DEPARTMENT OF JUSTICE

ANNUAL ACCOUNTABILITY REPORT FOR THE FISCAL YEAR

2008-2009

August 25, 2009
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ACCOUNTABILITY STATEMENT

The accountability report of the Department of Justice for the year ended March 31, 2009 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 2008-2009. 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.

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Ross Landry                                Marian Tyson, Q.C.
Minister of Justice                        Deputy Minister of Justice
MESSAGE FROM THE MINISTER AND DEPUTY MINISTER

We are pleased to share with you details of the work performed by the Department of Justice during the 2008-2009 fiscal year.

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. This is our mission. We view our mission as a commitment to the people of Nova Scotia and we seek to accomplish this through significant and serious enforcement, safe and secure custody and supervision of offenders, appropriate offender rehabilitative programming, a well administered justice system, and a comprehensive, evidence-informed approach to crime prevention through enhanced prevention initiatives, capacities and partnerships.

Six divisions and over 1,400 talented and committed employees throughout the province carry out this work in tandem with our justice and community partners to ensure that Nova Scotians can be confident in the justice system.

With this work comes challenges, sometimes significant challenges. This Accountability Report for fiscal year 2008-2009 details the many successes and also the challenges we have met over the past year, and importantly, the ways in which we have responded to the challenges. We believe it will demonstrate our commitment to excellence in service and the professionalism of our staff.

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

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Ross Landry  Marian Tyson, Q.C.
Minister of Justice  Deputy Minister of Justice
INTRODUCTION

Purpose
The purpose of this accountability report is to present results of the Department of Justice Business Plan for 2008-2009, 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 six divisions: Public Safety; Court Services; Correctional Services; Legal Services; 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. The division’s Crime Prevention Section is tasked with overseeing implementation of the crime prevention and reduction strategy, Time to Fight Crime Together.

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, 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.

Our Correctional Services Division provides community-based correctional services, including adult diversion; pre-sentence reports; offender supervision; bail supervision; youth attendance centres; reintegration programs and planning; and restorative justice for offences involving youth. The department operates 22 community corrections offices throughout the province. 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.
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 the Department of Justice. 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.

The department’s core business areas are supported by the functions of Human Resources, our Policy & Information Management Division, Finance & Administration, and Communications.

Human Resources provides advice and support in recruitment and retention, labour relations, occupational health and safety, wellness, compensation/classification, payroll/benefits administration, and in partnership with the Justice Learning Center addresses staff training and development needs.

Policy and Information Management ("PIM") brings together a diverse but inter-related group of department functions dedicated to the creation, analysis, sharing, security, accuracy, storage, protection and business use of information. PIM’s support for Justice includes stimulating innovation through technological and other solutions, administering Information Access and Privacy matters according to legislation, and providing valuable direction in policy matters and strategic planning. The Justice Learning Centre, a unique partnership between the Department of Justice and the Nova Scotia Community College, provides accessible, affordable, sustainable training and development, and supports the exchange of ideas for people involved in the justice system.

Finance and Administration provides strategic financial leadership and expertise to ensure all accounting/budgeting/procurement functions are performed in a timely and accurate manner.

Communications prepares an annual strategic communications plan, which outlines internal and external communications activities to support the department's goals and objectives and promote public understanding of the justice system. Communications support includes issues management, communications planning, speech writing, publications, bill briefings, media relations, events and media conferences. The division also supports internal communications to branches and leads the production of a department newsletter.
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 2008-2009

Ensuring the public safety and security of Nova Scotians is central to the work planned and carried out by the Department of Justice. Tracking crime rates (volume), crime severity, and victimization rates assists the department in its efforts to address and prevent crime. While the overall crime rate (volume) in Nova Scotia decreased for the fourth consecutive year in 2008, and our youth accused crime rate dropped for the second year in a row, Nova Scotia’s overall crime rate and youth accused crime rate still remain higher than the national averages. However, the new Crime Severity Index provides us with another key piece of information: In 2008, Nova Scotia’s overall crime severity, violent crime severity, and non-violent crime severity were all below the national averages. In fact, overall severity of crime in Nova Scotia has actually decreased 22% since peaking in 2004. Taken together, the crime rate and the Crime Severity Index indicate that there is a higher volume of crime in Nova Scotia, but it tends to be of a less serious nature. Among other initiatives in 2008-2009, we continued to work on improved crime prevention measures in collaboration with other government departments and the community in fulfillment of recommendations made by the Nunn Commission (the public inquiry that examined the events that preceded Theresa McEvoy’s tragic death in 2004). The Department of Justice has now completed or nearly completed all of the recommendations that related to the justice system and we continue to report on our progress on these recommendations.

In keeping with the Nunn Commission’s emphasis on crime prevention and with the input received through the Minister’s Task Force on Safer Streets and Communities, the department launched its multi-year 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. In 2008-2009, we saw the creation of the Crime Prevention Section within the department, the development of restorative justice demonstration pilots with community partners in a number of areas across the province, and collaboration with the Department ofSeniors in support of community programs focused on seniors safety. Since the
release of our comprehensive crime prevention strategy, more than 40 communities have received grants from the Department of Justice for projects that support the strategy. In total, over $800,000 has been distributed to community groups across the province.

In April 2008, the Department of Justice ordered an independent external audit of Nova Scotia’s adult correctional facilities. The audit was conducted by the management consulting firm, Deloitte, and contains 51 recommendations as part of its comprehensive review on the policies and procedures of correctional facilities in Nova Scotia. In December 2008, the department released the findings of the audit. The audit revealed that, as with other jurisdictions across Canada, the increased number of people within Nova Scotia’s correctional system and the increased movement of these individuals has put strains on the system. The audit also found that employees and management share the common goal of a secure correctional environment. The department has prepared an Action Plan to address the audit recommendations and implementation of some of the recommendations began in fiscal 2008-2009. Implementing all 51 recommendations, however, will take time. While some of the recommendations can be implemented quickly, others have budget implications that will impact our operational costs. Implementing our Action Plan to strengthen Nova Scotia’s adult correctional facilities will continue to be a major focus for the department throughout fiscal 2009-2010. To ensure the public is kept informed about our progress in implementing the Deloitte Report, we are posting Action Plan Bulletins on the Department of Justice website.

In 2008-2009, the department introduced legislation that will provide legislative authority for substitute decision makers to make personal care decisions, including medical decisions, for those who are unable to make decisions due to incapacity. The Personal Directives Act, which passed Third Reading in May 2008, will replace the Medical Consent Act and will allow individuals to set out instructions and wishes with respect to personal care decisions. Joint work with the Public Trustee and the departments of Health and Community Services continues on an education initiative for the public and stakeholders in preparation for proclamation of the Act. The department also amended the Beneficiaries Designation Act this year to allow designated beneficiaries to receive Tax-Free Savings Accounts outside of a will in the same way that beneficiaries can receive the proceeds of an RRSP, and consulted on proposed amendments to the Judicature Act that would empower the Supreme Court of Nova Scotia and the Nova Scotia Court of Appeal to prevent a vexatious litigant from starting new proceedings or continuing existing proceedings.

