

DEPARTMENT OF JUSTICE

ANNUAL ACCOUNTABILITY REPORT FOR THE FISCAL YEAR

2007-2008

October 17, 2008

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ACCOUNTABILITY STATEMENT

The accountability report of the Department of Justice for the year ended March 31, 2008 is prepared pursuant to the *Provincial Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against the department business plan information for the fiscal year 2007-2008. The reporting of department outcomes necessarily includes estimates, judgements and opinions by department management.

We acknowledge this accountability report is the responsibility of the 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 business plan for the year.

Cecil P. Clarke
Minister of Justice

Marian Tyson, Q.C.
Deputy Minister of Justice

MESSAGE FROM THE MINISTER AND DEPUTY MINISTER

It is our pleasure to share with you details of the work performed by the Department of Justice during the 2007-2008 fiscal year.

Over this past fiscal year, the department continued to make progress on all aspects of its mandate: significant and serious enforcement, offender supervision and rehabilitative services, as well as the development of enhanced crime prevention initiatives, capacities and partnerships. The department took a new direction in 2007-2008 by adding crime prevention as a major focus with our comprehensive crime prevention strategy, *Time to Fight Crime Together*. We have invested in programs to ensure safer communities – one of the government's five provincial priorities.

We also faced challenges in fiscal 2007-2008, particularly in the area of policies and procedures in our adult correctional facilities. The department has responded to these challenges by conducting internal reviews and instituting changes on the basis of those reviews. In addition, we have arranged an independent external audit of our policies and procedures. The results of the external audit are expected by the fall of 2008 and will help shape our activities in correctional services in the year ahead.

What our department has accomplished this year – as you will read in the following pages – reflects the talent and commitment of our many dedicated employees throughout the province who work with justice and community partners to ensure Nova Scotians can be confident in the justice system. Our staff continue to impress us with their degree of professionalism and dedication.

We encourage you to review this accountability document, and welcome your opinions and suggestions regarding our efforts.

Cecil P. Clarke
Minister of Justice

Marian Tyson, Q.C.
Deputy Minister of Justice

INTRODUCTION

Purpose

The purpose of this accountability report is to present results of the Department of Justice business plan for 2007-2008, in keeping with efforts to ensure accountability and transparency. Because this report is based on the goals, priorities and performance measures set out in our business plan, it would be helpful to read both documents together.

Department overview

The Department of Justice is committed to the fair and effective administration of justice and to excellence in service to the people of Nova Scotia. To accomplish its mandate, the department provides services through seven divisions: Public Safety; Court Services; Correctional Services; Legal Services; Human Resources; Policy & Information Management; and Finance and Administration.

Our Public Safety Division provides policing service governance, including administration of the *Police Act*, acting in an advisory role to all police services, managing contracts with the Royal Canadian Mounted Police (“RCMP”) and First Nations Policing, and strengthening policing initiatives through the development of governance standards and training. It works in partnership with the public safety community to contribute to and facilitate initiatives to improve public safety, manage security intelligence, and reduce and prevent crime. It regulates the private security industry, and administers the licensing provisions of the federal *Firearms Act*. The division’s Public Safety Investigations Section supports the *Safer Communities and Neighbourhoods Act*.

Our Court Services Division provides civil law, criminal law and family law court administrative services, small claims, bankruptcy law adjudication, security and transport of prisoners to and from court, Restorative Justice for offences involving youth, and criminal law adjudication (Justices of the Peace). The department operates 45 facilities throughout the province, with court administration managed through 14 justice centres. In addition, direct services for victims of crime are provided through four core programs: the Provincial Victim Services Program; the Criminal Injuries Counselling Program; the Victim Impact Statement Program; and the Child Victim/Witness Program. Victim Services are provided through four regional offices and two sub-offices across the province. The integration of Victim Services into the Court Services Division in 2007 has brought new synergies and efficiencies in those two core business areas.

The Correctional Services Division provides community-based correctional services, including adult diversion measures; pre-sentence reports; offender supervision; youth bail supervision; youth attendance centres; and reintegration programs and planning. Custody-based correctional services involve facility operations and reintegration programs and planning. The department operates five adult correctional facilities in Amherst, Antigonish, Dartmouth, Sydney and Yarmouth; one youth correctional facility in Waterville; and a small satellite youth detention

facility at the adult facility in Sydney. The department also operates 22 community corrections offices throughout the province.

Legal Services represents the Crown and its agencies in civil litigation matters before courts and tribunals and supports alternative dispute resolution. It also provides legal advice to the Crown and its agencies, corporate counsel services, law reform and legislation support, client education, and drafts regulations.

The Maintenance Enforcement Program (“MEP”) of the Nova Scotia Department of Justice enforces court orders and agreements registered with the court for child and spousal support. If the payments are not up-to-date, MEP can take a number of actions to enforce payment of maintenance obligations. The program is delivered through six offices located across the province.

The Nova Scotia Medical Examiner Service also falls under this department. Investigations are held into all deaths due to violence, undue means, culpable negligence and sudden unexplained deaths. The department also oversees trustee services for incompetent adults, infants and missing persons through the Office of the Public Trustee, and coordinates the administration of the *Freedom of Information and Protection of Privacy Act*.

The department oversees the functioning of the justice system by working cooperatively with all of its components, including the Public Prosecution Service, Nova Scotia Legal Aid, Nova Scotia Barristers’ Society, police, judiciary, federal government, and various non-governmental organizations. A Justice Partners Forum is held regularly with our various partners providing an avenue to work together to achieve common goals while respecting the autonomy of each.

The department’s management team also meets regularly to determine priorities and report on accomplishments. Representatives from all divisions develop priorities, keeping in mind the department’s four strategic directions, which are broad themes for change. They are:

- a justice system that is properly administered and cost effective;
- there is public confidence in the justice system;
- people are and feel safe and secure;
- people make constructive choices.

Issues and events shaping our work in 2007-2008

Many Nova Scotians are concerned about crime. While Nova Scotia’s crime rates dropped for the third year in a row in 2007 and our youth crime rate dropped by four percent, Nova Scotia’s overall youth crime rate and violent youth crime rate are still the third highest among the ten provinces. With the tragic death of Theresa McEvoy in 2004, youth crime has become an area of particular concern for Nova Scotians and for the Department of Justice. The department announced a public inquiry to examine the events that preceded Ms. McEvoy’s death, and in the fall of 2006, Inquiry Commissioner Justice D. Merlin Nunn released his final report. The province accepted all of the Nunn Commission’s recommendations in January 2007, and has now

completed or nearly completed all 25 recommendations that related to the justice system. We continue to ensure a strong response to youth crime and improved prevention measures in collaboration with other government departments and the community by monitoring and reporting on progress on these recommendations.

In May 2007, the Minister received the final report of the Minister's Task Force on Safer Streets and Communities. Over 800 Nova Scotians were consulted by the volunteer task force on community programs, government services, legislation and policing initiatives to identify and promote programs that are making a positive difference in communities. The work of the task force has been instrumental in the development of our crime prevention strategy, which was launched during fiscal 2007-2008.

Since the release of our comprehensive crime prevention strategy, *Time to Fight Crime Together*, in December 2007, more than 30 communities have received one-time grants from the Department of Justice for projects that support the strategy. In total, \$250,000 was distributed to 45 groups across the province. The purpose of the multi-year strategy is to help Nova Scotians be safe and feel safe in their communities by reducing and preventing crime in partnership with organizations, communities and individuals.

Eighty new police officers were added in spring 2007 and another 70 police officers were allocated in January 2008 for deployment in 2008-2009. These were the first two installments of a total 250 new police officers that will be added over four years, starting in 2007-2008. The total budget for the new officer initiative is \$65 million.

Like many other jurisdictions across Canada, the Department of Justice commenced a review of the province's policies on the use of conducted energy devices¹ ("CEDs"). Canadians have become concerned about the safety of these devices as a result of several recent incidents across the country. Part One of the Conducted Energy Device Review was released in March 2008: a 42-page report that provided data on the relevant policies and procedures in Nova Scotia and a snapshot of how CEDs are being used. Part Two of the Review involved an examination of that report by an advisory panel. The panel made recommendations to the Minister in July 2008, which are now being implemented.

