

Corrections in Nova Scotia: Key Indicators

OCTOBER 2016

Correctional Services is one of the core business areas of the Nova Scotia Department of Justice. The division's head office is part of the Department of Justice headquarters in Halifax. The divisional head office consists of the Executive Director, Correctional Services, three directors who share responsibility for community- and custody-based administration, policy, programs, training, and operations, 11 managers and staff who manage a variety of administrative or program responsibilities, and six administrative support staff. Legislation governing the operation of the Correctional Services Division is the *Correctional Services Act*.

Correctional Services is responsible for the administration and operation of community- and custody-based programs and services for adult offenders and young persons. Within the Correctional Services core business area there are two programs: Community Corrections and Correctional Facilities.¹ Each of these program areas is broken down into closely related activities that have a specific impact on the program's target group.

Community Corrections

The core businesses for Community Corrections are to provide selected alternative measures (i.e., adult diversion program) to assist the Court by diverting minor offences from the court process; to provide information to assist the Court in sentencing process(es); to administer and supervise community-based sentences of the Court; and, to provide programs that address dynamic criminogenic factors to assist with the successful reintegration of offenders into the community.

Community Corrections also operates the Halifax Youth Attendance Centre (HYAC). HYAC addresses the needs of moderate-high risk youth under court ordered community supervision in the greater Halifax area, by providing access to a number of services including, forensic youth mental health, education, employment support and addictions intervention. These youth cases are managed in a collaborative partnership with the IWK and the Department of Community Services.

Community Corrections has field offices across the province in: Amherst, Antigonish, Bedford, Bridgewater, Dartmouth, Digby, Glace Bay, Halifax, Kentville, Liverpool, Middleton, New Glasgow, North Sydney, Port Hawkesbury, Shelburne, Shubenacadie, Spryfield, Sydney, Truro, Windsor and Yarmouth.

Correctional Facilities

The core businesses of the Correctional Facilities program are: to provide safe and secure custody, direction and control of offenders; and, to provide programs that address dynamic criminogenic factors to assist with the successful reintegration of offenders into the community.

Adult correctional facilities are located in Dartmouth, Priestville, Gardiner Mines, and Yarmouth. The youth facility is in Waterville. The Cape Breton and Northeast Nova Scotia correctional facilities also can provide overnight accommodation for young persons. Similarly, the Cape Breton, Northeast Nova Scotia, and Central Nova Scotia correctional facilities also provide accommodation for women.

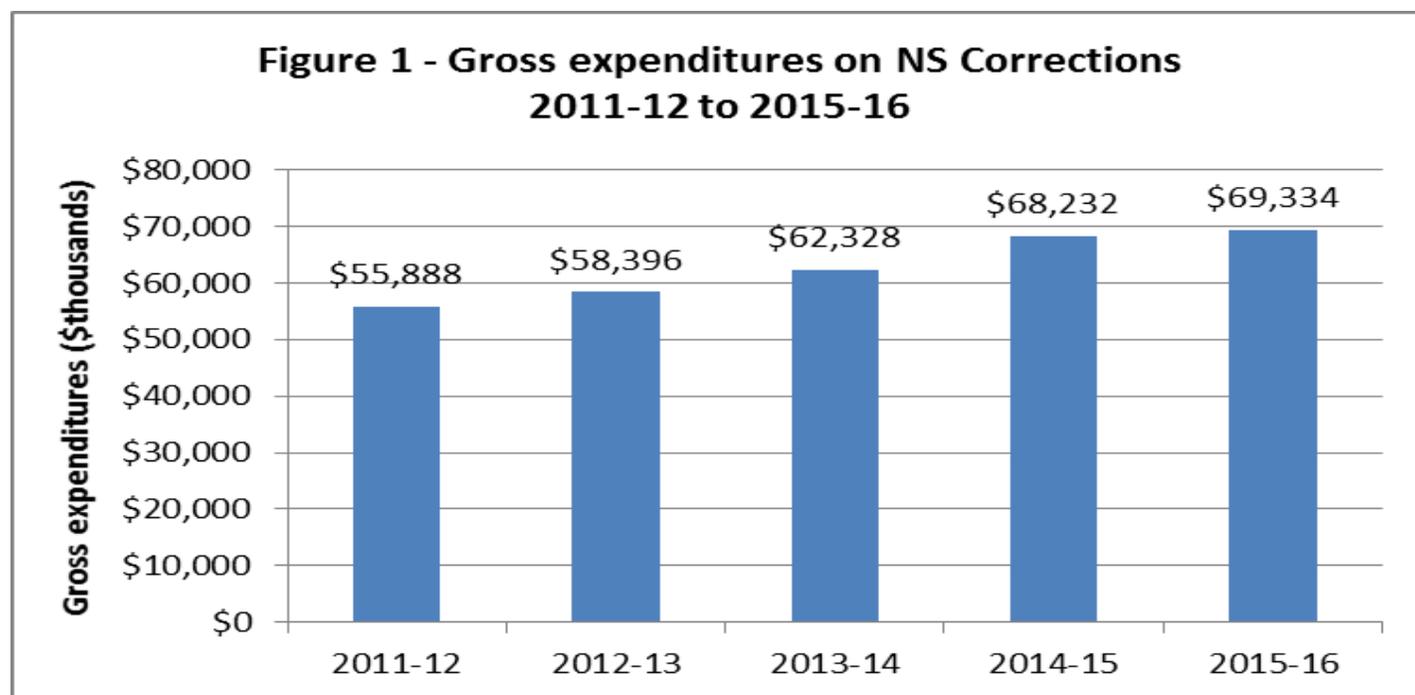
¹ A map illustrating the location of community corrections offices and correctional facilities in Nova Scotia can be found at: http://novascotia.ca/just/Corrections/_docs/Provincial_Map.pdf

This document contains information on a number of key indicators relating to Correctional Services in Nova Scotia. Generally, data is provided for the most current five fiscal years so the reader can examine changes over time. Sources for the statistics include the Nova Scotia Department of Justice and Statistics Canada.

Cost of corrections

The cost of Correctional Services is an indicator of the resources required to administer custodial and community-based sentences in the province. Fluctuations in the cost of corrections may be driven by a number of factors, including but not limited to: the level of crime, legislative and policy responses to crime, sentencing practices, and administrative changes relating to organizational structure and the delivery of services, as well as changes in salaries and benefits for staff.

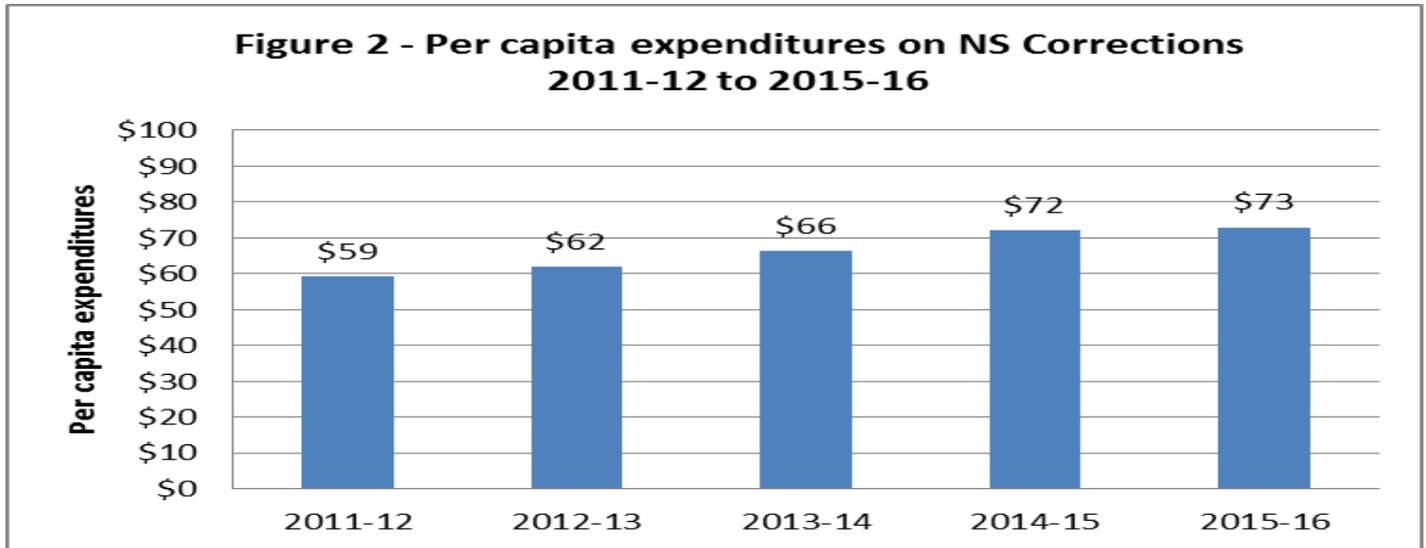
Figure 1 provides the gross operational expenditures for Correctional Services for the period 2011-12 to 2015-16. In 2015-16 gross expenditures increased by 2% over the previous year; part of a general increasing trend over time.² Over the five year period, gross expenditures increased by approximately \$13.4 million or 24%.



