is being led by community. The ANSJI is establishing a Know Your Rights campaign and developed a framework in 2023 to guide the delivery of this work. DOJ has provided \$29,000 to support the ANSJI to advance this initiative.
- **Strengthen the Police Complaints process and consider creating and funding an African Nova Scotian Legal Advocate or Legal Clinic** (Rec 4.11):
 - As an initial step, amendments were made to Police Regulations under the Police Act, extending the timeframe to file a complaint against municipal police officers from six months to one year to align with the timelines for filing complaints against RCMP officers. Authority was given to the Police Complaints Commissioner to extend the time limit for making a complaint if it is in the public interest.
 - Government’s funding of the ANSJI addresses the funding aspect of Rec 4.11. **NEW UPDATE:** The ANSJI Legal was established as an independent, non-profit law firm that provides free legal services to African Nova Scotian and Black clients across Nova Scotia. Its mandate is to combat systemic anti-Black racism in the criminal justice system through client representation, law and policy reform, and community-based strategic litigation.
 - DOJ will work with ANSDPAD, the ANSJI and other key partners to further address this recommendation.
- As part of its mandate **the WRRRC examined the following recommendations** in the Wortley Report to determine how they may be advanced through its work.
 - Evaluate the impact of the street check ban on police- community relationships and public safety. (Rec 1.6) This recommendation will be explored further by the WRRRC.

- In its *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova Scotia*, the WRRRC has recommended the advancement of the Wortley Report’s recommendations 1.7, 3.2 and 3.5.
 - The police should be mandated to collect and disseminate information on the personal characteristics, including the racial background, of civilians subjected to police stops and other investigative detentions. (Rec 1.7)
 - Establish a permanent data collection system to record information on police stops of civilians. (Rec 3.2)
 - Release annual or bi-annual reports to the public on data collection and research activities. (Rec 3.5)
 - **NEW UPDATE:** A Subcommittee of the WRRRC was formed in April 2023 to advance development and implementation of the race-based data collection model for police stops in Nova Scotia. The Subcommittee is composed of community, police, police governance police data subject matter experts, government, and an academic researcher.
- **Address racial bias in other parts of the criminal justice system, beyond street checks** (Rec 4.17): DOJ in partnership with community is developing both an African Nova Scotian Justice Action Plan and an Indigenous Justice Action Strategy to address the broader issue of systemic racism in the justice system.

NEW UPDATE: The African Nova Scotian Justice Action Plan will be released in the coming months.


ADDITIONAL RELATED INITIATIVES

- DOJ has also worked to support the advancement of other recommendations in the Wortley Report that are not government led. For example, DOJ provided \$100,000 to support training for law enforcement. Funds have been used to support police agencies to enhance their cultural competency through training modules related to ethics and accountability and racially biased policing. This helps to advance Rec 4.2 in the Wortley Report.
- DOJ collaborated with the RCMP to facilitate delivery of the RCMP’s African Canadian Experiences (ACE) Training Workshop to municipal police. DOJ continues to work with the RCMP to support training sessions for municipal police and DOJ policy, operations, and management employees. This helps to advance Rec 4.3 in the Wortley Report. **NEW UPDATE:** In 2023 a total of four ACE Training Workshops were delivered to approximately 100 participants.

- **NEW UPDATE:** In fiscal 2022-2023, DOJ invested \$354,000 towards a police cadet recruitment initiative to help increase the number of officers from diverse backgrounds including those who identify as Mi'kmaw and/or African Nova Scotian. The funding covers tuition, accommodations, and meals for up to 11 positions for the Police Science Cadet Program at the Atlantic Police Academy at Holland College in Prince Edward Island. In fiscal 2023-2024, DOJ invested \$162,000 to provide additional funds for five positions.
- DOJ remains committed to ongoing and steady progress. DOJ will work with communities, police, and other partners to continue to advance the outstanding recommendations in the report.

The Wortley Report can be viewed at: [Halifax Street Checks Report \(novascotia.ca\)](https://www.novascotia.ca/halifax-street-checks-report)

The Wortley Report Research Committee's *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova Scotia* can be viewed at: [Final Report and Recommendations Dr. Timothy Bryan \(novascotia.ca\)](https://www.novascotia.ca/final-report-and-recommendations-dr-timothy-bryan)



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