At the national level, we have continued to push for changes to the Youth Criminal Justice Act. We have also continued to call for an immediate federal commitment to civil legal aid and an increase in support for criminal legal aid, and have expressed support for federal changes to the Criminal Code of Canada to strengthen the criminal justice system’s response to serious and violent offenders.

More information about our department’s efforts to build a stronger, safer Nova Scotia throughout the 2008-2009 fiscal year follows.
Strategic Direction #1: A justice system that is properly administered and cost effective.

Priorities:

a. Operationalize the crime prevention and reduction strategy, Time to Fight Crime Together, by implementing the new Crime Prevention Division in accordance with the multi-year plan, including recruitment of staff, program development and implementation: In 2008-2009, the Crime Prevention Section was implemented and a Director of Crime Prevention was hired, along with a Coordinator of Crime Prevention and an Administrative Assistant. Program development and strategy implementation moved forward with the continued funding of community based programs and organizations, the development of a public education campaign, the hiring of additional police officers, the planning of the first annual crime prevention symposium, and the continued success of the province's restorative justice programs.

b. Constructing and managing facility infrastructure initiatives, with the following priorities pursued in 2008-2009:

- working to establish a new morgue for the Nova Scotia Medical Examiner Services: The preferred location for the new morgue was determined in 2008-2009. A letter of intent was drafted and we will continue to work toward finalizing the purchase of the preferred site and initial design work pending the 2009-2010 budget.

- continuing beyond the design development milestone to replace Antigonish and Cumberland correctional facilities in partnership with the Department of Transportation and Infrastructure Renewal: As of March 31, 2009, architectural design of the Cumberland facility was substantially completed and architectural design of the Antigonish facility was expected to be complete by May 2009.

- completing construction of the Lunenburg and Yarmouth counties justice centres: The Yarmouth Justice Center was completed and staff moved into the building in February 2009. Court has been held in the new facility since February 16, 2009. Construction on the Lunenburg County Justice Center in Bridgewater was delayed, but substantial completion is expected at the end of June 2009.

- continuing to develop plans for a consolidated court house in Halifax Regional Municipality to replace the existing four court buildings, including looking at possible sites and completing a preliminary building program: The building program has been completed and is available for use when the project proceeds.
c. Improve operational effectiveness by continually assessing and improving upon the value of existing programs and services, including funding, staff infrastructure, technology and business processes, with the following priorities pursued in the 2008-2009 fiscal year:

- 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 completed and data will be collected twice annually starting in fiscal year 2009-2010. Consultation to streamline the summary offense ticket process has begun and legislation has been drafted. With the exception of a few satellite courts, the digital recording system for the province is complete. Development of a court accounting system to improve financial transaction processing in the civil courts is substantially complete with implementation expected in 2009-2010.

- improving access to evidence-based decision-making through the development of a Public Safety Investigations case management system: The case management system was designed and developed and is planned to be fully implemented by July 1, 2009. The system will allow case files to be stored electronically with the advantage of a search facility and statistical analysis.

- developing a comprehensive government-wide training plan by March 31, 2008, to include Train-the-Trainer sessions to facilitate Freedom of Information and Protection of Privacy (“FOIPOP”)/Information Access & Privacy Administrator compliance with FOIPOP and Personal Information International Disclosure Protection Act obligations: A Government-wide training program was developed and is in ongoing implementation.

- undertaking organizational redesign, including a reorganization of the Legal Services Division to enable improved delivery of legal services and well-being of staff, implementation of an Improved Service Delivery Model for Human Resources (HR) Services via the HR Renewal initiative led by the Public Service Commission, and ensuring a smooth transition of the Justice Learning Centre from an HR reporting structure to the Policy & Information Management Division including adaptations that may flow from the Public Service Commission’s centralization of HR resources: As a result of the review of the structure of the Legal Services Division and the Deloitte Report, the Legal Services Division underwent a "renewal" to become more client focused. The new structure resulted in a new level of management, the creation of 11 teams, each with its own team lead, the launching of a new client-focused Intranet site, and client service training for all Legal Services staff.
A sound Human Resources Service Delivery Model must include effective Recruitment & Selection strategies & practices. As a result of a Competition Merit Audit conducted in 2006-2007, all hiring policies and procedures were reviewed resulting in a new Fair Hiring Policy and an Employment Equity Policy effective October 1, 2008. During 2008-2009, the Human Resources community and management received training on these new policies as well as all related process and service changes dictated by amended fair hiring standards and templates.

The Justice Learning Centre has made a smooth transition to the Policy and Information Management Division, and continues to provide Human Resource Development to Justice Corporate Service Unit (“CSU”) Clients, through a partnership with the Human Resource staff at the Public Service Commission Justice CSU. In addition, the Justice Learning Centre has expanded work on core Justice training initiatives and facilitation services.

- focusing on knowledge retention and training for staff, including development of training on business process improvement, and Court Services Division’s development of an employee mentoring program, as well as Justice of the Peace operational training, and training strategies on accounting, civil procedures rules, and to support the introduction of online materials: Justice of the Peace training has been developed including revisions to the manual and the preparation of a pocket guide with initial training expected in November 2010. Interactive training initiatives for the new Civil Procedure Rules, which came into effect in January 2009, have taken precedence over other initiatives and are complete and being used by staff.

**d. Negotiate federal, provincial and territorial (“FPT”) agreements, including:**

- continuing to seek federal support for expansion of the Supreme Court (Family Division), which is subject to federal legislation and funding: In 2008-2009, the department continued its efforts to seek federal support for expansion of the Supreme Court (Family Division).

- developing community tripartite agreements respecting aboriginal justice programs: A total of eight First Nations Communities in Nova Scotia receive policing under the First Nations Policing Policy, with service delivery to seven communities by the RCMP and one by the Cape Breton Regional Police Service. Six of the current Community Tripartite Agreements continue to be under negotiations and it is anticipated they will all be signed by December 2009. The remaining two communities operate under existing agreements.

negotiating a new five year agreement with the Federal Government in support of child centered justice initiatives that continue to enable provinces and territories to develop and enhance services to support the needs of families experiencing separation and divorce: Negotiations proceeded well during 2008-2009 and are expected to be complete in fiscal year 2009-2010.

e. Address Nova Scotia’s policing needs by continuing preparations to meet policing needs for 2012 and beyond given the expiry of our 20-year-contract with the federal government for the RCMP as our provincial police service in 2012: As part of this multi-year task we continue to consult and explore options with stakeholders for policing service delivery after 2012. This ongoing process will identify the policing needs for Nova Scotia and analyze policing service options. Concurrently, the department is fully engaged in the contract renewal discussions with the federal government to ensure the Nova Scotia is positioned to take advantage of the best option to meet our policing needs.


