

DEPARTMENT OF JUSTICE

ANNUAL ACCOUNTABILITY REPORT FOR THE FISCAL YEAR

2009-2010

July 23, 2010

TABLE OF CONTENTS

ACCOUNTABILITY STATEMENT	3
MESSAGE FROM THE MINISTER AND DEPUTY MINISTER	4
INTRODUCTION	5
DEPARTMENT PROGRESS AND ACCOMPLISHMENTS	9
FINANCIAL RESULTS	22
MEASURING OUR PERFORMANCE	23

ACCOUNTABILITY STATEMENT

The accountability report of the Department of Justice for the year ended March 31, 2010 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 2009-2010. 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.

Ross Landry
Minister of Justice

Marian Tyson, Q.C.
Deputy Minister of Justice

MESSAGE FROM THE MINISTER AND DEPUTY MINISTER

It is with great pride that we share the results of the hard work done by employees within the Department of Justice for the 2009-2010 fiscal year.

The fair and effective administration of justice and justice-related initiatives is our department's reason for being. We remain steadfast that the strategic directions guiding our work are leading us to successful, measurable results. Some principles we administer the justice system by include: cost effectiveness; integrity in administration; confidence-inspiring; the creation of a safer and more secure Nova Scotia; and reinforcing constructive choices.

More than 1,400 talented and committed employees throughout the province carry out this work in partnership with our community partners to ensure that Nova Scotians have access to a sustainable and effective justice system that looks forward to meet the needs of the future.

This Accountability Report for fiscal year 2009-2010 details both the successes and challenges that we have met over the past year. More importantly, it demonstrates that our actions are in fact measurable and help us to continuously re-focus our efforts on our aim of building the best justice system possible. This flexibility demonstrates how dedicated the staff of the department are in making sure that every program and service best meets the needs of Nova Scotians.

Please take the time to review our accountability report and feel free to contact us with respect to any of its content.

Respectfully,

Ross Landry
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 2009-10, 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 and Security; Court Services; Correctional Services; Legal Services; Policy & Information Management; and Finance and Administration.

Our Public Safety and Security 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.

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 Counseling 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 Centre addresses staff training and development needs.

Policy and Information Management 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. 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 Forum is held bi-annually providing an avenue to work together to achieve common goals.

The department's senior 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 2009-2010

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 fifth consecutive year in 2009, and our youth accused crime rate dropped for the third 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. Namely, 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 21% 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 2009-2010, 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 Department of Justice has now completed, or nearly completed, all of the recommendations that related to the justice system.

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 continues to deploy its multi-year crime prevention and reduction strategy. 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. 2009-2010 saw the completion of the first full year of operation 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 of Seniors 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 contained 51 recommendations as part of its comprehensive review on the policies and procedures of correctional facilities in Nova Scotia. 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 prepared an Action Plan to address the audit recommendations and by the end of fiscal 2009-2010, 37 of the 51 recommendations had been completed. Work on the remaining recommendations is well underway and completion is expected in 2010-2011.

On April 1, 2010, the Governor in Council proclaimed in force legislation that provides 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* replaced 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 Spring 2010, the Minister of Justice introduced legislation to modernize the regulation of the private security industry; the *Security and Investigative Services Act* was enacted by the legislature, and work is ongoing to prepare for proclamation of this Act. Amendments to the *Summary Proceedings Act* to eliminate the current arraignment court process for provincial offences, and to make other improvements to the administration of provincial offences, were also introduced and passed. The Minister also introduced amendments to the *Engineering Profession Act*, the *Legal Profession Act* and the *Powers of Attorney Act*.

At the national level, we have continued to lobby 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 2009-2010 fiscal year follows.

DEPARTMENT PROGRESS AND ACCOMPLISHMENTS

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

Priorities:

- a. ***Operationalize the crime prevention and reduction strategy by implementing the new Crime Prevention Division in accordance with the multi-year plan, including recruitment of staff, program development and implementation:*** In 2009-2010, the Crime Prevention Unit continued with program development and strategy implementation with such initiatives as the continued funding of community-based programs and organizations, the development of a public education campaign, the hiring of additional police officers, the hosting of the second crime prevention symposium, and the continued success of the province's restorative justice programs. Work also began on phase II of the crime prevention and reduction strategy.
- b. ***Constructing and managing facility infrastructure initiatives, with the following priorities pursued in 2009-2010:***
 - ❑ *Further the work required to construct a new 100-cell correctional facility:* The decision was made to construct one facility to replace both Antigonish and Cumberland Correctional Facilities, to be located on the North Shore. The site selection process is expected to be identified in early 2010-2011.
 - ❑ *Continue the development of plans for HRM court infrastructure:* Funding has not been approved for this project nor has a site been identified. Work continues to examine funding sources and alternatives.
 - ❑ *Completing construction of the Bridgewater Justice Centre and renovations to the Pictou Justice Centre, as well as relocating court staff from New Glasgow to Pictou:* The Bridgewater Justice Centre is complete and was occupied in July, 2009. Renovations will commence in April, 2010 on the Pictou Justice Centre and are anticipated to be completed in early 2011.