Source: Nova Scotia Department of Justice, Financial Services.

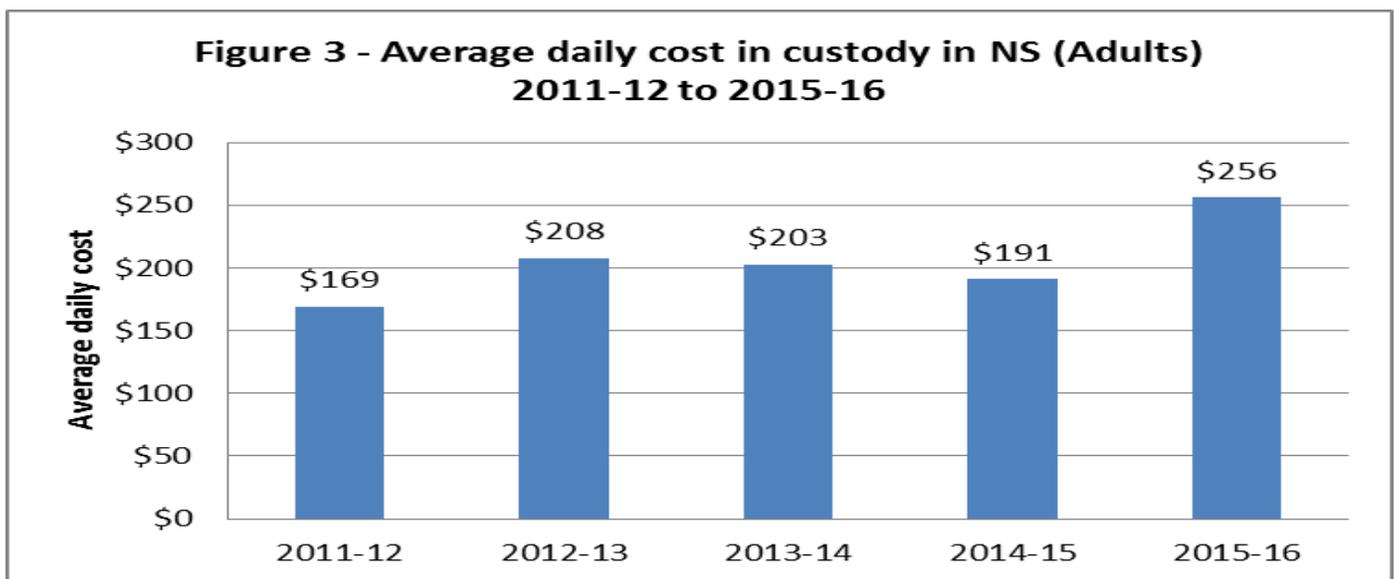
² Note that expenditure data can be subject to revision over time including changes in what types of expense data is reported (i.e., gross vs. net) as well as issues such as structural changes in the Correctional Services Division.

The per capita expenditures for Correctional Services was \$73 in 2015-16 which was 1% higher than the prior year (Figure 2).³ Per capita expenditures have risen over time, increasing 24% over the past 5 years.



Source(s): Nova Scotia Department of Justice, Financial Services.
 Statistics Canada. CANSIM Table 051-0005 - Estimates of population, Canada, provinces and territories.

Figure 3 provides the average daily cost per adult offender in custody, based on actual expenditures by adult offender correctional facilities, for the period 2011-12 to 2015-16. The average daily cost per adult offender was \$256 in 2015-16 which was 34% higher than 2014-15 and 51% higher than 2011-12. The marked increase in the average daily cost figure was due to a number of factors including a new facility opening in late 2015 and a decrease in the number of inmates in custody.



Source: Policy, Planning and Research, Nova Scotia Department of Justice.

³ The per capita figures presented in Figure 2 were calculated by dividing the gross expenditures on Correctional Services by the total NS population.

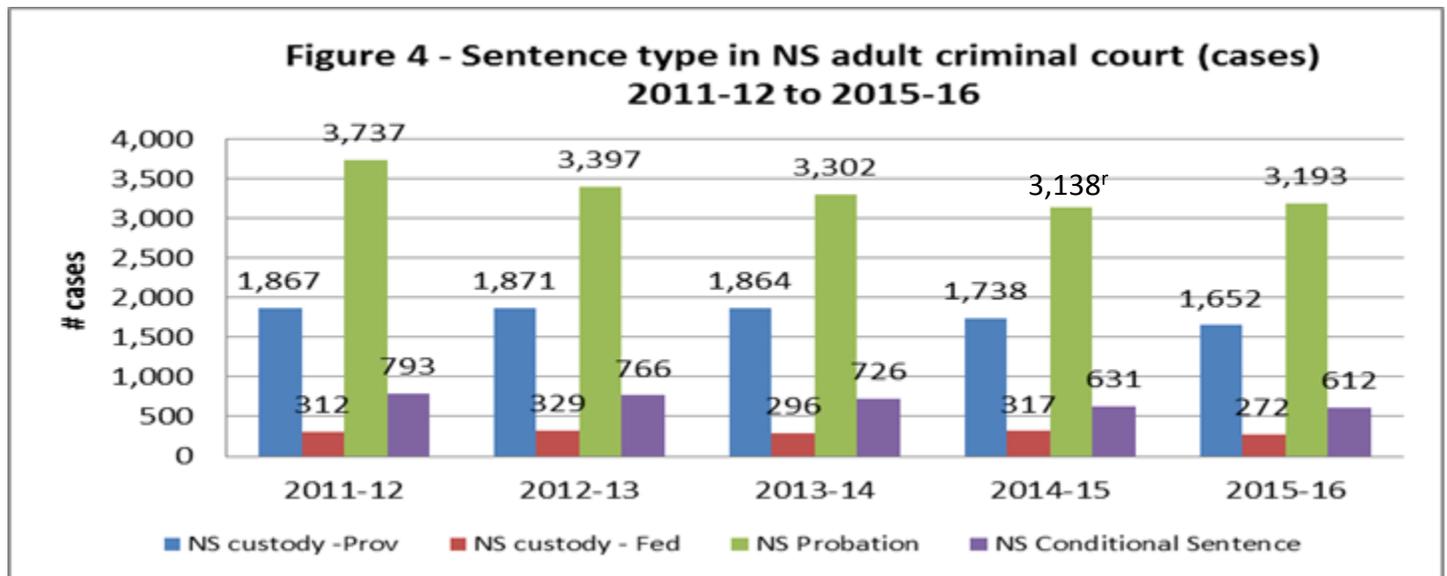
Court sentences – Adult

Figure 4 provides the number of guilty cases in adult criminal court in Nova Scotia which had a custody sentence (federal, provincial), probation or a conditional sentence ordered by the court.⁴ These statistics provide an indicator of the types of sentence involving adults which subsequently led to involvement with the adult correctional system. It should be noted that the sentences are not mutually exclusive and so a case may have more than one type of penalty (e.g., the offender may be given a period of custody as well as a period of probation).⁵

There was a decrease of 5% in the number of cases with a sentence of provincial custody in 2015-16 while the number of cases with a sentence of probation increased by 2%.⁶ Conditional sentences decreased by 3% in 2015-16 compared to the previous year.

While the number of cases with a sentence of provincial custody was relatively stable over the period 2011-12 to 2013-14, it has declined over the past two years. The number of sentences with probation had a slight increase in 2015-16, an exception to the downward trend through the rest of the time period. The number of conditional sentences declined throughout the 5 year period.