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

Priorities:

a. Implement the crime prevention and reduction strategy, Time to Fight Crime Together, by:

- implementing a Provincial Proceeds of Crime Unit with the power to seize or restrain assets related to criminal activities or purchased from the profits of crime: The Provincial Proceeds of Crime Unit became fully operational in January 2009. It is an integrated unit with both RCMP and Municipal police officers, and a dedicated Crown Attorney.
working to improve restitution for victims through the development of a Restitution Collection Program: The Restitution Committee has made application and received approval for pilot project funding from Justice Canada to hire a Restitution Co-ordinator position for Nova Scotia. We are currently waiting for the position to be classified by the Public Service Commission and when completed, a competition will be held to fill the position.

working with the Department of Seniors, we will support community programs focused on seniors safety by providing collaborative funding to support seniors safety programming across the province: The Department of Justice and the Department of Seniors worked together to provide over $240,000 in collaborative funding to seniors' safety programs throughout the province in 2008. New senior safety programs that include a crime prevention focus and build community capacity were established in Sydney (Association for Safer Cape Breton Communities), Eskasoni, (Eskasoni Elders Safety) and Truro (Truro and Colchester County Senior Safety Program).

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

- continuing to develop response plan to the Auditor General’s Report on the Maintenance Enforcement Program: Development of the response plan was completed in 2008-2009 and implementation of that plan was substantially completed by March 31, 2009.

- implementing plan to address findings of the Justice Enterprise Information Network (“JEIN”) data integrity review: Recommendations to address the findings of the JEIN data integrity review have been made and action has been taken on those findings that were identified as medium or high priority.

- evaluating the Halifax Youth Attendance Centre (“HYAC”): In 2008-2009, federal funding was provided to contract the preparation of a report to provide a framework for the external evaluation of HYAC. The report has been received and is under review.

c. **Continue implementation of the French Language Services Program in partnership with the Acadian and francophone community in Nova Scotia:** We have continued to manage the federal government budget contribution, identifying initiatives and priorities for delivery of French-language services, coordinating French training and consulting with stakeholders and outside agencies.

d. **Assist the judiciary in implementation of new Civil Procedure Rules:** Most of the training modules on how to work with the new Civil Procedure Rules have been
developed for staff and Justice lawyers have been trained. The remaining modules will be completed in early fiscal year 2009-2010.

e. **Complete the establishment of RCMP advisory boards:** Thirty-two out of an anticipated 35 RCMP Advisory Boards are established. Training sessions were held throughout the province to assist members.

f. **Enhance the Information Access and Privacy Office, by:**

- completing, seeking approval for, and implementing a Government Confidentiality Policy in accordance with the intent of the civil service code of conduct: A draft Confidentiality Policy was developed and is being reviewed in light of the recently introduced Government-wide Privacy and Code of Conduct Policies.

- examining opportunities to update provincial access and privacy legislation/regulations: A private member bill regarding privacy oversight, the Privacy Review Officer Act, was supported by the Government during the Fall 2008 session. It received Royal Assent on November 25, 2008. The Act has not yet been proclaimed.


Additional initiatives undertaken in 2008-2009 relating to this strategic direction include:

- Implementing recommendations of the Conducted Energy Device Review: The Department of Justice commenced a review of the province’s policies on the use of conducted energy devices (“CEDs”) in December 2007. Part One of the CED Review involved the release of a report in March 2008 on how CEDs are being used in Nova Scotia. Part Two involved an examination of that report by an advisory panel, which made recommendations to the department in July 2008. Work to implement these recommendations has proceeded. As of March 31, 2009, the recruitment of the Use of Force manager was nearing completion and with this expertise, the full policy review recommended in the July report will be undertaken, as well as all associated recommendations.

- Conducting a Review of the Nova Scotia Restorative Justice Program: The Department of Justice continued its internal review of the Nova Scotia Restorative Justice Program with the intention of determining how to continue to improve the program and how to best position the program for the future. Consultations with restorative justice agencies and with other key system stakeholders were held as part of the review process.
Strategic Direction #3: People are and feel safe and secure.

Priorities:

a. Implement the crime prevention and reduction strategy, Time to Fight Crime Together, by:

- expanding electronic supervision to include voice verification technology (in addition to existing global positioning system technology and ankle bracelets) for adult offenders with house arrest conditions in their conditional sentence orders: Voice verification technology is now available province-wide for this group of offenders.

- piloting the use of electronic supervision of young offenders in Halifax Regional Municipality (“HRM”): Electronic monitoring has been used on a limited basis in various areas of the province, including HRM, and has shown to be an effective tool to assist in the monitoring of appropriate high risk youth on house arrest. Electronic monitoring will continue to be made available on a limited basis province-wide for this group and can be further expanded subject to availability of budget resources.

- developing a youth attendance centre in Cape Breton building on the Cape Breton Youth Resource Centre now operated by the Salvation Army in Sydney: Work to develop a youth attendance centre in Cape Breton proceeded in 2008-2009, including the completion of a staffing model for the Cape Breton Youth Attendance Centre. The ability to proceed with implementation of the youth attendance centre is subject to approval of budget resources for 2009-2010. The contract with the Salvation Army has been extended into 2009-2010 and efforts are underway to move existing CBYRC staff into the Nova Scotia Civil Service in anticipation of the new attendance centre.

- expanding the youth bail supervision program to more parts of the province - to the Cape Breton Regional Municipality: Youth bail supervision is linked with the availability of a youth attendance centre and has been targeted for Cape Breton in conjunction with implementation of the new Cape Breton Youth Attendance Centre (“CBYAC”). The ability to proceed with CBYAC and accordingly, youth bail, is subject to approval of budget resources for 2009-2010.

- reporting on the Integrated Impaired Driving Enforcement Unit pilot program: In December 2007, the Integrated Impaired Driving Enforcement Unit began a twelve month pilot project in Southwest Nova Scotia, with a primary focus on detecting and intercepting impaired drivers. Due to the success of the program, in December 2008 the pilot project was extended to April 2009. An “Annual Report” based on the completion of the pilot project has been completed.
continuing implementation of the plan for additional police officers: This is a four-year plan that began in 2007-2008. To date, a total of 150 new positions have been allocated. Officers are 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.

enhancing the Justice response to and increasing support services for victims of family violence, intimate partner violence, and sexual assault: A Domestic Violence Prevention Committee was appointed, consisting of community and government representatives, to make recommendations to the Deputy Ministers Leadership Committee regarding the development of an intimate partner violence prevention strategy for Nova Scotia. The committee was tasked with reviewing best practices in the following areas: prevention initiatives, public education programs, victim support services, intervention programs for abusers and judicial and legislative responses to intimate partner violence. On June 30, 2009, the committee submitted its recommendations to support the development of an intimate partner violence strategy.