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 2009-2010 fiscal year:**

- ❑ *Continuing to develop court administration efficiencies, including the further refinement of standards and indicators with respect to workload, streamlining summary offence ticket arraignments, continue to examine workplace efficiencies, and developing a system to improve financial transaction processing in the civil courts:* A workload measurement template is complete and data is collected twice annually. Consultation to streamline the summary offense ticket process has been completed and legislation was passed in the Spring sitting of the Legislature. 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 complete. Implementation has taken place in Bridgewater and Amherst. This program will be implemented in other provincial Justice Centres in 2010-2011.
- ❑ *Explore new opportunities for accessible and cost-effective electronic delivery of key programs, services and business processes:* The Maintenance Enforcement Program's (MEP) new web-based electronic service allowing clients to access payment information was developed and launched in this period, and development was completed on a health care referral system for the Public Trustee's Office. Work on electronic summary offense ticketing and electronic probate projects also began. Internally, Justice engaged in a number of business process analyses and reviews, including its Information Access and Privacy Unit and its Central Registry operation.
- ❑ *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 became operational in July, 2009. The system will allow case files to be stored electronically with the advantage of a search facility and statistical analysis.
- ❑ *Introduce a new IT corporate project review, approval and management process that will help to ensure Justice's business priorities are being constantly monitored and addressed, and resources are being optimally allocated:* All new IT projects are now reviewed by the IT Project Priorities Committee. The group is made up of senior divisional representatives who discuss proposed projects and confirm their linkage to the department's business plan. Recommendations are then made to the Senior Management Committee on the prioritization of projects.
- ❑ *Reviewing and upgrading or expanding drug interdiction tools and strategies to assist in preventing the entry of drugs into correctional facilities:* The needs assessment was completed and Ion scanners have been purchased for the Cape

Breton Correctional Facility, the Southwest Nova Scotia Correctional Facility, the Central Nova Scotia Correctional Facility and the Nova Scotia Youth Facility.

- ❑ *Continue to improve and support the Justice corporate website as a key vehicle in the timely and reliable delivery of information, news, programs and services to Nova Scotians:* The Justice website remains an important vehicle in the delivery of departmental news, and a number of key business areas continue to build and improve upon their public information and service offerings. The Maintenance Enforcement Program launched a client web service in this period, and many programs were made available in French in 2009-2010.
- ❑ *Continue to implement the organizational redesign of the Legal Services Division recommended in the Legal Services Review, including finalizing position descriptions for new roles, enabling a smooth transition to the new structure, and evaluating new roles and structure. The division will continue to monitor client services and follow up on a client satisfaction survey this year:* Implementation of the Legal Services' organizational redesign has continued. Roles and responsibilities have been defined for new team lead positions, as well as existing management positions. Specific training regarding change management, client service and communication was developed and delivered to all levels of staff, and leadership skills provided to Team Leads. A client satisfaction survey was conducted, as well as an employee survey.
- ❑ *Ongoing focus on training and development of Justice staff and partners through special courses (such as Bias Free Policing and Domestic Violence Education), customized training to support legislation (such as the RCMP Advisory Board and municipal police training), and the development of online learning modules to improve accessibility of training on both human resource and customized justice topics:* The Justice Learning Centre provided training and development to Justice staff and partners during 2009-2010. Two Bias Free Policing sessions were conducted for Kentville Police Service, and one Bias Free Policing Train-the-trainer session was held for Halifax Regional Police. A number of learning sessions were also made available to Justice Partners including Domestic Violence training and training for RCMP Advisory Boards and Police Boards. Further, an e-learning Arrest Warrant Protocol training module was developed to support Nunn Commission recommendation 19. A number of Supervisor and Managerial Learning Programs were also offered to Justice employees during this period.

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 2009-2010, 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 Nation Communities in Nova Scotia receive policing under the First Nations Policing Program, with service to seven communities by the RCMP and one by the Cape Breton Regional Police Service. Recent negotiations have resulted in new Community Tripartite Agreements being signed for the seven communities policed by the RCMP. Chapel Island, Waycobah, Pictou Landing, Shubenacadie, Millbrook and Eskasoni have new agreements that expire on March 31, 2012. Wagmatcook has a one year agreement that expires on March 31, 2011 with an extension clause for an additional year. Membertou's agreement expires March 31, 2013.
- ❑ *Negotiating a new five year agreement with the Federal Government in support of family law justice initiatives that continue to enable provinces and territories to develop and enhance services to support the needs of families experiencing separation and/or divorce:* This has been completed. The agreement was signed in March 2010.
- ❑ *Negotiate a new agreement with the Federal Government for the provision of crime scene DNA analysis by RCMP Forensic labs:* The current agreement with the Federal Government for DNA analysis due to expire on March 31 has been continued. Nova Scotia and other provinces and territories will enter negotiations for a new agreement once Public Safety Canada receives authority from the Federal Cabinet to commence negotiations.

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 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 by:*

- Working to improve restitution for victims through the development of a Restitution Collection Program:* This is multi-year in nature. We have obtained federal funding for a Restitution Coordinator. This program will be implemented in 2010-2011.
- Undertaking program enhancements for under-served or high needs victims including children and persons with physical or mentally diminished capacity, in accordance with recent amendments to the Criminal Code:* A protocol to benefit vulnerable witnesses including children and persons with mental or physical diminished capacity has been drafted. The purpose of the protocol will be to promote the use of testimonial aids such as closed circuit video which allows the witness to testify outside the courtroom with a reduced risk of intimidation by the accused person. Video conferencing equipment which facilitates this method of testimony was recently purchased for each of the Justice Centres across the province. Now that the equipment is available in all locations, the next steps will be to ratify the protocol with the Justice Partners involved and to support testing and training with the equipment to encourage its use with vulnerable witnesses.
- Working with the Department of Seniors, we will support community programs focussed 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 \$259,000 in collaborative funding to 15 different seniors' safety programs throughout the province in 2009.

b. Implement recommendations from the independent external audit of adult offender correctional facilities, including:

- Improve the function of the admitting and discharge areas in the correctional facilities:* Staffing levels have been increased, training has been provided in sentence calculation, warrant interpretation and the Justice Enterprise Information Network (JEIN). Personal property area and process at the Central Nova Scotia Correctional Facility (CNSCF) and the Cape Breton Correctional Facility (CBCF) have been improved.
- Ensure proper technology is available in all admitting and discharge units:* Computer equipment is in-place or has been upgraded for all admission and

discharge areas. Significant enhancements to JEIN are underway to facilitate and automate the admission and discharge process.