The Office of the Auditor General released a report on the Maintenance Enforcement Program in June 2007. The Department of Justice accepted all 18 recommendations and has begun work on implementation, including making improvements to the systems and processes used to administer and enforce maintenance orders on a timely basis, and enhancing internal controls used to ensure receipts and disbursements are properly recorded and authorized.

On the legislative front, the department introduced legislation to formally allow class-action law suits to be filed in Nova Scotia and introduced amendments to update Nova Scotia's *Human*

¹Also referred to as conducted energy weapons (CEW), electronic control devices (ECD), stun gun or TASER.

Rights Act in response to recommendations from the Human Rights Commission. The Departments of Justice, Health and Community Services initiated a public consultation on draft legislation allowing for the creation of personal directives to allow Nova Scotians to plan for certain personal care and medical care decisions in advance.

At the national level, we have continued to push for changes to the *Youth Criminal Justice Act* (“YCJA”). In February 2008, Minister Clarke launched the *Fix Youth Crime* campaign, calling on Nova Scotians to vocalize their support for the implementation of all seven of the Nunn Commission’s YCJA-related recommendations by signing an on-line petition. Minister Clarke took this campaign to Ottawa where he met with federal counterparts to discuss Nova Scotia’s position. We have also called for an immediate federal commitment to legal aid, and expressed support for federal changes to the *Criminal Code of Canada* to strengthen the criminal justice system’s response to serious and violent offenders. The federal government responded to these calls from Nova Scotia and other provinces by introducing Bill C-2, the *Tackling Violent Crime Act*, which received Royal Assent on February 28, 2008.

More information about our government’s efforts to build a stronger, safer Nova Scotia throughout the 2007-2008 fiscal year are contained in the following pages.

DEPARTMENT PROGRESS AND ACCOMPLISHMENTS

Strategic Direction #1: A justice system that is properly administered and cost effective.

Priorities:

a. Constructing and managing facility infrastructure initiatives, with the following priorities pursued in 2007-2008:

- working to replace Antigonish and Cumberland correctional facilities in partnership with the Department of Transportation and Infrastructure Renewal:* Submission was made in the Tangible Capital Asset process for continued funding of both the Antigonish and Cumberland correctional facilities. This will continue advancement from the design development milestone reached in fiscal 2008-2009 into the working drawings for both projects during fiscal 2009-2010. The objective is to be ready for tender in fiscal 2010-2011.
- completing facility improvements in existing justice centres and satellites:* Facility improvements concentrated on renovations to justice centres and satellite courtroom furniture for court reporters to permit the installation of Novo Digital recording equipment.
- continued construction of the Lunenburg and Yarmouth counties justice centres:* Construction proceeded during 2007-2008 and completion is anticipated in early 2009, with a move-in date of spring 2009 for both projects.
- developing plans for a consolidated court house in Halifax Regional Municipality to replace the existing four court buildings, looking at possible sites and completing a preliminary building program:* The building program was substantially finished in 2007-2008 and will be complete by fall 2008. No approval of the funding for the project has been approved although the project has been included in those being considered as Strategic Infrastructure Partnership (SIP) projects. No site has been identified.
- developing plans for a new morgue for the Office of the Nova Scotia Chief Medical Examiner:* The Department of Justice requested approval for Tangible Capital Asset money to allow for investigation and acquisition of land, and the development of architectural plans for the Medical Examiner Facility. The department was successful in receiving approval in the 2008-2009 Tangible Capital Asset budget for \$525,000 for the investigation of land and engagement of architectural services for the new facility.

b. Improve operational effectiveness to continually assess and improve upon the value of existing programs and services, including funding, staff infrastructure, technology and business processes, with the following priorities pursued in the 2007-2008 fiscal year:

- ❑ *continuing to pursue linkages between the Department of Natural Resources and the Provincial Firearms Office regarding license administration and enforcement as well as training:* After further review, we are not proceeding with this initiative at this time.
- ❑ *initiating court administration efficiencies, including developing standards and indicators with respect to workload, streamlining summary offence ticket processing, completing implementation of the digital-recording system for the entire province and developing a system to improve financial transaction processing in the courts:* A workload measurement template was developed. The Summary Offence Ticket (“SOT”) process was improved with a project in Halifax to allow electronic data transfer from Halifax Regional Police directly to the Justice Enterprise Information Network (“JEIN”) system. This avoids the duplication of data entry. Arraignments and trials of SOTs in Halifax will become more efficient in 2008-09 with the introduction of additional arraignments and night court sittings, the planning of which was completed this year. Work continued on the installation of the Novo Digital recording system and will be completed in 2008-2009. Development of a civil accounting package has been completed and will be introduced in 2008-2009.
- ❑ *addressing potential recommendations arising from a review of the Public Safety Anti-terrorism (PSAT) initiative which is helping to ensure coordinated action across organizations involved in public safety and security:* The department established a Security Intelligence Management Unit, responsible to provide consistent and continuous monitoring, planning and communication of potential risks associated with public safety and security, to ensure the protection of infrastructure, event prevention and countermeasures against terrorism, major crime, or other threats.
- ❑ *working with justice partners to analyze options and make recommendations for improving case processing times in cases of spousal/intimate partner violence:* The analysis of options on how to improve case processing times was completed. A recommendation has been made to develop a model for a Domestic Violence court in Nova Scotia and work has commenced on that project.
- ❑ *developing a protocol with police-based victim services to promote seamless service delivery for victims of crime:* A protocol was developed in partnership with Halifax Regional Police Victim Services to provide for efficient and timely referrals so that victims of crime can receive ongoing support and assistance from

the Department of Justice's Victim Services program after charges have been laid in domestic violence cases.

- ❑ *implementing business intelligence (BI) tools to support effective decision-making through improved access to operational data and management information:* Initial implementation of the business intelligence (BI) tools was completed. Several BI solutions were developed including work on developing executive level dashboards.

c. Negotiate federal, provincial and territorial ("FPT") agreements, including a new FPT cost-sharing agreement for youth justice, funding for Legal Aid, community tripartite agreements and provincial police services agreements. The department also continues to seek federal support for expansion of the Supreme Court (Family Division), which is subject to federal legislation and funding. In March 2008, the department entered into a Supplementary Memorandum of Agreement on behalf of Nova Scotia respecting federal contributions to youth justice programs and services. The new five year agreement on youth justice provides expanded case eligibility for recoveries and additional base funding subject to the terms of the agreement. The present two year Legal Aid agreement, which ends in March 2009, is an extension of the funding agreement that has been in place. The department is collaborating with its provincial/territorial partners to seek increased funding for criminal Legal Aid and new funding for civil Legal Aid. The department successfully negotiated the renewal of seven Community Tripartite Agreements for policing in First Nations communities during fiscal year 2007-2008, and FPT meetings and information gathering continue in anticipation of the March 31, 2012 expiry of the current Provincial Police Service Agreement for RCMP services. The department continued to pursue federal support for expansion of the Supreme Court (Nova Scotia) during 2007-2008. The federal government tabled legislation to support appointing two new justices to the Supreme Court Family division. At the time of writing this report, one of those justices had been appointed and the second was expected to be appointed this fall.

d. Improve internal information management, processing and sharing, including:

- ❑ *developing components of the Justice Enterprise Information Network (JEIN), including a correctional services interface and victim services interface:* The correctional services enhancements that were completed in 2007-2008 were:
 - 1) Changes to ensure consistency with the Correctional Services regulations, specifically sections 86: disciplinary rules, 52(2): releases from custody;
 - 2) Enhancement to the Offender Case Management section of JEIN including reclassification dates, breached conditions, breaches of youth custody and supervision orders and youth deferred custody and supervision orders, conditional sentence breaches;

- 3) Remission assessments and remission appeal decisions;
- 4) With the permission of Multi-health Systems, the incorporation of the LS/CMI (Level of Service/Case Management Inventory) into JEIN.