implementing the Victim Services Aboriginal Outreach Program: Objectives of this three year pilot project are to complete a needs assessment and develop a specialized model of service delivery within the mandate of the Provincial Victim Services Program that addresses the unique needs of Aboriginal victims of crime, with a focus on the development of culturally-supportive victim services that encourage the participation of Aboriginal victims in the justice process. In 2008-2009, an Aboriginal Victim Services Officer position was established in Eskasoni through Justice Canada pilot project funding and in partnership with Mi’kmaq Legal Support Network and Eskasoni Mental Health and Social Work.

expanding the Criminal Injuries Counselling program to children who have been witnesses of family violence: In 2008-2009, the Criminal Injuries Counselling Program was expanded to receive applications for counselling for children who are exposed to intimate partner violence. The application form was revised and simplified and a program brochure was developed for distribution. A resource package for counsellors was compiled regarding the impact for children witnessing violence in the home.

developing resources and training to facilitate the testimony of child victim/witnesses and vulnerable witnesses: Development of a vulnerable witness protocol to facilitate use of testimonial aids, including Closed Circuit television was identified as a priority in 2008-2009. Reference materials developed by Justice Canada were obtained and will be distributed to the Crown and judiciary to promote the use of special considerations for vulnerable witnesses.
Modifications to data collection have been implemented to better capture information to support federal data collection on the use of testimonial aids.

implementing the Victim Impact Statement Travel Assistance Program: As of 2007, the provincial government, in collaboration with the federal government through the Policy Centre for Victim Issues and the Victims’ Fund, has resources available to assist victims of crime to attend sentencing hearings for crimes that occurred in Nova Scotia so they can read their Victim Impact Statement at the hearings. The pilot program has been in effect in Nova Scotia since January 1, 2008, with further implementation and monitoring of the program undertaken in 2008-2009.

b. Continue to act on recommendations from the Nunn Commission – In cooperation with department stakeholders and justice system partners, the department is:

- continuing to push the federal government for further changes to the Youth Criminal Justice Act. The federal government will be reviewing the Act in 2008 and Nova Scotia will be vigilant in recommending amendments. While pre-trial detention and custody provisions have recently been strengthened, Nova Scotia also wants to see public protection as a primary goal of the Act. In 2008-09, the department: In 2008-2009, a paper on proposed amendments to the Youth Criminal Justice Act (“YCJA”) was prepared and submitted to the federal Minister of Justice. The federal government indicates that a review of the YCJA remains a priority.

- continuing efforts to reduce youth court processing time, including establishing a mechanism to track progress, providing information to youth and parents about court preparation, and ensuring additional probation staff attend youth court: A committee of department staff and justice partners is working on identifying solutions to case processing delays and a mechanism has been developed to track case processing times on a bi-annual basis. One area of focus of the Youth Court Liaison Worker pilot project in Truro and New Glasgow was providing information to youth and parents about court. That pilot project completed model development, including informational brochures, in 2008-2009.

- electronic filing of pre-sentence reports with the court: A project has been initiated to provide the capacity to request, prepare, track and submit pre-sentence reports electronically on JEIN. It is anticipated that this initiative will roll-out in the fall of 2009.

- collaborating on the implementation of pilot projects under the recently released Strategy for Children and Youth, which are aimed at filling the gaps in programs and services for children, youth and their families: The Strategy for Children and Youth released its progress report in December 2008. Fiscal year 2008-2009 was a
foundation year with planning and research being critical, and with a number of pilot projects started.

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

- Developing and proposing new private security legislation to enhance government’s regulatory and enforcement efforts, expanding coverage to include all security providers, and establishing mandatory training standards and accountability structures for all segments of the security industry: The development of new legislation and consultation with stakeholders continues. It is anticipated that the legislation will be introduced in the upcoming year.

- Working with government agencies, law enforcement, and key industry stakeholders, to monitor information related to international, national, regional, and provincial threat assessments, ensure threat advisories are communicated to key decision makers, and provide necessary security clearances: The department created a Security Intelligence Management Unit, which continues to provide 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.

- Implementing the recommendations of the 2007 Court Facility Security Review Report: In order to address the recommendations of the 2007 report, committees were set up in every Justice Centre of the province. Recommendations have been made by each committee identifying steps to be taken to address security concerns with respect to communications, technological initiatives and site-specific concerns. As a first step, a new duress alarm system has been installed in court offices across the province.

d. **Deliver intimate partner violence training in partnership with the Department of Justice/Public Prosecution Service Intimate Partner Violence Committee:** A one-day training event was developed and delivered in the four provincial regions – Halifax, Cape Breton, Western, and Central. A total of 77 people representing both internal and external justice partners participated.
Strategic Direction #4: People make constructive choices.

Priorities:

a. Implement the crime prevention and reduction strategy, Time to Fight Crime Together, by:

- developing a mental health court program in consultation with judiciary and other stakeholders: In 2008-2009, Justice continued its work with the departments of Health, Community Services, Health Promotion and Protection, the Public Prosecution Services, Legal Aid, the judiciary and other justice partners, on the development of a Mental Health Court Program 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. The Mental Health Court is expected to open in November 2009.

- developing restorative justice ("RJ") demonstration pilots with community partners in Sydney, HRM, Yarmouth and Truro. The pilots have various areas of focus within communities, including intervention for children under 12, bringing RJ to schools, high-risk youth, and enhancing capacity for conflict resolution: All referenced pilot projects have been established. Four have completed the first year of pilot program delivery with strong results, and one (the “Restorative Options for Youth in Care” project in HRM) completed model development in 2008-2009 and will begin service delivery in 2009-2010.

- developing and implementing a comprehensive, multi-media campaign to engage and inform the public about prevention and encourage all Nova Scotians to become more involved in preventing crime in their communities: In 2008-2009, the development and implementation of the strategy's multi-media campaign has focused on three main activities. In September 2008, a safer neighbourhoods crime prevention television/multimedia public service announcement (“PSA”) aired on television and, in the spring of 2009, a second youth-oriented PSA was created. The Crime Prevention Section’s staff have delivered 21 presentations to a variety of audiences and have handed out over 700 copies of the crime prevention and reduction strategy. Intended to be an educational resource for public use, the Department of Justice also developed a crime prevention website in 2008-2009.

b. Review and assess services provided by Family Court and identify improvements in consultation with the judiciary and stakeholders: In January 2009, an 18-month pilot project was initiated in Yarmouth to test a new conciliation model proposed for Family Court. The department continues to work with the Nova Scotia Barristers’ Society to identify improvements in Family Court operations.
c. **Co-lead a Nova Scotia Drug Strategy with the Department of Health Promotion and Protection, focusing on prevention, treatment, harm reduction, and enforcement:**
Justice and Health Promotion and Protection, in consultation with representatives from all government departments and the law enforcement community, have developed a final draft of a Provincial Drug Strategy based on the four core elements of prevention, harm reduction, treatment and enforcement. The Committee was working towards a late spring 2009 release date for the Provincial Drug Strategy and release is on hold pending budget approval for 2009-2010.