Probation was the most frequently ordered sentence in each of the last five years.



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Source: Policy, Planning and Research, Nova Scotia Department of Justice.

⁴ This analysis employs the Statistics Canada definition of a case which is – ‘one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision. A case combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, or date of sentencing) into a single case.’ Excluded from the chart are cases with either a fine, restitution, or some ‘other’ sentence.

⁵ Total cases with a custody sentence can be calculated by adding together the number of cases where provincial custody was ordered and the number of cases where federal custody was ordered. For 2014-15 the total cases where custody was ordered totaled 2,055.

⁶ The 2014-15 figure for the number of sentences with probation was revised from the previous edition of this fact sheet (3,138 vs. 2,947).

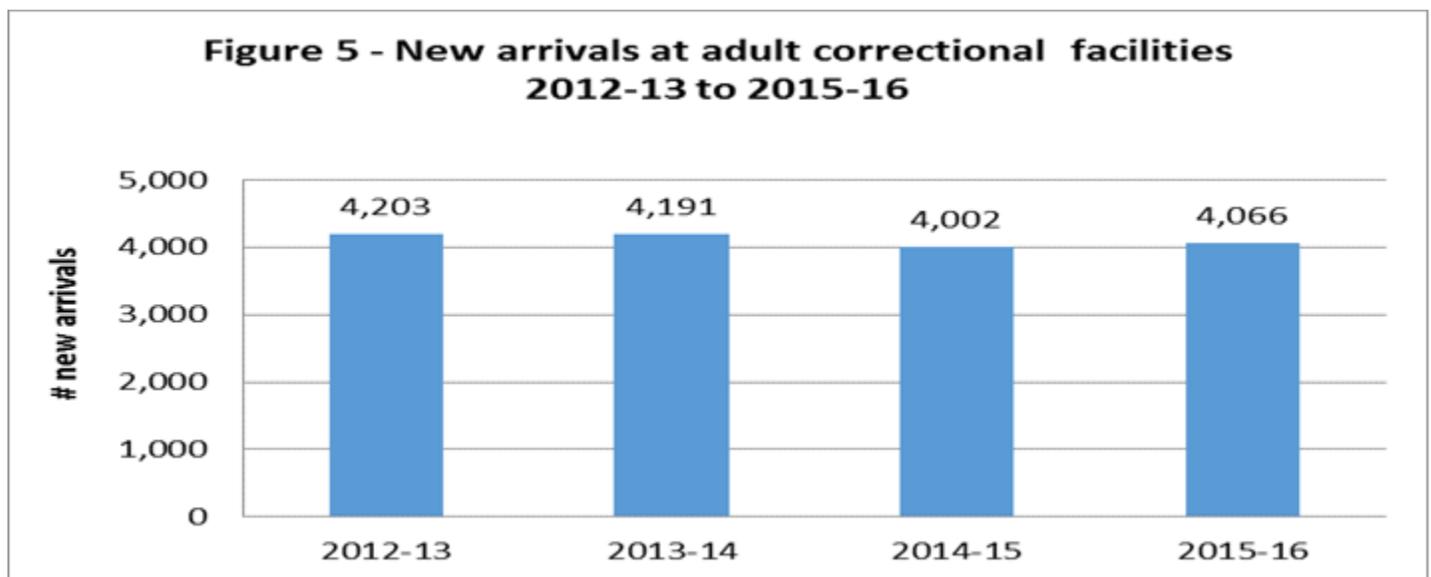
New arrivals at adult correctional facilities

Figure 5 provides data on the number of new arrivals in adult correctional facilities for the years 2012-13 to 2015-16. New arrivals (adult facilities) are counted as intakes only (e.g., from non-custody status to custody, transfer from another jurisdiction, or conditional sentence to custody). An individual could have more than one new arrival at a correctional facility during a fiscal year. New arrivals do not include the transfer of individuals between correctional facilities within the province.

Reasons why an adult is in a correctional facility include: being sentenced to provincial custody; being remanded to provincial custody; or, some other reason (e.g., parole suspension; federal inmate in custody at provincial institution in advance of court hearing, breach of a court order, etc.).

Six adult correctional facilities in Nova Scotia were operating during all or part of the 2012-13 to 2015-16 time period. Three correctional facilities (Central Nova Scotia, Cape Breton, Southwest) were operating through the whole time period. In contrast, Antigonish and Cumberland correctional facilities were in operation until their decommissioning in January 2015, with the Northeast Nova Scotia facility commencing operation in February 2015. Of the adult facilities, the Central Nova Scotia Correctional Facility is the largest and accounted for the greatest number of new arrivals.

In 2015-16, there were 4,066 new arrivals at adult correctional facilities in the province (Figure 5) which was 2% higher than 2014-15 but 3% lower than 2012-13.



Source: Justice Enterprise Information Network (JEIN), Correctional Services Division, Nova Scotia Department of Justice.

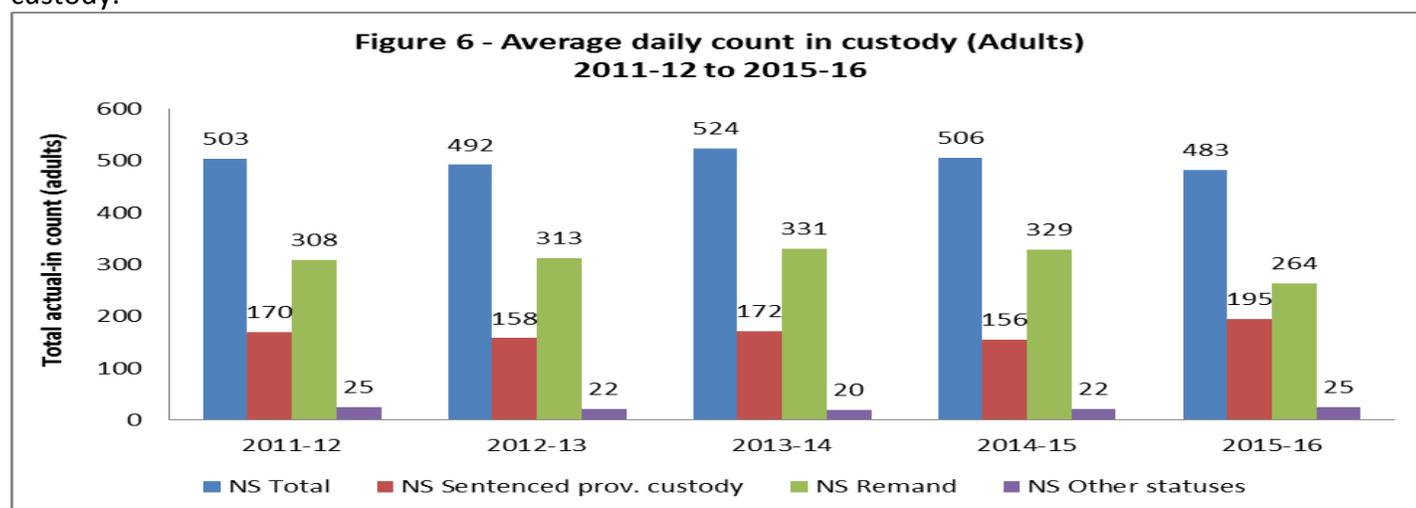
Average daily count – Adults

The average daily count of adults in custody reflects the number of adults physically in a provincial correctional facility at the time of the daily count. Daily counts are useful for describing the make-up of the custodial population in terms of custody status: sentenced custody (i.e., person in a correctional facility as a result of a court-ordered sentence), remand (i.e., temporary detention in a facility pending trial or sentencing), and other forms of detention (e.g., immigration holds, federal inmates, etc.). These statistics are helpful in looking at specific policy issues relating to custodial populations as well as operational issues relating to correctional facility capacity.⁷

In 2015-16, there was an average of 483 adults in custody on any given day. This is a decrease of 23 inmates or 5% from the prior year (Figure 6). The number of adults in provincial sentenced custody increased by 25% while the number on remand decreased by 20%.⁸

Over the five year period, the total average daily count decreased by 4%. This change was driven by a 14% decrease in the number of adults in remand partially offset by a 15% increase in the number of inmates in sentenced custody.