As well in late 2007-2008, work commenced on the development of a sentence calculation algorithm for community sentences, e.g., probation.

The Victim Services interface is on schedule with the database design phase completed and the development phase well underway. Implementation is planned for the summer of 2009.

- ❑ *completing a review and revision of all 24 Court Services manuals and placing them on the Intranet:* Some manuals have been combined and there are now 21 Court Services manuals in total. Ten manuals and the Restorative Justice Policy and Procedures document were reviewed and placed on the Intranet, including the Provincial Court, Justice of the Peace, Sheriffs and Small Claims Court manuals by the end of March 2008. Work is continuing on the remaining ten manuals and is expected to be complete in the 2010-2011 fiscal year.
- ❑ *enhancing electronic document handling and records management through continued implementation of a shared directory initiative and a modernization of the Standard for Operational Records (STOR):* The implementation of the shared directory was completed. The modernization of the STOR was seventy-five percent completed. It is expected to be fully completed and approved by March 2009.
- ❑ *implementing a new automated library system:* The Unicorn Siris Library System was implemented in November 2007. It is very user friendly compared to the previous DOS-based system and was well accepted by users.
- ❑ *implementing a new corporate confidentiality policy:* Work on the corporate confidentiality policy continued, and at the time of writing this report, the policy was in its penultimate draft, awaiting completion of the corporate Code of Conduct document by the Public Service Commission (“PSC”). Although the two documents are being drafted by two separate entities, the documents supplement each other. The PSC’s Code of Conduct is expected to be brought forward to Cabinet in the fall of 2008, and the corporate confidentiality policy committee should be able to bring this document to Cabinet during the same fall time period.
- ❑ *providing Intranet-based information, education and training for access and privacy records management:* Intranet-based information access and privacy protection training was not implemented, as the Nova Scotia Information Access and Privacy Office did not get approval for funding through the Budget

Impact/Pressures process. The Intranet-based training is still planned, however funding is still required.

- ❑ *defining a process for continuous updating of the department's emergency management and business continuity plans in partnership with the Emergency Management Office:* The department is represented on a cross-government committee for business continuity management, chaired by the Emergency Management Office. A process was developed for each division of the department to prepare a business continuity plan for implementation on a province-wide basis. A work plan was developed for mandatory training and deliverables.
- ❑ *ensuring the availability of a training package for enforcement agencies on the Firearms Act and Part III of the Criminal Code:* Due to the fluid state of changes to the federal *Firearms Act* and the current amnesty in place until May 2008 for existing firearms owners to register their firearms, new action on this priority was deferred, and will be considered further in 2008-2009.

e. Implement a response to the O'Brien Freedom of Information Protection of Privacy ("FOIPOP") Review:

- ❑ *proposing legislation in response to the 2003 FOIPOP Review Committee Report:* In response to the 2003 O'Brien FOIPOP Advisory Committee Report recommendations, work on a document proposing amendments to the FOIPOP Act continued and is ongoing.

f. Implement an action plan to improve victim access to restitution: The Departmental/Public Prosecution Services Restitution Committee completed a project plan. That plan is being implemented with work being done on developing a recommended streamlined process. Information Management expertise was engaged to assist with process mapping. Under the crime prevention strategy, a restitution collection initiative was approved, which will be initiated in 2008-2009.

g. Initiate implementation of a firearms license outreach plan for Aboriginal communities: Due to the fluid state of changes to the federal *Firearms Act* and the current amnesty in place until May 2008 for existing firearms owners to register their firearms, new action on this priority was deferred, and will be considered further in 2008-2009.

Additional initiatives undertaken in 2007-2008 relating to this strategic direction include:

- ❑ In December 2007, the province announced that the departments of Justice, Health and Community Services are working with the judiciary and other justice partners to develop a Mental Health Court Program. A program model is being developed that will hold offenders who suffer from mental illness accountable for their criminal actions in a way that is supportive and sensitive to their illness. In year two of the project, the province will implement the program, based on the best practices of other jurisdictions, tailored to meet the needs of Nova Scotians.

Strategic Direction #2: There is public confidence in the justice system.

Priorities:

a. Undertake research, assessment and evaluation initiatives to support justice policies, programs and services, including:

- ❑ *auditing of correctional facilities:* Comprehensive operational audits of Cape Breton Correctional Facility and Central Nova Scotia Correctional Facility were conducted, and both facilities are in the process of developing action plans to enhance compliance oversight and accountability, and strengthen security procedures and practices.
- ❑ *continuing work with justice partners to determine what is causing delays in criminal case processing, with a particular focus on youth cases and how this can best be addressed (e.g. policy development and recommendations, procedural changes, targets, etc.):* In response to the Nunn Commission, an initial processing target for youth cases was set at 98 days. This target was set in consultation with justice partners, who have been identifying and addressing roadblocks affecting case delay. For example; the response time on pre-sentence report preparation has improved and there is a pilot project being planned which will address youths being prepared for their arraignment.
- ❑ *establishing an evaluation framework for the Halifax Youth Attendance Centre:* An internal evaluation commenced in February 2008 and completion is expected in November 2008.
- ❑ *evaluating the electronic supervision program:* Evaluation of the electronic supervision initiative continued through 2007-2008 and is ongoing. An annual report for fiscal year 2006-2007 was completed in December 2007.

- ❑ *partnering with provincial Community Counts initiative to develop crime profiles at the community level:* This initiative continued through 2007-2008 and is still underway. The federal government approved funding for this project in 2008. Crime data will be available on the Community Counts website in fall 2008. Community level crime profiles will be developed throughout the winter/spring of 2009.
- ❑ *conducting an assessment of the province-wide implementation of the High Risk Domestic Violence Case Coordination Protocol Framework and addressing the recommendations:* The assessment was completed with a comprehensive report compiled. Implementation of report recommendations was delayed due to changing to a validated risk assessment tool used in the High Risk Domestic Violence Case Coordination Protocol Framework.

b. Respond to findings in Auditor General's Report associated with a review of correctional services: An internal audit of Admissions/Release practices was conducted at all facilities as a follow-up to the Auditor General's Report, and recommendations to improve operational effectiveness in the areas of searches and documentation were acted upon. Work continues to advance with the revision of Standard Operating Procedures and Policy and Procedures. Policy and procedures regarding the conditional release of offenders serving sentences in adult correctional facilities were also subject to comprehensive review and revision as a result of another aspect of the Auditor General's Report. The revised policies were approved and issued on December 1, 2007.

c. Continue to enhance police oversight in partnership with police agencies and the Union of Nova Scotia Municipalities, including:

- ❑ *developing and implementing a strategy for ongoing governance training to municipal police boards and identify gaps to strengthen public accountability in policing:* Two training sessions for municipal police boards were held in Halifax and Truro, with full attendance at each session. Consultations with the Justice Learning Centre will begin during the next fiscal year to explore the development of an online training package to provide on-going support for new municipal board members.
- ❑ *establishing RCMP advisory boards:* Eighteen out of an anticipated 35 RCMP Advisory Boards were established and trained during four training sessions conducted throughout the province.
- ❑ *standardizing the process for auditing municipal police agencies:* The auditing process for municipal police agencies was standardized, with a process for

scheduling, implementing and reporting embedded within Public Safety Division operational planning system. An annual report of audits conducted during 2007-2008 was communicated to municipal police agencies.

Strategic Direction #3: People are and feel safe and secure.