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**Human Resource Strategy**

The department is committed to supporting the goals of the Corporate Human Resource Plan. Those goals are: to make a difference through a skilled, committed, and accountable public service; to be a preferred employer; to be a safe and supportive workplace; to be a diverse workforce; and to be a learning organization. The Department of Justice Human Resource Strategy supports the strategic goals by ensuring well trained, well motivated staff who are well deployed. In addition, the strategy provides opportunities for staff to network, share ideas and further understand and contribute to an effective justice system. Specific 2008-2009 priorities are outlined below:

- **Justice will continue to play a leadership role in a comprehensive, sustainable healthy workplace initiative.** The department took part in a pilot project in collaboration with the Public Service Commission, the Department of Health Promotion and Protection, the Atlantic Health and Wellness Institute, Pfizer Canada Inc., AstraZeneca Canada Inc., and Sun Life Financial. As part of the pilot, employees at 12 different sites have been actively working with and engaging staff in health and wellness initiatives. In the upcoming fiscal year, the department will focus on establishing action plans at those pilot sites, engage staff from other sites across Nova Scotia, as well as develop a broad departmental strategy to guide future activity, including focusing on training programs to meet operational and career development needs. The initiative is helping the department make a difference through a skilled, committed and accountable public service: The study is complete from the perspective of the department and has been considered successful. Human Resources (“HR”) continues to participate in data collection and analysis of the findings for the completion of the final report.

- **As part of our department’s Healthy Workplace Plan, Justice will also be developing a departmental recognition program.** The recognition program for the Justice department will have both formal and informal components and will be complementary to other provincial and divisional programs: Divisions within the department continue with Employee Recognition programs. Departmentally, we continue to participate and embellish corporate initiatives such as Long Service Awards and the Premier’s Award of Excellence. We include the Employee Orientation program as part of our departmental
No formal departmental employee recognition program has yet been developed due to competing priorities.

Justice will provide basic Occupational Health and Safety (“OH&S”) training for employees. OH&S reviews are planned. In response to Environment and Labour's (“now the Department of Labour and Workforce Development”) new workplace violence policy, workplace violence assessments and training will be developed: OH&S training for managers and employees continue. A corporate OH&S review is underway to examine new options to increase efficiencies. Within the department, focus continues on responding to the Department of Labour and Workforce Development’s Work Orders, Radon levels and Work Place violence issues. On-going.

Various divisions have also identified specific human resources priorities for the upcoming fiscal year. For example, Public Safety Division will host a division-wide session focused on organizational wellness, with a focus on career development planning and improving internal information-sharing processes. Legal Services will continue to improve internal communications, staff training and staff mentoring: During 2008-2009, Legal Services continued to improve internal communication by broadening the management group to include Team Leads in respect of training and information flow. A Team Lead forum was established to provide an opportunity to discuss legal issues and concerns across the division, as well as issues that may impact other client departments. As part of a departmental review of staff training, Legal Services developed a comprehensive list of mandatory and recommended training for all staff levels. Legal Services also developed and implemented a Mentoring Program.

In support of diversity, we have developed an affirmative action plan. Efforts are underway to develop an internal tracking system to collect and analyze diversity data. We are also supporting French language training for employees, and a departmental representative participates on the Public Service Commission’s Diversity Roundtable: Competition statistics that include data on diversity candidates are now collected annually and we report on these statistics in the Diversity Report submitted annually to the Public Service Commission. A Justice HR Consultant and a Senior Policy Analyst also sit on the Public Service Commission Diversity Roundtable.

In addition to the provision of training and facilitation activities within the Department of Justice, including leadership development, performance management and orientation programs, the Justice Learning Centre is expanding to provide support to justice partners such as Halifax Regional Police and other areas of government. “Leading a Respectful Workplace,” “Domestic Violence Education” and “Bias Free Policing” are examples of the special courses offered: Achieved. The Justice Learning Centre delivered a second Train the Trainer on Bias Free Policing to staff at Halifax Regional Police, and has offered the one day course directly to municipal police agencies across the province. In addition, other human resource courses were offered to police agencies.
The Correctional Services Division has planned for 25,000 hours of correctional services training for its employees in 2008-2009, and will purchase additional training from the Public Service Commission ("PSC"), the Justice Learning Centre and outside training providers. In addition, Correctional Services will update its curriculum in several areas and develop new training, e.g. corrections-specific leadership training, case management, and direct supervision. In 2008-2009, Correctional Services provided in excess of 28,000 hours of training for its staff through public and private sector providers. Staff participated in nine different Public Service Commission programs for a total of 700 hours, private service providers trained staff in 11 programs for a total of 1,900 hours, the Justice Learning Centre provided five different sessions for a total of 2,500 hours of training and Correctional Services internal trainers provided training for a total of 3,700 hours. Correctional Services’ Captains and Senior Probation Officers participated in the Justice Learning Centre’s 10 session leadership development series designed specifically for Corrections staff. Within correctional facilities, new staff orientation was formalized into a lesson plan driven program. New courses were also established in the areas of Occupational Health and Safety Overviews and Ethics for Justice Staff. New training was provided to Community Corrections staff on electronic monitoring, voice verification for electronic supervision, and the Ontario Domestic Assault Risk Assessment (ODARA).

With the reorganization of the Corporate Service Units becoming part of the Public Service Commission, the Department of Justice, as the employer for the Public Servants in Local 480, will need to redefine how Labour Relation Services will be provided to Local 480: Work on this proceeded in fiscal 2008-2009 and will continue into the 2009-2010 fiscal year in light of the Deloitte Report implementation, which also has an impact on how Labour Relation Services will be provided to Local 480.

Recruitment and retention strategies will be key to ensuring that the workforce is ready and able to continue to provide quality service to the public. The department is committed to maintaining and improving on our ability to attract and retain qualified diverse public servants. As part of an ongoing commitment to process improvement directed at fair hiring within the provincial government, several initiatives have been implemented that will contribute to successful attraction and retention of a properly resourced and diverse workforce. A merit audit reviewed recruitment and staffing policies and processes across government which has resulted in the design and implementation of improved systems that utilize corporate standards and templates. This corporate approach also includes the development of a generic corporate recruitment and selection training program that will be delivered to both the human resource community and all line management as part of ongoing refresher training in human resource best practices: Training in the Fair Hiring policy and the standardized recruitment processes has been provided to managers. The standardized recruitment practices have been introduced and we continue to support hiring managers in the implementation of these practices.