Offenders on remand consistently outnumbered those in sentenced custody over the five year period. In 2015-16, slightly more than half (55%) were on remand while a smaller percentage (40%) were in sentenced custody.



	2011-12	2012-13	2013-14	2014-15	2015-16
% NS Sentenced provincial custody ⁹	34%	32%	33%	31%	40%
% NS Remand	61%	63%	63%	65%	55%
% NS Other statuses	5%	4%	4%	4%	5%

Source(s): Policy, Planning and Research, Nova Scotia Department of Justice.

Statistics Canada. CANSIM Table 251-0005 - Average counts of offenders in provincial and territorial programs.

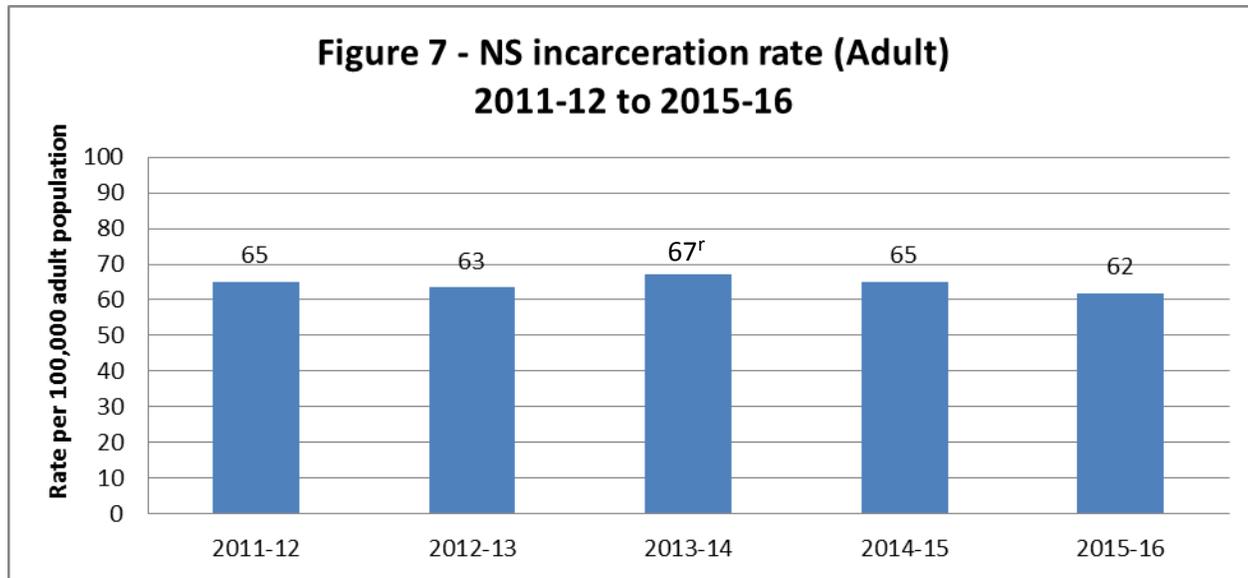
⁷ Adult correctional facilities vary in size with the Central Nova Scotia Correctional Facility (300 inmates) having the largest capacity while the facility with the smallest capacity was the Southwest Nova Scotia Correctional Facility (38 inmates).

⁸ While the average daily count figures reported above are rounded to the nearest whole number for simplicity of presentation, calculations use the average daily count figure rounded to one decimal place which can slightly affect the percentages reported.

⁹ Due to rounding, some percentages may not total to 100%.

Incarceration rate – Adult

The adult incarceration rate in 2015-16 decreased by 5% in comparison to both the prior year and 2011-12 (Figure 7).¹⁰ The incarceration rate varied somewhat over this time period from a low of 62 adult per 100,000 adult population to a high of 67 per 100,000 adult population.¹¹



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Source(s): Policy, Planning and Research, Nova Scotia Department of Justice
Statistics Canada. CANSIM Table 251-0005 - Average counts of offenders in provincial and territorial programs, annual.

¹⁰ The incarceration rate for adults is calculated as the total daily count figure divided by the size of the adult population and standardized per 100,000 population. The provincial incarceration rate is an indicator of the proportion of Nova Scotia residents, in a given year, who are in custody (sentenced custody, remand, “other status”) in provincial institutions. It excludes federal institutions, but includes federally sentenced offenders in provincial institutions.

¹¹ While the incarceration rate figures reported above are rounded to the nearest whole number for simplicity of presentation, calculations use the incarceration rate figure rounded to one decimal place which can slightly affect the percentages reported.

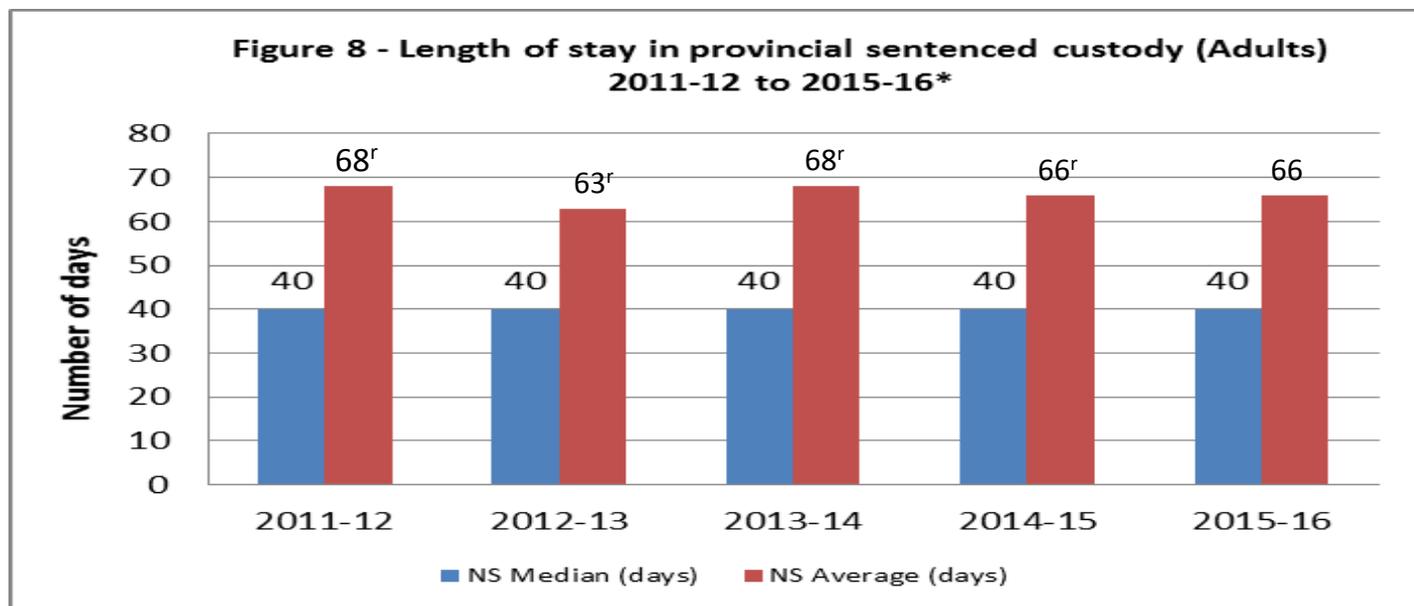
Length of stay in provincial sentenced custody – Adults

Statistics on length of stay in custody provide information on the amount of time offenders spend in a facility prior to release. This information is useful for administrative planning in specific areas such as programming. It should be noted that the length of time spent in a facility may not equal the length of time ordered by the court due to earned remission (i.e., reduced time in custody due to good behaviour).

Figure 8 provides the average and median length of stay in provincial sentenced custody in Nova Scotia adult correctional facilities for the period for 2011-12 to 2015-16.¹²

The median length of stay for sentenced custody in 2015-16 was 40 days and was unchanged over the five year time period.¹³ The average number of days spent in sentenced custody for 2015-16 was 66 which was unchanged from the previous year but was 2 days lower (3%) compared to 2011-12.

The average stay varied somewhat over this time period from a low of 63 days to a high of 68.



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Source: Policy, Planning and Research, Nova Scotia Department of Justice.