- ❑ *Provide staff with a new sentence-calculation manual to reduce the possibility of errors:* A new sentence calculation manual has been developed and all staff involved in the admission/discharge process have been trained.
- ❑ *Assign a full-time training contact at the Central Nova Scotia Correctional Facility (CNSCF) to coordinate training at that facility:* This role has been assigned to a Captain with administrative responsibility to coordinate training for CNSCF.
- ❑ *Assign a lead trainer for the Use Of Force for Correctional Services and Sheriff Services:* A lead trainer has been assigned to coordinate Use of Force training for both Correctional Services and Sheriff Services.
- ❑ *Ensure there are similar policies for both sheriffs and correctional workers regarding the transport of offenders:* Policies have been drafted and submitted for approval.
- ❑ *Conduct an in-depth review of staffing levels at correctional facilities:* The in-depth review has been completed and recommendations are being implemented.
- ❑ *Assign a full-time person to absenteeism management:* Absenteeism management for Correctional Services staff is currently being managed by a full-time position at Head Office.

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

- ❑ *Continuing to work towards the full implementation of the Auditor General's Report on the Maintenance Enforcement Program:* A follow-up review was completed by the Auditor General in December, 2009. Several areas require further focussed work to achieve full implementation of the Auditor General's recommendations.
- ❑ *Commencing implementation of recommendations made in response to the Justice Enterprise Information Network (JEIN) data integrity review:* This is a multi-year initiative. 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.
- ❑ *Commencing an external evaluation of the Halifax Youth Attendance Centre (HYAC):* A framework for the external evaluation of HYAC was completed in

2008-2009. The report contained a recommendation to use the Correctional Program Assessment Inventory (CPAI) to assess HYAC. Federal funding was obtained in 2009-10 to train 12 staff in the use of the CPAI and this tool will be used to assess HYAC in 2010-11.

- ❑ *Evaluate the electronic supervision tools used to supervise select offenders who are serving their sentences in the community:* An annual report has been completed for each year of operation. There is an enhanced review currently underway which will include a stakeholder survey (police, Crown, Legal Aid, Special Prosecutor's Office/Prosecutor's Office) to determine awareness of the program, recommendations for improvement and to obtain feedback on the program. This report will also contain a statistical profile for the first three years of operation.
- ❑ *Conducting a study on the frequency and nature of re-contact (recidivism) within the justice system:* Measuring recidivism is complex and currently there are no common national definitions. In 2009-2010, the department established an operational definition based on offender re-conviction. Work will continue on the development of a methodology to measure recidivism in 2010-2011.
- ❑ *Begin the next phase of the Intimate Partner Violence Tracking Project, which tracks the effectiveness of the criminal justice system's response to spousal/intimate partner violence in Nova Scotia:* Data collection forms have been finalized for the police, Crown, courts, corrections and victim services. A sampling frame and data base have also been developed. Follow-up on a sample of intimate partner violence cases will begin in 2010-2011 which will include data collection, statistical analysis, report writing and dissemination.

d. *Continue implementation of the French Language Services Program:* We have continued to manage the federal government budget contribution, identify initiatives and priorities for delivery of French-language services, coordinate French training and consult with stakeholders and outside agencies.

e. Act on recommendations of the "Advisory Panel to the Minister of Justice on the use of the Conducted Energy Device (CED) by law enforcement agencies in NS". *A use of force coordinator will be established. Responsibilities will include establishing core standards that clearly provide parameters for the use of force, training and reporting obligations. A panel made up of mental health and medical experts has provided us with their report for action on the issue of excited delirium:* As of March 31, 2010, the recruitment of the Use of Force Manager has been completed and this expertise has been applied to the full policy review of CEDs recommended in the July 2008 report by the Advisory Panel, as well as, all associated recommendations. A revised policy for the use of CEDs is in the final draft stage.

f. *Assist the judiciary in implementation of new Civil Procedure Rules, including training of Court Services Staff:* The new Rules, found in Part 13 - Family Proceedings, came into force after our reporting period (June 30, 2010). This affects all cases in the Family Division (Halifax and Cape Breton), and the divorce and family proceedings in the District Courts. Implementation includes assessing the application of the rest of the new Rules (in force since January 1, 2009), and development of procedures underlying the Rules to continue the processing of files. Consultation with the judiciary has been ongoing. Training is also being conducted for all Court Staff at the Family Division, for the Protonotaries of the District Courts, and for the Family Law Bar (through the NS Barristers' Society).

g. *Enhance the Information Access and Privacy (IAP) Office, by:*

- Facilitate the appointment of a Privacy Review officer under the new Privacy Review Officer Act:* Nova Scotia's first privacy review officer was appointed on September 25, 2009.
- Create an inventory of existing IAP on-line training in government and consolidating all approaches for a corporate vision of IAP on-line training, as well as coordinating government resources and training in response to the new Privacy Review Officer Act:* This is an on-going activity. Departments with current on-line training initiatives have made those programs known to the NS IAP Office, which in turn is working with members of the IAP community and staff of the Justice Learning Centre to initiate consolidated on-line training. The NS IAP Office has held staff training on the *Privacy Review Officer Act* and will continue in its efforts to ensure government staff are able to meet the needs of citizens regarding their privacy.
- Reduce the fee for applications under FOIPOP from \$25 to \$5:* The fee for an application under the *FOIPOP Act* was reduced from \$25 to \$5 on August 14, 2009. There is no fee to request personal information under FOIPOP.

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

Priorities:

a. Implement the crime prevention and reduction strategy 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.*
- ❑ *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 had been targeted for Cape Breton in conjunction with implementation of a new Cape Breton Youth Attendance Centre (CBYAC). Funding for CBYAC and youth bail was not approved for 2009/10.*
- ❑ *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 183 new positions have been allocated across the province. New positions 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: This is a multi-year initiative with an initial focus on intimate partner violence. A Domestic Violence Prevention Committee (DVPC) Report developed by a joint community-government group was presented to Government in June, 2009. The report contains over 70 specific recommendations ranging from legislative and policy initiatives and service delivery improvements to public education focused on prevention and training for those working to address domestic violence. In the September, 2009 Speech from the Throne, Government states it would respond to the report because “everyone should feel - and be - safe at home.” A Deputy Ministers’ Leadership Committee on Family and Intimate Partner Violence is now overseeing the development of an action plan that addresses the recommendations*

for Government's consideration as part of the 2011-12 budget process. The Department of Justice is providing administrative support to an inter-departmental group with representation from the 15 government departments and agencies tasked with the work.