Priorities:

- a. ***Take action on recommendations from the Nunn Commission to improve community safety, prevent crime and enhance services for young people. Of the 34 Nunn Commission recommendations, 25 were directly related to the justice system. All of these recommendations have been completed or have ongoing work being done, with the following priorities pursued in the 2007-2008 fiscal year:***
- ❑ *continuing to push for changes to the federal Youth Criminal Justice Act (YCJA), including pre-trial detention and custody provisions. Nova Scotia wants to see public protection as a primary goal of the Act:* Nova Scotia continued to lobby for changes to the YCJA that would enact all seven of Commissioner Nunn's recommendations. Minister Clarke met with other Atlantic Ministers and with federal counterparts to present Nova Scotia's position. In November 2007, the federal government introduced Bill C-25, which proposes changes to the sentencing and pre-trial detention provisions of the YCJA. Nova Scotia supports Bill C-25 and launched the *Fix Youth Crime* campaign in February 2008 to encourage Nova Scotians to support legislative changes.
 - ❑ *identifying options to reduce the time it takes a youth's case to proceed through the courts, including establishing a mechanism to track progress:* The Department of Justice continued to work on reducing the time it takes a youth's case to proceed through the courts. Investment in the preparation of court-ordered assessments and additional Crown Attorneys have helped and case processing time is now significantly shorter than reported at the inquiry. A target for youth case processing time was set at 98 days and, as of the end of March 2008, the case processing time was 89 days. We are working with justice partners to identify longer-term solutions to assist with the reduction of case processing time, such as reducing the turnaround time for pre-sentence reports and filing the reports electronically with the Court.
 - ❑ *consulting with the Associate Chief Judge and justices of the peace stakeholders to develop a provincial training plan for police and other justice partners to ensure the criminal procedures and processes are well understood:* This initiative was completed. Staff from the Justice of the Peace Centre, with assistance from

the Justice Learning Centre and Court Services, developed and delivered a training session for police agencies to help them understand the proper procedures and processes of the Justice of the Peace Centre. Between October and December of 2007, 19 sessions were held in 11 sites across the province with 337 officers attending. The department continues to look at ways to keep the police agencies updated on the Justice of the Peace Centre's policies and procedures.

- ❑ *implementing a JEIN monitoring program to provide tools for auditing system access and use:* A JEIN logging system was implemented that records the date, time and person accessing a particular JEIN record. This allows a review of access to those files should a complaint be made, and in this way, prevents abuse of the JEIN system.
- ❑ *collaborating on the development of a youth strategy:* The departments of Community Services, Health, Education, Health Promotion and Protection, and Justice have committed to working together to improve services for children and youth through the development of a comprehensive child and youth strategy. *Our Kids are Worth it: Strategy for Children and Youth* was released in December 2007.

b. Improving the supervision of offenders, including:

- ❑ *expanding electronic monitoring to more areas of the province:* Work on this initiative continued through 2007-08 with the Electronic Supervision (“ES”) program completing its second year of operation in May 2008. ES is available and automated voice verification is in place province-wide for adult offenders.
- ❑ *implementing a bail supervision program to help monitor bail compliance:* Consultations with criminal justice system stakeholders on the development of a bail supervision program for adults were extended throughout 2007-2008. Implementation of the Adult Bail Supervision Program (HRM only) commenced on October 1, 2008. The Adult Bail Supervision Program focuses on enforcement through intensive supervision. Planning for the expansion of the Youth Bail Supervision Program to other areas of the province (Sydney and Kentville) continued in 2007-2008 and will proceed as the attendance centre model is expanded to those areas.

c. Strengthen public safety and security through a variety of initiatives, including:

- ❑ *proposing new legislation for reform of the private security industry to strengthen standards within the private security industry:* Consultation on legislative reform was held with regional stakeholders and feedback was considered in developing

proposed legislative changes. Further consultation with key stakeholders on the draft legislation is planned prior to its introduction.

- ❑ *acting on a review of Sheriff Services with a view to enhancing operational processes and human resources effectiveness:* This review involved a study of Sheriff Services transportation within the province and whether changes were required. The review has been deferred until the impact of the Casual Conversion process on Sheriff Services staff has been determined.
- ❑ *implementing a protocol in partnership with the Public Prosecution Service, Criminal Review Board and the East Coast Forensic Hospital to include victim notification when an accused found not criminally responsible is released from forensic hospitals:* Initial discussions were held with the Public Prosecution Service and the Chairperson of the Criminal Review Board. A formal protocol has not been agreed to, but will be pursued in 2008-2009.
- ❑ *supporting the establishment of a new Public Safety Investigations Unit, which will work with communities to shut down illegal activity sites:* The Public Safety Investigations Section received in excess of 200 complaints about properties suspected of being used for illegal activity during its first year of operation. Due to positive feedback received from community and other stakeholders, the investigative section will be increased in the next fiscal year, with the addition of two investigators.

d. Address Nova Scotia's policing needs:

- ❑ *developing options to address public safety needs for 2012 and beyond. A 20-year contract with the RCMP for provincial police services expires in 2012:* Initial public consultation on current policing service delivery in Nova Scotia was completed in November 2007. As this multi-year project moves forward, we continue to consult and explore options with stakeholders for policing service delivery after 2012.
- ❑ *continue implementing the plan for additional police officers over a four-year period, beginning in 2007-2008:* In January 2008, 70 additional police officers were allocated – the second installment of the government's investment in enforcement which will see 250 extra police officers put in place by 2010-2011. Officers were specifically assigned to the enforcement of crimes involving organized illegal activity, intelligence led law enforcement initiatives, sexual exploitation or assault, drugs and safety in schools, property crimes, street crime initiatives, and family violence.

- e. ***Conduct a review of the opportunities available under the new federal crime prevention initiative, in partnership with the National Crime Prevention Centre:*** Through the provincial crime prevention strategy, we have aligned our priorities with the priorities identified in the federal crime prevention initiative and have been successful in receiving funding through the National Crime Prevention Centre to develop and share “community crime profiles” from government’s existing Community Counts database.

Additional initiatives undertaken in 2007-2008 relating to this strategic direction include:

- ❑ The department completed targeted stakeholder consultations regarding mandatory reporting of gunshot or stab wounds. Legislation received Royal Assent on December 13, 2007 and is due to be proclaimed in October 2008.
- ❑ The department established the new Security Intelligence Management Services Unit (“SIMS”) in January 2008 to address emerging realities of terrorism and other major threats against the province. The SIMS Unit builds capacity, reconciles pressures from secure or classified communications, develops counter terrorism and major threat activity plans, and provides enhanced security clearances facilitated through the Canadian Security Intelligence Service (CSIS).
- ❑ A provincial Court Facility Security Review was conducted in 2007-08 by an advisory committee that included a former director of security operations for Alberta, a staff sergeant with the RCMP security section, and staff from the departments of Justice and Transportation and Infrastructure Renewal. The panel’s final report was released in November 2007 and found that people using Nova Scotia courts feel safe and disturbances are rare. The report also identified areas to strengthen.

Strategic Direction #4: People make constructive choices.

Priorities:

- a. ***Develop a provincial crime prevention strategy, which will be informed by the work of the Minister’s Task Force on Safer Streets and Communities. The task force is exploring community programs, government services, legislation and law enforcement to identify and promote programs that are making a positive impact in communities:*** The department launched its comprehensive crime prevention strategy, *Time to Fight Crime Together*, in December 2007. The purpose of the multi-year strategy is to help Nova Scotians be safe and feel safe in their communities by reducing and preventing crime in partnership with organizations, communities and individuals. There were 33

new initiatives announced in the strategy, the vast majority of which (27) are currently underway.

- b. Introduce a Nova Scotia Drug Strategy in collaboration with the Department of Health Promotion and Protection and other key departments and stakeholders focusing on prevention, treatment, harm reduction and enforcement:*** Consultations were held in fall 2007. The Nova Scotia Drug Strategy is aligned with the Federal Anti-Drug Strategy, the provincial crime prevention strategy, the Minister's Task Force on Safer Streets and Communities, and the child and youth Strategy. Justice continued to work in partnership with others to advance the strategy.
- c. Collaborate on the development of a comprehensive youth strategy, focusing on the needs of children and youth. The departments of Community Services, Health, Education, Health Promotion and Protection and Justice will collaborate on the development of government-wide policies (including government-wide legislation, policy, and outcomes), and create working groups to support collaboration on department-specific policy development, program development or program/service delivery between more than one department. Early intervention, family counselling and support to youth at risk will be priorities:*** Justice worked with these departments to improve services for children and youth through the development of a comprehensive child and youth strategy which focuses on early intervention, supports for families and support to youth at risk. The development of a strategy for children and youth was a key recommendation of the Nunn Commission. *Our Kids are Worth it: Strategy for Children and Youth* was released in December 2007. As part of the provinces's new social prosperity framework, *Weaving the Threads: A Lasting Social Fabric*, this strategy is based on the principles of collaboration, coordination and shared responsibility, and these departments have committed to coordinating responsibilities for children and youth.
- d. Actively inform and support federal changes to the Criminal Code of Canada to strengthen the criminal justice system's response to serious and violent offenders. As noted earlier, the department will also continue to push for changes to the YCJA:*** Nova Scotia continued to lobby and to lend its voice to federal initiatives designed to increase penalties for serious, violent offences. Nova Scotia supported Bill C-2, the *Tackling Violent Crime Act*, which was passed by Parliament in February 2008. The Act brings minimum sentences for gun crimes, protection of young people from sexual predators, tougher penalties for drunk drivers, and stronger provisions to manage high-risk offenders.