¹² The average (mean) and median length of stay in provincial sentenced custody is an estimate calculated based on two-thirds of the aggregate sentence length (days). This assumes that inmates have earned one-third remission for their sentences.

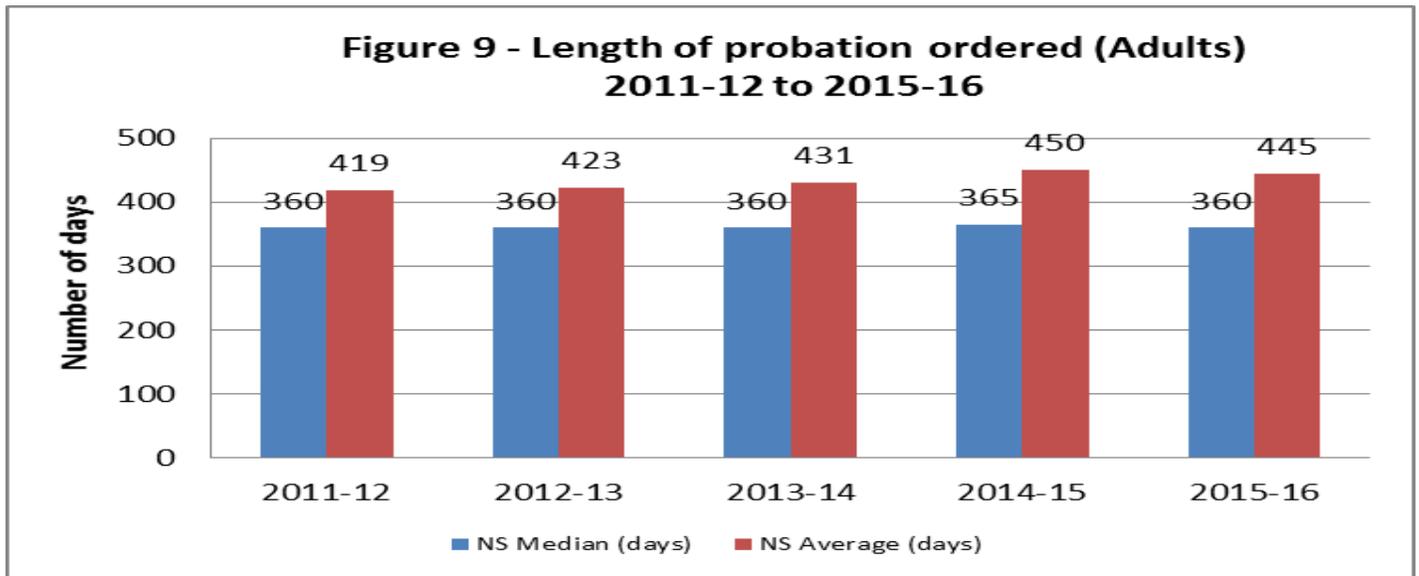
¹³ The median length of stay is the midpoint of the sorted data for length of custody (days), where exactly half the data are above and half below the midpoint.

Sentence length for probation – Adults

Statistics on sentence length for probation provide information on the amount of time that adult offenders are subject to probation conditions imposed by the courts on a probation order.

Figure 9 provides the average and median length of probation ordered by adult criminal courts in Nova Scotia for the period 2011-12 to 2015-16. The median length of probation ordered in 2015-16 was 360 days which was a slight decrease (5 days or 1%) from the previous year. The median length of probation was relatively stable over the five year period with just a slight increase in 2014-15.

The average length of probation ordered in 2015-16 was 445 days, a 1% decrease from the previous year. Over the five year period, there was an upward trend in average length of probation from 2011-12 to 2014-15 until a decrease occurred in 2015-16.



Source: Policy, Planning and Research, Nova Scotia Department of Justice.

Major incidents - Adults

Major incidents involving persons in custody are defined in the Nova Scotia Department of Justice policy – ‘Disclosure of information on major incidents involving persons in custody’.¹⁴ Major incidents include, but are not limited to: assault in custody requiring hospitalization, death in custody, escape from custody, seizure of explosives or firearms, or a riot. Major incidents involve correctional facilities, however, in some instances the issue which arises may also involve the work of other stakeholder organizations such as the Court Services Division of the Nova Scotia Department of Justice.

In 2015-16, there were five major incidents in adult correctional facilities. The specifics associated with incidents at adult facilities are identified below.¹⁵ Note that the date listed is when the major incident report was published rather than when the specific incident occurred. Typically, major incident reports are issued either on the day that the incident occurred or on the day following however, in some cases, the time elapsed could be several days.

List of major incidents in 2015-16 involving adult correctional facilities	
Date	Incident
2-Sep-2015	Assault at Central Nova Scotia Correctional Facility
12-Nov-2015	Mistaken Release from Custody
4-Dec-2015	Escape from Custody
22-Jan-2016	Drug Seizure at Central Nova Scotia Correctional Facility
31-Jan-2016	Death in Custody at Cape Breton Correctional Facility

Source(s): Nova Scotia Department of Justice. See <http://novascotia.ca/just/updates.asp>.

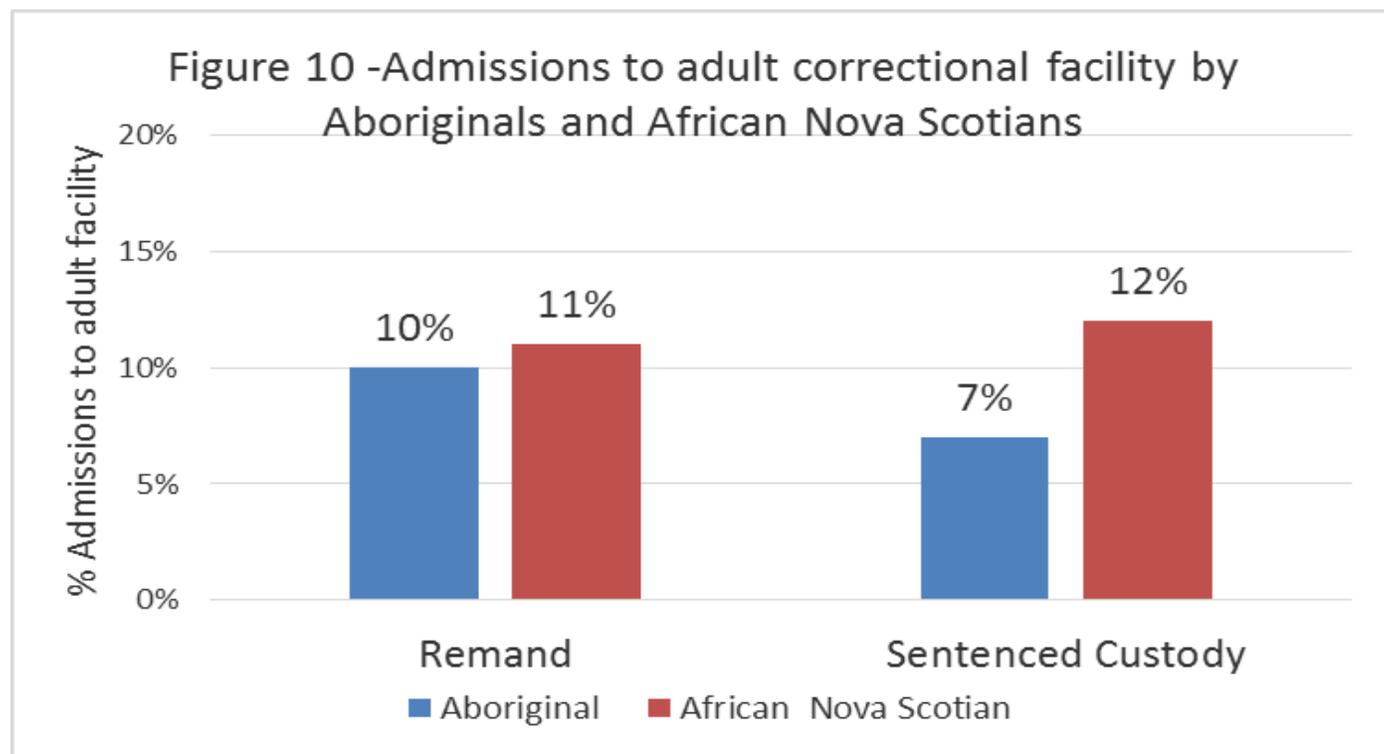
¹⁴ The policy document – ‘Disclosure of Information on Major Incidents Involving Persons in Custody’ can be found at: http://novascotia.ca/just/global_docs/Disclosure%20Policy_Major%20Incidents.pdf.