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:* 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. In March, 2010, the Federal Government introduced Bill C-4, which proposed several changes to the YCJA. The Bill is currently before Parliamentary committee hearings and Nova Scotia continues to lobby for positive change.
- 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:* Bi-annual reporting on youth case processing times continues. Local committees consisting of Justice staff and justice partners including the Crown, Defence, and Police have been asked to find ways to improve youth case processing times. Work is ongoing in this area.
- 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 Child and Youth Strategy released its second progress report in December 2009. Justice continues to be represented on the Child and Youth Social Policy Committee.

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

- Continue to work with industry and justice stakeholders to develop and propose private security legislation to enhance government's regulatory and enforcement mandatory training standards and accountability structures for all segments of the security industry:* The development of new legislation and consultation with stakeholders has been completed. Legislation in the form of Bill 22, *Security and Investigative Services Act* was introduced in after our reporting period (April 2010).

- ❑ *Open a satellite office in Cape Breton to increase the capability of the Public Safety Investigative Section:* No decision has yet been made with regard to the opening of a satellite office in Cape Breton to increase the capability of the Public Safety Investigative Section.
- ❑ *Continue to implement the recommendations of the 2007 Court Facility Security Review Report:* In order to address the recommendations of the 2007 report, security committees were set up in every Justice Centre. 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. Work has continued on site specific recommendations at each Justice Centre as the result of committee meetings. A Communication Protocol has been developed to ensure communication between stakeholders is maintained. Threat Risk Assessment (TRA) training has been developed and delivered to front line managers. We reviewed the requirements for Closed Circuit Television (CCTV) at Halifax and Sydney in 2009-2010 and CCTV equipment was purchased for the Halifax Provincial Court. This equipment will be installed in Halifax in 2010-2011.
- ❑ *Developing a transportation model to ensure the safe, secure, efficient and timely transportation of persons in custody. This work will include the development of training for sheriffs on the new transportation model:* The Deloitte Transportation Study produced several recommendations which are currently being advanced. This includes effective scheduling to produce operational savings, which has occurred to some degree between Court and Correctional Services. Implementation is continuing with vehicle procurement and further scheduling refinements. Coordinated scheduling has produced significant savings in terms of deployment and use of resources and vehicles.

d. *Continue to deliver intimate partner violence training through the Justice Learning Centre in partnership with the Department of Justice/Public Prosecution Service Intimate Partner Violence Committee. In 2009-2010, we will be changing from a centralized model of delivery to a regional model with four sites. This will reduce travel costs and facilitate greater collaboration between the educators in the local jurisdictions:* An Intimate Partner Violence Train the Trainer session was provided in Truro during November 2009 for a number of police agencies, and a supervisor (Sergeant) training session was held in Halifax in February, 2009.

Strategic Direction #4: People make constructive choices.

Priorities:

a. *Implement the crime prevention and reduction strategy:*

- ❑ *Implementing the Mental Health Court in HRM:* The Mental Health Court opened in November with a team consisting of a Judge, Crown Attorney, Legal Aid lawyer, nurse, social worker and probation officer. The court program also has access to a consulting psychiatrist and psychologist. Many information sessions were held with community agencies and government departments describing how the Mental Health Court works and discussing the potential for partnerships in program delivery.
- ❑ *Continue to develop 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 Pilots were required to submit third party evaluations in 2009-2010 which indicated that pilots were effective in meeting all deliverables.
- ❑ *Further develop and implement 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:* The implementation of the strategy's multi-media campaign continued with the youth-oriented public service announcement airing in select Empire Theatres across Nova Scotia in December 2009.
- ❑ *Developing community crime prevention profiles so that communities and government can make informed decisions about crime prevention efforts:* In November, 2009, the Community Counts for Crime Prevention online resource was launched. This tool was jointly developed by the Nova Scotia Departments of Finance and Justice, with funding from the National Crime Prevention Centre. It provides information to communities, stakeholders and policy makers about the types and frequencies of crime occurring in local areas, as well as factors that put local areas at risk of higher crime rates. It features Community Crime Prevention and Reduction Profiles and maps displaying crime data for Police Districts and Justice Centre areas.

b. *Continue to review and assess services provided by Family Court and identify improvements in consultation with the judiciary and stakeholders:*

- ❑ *Exploring opportunities to expand services in family matters in order to ensure an equitable provision of services for all areas of the province:* The pilot project in Yarmouth exploring a conciliation model for Family Court continued throughout 2009-2010. In the Fall of 2009, representatives of the Department participated in consultation sessions with the Family Court Bar at justice centers in Kentville, Bridgewater, Yarmouth, Digby, Truro, Pictou and Antigonish to better determine priorities of the Bar on which potential improvement to Family Court Services should receive priority. Following the completion of the consultation, a working group of court officers was established which conducted cross jurisdictional research, reviewed the results of the family bar consultation, and made recommendations on which areas of services in Family Court should receive priority in 2010-2011.

c. Implementing recommendations from the Nova Scotia Restorative Justice Program Review:

- ❑ a plan for pilot testing the expansion of Restorative Justice (RJ) to adults was developed and approved for implementation in 2010-2011.
- ❑ the Restorative Justice Program Management committee examined possible approaches to the management of multiple referrals, and will have a model to test in 2010-2011.
- ❑ the RJ agencies have developed a model for collection of victim satisfaction feedback which will be tested in 2010-2011.
- ❑ social marketing of the program was addressed through the support for the development of a play on RJ which will be toured to Junior and Senior high schools in collaboration with the RJ agencies and the NSRJ CURA Research project.

d. Exploring opportunities for a Domestic Violence Court and Drug Court in Nova Scotia: The Domestic Violence Prevention Committee's report, received mid-year, contains a recommendation for the implementation of a Domestic Violence Court. A committee has been working on potential models for a Domestic Violence Court Program and that work continues. A funding proposal to study the feasibility of co-locating a Drug Treatment Court with the Mental Health Court in Nova Scotia was submitted to Justice Canada in March, 2010

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.