An improved service delivery model for Human Resource services in government will be unfolding this year, as led by the Public Service Commission: As a result of a 2007
The external review of government's current HR CSU Service Delivery model, a Corporate HR Management Renewal Initiative was approved in 2008-2009. As part of that initiative, further analysis and study during 2008-2009 and continuing through 2009-2010 is expected to generate recommendations for improvement in three critical initial areas of HR service: OH&S, Ability Case Management, and Pay and Benefits. HR staff will continue to be involved during 2009-2010 as members of Steering Committees, Focus Groups and Working Groups addressing these services.

The Human Resource Strategy for Human Resource professionals will support professional development and implementation of new competencies for the Human Resource community: In 2008-2009, the content of a six part development series for Pay and Benefits consultants was organized and developed. HR also participated in various Fora focusing on professional development, including conferences and meetings with agendas built to promote professional development. Work on this priority is ongoing.

We will be completing the 2007-2008 department training and development needs analysis and exploring changes to the Justice Learning Centre that may flow from that exercise: No changes to the Justice Learning Centre emerged from this exercise; however, in response to evolving needs, the Justice Learning Centre delivered customized training and development to client divisions, such as Legal Services and Correctional Services. In support of the Legal Services redesign, customized training was offered to all staff, with additional training created for Team Leads. Correctional Services’ Captains and Senior Probation Officers participated in a number of leadership series courses.
## FINANCIAL RESULTS

<table>
<thead>
<tr>
<th>Justice</th>
<th>2008-2009 Estimate ($ thousands)</th>
<th>2008-2009 Actual ($ thousands)</th>
<th>Variance Increase/(Decrease) ($ thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Program &amp; Service Area</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>24,499</td>
<td>24,657</td>
<td>158</td>
</tr>
<tr>
<td>Nova Scotia Legal Aid</td>
<td>19,874</td>
<td>20,374</td>
<td>500</td>
</tr>
<tr>
<td>Court Services</td>
<td>54,630</td>
<td>55,960</td>
<td>1,329</td>
</tr>
<tr>
<td>Correctional Services</td>
<td>53,763</td>
<td>56,249</td>
<td>2,487</td>
</tr>
<tr>
<td>Public Trustee</td>
<td>1,788</td>
<td>1,568</td>
<td>(220)</td>
</tr>
<tr>
<td>Fatality Inquiry Act</td>
<td>3,217</td>
<td>3,864</td>
<td>647</td>
</tr>
<tr>
<td>Public Safety</td>
<td>104,473</td>
<td>99,383</td>
<td>(5,090)</td>
</tr>
<tr>
<td><strong>Total Gross Department Expenses</strong></td>
<td>262,244</td>
<td>262,055</td>
<td>(189)</td>
</tr>
</tbody>
</table>

### Additional Information:

<table>
<thead>
<tr>
<th></th>
<th>2008-2009 Estimate</th>
<th>2008-2009 Actual</th>
<th>Variance Increase/(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinary Revenue</td>
<td>928</td>
<td>2,015</td>
<td>1,087</td>
</tr>
<tr>
<td>Fees and Other Charges</td>
<td>18,573</td>
<td>19,257</td>
<td>684</td>
</tr>
<tr>
<td>Ordinary Recoveries</td>
<td>92,324</td>
<td>93,620</td>
<td>1,296</td>
</tr>
</tbody>
</table>

| Provincial Funded Staff (FTEs) | 1,525 | 1,422 | (103) |
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 are still being fine tuned as we work to clarify definitions and gather the relevant data. More changes will be introduced in future 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 eight years, the provincial cost of providing justice in Nova Scotia has been increasing. Spending amounted to $141,135,699 in 2008-2009 (excluding federal and municipal contributions), representing a 10.7% 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.

![Expenditures Graph]

25
(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 (or the cost per Nova Scotian) of providing justice services in Nova Scotia has been increasing since 2001-2002. Per capita costs amounted to $150.22 in 2008-2009, which is up $47.99 from the base year ($102.23 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 2008-2009, the department received $12,187,570 in federal funds for justice initiatives, a 3% increase over the 2004-2005 base year ($11,829,716). While there were no further cuts to federal funding in 2008-2009 over the previous year, neither were there any increases to offset the effects of inflation. For both youth criminal justice 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 criminal justice 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 a) CASE PROCESSING TIMES IN CRIMINAL COURT – ADULTS

What does this measure tell us? This measure indicates the average amount of time it takes to process adult cases in criminal court from first to last appearance. A new industry standard for case processing times has been introduced by Statistics Canada. The definition of a court case now includes all charges against the same person having overlapping court dates.

Where are we now? In 2006-2007, case processing times in Nova Scotia were below the national average with the fifth lowest average elapsed time in the country. Between 2007-2008 and 2008-2009, adult case processing times increased by 13 days. Comparable Canadian data will be available for 2007-2008 and 2008-2009 from Statistics Canada in March 2010.

<table>
<thead>
<tr>
<th>Year</th>
<th>Nova Scotia</th>
<th>Canada</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-01 (base year)</td>
<td>213</td>
<td>173</td>
</tr>
<tr>
<td>2006-07</td>
<td>197</td>
<td>237</td>
</tr>
<tr>
<td>2007-08</td>
<td>193</td>
<td></td>
</tr>
<tr>
<td>2008-09</td>
<td>206</td>
<td></td>
</tr>
</tbody>
</table>

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 elapsed time to complete an adult case in criminal court in any given year. In 2006-2007, Nova Scotia was below the national average.
(5 b) CASE PROCESSING TIMES IN CRIMINAL COURT – YOUTH

What does this measure tell us? This measure indicates the average amount of time it takes to process youth cases in criminal court from first to last appearance. A new industry standard for case processing times has been introduced by Statistics Canada. The definition of a court case now includes all charges against the same person having overlapping court dates.

Where are we now? The average elapsed time from the accused’s first appearance in youth court until the final disposition increased in 2008-2009. In 2007-2008, the average time elapsed was 128 days and in 2008-2009, it had increased to 142 days. This represents an increase of 14 days (10%).

<table>
<thead>
<tr>
<th>Year</th>
<th>Nova Scotia</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006-07 (base year)</td>
<td>137</td>
</tr>
<tr>
<td>2007-08</td>
<td>128</td>
</tr>
<tr>
<td>2008-09</td>
<td>142</td>
</tr>
</tbody>
</table>

In 2006-2007, youth cases took an average of 171 days to process, the third highest average elapsed time 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 137 days in 2006-2007 for a youth case to be processed and 128 days in 2007-2008 (down nine days).* For youth case processing times, Nova Scotia excludes restorative justice and bench warrants when calculating the time it takes to process a youth from first hearing to disposition. Restorative justice is excluded because on average it takes over 200 days for an offender to successfully complete the program and this can artificially inflate the overall processing times. Bench warrants are excluded because, once issued by the Court, the Court cannot control how long it takes to have that warrant executed. Official criminal court case processing times for 2007-2008 and 2008-2009 will be released in March 2010 by Statistics Canada.*

Where do we want to be in the future? 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 case processing.