- e. ***In addition to collaborating with other departments on a strategy for youth at risk, the department will continue to explore the potential to expand restorative justice for children under 12***: The department worked with community-based agencies to assess the need and capacity issues related to children under 12 at risk and their families. It also supported an evaluation of a pilot project of the Island Community Justice Society in Sydney and its application of a modified restorative justice process. The pilot project, called Children at the Critical Hour (CATCH), is designed to help and hold accountable children aged eight to 12 who have harmed others or harmed property.

Additional initiatives undertaken in 2007-2008 relating to this strategic direction include:

- The Department of Justice, in collaboration with the IWK Health Centre and the Department of Health, was successful in obtaining federal funding to support a research project relating to the possible implementation of a clinically-based substance abuse treatment program for sentenced youth at the Nova Scotia Youth Facility. The report is expected in May 2008. Correctional Services officials will continue to work with the IWK to advance this important clinical/rehabilitative initiative.

FINANCIAL RESULTS

<i>Budget Variance (\$000's)</i>	<i>Estimates</i>	<i>Actual 2007/08</i>	<i>Variance Increase (Decrease)</i>
<i>Court Services</i>	<i>34,046</i>	<i>32,711</i>	<i>(1,334)</i>
<i>Correctional Services</i>	<i>22,198</i>	<i>22,374</i>	<i>176</i>
<i>Public Safety</i>	<i>34,443</i>	<i>35,508</i>	<i>1,064</i>
<i>Nova Scotia Legal Aid</i>	<i>15,824</i>	<i>15,704</i>	<i>(120)</i>
<i>Office of the Chief Medical Examiner</i>	<i>2,678</i>	<i>3,601</i>	<i>923</i>
<i>Administration</i>	<i>19,016</i>	<i>16,797</i>	<i>(2,219)</i>
<i>Net Program Expenses - Net of Recoveries</i>	<u><i>128,205</i></u>	<u><i>126,695</i></u>	<u><i>(1,510)</i></u>
<i>Gross Expenditures</i>	<i>242,946</i>	<i>247,936</i>	<i>4,990</i>
 <i>Funded Staff (FTE's) 2007-2008</i>	 <i>1,503</i>	 <i>1,472</i>	 <i>(31)</i>

Program	Explanation for budget variance
<i>Court Services</i>	The savings are due to vacant positions, a decrease in operating costs along with an increase in fees. The variances resulted in a net under expenditure of \$1,335,000.
<i>Correctional Services</i>	Expenditures were over budget due to an increase in casual employee costs, an increase in overtime, foodstuff and building maintenance. These increases were partially offset by savings due to vacant positions and higher than anticipated recoveries from the federal government.
<i>Public Safety</i>	Expenditures were over budget due to an unanticipated increase in the RCMP Superannuation Act, employer benefits contribution. This was partially offset by vacancies in the division along with savings in professional services in relation to the Ignition Interlock Program not taking place in 2007-2008 and a decrease in operating costs in First Nations Policing, Contributions to Municipal Policing and Municipal Police Training.
<i>Nova Scotia Legal Aid</i>	Legal Aid was under budget due to federal government recoveries higher than anticipated.
<i>Office of the Chief Medical Examiner</i>	Increase in professional services, mainly due to fees provided to pathologists for medical examiner's cases.
<i>Administration</i>	Administration was under budget due to a decrease in professional services, salary savings from vacant positions and higher recoveries than planned.

MEASURING OUR PERFORMANCE

The Department of Justice introduced new measures in its 2005-2006 business plan to better link outcomes with strategic directions and to reflect a broader departmental and societal approach than the program-type measures we had tracked in previous years. Some measures were still being fine tuned throughout the 2007-2008 fiscal year as we worked to clarify definitions and gather the relevant data with more changes to be introduced in the 2008-2009 and 2009-2010 business planning cycles.

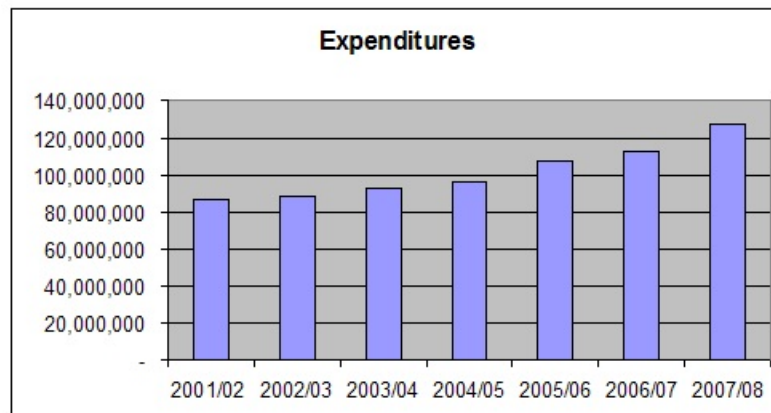
STRATEGIC DIRECTION: A justice system that is properly administered and cost effective.

(1) PROVINCIAL COSTS OF PROVIDING JUSTICE SERVICES

What does this measure tell us? This measure captures the provincial costs of providing justice services, including corrections, courts, public safety, the chief medical examiner's office, legal aid and public prosecution. *(Figures exclude administration costs, such as legal services, human resources, policy and information management, and finance.)*

Where are we now? Over the past seven years, the provincial cost of providing justice in Nova Scotia has been increasing. Spending amounted to \$127,465,964 in 2007-2008 (excluding federal and municipal contributions), representing a 13.8% increase over the year before.

Where do we want to be in the future? The target is to adopt a realistic approach to managing the growing costs of programs and services.



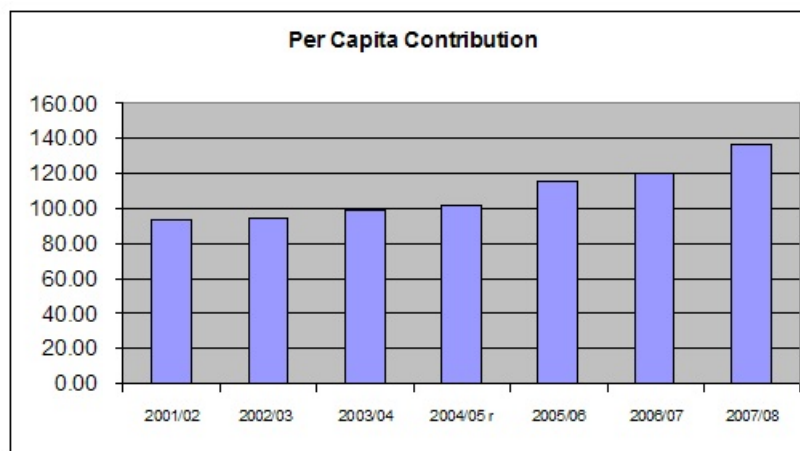
(2) PER CAPITA COSTS OF PROVIDING JUSTICE SERVICES

What does this measure tell us? This measure outlines the provincial per capita cost (cost per Nova Scotian) of providing justice services. Provincial costs of providing justice services include corrections, courts, public safety, chief medical examiner's office, legal aid and public prosecution. *(Figures exclude federal and municipal contributions.)*

Where are we now? The provincial per capita cost of providing justice services in Nova Scotia has been increasing since 2001-2002. Per capita costs amounted to \$136.24 in 2007-2008, which is up \$34.01 from the base year (\$102.23^r for 2004-2005).