FINANCIAL RESULTS

Justice			
	2009-20010 Estimate	2009-2010 Actual	Variance Increase/(Decrease)
Program & Service Area	(\$ thousands)	(\$ thousands)	(\$ thousands)
Gross Departmental Expense			
Administration	26862	25785	-1077
Nova Scotia Legal Aid	21419	21969	550
Court Services	57874	57269	-605
Correctional Services	57713	58837	1124
Public Trustee	2081	1971	-110
Fatality Inquiry Act	3332	3817	485
Public Safety	112209	108158	-4051
Total Gross Department Expenses	281490	277805	-3685
Additional Information:			
Ordinary Revenue	1428	2770	1342
Fees and Other Charges	19128	20697	1569
Ordinary Recoveries	97726	97140	-586
Provincial Funded Staff (FTEs)	1568	1493	-75

MEASURING OUR PERFORMANCE

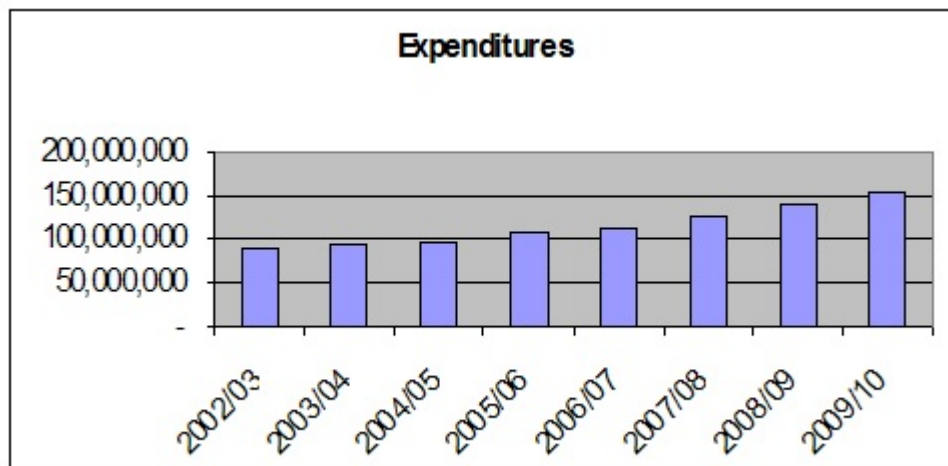
The Department of Justice introduced new measures in its 2005-2006 business plan to better link outcomes with strategic directions and to reflect a broader departmental and societal approach than the program-type measures we had tracked in previous years. Some measures are still being fine tuned as we work to clarify definitions and gather the relevant data. More changes will be introduced in future business planning cycles. It should be noted that victimization rates were removed this year as they are only available every five years and therefore not considered useful in this annual context.

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 \$154,216,732 in 2009-2010 (excluding federal and municipal contributions), representing a 9.27% increase over the year before.

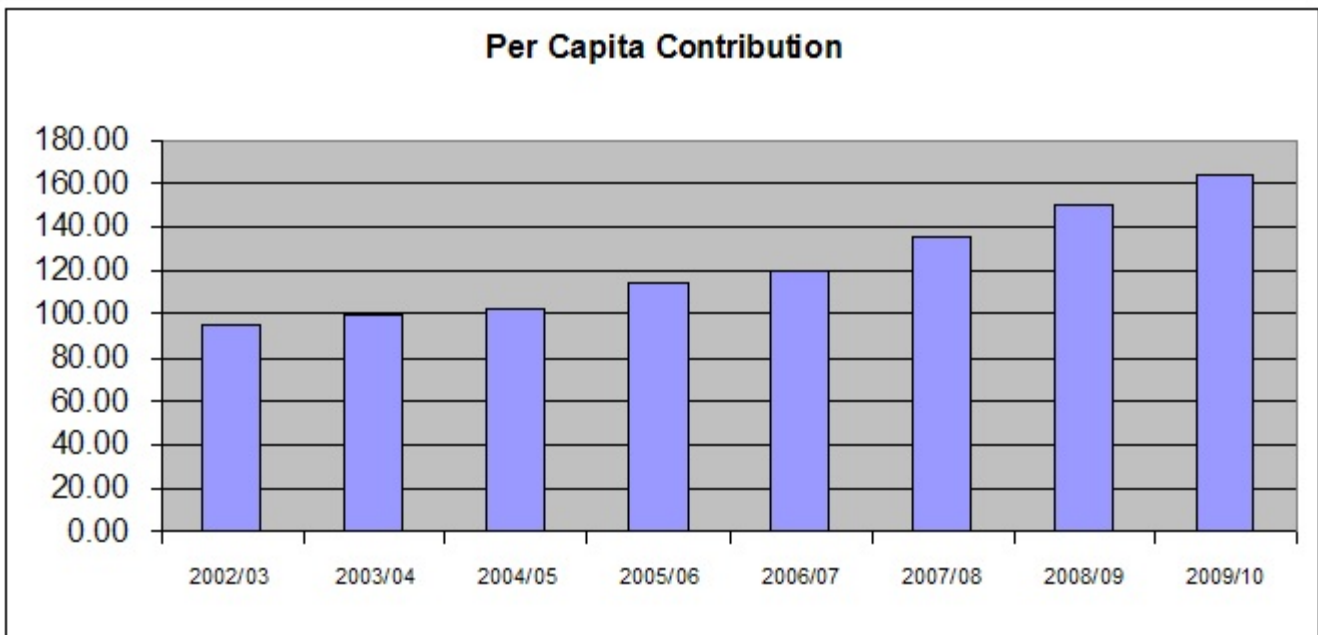


Where do we want to be in the future? The target is to adopt a realistic approach to managing the growing costs of programs and services.