*In the Nunn Commission Report, Commissioner Nunn directed the Department of Justice to produce youth case processing times on a bi-annual basis. As a result, the department has more timely information than that available through Statistics Canada.
(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 Statistics Canada data when reporting on this outcome measure. The percentage of cases reaching first disposition within 12 months or less from the date of case initiation has been reported on in previous accountability reports and for consistency will continue to be a reportable parameter. Disposition is a court event that disposes part, or all, of a court case (e.g. settlement, consent judgement, judgement).

General Civil
According to Statistics Canada data, the percentage of cases reaching first disposition within 12 months or less from the date of case initiation has remained relatively stable in Nova Scotia between 2005-2006 and 2007-2008. In 2005-2006 and 2007-2008, slightly more than half the cases (56% and 42% respectively) in Nova Scotia took 12 months or less from the date of case initiation to the date of first disposition. It is important to remember that new Civil Procedure Rules were introduced into the Supreme Court at the beginning of 2009. The new Civil Procedure Rules are expected to have a significant effect on case management and as a result, the data from previous years may not be readily comparable to future years.

Family Civil
According to Statistics Canada data, the percentage of family civil cases reaching first disposition within 12 months or less from the date of case initiation has remained relatively stable in Nova Scotia between 2005-2006 and 2007-2008. In 2005-2006 and 2007-2008, more than half of all family civil cases (approximately 65% and 68% respectively) in Nova Scotia 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. Changes in the percentage of cases reaching first disposition with 12 months will be tracked.
(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 is stable in 2009 compared with 2005 (54% and 57% respectively). There is also a decrease between 2005 and 2009 in the number of Nova Scotians who consider themselves to be not at all familiar with the justice system. We are therefore on target. Overall results follow:

<table>
<thead>
<tr>
<th>Year</th>
<th>Very familiar with the justice system</th>
<th>Somewhat familiar with the justice system</th>
<th>Not very familiar with the justice system</th>
<th>Not at all familiar with the justice system</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005(1) (base year)</td>
<td>9%</td>
<td>45%</td>
<td>34%</td>
<td>12%</td>
</tr>
<tr>
<td>2009(2)</td>
<td>9%</td>
<td>48%</td>
<td>36%</td>
<td>6%</td>
</tr>
</tbody>
</table>

(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 crime prevention and reduction strategy. Another Atlantic Quarterly Survey will be conducted in May 2010.
(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 2009 data.

Where are we now? The percentage of Nova Scotians who at least some confidence in the justice system is stable in 2009 compared with 2005 (74% and 76% respectively). We therefore remain on target. Overall results follow:

<table>
<thead>
<tr>
<th>Year</th>
<th>A great deal of confidence in the justice system</th>
<th>Some confidence in the justice system</th>
<th>Not much confidence in the justice system</th>
<th>No confidence at all in the justice system</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005(1) (base year)</td>
<td>12%</td>
<td>62%</td>
<td>17%</td>
<td>9%</td>
</tr>
<tr>
<td>2009(2)</td>
<td>8%</td>
<td>68%</td>
<td>15%</td>
<td>5%</td>
</tr>
</tbody>
</table>

(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 2010.
(9 a) 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 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.

In 2008, Statistics Canada expanded the violent crime rate to include a number of offences which were previously considered to be “other *Criminal Code*” offences, but which target and impact individual victims. The non-violent crime rate has also been expanded and now includes property crimes as well as “other *Criminal Code*” offences that do not fall under the violent crime category.

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 7% last year, following a 7% decline in 2007. In 2008, decreases were reported for total violent crimes (-1%) and total non-violent crimes (-9%). The overall crime rate has decreased by approximately 20% since peaking in 2004.

Where do we want to be in the future? The goal is to reduce crime rates below the national average. A summary comparing 2007 and 2008 figures for Nova Scotia and Canada follows:

<table>
<thead>
<tr>
<th>Crime Statistics per 100,000 population</th>
<th>Total violent crime rate</th>
<th>Total non-violent crime rate</th>
<th>Total <em>Criminal Code</em> rate (excl. traffic)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2007</td>
<td>2008</td>
<td>% change</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1703</td>
<td>1689</td>
<td>-1%</td>
</tr>
<tr>
<td>Canada</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1352</td>
<td>1326</td>
<td>-2%</td>
</tr>
</tbody>
</table>

r = revised by Statistics Canada
What does this measure tell us? The Crime Severity Index is a new tool developed by Statistics Canada to complement the crime rate. In contrast to the crime rate, which measures the volume of crime coming to the attention of the police, the Crime Severity Index measures the severity of police-reported crime. It has been designed to measure change in the overall seriousness of crime from one year to the next, as well as relative differences in the seriousness of crime across the country.

The Index is standardized to “100” for Canada (a system that is similar to the Consumer Price Index), using 2006 as a base year. Three separate severity indices have been created: one for overall police-reported crime (including all offences), one for violent crime (including only crimes against the person), and one for non-violent crime.

Where are we now? Overall crime severity in Nova Scotia dropped 9% last year, following a 9% decline in 2007. In 2008, decreases were reported for total violent crime severity (-5%) and total non-violent crime severity (-11%). The overall crime severity has decreased by approximately 22% since peaking in 2004.

Where do we want to be in the future? The goal is to reduce crime severity and keep it below the national average. Currently, Nova Scotia is below the national average on all three indices of crime severity: the overall crime severity index, violent crime severity index and non-violent crime severity index. A summary comparing 2007 and 2008 figures for Nova Scotia and Canada follows:

<table>
<thead>
<tr>
<th>Crime Statistics per 100,000 population</th>
<th>Total violent index</th>
<th>Total non-violent index</th>
<th>Overall crime severity index</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2007</td>
<td>2008</td>
<td>% change</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>92</td>
<td>87.6</td>
<td>-5%</td>
</tr>
<tr>
<td>Canada</td>
<td>97.7</td>
<td>94.6</td>
<td>-3%</td>
</tr>
</tbody>
</table>
(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. As noted in the Department of Justice’s Business Plan for 2009-2010, the department has determined that the rates of violent victimization are too infrequently reported (once very five years) to be considered a useful measure. Therefore, this measure has been discontinued. The following information is based on the 2004 GSS, as the next GSS will be conducted later in 2009.