Where do we want to be in the future?

The department is continuing to track data associated with these indicators and will work to establish a target once more trend data is available.



r = revised

(3) FEDERAL FUNDS LEVERAGED BY THE DEPARTMENT

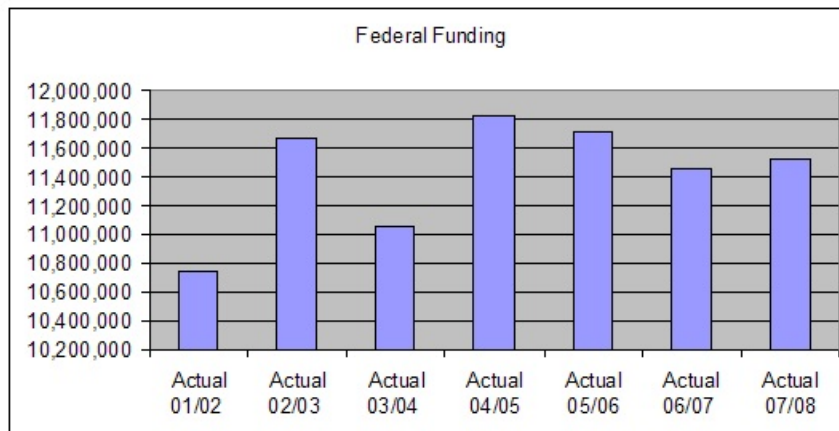
What does this measure tell us?

This measure indicates the amount of federal funds leveraged by the department for justice initiatives, including youth criminal justice, legal aid, court services and gun control.

Where are we now? In 2007-2008, the department received \$11,524,920 in federal funds for justice initiatives, a 3% drop over the 2004-2005 base year (\$11,829,716). While there were no further cuts to federal funding in 2007-2008 over the previous year, neither were there any increases to offset the effects of inflation. For both youth services and Legal Aid, federal funding does not include any incremental increases over the life of the federal-provincial agreements. While provincial expenditures continue to increase, the federal percentage of our youth services and Legal Aid budgets will therefore decrease.

Where do we want to be in the future?

Our target is to maintain/increase efforts to leverage federal funds. The department continues to lobby the federal government for increased funding, particularly in the area of legal aid.



(4) CLIENT SATISFACTION WITH LEGAL SERVICES

What does this measure tell us? This benchmark measure captures client satisfaction with legal services. In this case, clients consist of government departments and agencies that rely on the department's legal services staff.

Where are we now? Results from a 2006 survey of deputy ministers across Nova Scotia government departments indicate a very high level of satisfaction (100%) with the work performed by the Legal Services Division. This result is consistent with other internal client surveys done in the past, which used a different methodology. The Legal Services Division is currently undergoing a reorganization to further improve delivery of legal services. Another client survey will be conducted following the reorganization, which is expected to conclude in 2009. The division continues to focus on internal communications and the development of staff and client training programs.

Where do we want to be in the future? The target for this measure is to maintain client satisfaction.



(5) CASE PROCESSING TIMES IN CRIMINAL COURT

What does this measure tell us? This measure indicates the average amount of time it takes to process adult and youth cases in criminal court from first to last appearance.

Where are we now? In 2006-2007 (the latest year for which figures on criminal court case processing times are available from the Canadian Centre for Justice Statistics (“CCJS)), adult cases took an average of 197 days to process, representing a decrease of 13 days since 2003-04. In 2006-2007, case processing times in Nova Scotia were below the national average with the fifth lowest average elapsed time in the country.

ADULTS Average elapsed time		
Year	Nova Scotia	Canada
2003-04 (base year)	210 ²	223
2004-05	226	233
2005-06	229	211
2006-07	197	237

This same study reported that youth cases took an average of 171 days to process in 2006-2007, the third highest average time elapsed in youth court in Canada. Elapsed time in youth court is somewhat exaggerated by the inclusion of restorative justice as well as bench warrants. When these were excluded, it took on average 101 days in 2006-2007 for a youth case to be processed, representing a 30% reduction over 2003-04. (Excluding restorative justice is valid because not all jurisdictions include restorative justice in their elapsed time estimates. Excluding bench warrants is the new methodology being employed by CCJS.)

Where do we want to be in the future? For adult case processing times, the target is to meet or fall below the Canadian average. For youth case processing times, the original target was to meet or fall below the Canadian average. In response to the Nunn Commission, a revised target was set at 98 days. This target was set in consultation with justice partners, who have been identifying and addressing roadblocks to court processing.

² In our Accountability Report for 2006-07, we reported that adult cases took an average of 213 days to process in 2003-04. All data in the Canadian Centre for Justice Statistics’ (“CCJS”) tables have been revised to reflect the new “case” definition that CCJS has since adopted. Nova Scotia data reflect CCJS’ old “case” definition.

(6) CASE PROCESSING TIMES IN FAMILY/CIVIL COURT

What does this measure tell us? This measure indicates the average amount of time it takes to process family and civil cases from first to last appearance.

Where are we now? We rely on CCJS data when reporting on this outcome measure, and CCJS has not yet released this data for 2006-2007. According to CCJS figures in 2005-2006, a profile of active general civil cases indicated that overall approximately 58% of the cases took 3 months or less from the date of case initiation to the date that a statement of defence was filed. In Nova Scotia slightly more than half the cases (56%) took 12 months or less from the date of case initiation to the date of first disposition. Statistical information is not yet available for the date from case initiation to the date of the first trial event.

A profile of family law cases indicated that, overall, approximately 49% of cases took 3 months or less from the date of case initiation to the date that a statement of defence was filed. In Nova Scotia approximately 29% of cases took 12 months or less from the date of case initiation to the date of the first trial event. In Nova Scotia approximately 65% of all cases took 12 months or less from the date of case initiation to the date of first disposition.

Where would we like to be in the future? The 2005-2006 figures will serve as benchmark data, with targets to be determined in future years.

STRATEGIC DIRECTION: There is public confidence in the justice system.

(7) PUBLIC KNOWLEDGE OF THE JUSTICE SYSTEM

What does this measure tell us? The Atlantic Quarterly Survey, conducted annually since Spring 2005, provides an indication of the public’s knowledge of the justice system.

Where are we now? The percentage of Nova Scotians who consider themselves to be at least somewhat familiar with the justice system has remained stable between 2005 and 2007 (54% and 53% respectively). Overall results follow:

Year	Very familiar with the justice system	Somewhat familiar with the justice system	Not very familiar with the justice system	Not at all familiar with the justice system
2005 ⁽¹⁾ (base year)	9%	45%	34%	12%
2007 ⁽²⁾	9%	44%	33%	13%

(1) sample size margin of error is 4.9%

(2) sample size margin of error is 4.9%

Where do we want to be in the future? The goal is to increase public knowledge of the justice system, primarily through the Minister’s Task Force on Safer Streets and Communities and through the crime prevention strategy. Another Atlantic Quarterly Survey will be conducted in May 2008.

(8) PUBLIC CONFIDENCE IN THE JUSTICE SYSTEM

What does this measure tell us? The Atlantic Quarterly Survey provides an indication of the public's confidence in the justice system. These figures are based on 2005 and 2007 data.

Where are we now? Public confidence in the justice system has remained stable since 2005. We therefore remain on target. Overall results follow:

Year	A great deal of confidence in the justice system	Some confidence in the justice system	Not much confidence in the justice system	No confidence at all in the justice system
2005⁽¹⁾ (base year)	12%	62%	17%	9%
2007⁽²⁾	10%	60%	20%	9%

(1) sample size margin of error is 4.9%

(2) sample size margin of error is 4.9%

Where do we want to be in the future? The goal is to maintain/increase public confidence in the justice system over the 2005 base year, with another survey to follow in May 2008.

