



DEPARTMENT OF JUSTICE

**ANNUAL ACCOUNTABILITY REPORT FOR THE
FISCAL YEAR 2013-2014**

July 31, 2014

Table of Contents

Accountability Statement	3
Message from the Minister and Deputy Minister	4
Financial Results.....	6
Measuring Our Performance	7
OUTCOME: Improve access to justice system by transforming service delivery.....	7
Performance Measure: Case processing times in adult criminal courts.....	7
Performance Measure: Case processing times in youth court	8
Performance Measure: Percentage of active Maintenance Enforcement Program (MEP) cases that are in full compliance.....	10
OUTCOME: Improve accessibility and effectiveness of family justice services	11
Performance Measure: Public’s confidence in the justice system	11
OUTCOME: Increased awareness of justice initiatives	12
Performance Measure: Public’s awareness of Department of Justice Initiatives	12
Public Measure: Volume of crime as measured by the crime rate per 100,000 population.....	12
Performance Measure: Volume of youth crime as measured by the youth-accused crime rate per 100,000 population aged 12 to 17 years.	14
Performance Measure: Public Perception of Safety.....	15
Performance Measure: Major incidents involving persons in custody	17
Notes pertaining to performance measures:	19
Supplemental Information and Appendices	20
Appendix A: Public Interest Disclosure of Wrongdoing Act.....	20

Accountability Statement

The Accountability Report of the *Department of Justice* for the year ended March 31, 2014 is prepared pursuant to the Finance Act and government policies and guidelines. These authorities require the reporting of outcomes against the *Department of Justice* Statement of Mandate for the fiscal year just ended. The reporting of the *Department of Justice* outcomes necessarily includes estimates, judgments and opinions by *Department of Justice* management.

We acknowledge that this Accountability Report is the responsibility of *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 of Justice* 2013-2014 Statement of Mandate.



Lena Metlege Diab
Minister



Judith Ferguson
Deputy Minister

Message from the Minister and Deputy Minister

On behalf of the Nova Scotia Department of Justice, we are very pleased to present the Accountability Report for the 2013-14 fiscal year. This report summarizes the progress the department has made in fulfilling its commitment to the fair and effective administration of justice and the promotion of public safety in Nova Scotia.

The Department of Justice provides a broad spectrum of services. From working to ensure the safety and security of Nova Scotians, to improving access to justice through our Court Services Division; the cornerstone of all these efforts is collaboration, dedication and excellence.

We're pleased to report that there has been progress made in each of these areas. For example, in the past year, the Department of Justice has:

- implemented the Ceasefire program, which is a collaborative approach to respond to, and reduce, gun violence in Nova Scotia;
- further imbedded Core Correctional Practices into operations and daily practices as well as introduced cognitive skills development programs for offenders in custody to further promote pro-social skills and behaviours from offenders;
- Correctional Services, in collaboration with IT and Finance, designed and implemented OTIS (Offender Trust Information System) to standardize the offender trust funds at all adult and youth facilities into one practice and process as well as increase accountability and transparency from an audit point of view;
- Correctional Services installed a new offender phone system, provided by Synergy Inmate Phone Solutions, at three adult correctional facilities. This system provides telephone and video visitation services which enhanced communication between offenders and their families, legal representatives and other community agencies;
- leveraged technology to design, develop and prepare for the implementation of e-disclosure in Provincial and Supreme Courts, the development of an online payment of Summary Offence Tickets (SOT) system and integrated one stop access to family law through the Family Law website;
- re-designed Family Division and Family Court Service Delivery to implement the use of a conflict assessment tool, making better use of conciliation services, and improved case management so that court time is used most effectively and efficiently.

The work of this department is important and challenging, and wouldn't be possible without the dedication and professionalism of the 1600 staff. Our operational work has been supported by the efforts of the Employee Engagement Leadership Team (EELT) and the Divisional Action Teams (DAT) and their work with employee engagement initiatives.

Overall, it's been a successful year for the department and we hope you will take time to read more about its progress and achievements.