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:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nova Scotia</td>
<td>157 per 1,000 population</td>
<td>84 per 1,000 population</td>
<td>232 per 1,000 households</td>
</tr>
<tr>
<td>Canada</td>
<td>106 per 1,000 population</td>
<td>93 per 1,000 population</td>
<td>248 per 1,000 households</td>
</tr>
</tbody>
</table>

Currently, Nova Scotia is below the national rate for both property and household victimization.
(11) PUBLIC PERCEPTION OF SAFETY IN THE HOME

What does this measure tell us? The Atlantic Quarterly Survey 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 increased between 2005 and 2009 (76% and 86% respectively). During the same time period, there was a corresponding decrease in the number of Nova Scotians who feel somewhat worried when home alone at night (21% and 12% respectively). We therefore remain on target. Overall results are presented below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Not at all worried when home alone at night</th>
<th>Not very worried when home alone at night</th>
<th>Somewhat worried when home alone at night</th>
<th>Very worried when home alone at night</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005(1)</td>
<td>49%</td>
<td>27%</td>
<td>21%</td>
<td>2%</td>
</tr>
<tr>
<td>(base year)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2009(2)</td>
<td>54%</td>
<td>32%</td>
<td>12%</td>
<td>2%</td>
</tr>
</tbody>
</table>

(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 2010.
(12) PUBLIC PERCEPTION OF SAFETY IN THE NEIGHBOURHOOD

What does this measure tell us? The Atlantic Quarterly Survey 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 relatively stable since 2005. We therefore remain on target. Overall results are presented below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Feel very safe or reasonably safe walking alone after dark</th>
<th>Feel somewhat unsafe walking alone after dark</th>
<th>Feel very unsafe walking alone after dark</th>
<th>Do not walk alone at night</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005(^{(1)}) (base year)</td>
<td>74%</td>
<td>13%</td>
<td>5%</td>
<td>7%</td>
</tr>
<tr>
<td>2009(^{(2)})</td>
<td>75%</td>
<td>14%</td>
<td>4%</td>
<td>7%</td>
</tr>
</tbody>
</table>

(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 2010.
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? Five major incidents were reported in 2008-2009: the Central Nova Scotia Correctional Facility reported one unnatural death and four assaults by an offender against another offender that required hospitalization. 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, Southwest Nova Scotia, or Cumberland correctional facilities in 2008-2009. The Nova Scotia Youth Facility has not reported any major incidents in 2008-2009 and the Cape Breton Youth Detention Facility has not reported any major incidents in any of the past four years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005-06 (base year)</td>
<td>1</td>
</tr>
<tr>
<td>2006-07</td>
<td>6</td>
</tr>
<tr>
<td>2007-08</td>
<td>3</td>
</tr>
<tr>
<td>2008-09</td>
<td>5</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Escapes from facilities/correctional staff</th>
<th>Escapes from sheriff’s custody</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-2005 (base year)</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>2005-2006</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>2006-2007</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2007-2008</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>2008-2009</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Where do we want to be in the future? Our goal is to have no escapes in any of these areas. The risk of escape is greatest when persons in custody are being transported between a correctional facility and a courthouse or moved between holding cells within a courthouse into a courtroom. In order to continue to decrease the opportunity for escape, we are taking or have taken the following steps:

- restraint systems including handcuffs and leg irons have already been upgraded;
- video conferencing systems linking correctional facilities and courthouses are being examined. Accused could, in some cases, provide testimony by video directly from the Correctional Facility, thereby decreasing the need for transport;
- the possibility for video surveillance within sheriff transport vehicles is being considered. This would allow sheriffs to be aware of any altercations between accused persons being transported, thereby making extraction safer and more secure;
- enclosures, such as interior garages or exterior fenced compounds located at the point where persons in custody are brought into the courthouse, are being examined. Interior garages are already a standard requirement for new courthouses such as those recently opened in Yarmouth, Bridgewater and Port Hawkesbury;
- new courthouses and, where possible, renovations to existing courthouses are being designed to ensure that persons in custody are only moved from cells to the courtroom through secure, non public, circulation routes;
- Correctional Services conducts a risk assessment of offenders prior to escorts into the community and additional correctional staff are provided, if necessary; and
- Correctional Services and Sheriff Services provide staff with enhanced training relating to use-of-force and outside escorts, and also issue inflammatory agents and batons to staff to mitigate any threats of violence during outside escorts.
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 2008-2009, this number increased to 814. 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 2008-2009, the number of breaches dropped to 175, and the number of terminations fell to 79.

![Conditional Sentence Orders](chart.png)

It should be noted that 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 time period, in some cases the allegation of the breach may have been made in the preceding fiscal year. Finally, 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 2008-2009, 4,499 adults and 739 young persons received probation orders. During that same time period, 1,975 adults and 1,077 youth were charged with breach of probation.

![Bar chart showing probation data]

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 Statistics Canada and will work to ensure provincial data is included when a pilot begins.

Where are we now? While awaiting a national standard, 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-incarceration\(^1\) have fluctuated over the past several years ranging from 59% in 2006-2007 to 69% in 2008-2009.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number of Persons Admitted</th>
<th>Percentage With At Least One Previous Incarceration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003-04 (base year)</td>
<td>1690</td>
<td>68%</td>
</tr>
<tr>
<td>2004-05</td>
<td>1778</td>
<td>60%</td>
</tr>
<tr>
<td>2005-06</td>
<td>1694</td>
<td>61%</td>
</tr>
<tr>
<td>2006-07</td>
<td>1920</td>
<td>59%</td>
</tr>
<tr>
<td>2007-08</td>
<td>2102</td>
<td>62%</td>
</tr>
<tr>
<td>2008-09</td>
<td>1693</td>
<td>69%</td>
</tr>
</tbody>
</table>

Where do we want to be in the future? The department expects that its work with Statistics Canada, 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.

\(^1\) A 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 Statistics Canada 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 incarceration has fluctuated over the past several years ranging from 58% in 2003-2004 to 67% in 2004-2005. In 2008-2009, the percentage of youth with at least one period of previous incarceration was 63%. 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.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number of Persons Admitted</th>
<th>Percentage With At Least One Previous Incarceration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003-04 (base year)</td>
<td>125</td>
<td>58%</td>
</tr>
<tr>
<td>2004-05</td>
<td>103</td>
<td>67%</td>
</tr>
<tr>
<td>2005-06</td>
<td>146</td>
<td>65%</td>
</tr>
<tr>
<td>2006-07</td>
<td>153</td>
<td>64%</td>
</tr>
<tr>
<td>2007-08</td>
<td>122</td>
<td>61%</td>
</tr>
<tr>
<td>2008-09</td>
<td>130</td>
<td>63%</td>
</tr>
</tbody>
</table>

Where do we want to be in the future? The department expects that its work with Statistics Canada, as well as its own internal work on re-contact within the justice system that is currently underway, will allow us to report more fully on this measure in the future.

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2 A 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. It applies only to Family Division which deals with matters arising within Metro Halifax and Cape Breton.

Where are we now? The number of consents reached as a result of conciliation in 2007-2008 were 503, compared to 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.

As each consent order (ie. agreement between the parties) reduces trial time, a relevant comparator is the number of trials conducted. In other words, for each consent achieved through conciliation, there is a resulting reduction in the requirement for trial time. The number of trials held in Family Division is included to provide that context. Due to a change in the case management software application, comparable data for number of trials held is not available for the years prior to 2007-2008. However, for the years that data are available, there has been a reduction in the number of trials from 470 in 2007-2008 to 432 in 2008-2009.

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.