(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 (or the cost per Nova Scotian) of providing justice services in Nova Scotia has been increasing since 2001-2002. Per capita costs amounted to \$164.38 in 2009-2010, which is up \$62.15 from the base year (\$102.23 for 2004-2005).

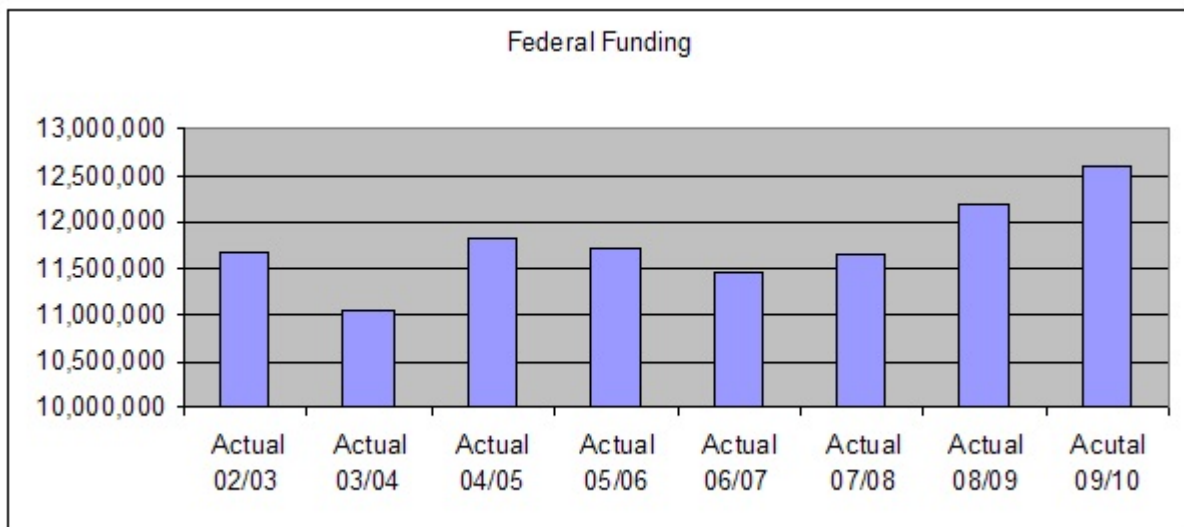


Where do we want to be in the future? The department is continuing to track data associated with these indicators and will work to establish a target.

(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 2009-2010, the department received \$12,582,998 in federal funds for justice initiatives, a 6% increase over the 2004-2005 base year (\$11,829,716). 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 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? A client satisfaction survey of deputy ministers and senior managers across Nova Scotia Government departments and agencies was conducted in January 2010 following the Legal Services' reorganization. Results indicate that there is a very high level of satisfaction. 91% of participants were either satisfied or very satisfied with the overall service they received from the Legal Services Division.

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 was introduced by Statistics Canada in 2006-2007. 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 2008-09 and 2009-10, adult case processing times increased by 15 days. Comparable Canadian data for 2007-2008 and 2008-2009 are expected to be released by Statistics Canada in 2010-2011.

ADULTS Average elapsed time		
Year	Nova Scotia	Canada
2000-01 (base year)	213	173
2006-07	197	237
2007-08	193	
2008-09	206	
2009-10	221	

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 was introduced by Statistics Canada in 2006-2007. The definition of a court case now includes all charges against the same person having overlapping court dates.

Where are we now? In 2009-2010, average case processing times increased to 126 days, representing an increase of 3% (4 days) from the previous year

YOUTH Average elapsed time	
Year	Nova Scotia
2006-07 (base year)	120
2007-08	112
2008-09	122
2009-10	126

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.

Where do we want to be in the future? In response to the Nunn Commission, a target was set at 98 days. This target was set in consultation with justice partners, who have been identifying and addressing barriers to case processing.

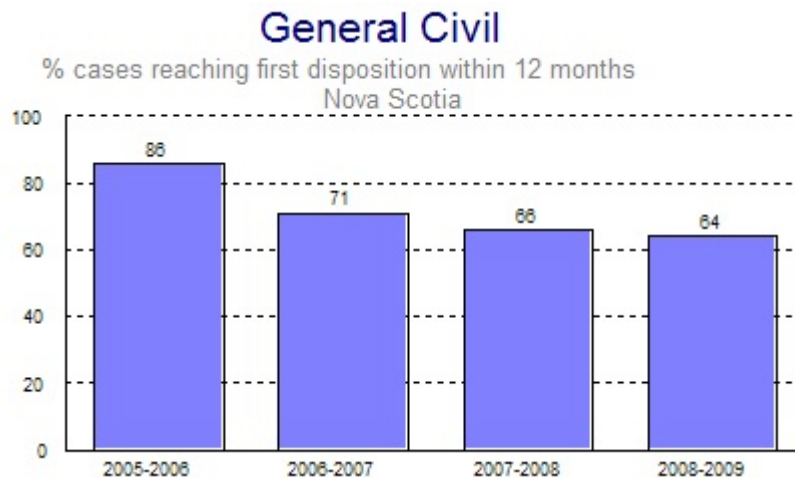
(6) CASE PROCESSING TIMES IN FAMILY/CIVIL COURT

What does this measure tell us? This measure is an indicator of case processing times for family/civil court cases in Nova Scotia. It tells us what proportion of Nova Scotian family and civil cases reach first disposition within 12 months of case initiation.