STRATEGIC DIRECTION: People are and feel safe and secure.

(9) OVERALL CRIME RATE

What does this measure tell us? The crime rate is a key indicator of social and economic well-being within a society. It indicates how many criminal incidents have been reported to the police for violent, property, drug, and other offences, excluding *Criminal Code* traffic offences. The number is standardized per 100,000 of the population so we can compare rates across communities. It is important to note that crime rate statistics are influenced by many factors such as reporting by the public to police and police practices. While the target is to reduce crime, increased police resources and public confidence could result in an increase in the number of crimes coming to the attention of police, which will impact the official crime rate.

Where are we now? The overall crime rate in Nova Scotia dropped 8% last year, following a 2% decline in 2006. In 2007, decreases were reported for total violent crimes (-6%), property crimes (-12%), as well as "other" *Criminal Code* offences (-3%). The overall crime rate has decreased by approximately 24% since peaking in 1991.

Where do we want to be in the future? The goal is to reduce crime rates below the national average. Currently, Nova Scotia is below the national average for property crime. A summary comparing 2006 and 2007 figures for Nova Scotia and Canada follows:

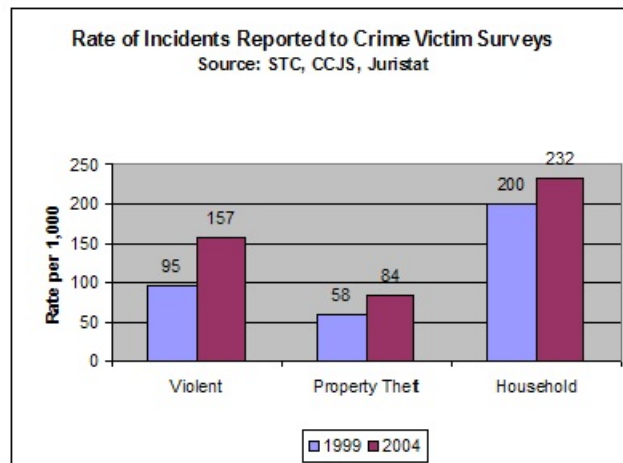
Crime Statistics per 100,000 population	Total violent crime rate			Total property crime rate			Other <i>Criminal Code</i> rate			Total <i>Criminal Code</i> rate (excl. traffic)		
	2006	2007	% change	2006	2007	% change	2006	2007	% change	2006	2007	% change
Nova Scotia	1136 ^r	1065	-6%	3510 ^r	3072	-12%	3435 ^r	3318	-3%	8081 ^r	7456	-8%
Canada	954 ^r	930	-3%	3596 ^r	3320	-8%	2993 ^r	2734	-9%	7543 ^r	6984	-7%

r = revised

(10) OVERALL VIOLENT VICTIMIZATION RATE

What does this measure tell us? This measure tracks the rate of violent victimization as reported through the General Social Survey (GSS) which, in 2004, sampled about 24,000 individuals aged 15 years and older. The GSS records respondents' personal accounts of criminal victimization incidents.

Where are we now? The rate of violent victimization, property theft and household victimization increased between 1999 and 2004. In 2004, the rate of violent victimization was 157 per 1,000 population, an increase of 65% from 1999. The rate of theft of personal property was 84 per 1,000 population, an increase of 45% from 1999. The rate of household victimization was 232 per 1,000 households, an increase of 16% from 1999.



Where do we want to be in the future? The goal is to reduce rates below the national average, with a summary comparing Nova Scotia and Canada figures below:

Victimization rates (2004)	Violent	Property	Household
Nova Scotia	157 per 1,000 population	84 per 1,000 population	232 per 1,000 households
Canada	106 per 1,000 population	93 per 1,000 population	248 per 1,000 households

Currently, Nova Scotia is below the national rate for both property and household victimization. The next GSS will be conducted in 2009.

(11) PUBLIC PERCEPTION OF SAFETY IN THE HOME

What does this measure tell us? The Atlantic Quarterly Survey, conducted annually since Spring 2005, provides an indication of the public's perception of safety in the home.

Where are we now? The percentage of Nova Scotians who feel safe in their homes has remained relatively stable between 2005 and 2007 (76% and 78% respectively). Overall results are presented below:

Year	Not at all worried when home alone at night	Not very worried when home alone at night	Somewhat worried when home alone at night	Very worried when home alone at night
2005 ⁽¹⁾ (base year)	49%	27%	21%	2%
2007 ⁽²⁾	45%	33%	19%	3%

(1) sample size margin of error is 4.9%

(2) sample size margin of error is 4.9%

Where do we want to be in the future? The target is to maintain/increase perceptions of safety in the home, with a follow up survey planned for May 2008.

(12) PUBLIC PERCEPTION OF SAFETY IN THE NEIGHBOURHOOD

What does this measure tell us? The Atlantic Quarterly Survey, conducted annually since Spring 2005, provides an indication of the public's perception of safety in the neighbourhood.

Where are we now? The percentage of Nova Scotians who feel safe in their neighbourhoods has remained somewhat stable since 2005. Overall results are presented below:

Year	Feel very safe or reasonably safe walking alone after dark	Feel somewhat unsafe walking alone after dark	Feel very unsafe walking alone after dark	Do not walk alone at night
2005⁽¹⁾ (base year)	74%	13%	5%	7%
2007⁽²⁾	67%	18%	8%	6%

(1) sample size margin of error is 4.9%

(2) sample size margin of error is 4.9%

Where do we want to be in the future? The target is to maintain/increase perceptions of safety in the neighbourhood, with a follow up survey planned for May 2008.

(13) MAJOR INCIDENTS WITHIN FACILITIES

What does this measure tell us? This measure tracks major incidents within correctional facilities, which have been defined as follows: purposeful damage to property in excess of \$5,000; or an unnatural death has occurred; or an aggravated assault has been committed by an offender against another person resulting in a hospital admission; or a disturbance of four or more offenders, over a protracted period of 60 minutes or longer, and a) necessitating the hold or call back of staff, with an expenditure of more than \$1000, or b) exceeding the resource capacity of the facility, requiring emergency police services to respond to the identified threat.

Where are we now? Three major incidents were reported in 2007-2008: the Central Nova Scotia Correctional Facility reported one unnatural death; the Southwest Nova Scotia Correctional Facility reported one purposeful damage to property in excess of \$5,000; and the Nova Scotia Youth Facility reported one assault by an offender against another person. In 2006-2007, the Cape Breton Correctional Facility reported six major incidents: four involving damage to property and two involving aggravated assaults by offenders. In 2005-2006 (base year), the Cape Breton Correctional Facility had one major incident (an aggravated assault). No major incidents as defined above were reported in the Antigonish, Cape Breton, or Cumberland correctional facilities in 2007-2008. The Cape Breton Youth Detention Facility did not report any major incidents in 2007-2008, nor did they have any in the previous two years.

Where do we want to be in the future? Our goal is to have no major incidents in any of our facilities.

(14) ESCAPES FROM FACILITIES/ESCAPES FROM STAFF WHILE BEING ESCORTED IN THE COMMUNITY, AND ESCAPES FROM SHERIFFS' CUSTODY

What does this measure tell us? The number of escapes from facilities, escapes from staff while being escorted in the community, and escapes from sheriffs' custody in a year provides information on security levels and measures.

Where are we now?

- Escapes from facilities/correctional staff:

2004-2005: 6 (base year)

2005-2006: 2

2006-2007: 0

2007-2008: 2

- From sheriffs' custody:

2004-2005: 0 (base year)

2005-2006: 0

2006-2007: 0

2007-2008: 0

Where do we want to be in the future? Our goal is to have no escapes in any of these areas.

STRATEGIC DIRECTION: People make constructive choices.