¹⁵ There were no major incidents involving a youth facility in 2015-16.

Admissions to adult correctional facilities – Self-identified Aboriginals and African Nova Scotians

According to census data, African Nova Scotians comprise about 2% of the provincial population while those who identify as Aboriginal comprise about 4% of the population. However, they represent a greater percentage of admissions to adult correctional facilities.

In 2015-16, those identifying as Aboriginal accounted for 10% of remand admissions and 7% of admissions to provincial sentenced custody in adult correctional facilities. Those identifying as African Nova Scotian represented 11% and 12% of admissions to remand and provincial sentenced custody in adult correctional facilities, respectively.¹⁶



Source: Policy, Planning and Research, Nova Scotia Department of Justice.

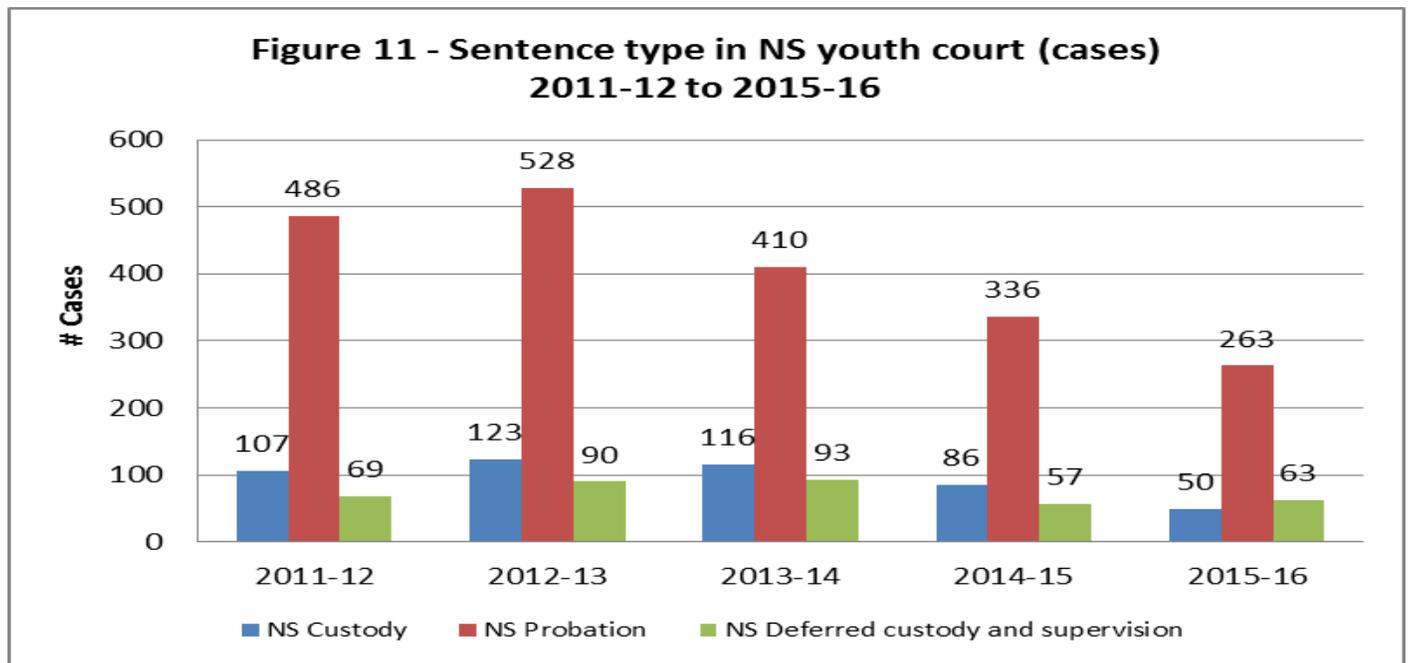
¹⁶ Percentage calculations reported in Figure 10 exclude admissions where ethnicity was unknown.

Court sentences – Youth

Figure 11 provides the number of guilty cases in youth court in Nova Scotia which had sentences of custody, probation or deferred custody and supervision (i.e., sentence placing the youth in the community subject to certain conditions such that if adhered to, results in the youth serving the remainder of the custody term in the community). These statistics provide an indicator of the types of sentence involving youth which subsequently led to involvement with the youth correctional system. It should be noted that the sentences are not mutually exclusive and so a case may have more than one type of penalty (e.g., the youth may be given a period of custody as well as a period of probation).

Between 2014-15 and 2015-16, cases with a custody sentence decreased by 42% while cases with a probation sentence decreased by 22%. The number of cases with deferred custody and supervision sentences increased by 11%. Custody and probation sentence had a declining trend after peaking in 2012-13 while sentences with deferred custody and supervision have been more variable.

The number of cases with probation consistently outnumbered the other sentence types.



Source: Policy, Planning and Research, Nova Scotia Department of Justice.

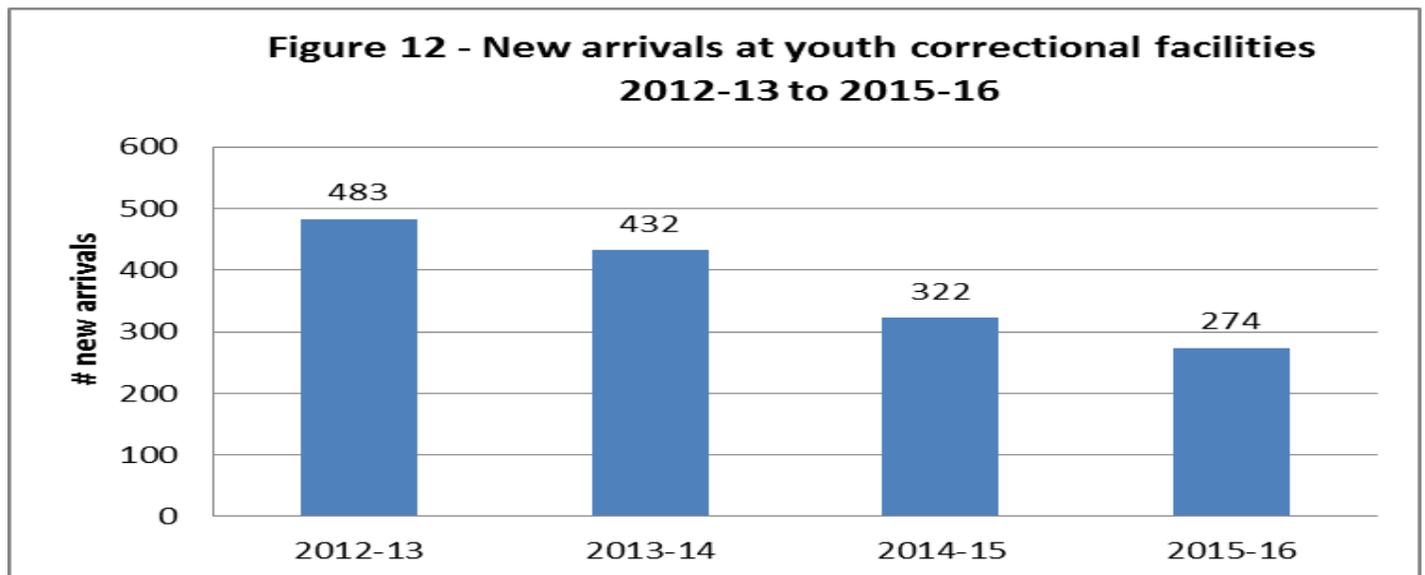
New arrivals at youth correctional facilities

The statistics presented below are for the number of new arrivals at youth correctional facilities in Nova Scotia for the years 2012-13 to 2015-16. New arrivals (youth facilities) are counted as intakes only (e.g., from non-custody status to custody, transfer from another jurisdiction, or deferred custody to custody). New arrivals do not include the transfer of individuals between correctional facilities within the province. An individual could have more than one new arrival at a correctional facility during a fiscal year.