Where are we now? We rely on Statistics Canada's *Civil Court Survey* 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.¹ Disposition is a court event that disposes part, or all, of a court case (e.g. settlement, consent judgement, judgement).

General Civil

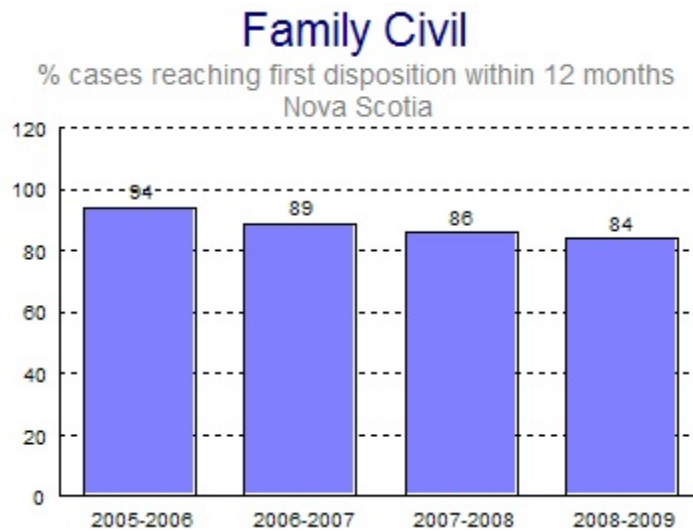
According to Statistics Canada data, the percentage of cases reaching first disposition within 12 months or less from the date of case initiation declined between 2005-2006 and 2008-2009. In 2005-2006, 86% of general civil cases reached first disposition within 12 months from the date of case initiation, compared to 64% of cases in 2008-2009. 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.



¹ Statistics Canada recently changed the way it calculates elapsed times for case dispositions. Previously, elapsed time calculations were done for all active cases in the year, regardless of when they may be initiated, which inflated figures in the longer elapsed time categories (e.g., greater than 24 months). Currently, cases initiated prior to the start of data collection in a particular jurisdiction (e.g., Nova Scotia began reporting data to the *Civil Court Survey* in 2005-2006) are excluded. This has substantially reduced the number of cases that reached first disposition in the “greater than 24 months” category.

Family

According to Statistics Canada data, the percentage of family cases reaching first disposition within 12 months or less from the date of case initiation declined between 2005-2006 and 2008-2009. In 2005-2006, 94% of all family cases in Nova Scotia took 12 months or less from the date of case initiation to the date of first disposition, compared to 84% of cases in 2008-2009.



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.

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? A question on public knowledge of the justice system was not included in this year’s survey but will be included next year. The percentage of Nova Scotians who considered themselves to be at least somewhat familiar with the justice system was 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. 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%
2009⁽²⁾	9%	48%	36%	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 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 2011.

(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 2010 data.

Where are we now? The percentage of Nova Scotians who have at least some confidence in the justice system is stable in 2010 compared with 2005 (74% for both years). 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%
2010⁽²⁾	11%	63%	16%	10%

(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 2011.

STRATEGIC DIRECTION: People are and feel safe and secure.

(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 1% in 2009, following a 7% decline in 2008. In 2009, there was no change in overall crime severity as compared to the prior year. 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:

Crime Statistics per 100,000 population	Total violent crime rate			Total non-violent crime rate			Total <i>Criminal Code</i> rate (excl. traffic)		
	2008	2009	% change	2008	2009	% change	2008	2009	% change
Nova Scotia	1711	1654	-3%	4163	4180	0%	6993	6932	-1%
Canada	1331	1314	-1%	4247	4081	-4%	6615	6406	-3%

(9 b) CRIME SEVERITY INDEX

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 remains unchanged from last year, following a 9% decline in 2008. In 2009, an increase was reported for total violent crime severity of 1% while a decrease in total non-violent crime severity of 1% was reported. The overall crime severity has decreased by approximately 21% 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 2008 and 2009 figures for Nova Scotia and Canada follows:

Crime Statistics per 100,000 population	Total violent index			Total non-violent index			Overall crime severity index		
	2008	2009	% change	2008	2009	% change	2008	2009	% change
Nova Scotia	88.7	89.6	1%	82.3	81.6	-1%	84.1	83.9	0%
Canada	94.9	93.7	-1%	88.7	84.7	-4%	90.4	87.2	-4%

(10) 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? A question on public perception of safety in the home was not included in this year's survey but will be included next year. The percentage of Nova Scotians who felt 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). 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%
2009⁽²⁾	54%	32%	12%	2%

(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 2011.

(11) 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? A question on public safety in the neighbourhood was not included in this year's survey but will be included next year. The percentage of Nova Scotians who felt safe in their neighbourhoods has remained relatively 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%
2009 ⁽²⁾	75%	14%	4%	7%

(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 2011.

(12) 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? There were 12 major incidents reported in 2009-2010: the Central Nova Scotia Correctional Facility reported two purposeful damage to property in excess of \$5,000; two assaults by an offender against another person resulting in a hospital admission; one unnatural death and two major disturbances. During this period Cape Breton Correctional Facility reported four assaults by an offender against another person resulting in a hospital admission; and the Cumberland Correctional Facility reported one assault by offender against another person resulting in a hospital admission.

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 had one major incident (an aggravated assault). No major incidents as defined above were reported in the Antigonish or Southwest Nova Scotia Correctional Facilities in 2009-2010. The Nova Scotia Youth Facility has not reported any major incidents in 2009-2010 and the Cape Breton Youth Detention Facility has not reported any major incidents in any of the past five years.

MAJOR INCIDENTS WITHIN FACILITIES	
Year	Incidents
2005-2006 (base year)	1
2006-2007	6
2007-2008	3
2008-2009	5
2009-2010	12

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

(13) 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?