Thank you



Lena Metlege Diab
Minister



Judith Ferguson
Deputy Minister

Financial Results

Justice		
	2013-14 Estimate	2013-14 Actual
Program & Service Area	(\$ thousands)	(\$ thousands)
Gross Departmental Expenses:		
Administration	23,948	20,804
Nova Scotia Legal Aid	22,181	22,181
Court Services	64,113	67,628
Correctional Services	57,276	62,328
Compliance & Internal Investigation Service	516	427
Public Trustee	2,210	2,236
Fatality Inquiry Act	3,871	4,247
Public Safety	128,194	125,735
Serious Incident Response Team	584	574
EMO	6,908	6,801
Total Gross Department Expenses	309,801	312,961
Additional Information:		
Ordinary Revenue	(1,582)	(1,411)
Fees and Other Charges	(22,932)	(21,441)
Ordinary Recoveries	(109,730)	(110,069)
TCA Purchase Requirements	1,020	964
Provincial Funded Staff (FTEs)	1,568	1,561

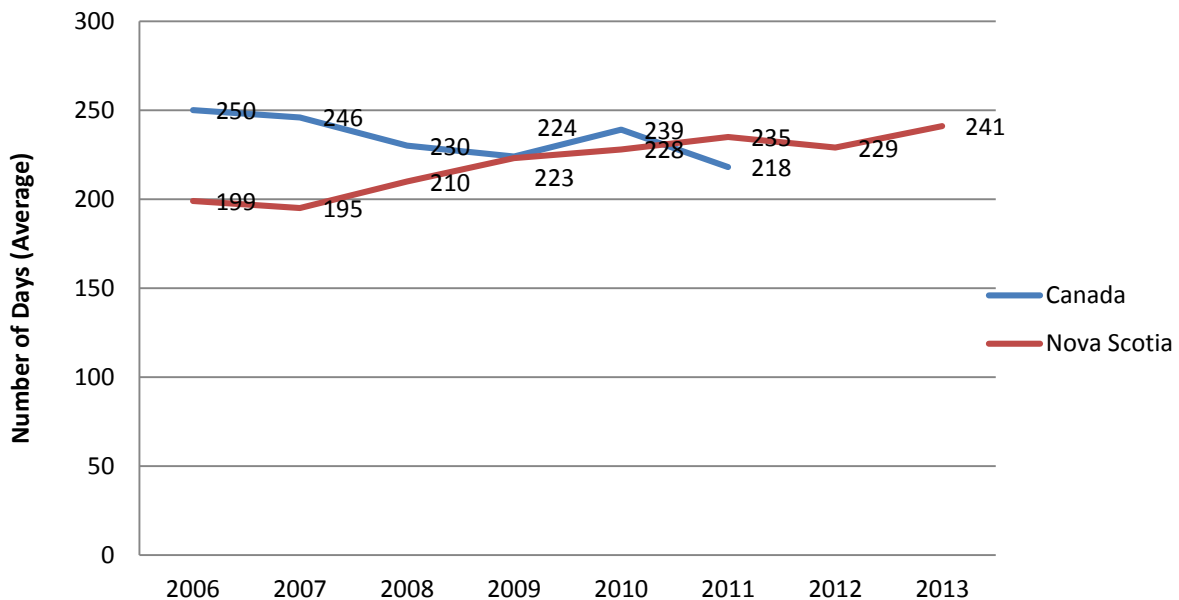
Measuring Our Performance

OUTCOME: Improve access to justice system by transforming service delivery

Performance Measure: Case processing times in adult criminal courts

Case processing indicates the average amount of time it takes to process adult criminal court cases from first appearance to final disposition. Nationally, there was a downward trend in case processing time from 2006 to 2011. Nova Scotia's case processing increased from 199 days in the base year of 2006 to 241 days in 2013. This represents an increase of 21 percent over the eight year time period.

Chart 1: Average case processing time (days) in adult criminal court



Source: Statistics Canada, Adult Criminal Court Survey.

Note: 2012 and 2013 figures are currently unavailable from Statistics Canada. Figures included here for 2012 and 2013 are based on Nova Scotia Department of Justice data. When this data becomes available from Statistics Canada, Nova Scotia figures will be revised and national level data included.