Reasons why a youth is in a facility include: being sentenced to open, open/secure or secure custody; being remanded to custody; or, breach of a court order.

Two youth correctional facilities were operating in Nova Scotia during this time period: the Nova Scotia Youth Facility (NSYF); and, the Cape Breton Youth Detention Facility (CBYDF).¹⁷ Of the two youth facilities, the Nova Scotia Youth Facility is the largest and accounts for the greatest number of new arrivals.

In 2015-16, there were 274 new arrivals at youth correctional facilities which was 15% lower than 2014-15 and 43% lower than 2012-13 (Figure 12).



Source: Justice Enterprise Information Network (JEIN), Correctional Services, Nova Scotia Department of Justice.

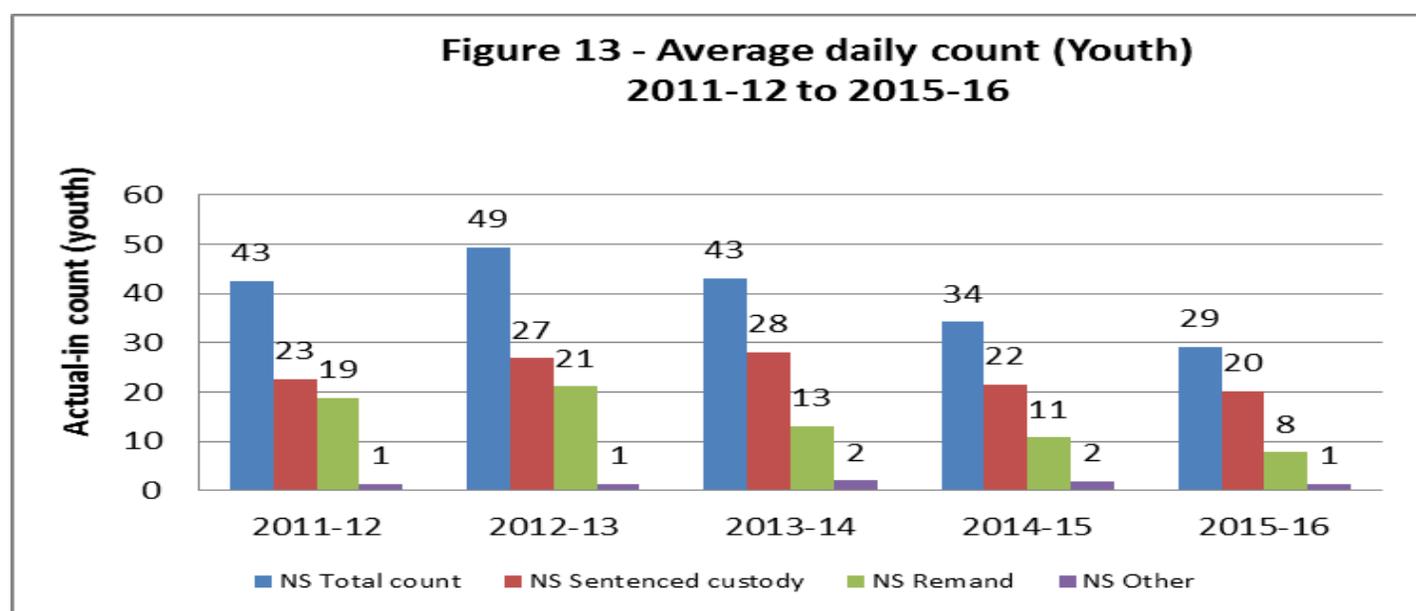
¹⁷ The Cape Breton Youth Detention Facility is designed as a short-term term detention facility.

Average daily count – Youth

The average daily count of youth in custody reflects the number of youth physically located in a correctional facility at the time of the daily count (midnight). Average daily counts are useful for describing the make-up of the youth custodial population in terms of custody status: sentenced custody, remand (also sometimes referred to as pre-trial detention), and other forms of detention (e.g., Provincial Director remand, etc.).¹⁸ These statistics can be helpful in looking at specific policy issues relating to different types of custodial populations as well as operational issues relating to correctional facility capacity.

In 2015-16, there was an average of 29 youth in custody on any given day including 20 in sentenced custody, 8 in remand and 1 on other statuses (Figure 13). The total count of youth in custody decreased by 15% from 2014-15 to 2015-16 with a decrease in both sentenced custody (9%) and remand (27%).¹⁹

Unlike the adult custodial population, the average daily count of youth in sentenced custody was consistently higher than the number on remand throughout this time period. In 2015-16, 69% of the youth custodial population were in sentenced custody, while 26% were on remand.



	2011-12	2012-13	2013-14	2014-15	2015-16
% NS Sentenced custody	53%	54%	65%	63%	69%
% NS Remand	44%	43%	30%	31%	26%
% NS Other	3%	3%	5%	6%	4%

Source(s): Policy, Planning and Research, Nova Scotia Department of Justice.

Statistics Canada. CANSIM Table 251-0008 - Youth correctional services, average counts of young persons in provincial and territorial correctional services.

¹⁸ A Provincial Director remand occurs when there is reasonable grounds to believe that a youth has breached a condition associated with supervision in the community. When this occurs, the designated Provincial Director orders the youth to be held in custody until such time that a review can be conducted.

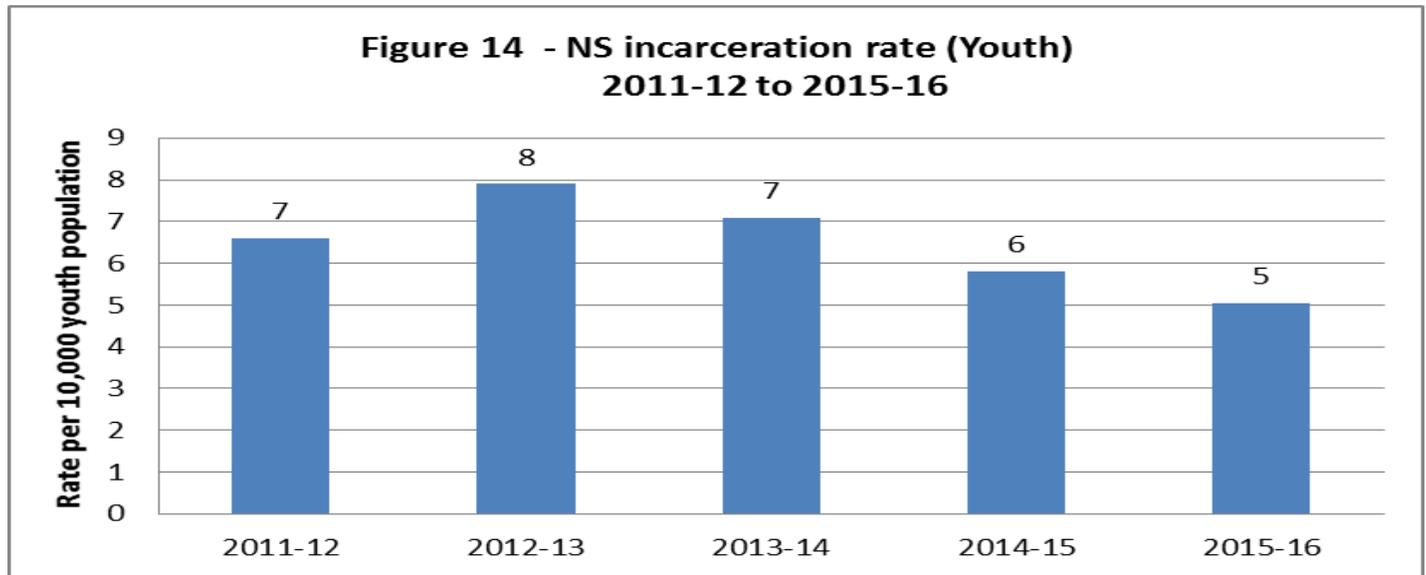
¹⁹ While the average daily count figures reported above are rounded to the nearest whole number for simplicity of presentation, calculations use the average daily count figure rounded to one decimal place which can slightly affect the percentages reported. In addition, it also affects the average daily count figure as is evident for the 2014-15 figures where the total reported is 34 but the sum of the individual figures, each of which were rounded, is 35.