Year	Escapes from facilities/correctional staff	Escapes from sheriff’s custody
2004-2005 (base year)	6	0
2005-2006	2	0
2006-2007	0	0
2007-2008	2	0
2008-2009	2	2
2009-2010	0	0

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 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

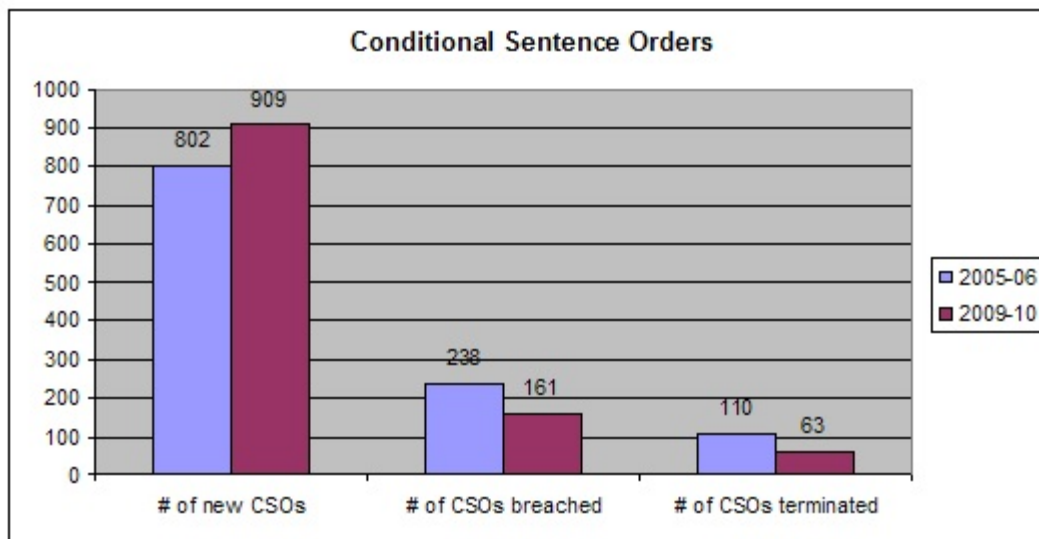
- Correctional Services and Sheriff Services provide staff with enhanced training relating to use-of-force and outside escorts, and also issue inflammatory agents and batons to staff to mitigate any threats of violence during outside escorts.

STRATEGIC DIRECTION: People make constructive choices.

(14) 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 2009-2010, this number increased to 909. 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 2009-2010, the number of breaches dropped to 161, and the number of terminations fell to 63.



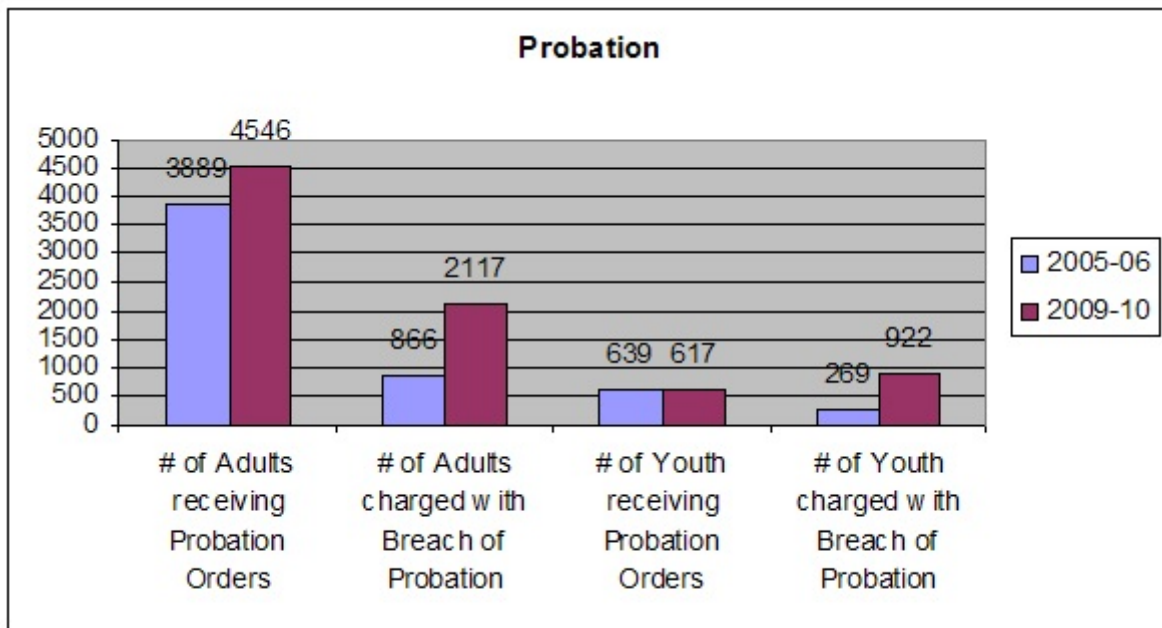
It should be noted that breaches and terminations in any given year may relate to new orders issued the preceding year. Similarly, while most of the terminations related to breaches in the same time period, in some cases the allegation of the breach may have been made in the preceding fiscal year. Finally, 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.

(15) 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 2009-20010, 4,546 adults and 617 young persons received probation orders. During that same time period, 2,117 adults and 922 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.

(16) REDUCTION IN YOUTH AND ADULTS WHO RE-OFFEND

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. While Statistics Canada had undertaken preliminary work on recidivism, this project has since been suspended due to budgetary constraints.

Where are we now? The Department of Justice is continuing its work on recidivism. To date an operational definition has been established based on offender re-conviction. Work will continue on the development of a methodology to measure recidivism in 2010-11.

Where do we want to be in the future? The department expects that the work it is undertaking on recidivism will allow it to report more fully on this measure in the future.

(17) 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 2009-2010 was 573. This is up from 503 in 2007-2008 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.

As each consent order (i.e. 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 405 in 2007-2008 to 361 in 2008-2009 and 366 in 2009-2010 respectively.

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.