(15) CONDITIONAL SENTENCE BREACHES

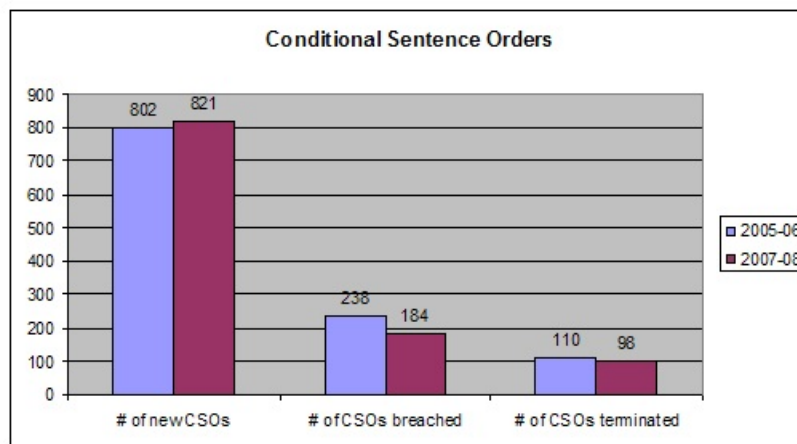
What does this measure tell us? This measure tracks conditional sentence order (“CSO”) breaches as an indicator of offender accountability. CSOs were previously listed as “conditional release violations”.

Where are we now? During 2005-2006 (base year), there were 802 adult conditional sentence orders given by the courts. In 2007-2008, this number increased to 821.

In 2005-2006, there were 238 allegations of breach of a conditional sentence before the courts; also in the same period 110 allegations of breaches resulted in the conditional sentence being terminated and the balance of the sentence was served in a correctional facility. In 2007-2008, the number of breaches dropped to 184, and the number of terminations fell to 98.

The breaches and terminations in any given year may relate to new orders issued the preceding year. Similarly, while most of the terminations related to breaches in the same period, in some cases the allegation of the breach may have been made in the preceding fiscal year. Also please note the number of allegations of breach does not equate to the number of people, as one person can receive more than one order and one order can be breached many times.

Where do we want to be in the future? No specific target has been set for conditional sentence breaches. The number of breaches is a function of a variety of factors including: the number of orders in effect in any given year (which is not the same as the number of new orders issued during that year); the enforcement tools used by staff, e.g., electronic supervision; and the choices made by offenders to comply with the conditions ordered by the court. The identification of an appropriate target is still under review.



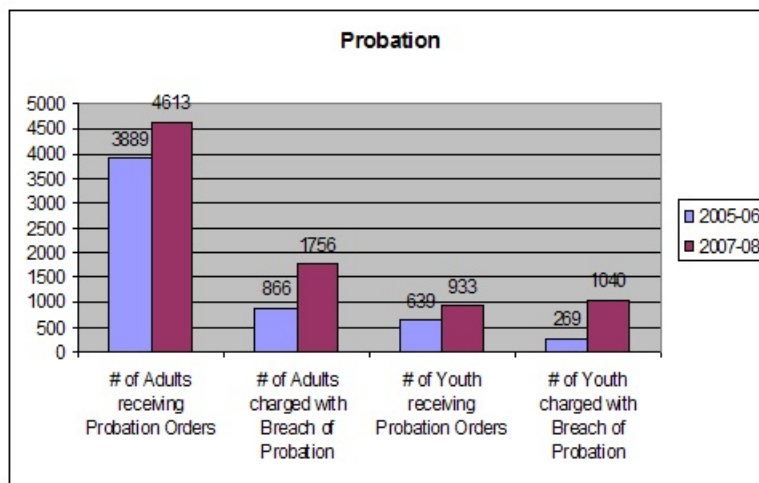
(16) PROBATION BREACH CHARGES

What does this measure tell us? This measure tracks probation breaches as an indicator of offender accountability.

Where are we now? During 2005-2006 (base year), 3,889 adults and 639 young persons received probation orders. During that same time period, 866 adults and 269 youth were charged with breach of probation. In 2007-2008, 4,613 adults and 933 young persons received probation orders. During that same time period, 1,756 adults and 1,040 youth were charged with breach of probation.

It is important to note that breach of probation charges may relate to probation orders issued in preceding years and not necessarily the orders issued in the same year. Breaches may be laid by Correctional Services staff or police agencies. One probation order can be breached many times.

Where do we want to be in the future? No specific target has been set for probation breaches. The number of breaches is a function of a variety of factors including: the number of orders in effect in any given year (which is not the same as the number of new orders issued during that year); and the choices made by offenders to comply with the conditions ordered by the court. The identification of an appropriate target is still under review.



(17) PERCENTAGE OF INCARCERATED ADULT OFFENDERS WHO RE-OFFEND WITHIN ONE YEAR

What does this measure tell us? This measure is intended to capture information on recidivism as an indicator of offender accountability. Currently, there exists no common national definition of recidivism/re-offending. Efforts are underway to develop a national definition that would be acceptable to all jurisdictions. Staff are participating in a recidivism working group with the CCJS and will work to ensure provincial data is included when a pilot begins.

Where are we now? While awaiting a national standards, our department can report on rates of re-incarceration. This measure is limited, but does offer an indication of recidivism patterns in Nova Scotia. Rates of re-incarceration³ have fluctuated over the past several years ranging from 68% in 2003-2004 to a low of 59% in 2006-2007. Most recent data for 2007-2008 indicates a re-incarceration rate of 62%.

ADULTS		
Percentage of Sentenced Adults With Previous Periods of Incarceration		
Year	Total Number of Persons Admitted	Percentage With At Least One Previous Incarceration
2003-04 (base year)	1690	68%
2004-05	1778	60%
2005-06	1694	61%
2006-07	1920	59%
2007-08	2102	62%

Where do we want to be in the future? The department expects that its work with CCJS, and its work in relation to a re-contact study on the criminal paths of youth that is currently underway, will allow us to report more fully on this measure in the future.

³A previous period of incarceration includes any type of admission to custody including sentenced, remanded, and other statuses. Rates of re-incarceration are self-reported.

(18) PERCENTAGE OF INCARCERATED YOUNG OFFENDERS WHO RE-OFFEND WITHIN ONE YEAR

What does this measure tell us? This measure is intended to capture information on recidivism as an indicator of offender accountability. Currently, there exists no common national definition of recidivism/re-offending. Efforts are underway to develop a national definition that would be acceptable to all jurisdictions. Staff are participating in a recidivism working group with the CCJS and will work to ensure provincial data is included when a pilot begins.

Where are we now? The percentage of sentenced youth with at least one period of previous incarceration⁴ have fluctuated over the past several years ranging from 67% in 2004-2005 to 61% in 2007-2008. The department is also conducting a re-contact study in 2008-2009 to track the criminal paths of youth in the criminal justice system. It is anticipated that the methodology and results of the re-contact study on youth will inform our efforts to measure recidivism among youths and adults.

YOUTH		
Percentage of Sentenced Youth With Previous Periods of Incarceration		
Year	Total Number of Persons Admitted	Percentage With At Least One Previous Incarceration
2003-04 (base year)	125	58%
2004-05	103	67%
2005-06	12	65%
2006-07	153	64%
2007-08	122	61%

Where do we want to be in the future? The department expects that its work with CCJS, and its work in relation to a re-contact study on the criminal paths of youth that is currently underway, will allow us to report more fully on this measure in the future.

⁴A previous period of incarceration includes any type of admission to custody including sentenced, remanded, and other statuses. Rates of re-incarceration are self-reported.

(19) FAMILY CASES THAT REACH CONSENT THROUGH CONCILIATION/MEDIATION

What does this measure tell us? This measure captures family cases that reach consent through conciliation/mediation, e.g. consent orders mutually agreed to by the two parties without an actual court hearing. It is an indicator of the effective use of alternative dispute resolution mechanisms.

Where are we now? The number of consents reached as a result of conciliation in 2007-2008 were 503, compared to 496 in 2006-2007, 540 in 2005-2006 and 427 in 2004-2005. A percentage is not available at this time because the overall caseload cannot yet be determined until all other possible outcomes of conciliation are tracked.

Where do we want to be in the future? The identification of an appropriate target is still under review by the department, as there is a wide variety of reasons why family cases may not reach resolution.