Incarceration rate – Youth

Over the period 2011-12 to 2015-16, the youth incarceration rate generally had a declining trend (Figure 14).

Comparing 2015-16 to 2014-15, a decrease of 14% occurred while comparing 2015-16 to 2011-12, the rate decreased by 24%.²⁰

Over the five year period, the youth incarceration rate ranged between 5 and 8 youth incarcerated per 10,000 youth population.²¹



Source(s): Policy, Planning and Research, Nova Scotia Department of Justice.

Statistics Canada. CANSIM Table 251-0008 - Youth correctional services, average counts of young persons in provincial and territorial correctional services.

²⁰ While the incarceration rate figures reported above are rounded to the nearest whole number for simplicity of presentation, calculations use the incarceration rate figure rounded to one decimal place which can slightly affect the percentages reported. For 2011-12, the incarceration rate was 6.6 per 10,000 youth while the 2015-16 figure was 5.0 per 10,000 youth.

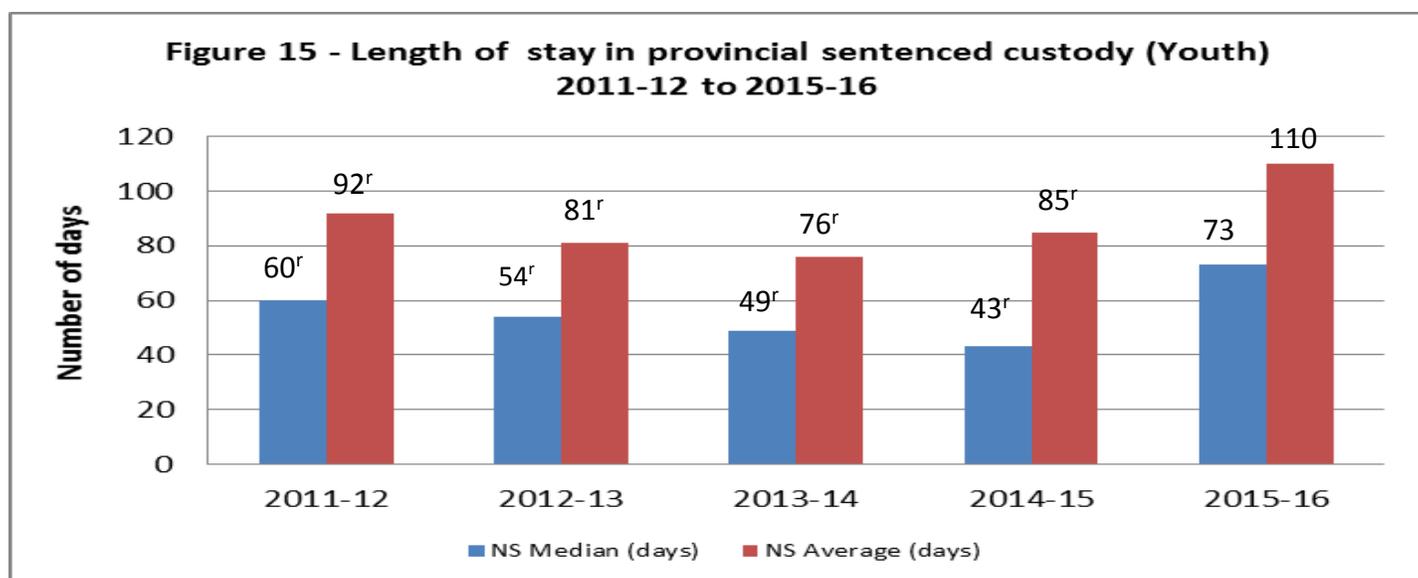
²¹ The youth incarceration rate is an indicator of the proportion of Nova Scotia youth who are in custody (sentenced custody, remand, "other status") in a provincial youth facility. It is calculated as the total daily count figure divided by the size of the population 12 to 17 years of age and standardized per 10,000 youth population.

Length of stay in provincial sentenced custody – Youth

Statistics on length of stay in custody provide information on the relative amount of time youth spend in a facility. This information is useful for administrative planning in specific areas such as programming. Average length of stay for youth in provincial sentenced custody is an estimate using the custody portion of youth custody and supervisions sentences.

The median length of stay for youth in sentenced custody in 2015-16 was 73 days (Figure 15), an increase of 30 days or 70% from 2014-15 and 13 days higher than in 2011-12 (22%).²² The average length of stay in sentenced custody for 2015-16 was 110 days, an increase of 25 days or 29% compared to the previous year and 18 days higher than in 2011-12 (20%).

The median length of stay in provincial sentenced custody varied over time from a high of 73 days to a low of 43 days. The average stay over this time period varied from a low of 76 days to a high of 110 days. Note that both the median and the average length of stay figures for 2015-16 were the highest in the past 5 years.



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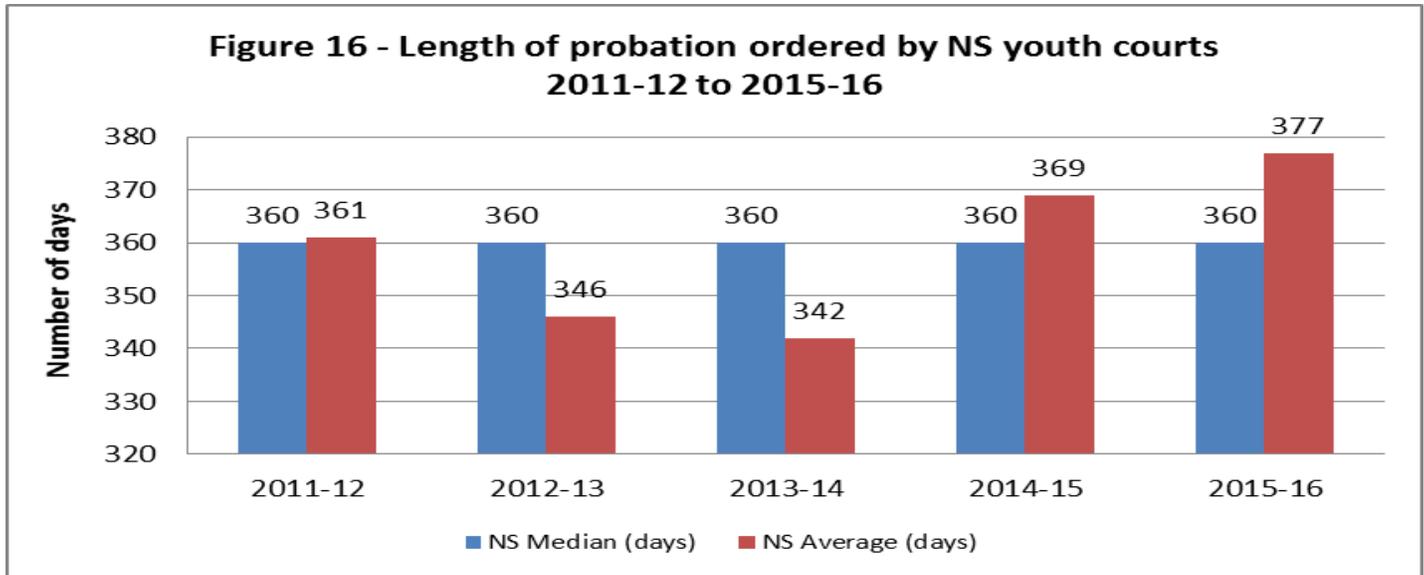
Source: Policy, Planning and Research, Nova Scotia Department of Justice

²² The median length of stay is the midpoint of the sorted data for length of custody (days), where exactly half the data are above and half below the midpoint.

Sentence length for probation – youth

Statistics on sentence length for probation provide information on the amount of time that young offenders are subject to probation conditions imposed by the courts on a probation order while in the community.

Figure 16 provides information on the length of probation ordered by youth courts in Nova Scotia for the period 2011-12 to 2015-16. The median length of probation ordered was 360 days in 2015-16 and was stable over the five year period. The average length of probation orders for 2015-16 was 377 days, a 2% increase from 2014-15. Over the five year period, the average length of probation decreased from 2011-12 to 2013-14 but then increased the next two years.



Source: Policy, Planning and Research, Nova Scotia Department of Justice

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