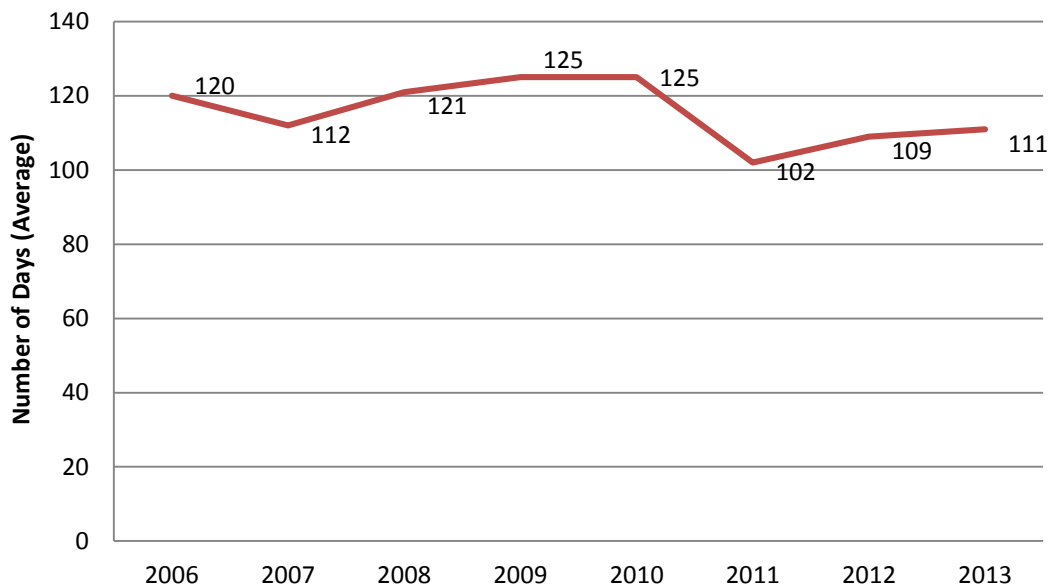
With the goal to meet or fall below the national average, mitigation strategies to address this trend included:

- Increased use of technology including implementing e-disclosure in Provincial and Supreme Courts, the e-Probate project and a revised family law website that emphasizes the integration of information for a one stop access point to the family justice system
- The Court Services' Client Service Re-Design Project continues its work to enable Justice Centres to operate more efficiently and effectively

Performance Measure: Case processing times in youth court¹

This measure indicates the average amount of time it takes to process cases in youth court from first appearance to final disposition.

Chart 2: Average case processing time (days) in youth court



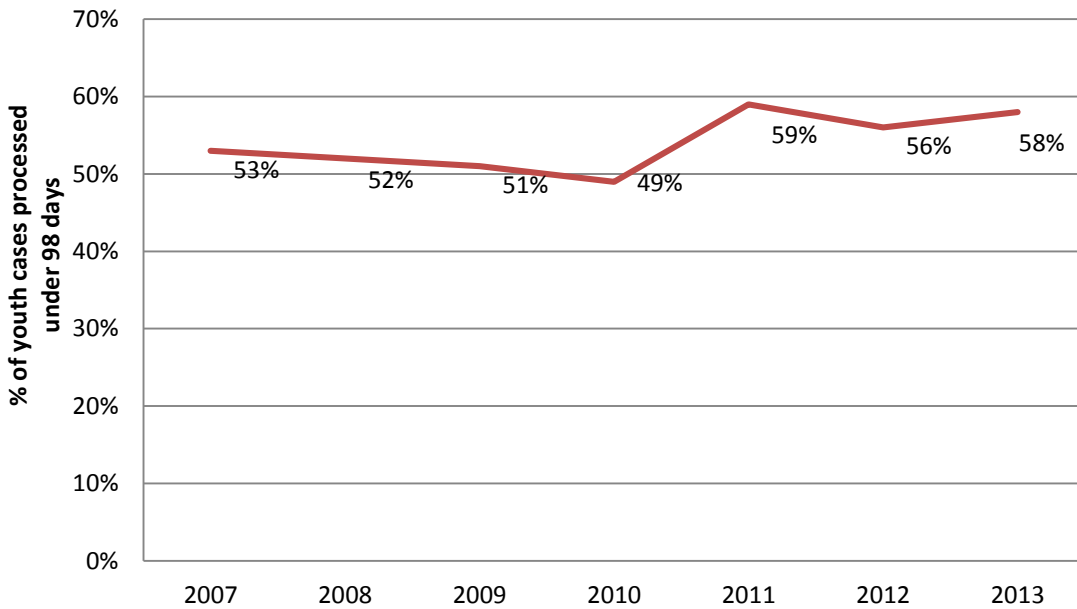
Source: Justice Enterprise Information Network (JEIN), Nova Scotia Department of Justice.

From the base year of 2006-07, there have been two decreases in processing time (first in 2007 and later in 2011). After each of these instances, the average case processing time gradually increased. Average case processing time has been below the base year for the past three years but continues to trend upward.

Despite the average case processing time increasing, the percentage of youth criminal court cases completed within a 98 day target (as set out in the Nunn inquiry) has increased by 5% over the past 7 years (see Chart 3 below).

¹ Nova Scotia excludes cases involving restorative justice and bench warrants when calculating youth case processing times. Restorative justice cases are excluded because, on average, it takes over 200 days to complete these cases 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.

Chart 3: Percentage of youth criminal court cases completed within the 98 day target



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

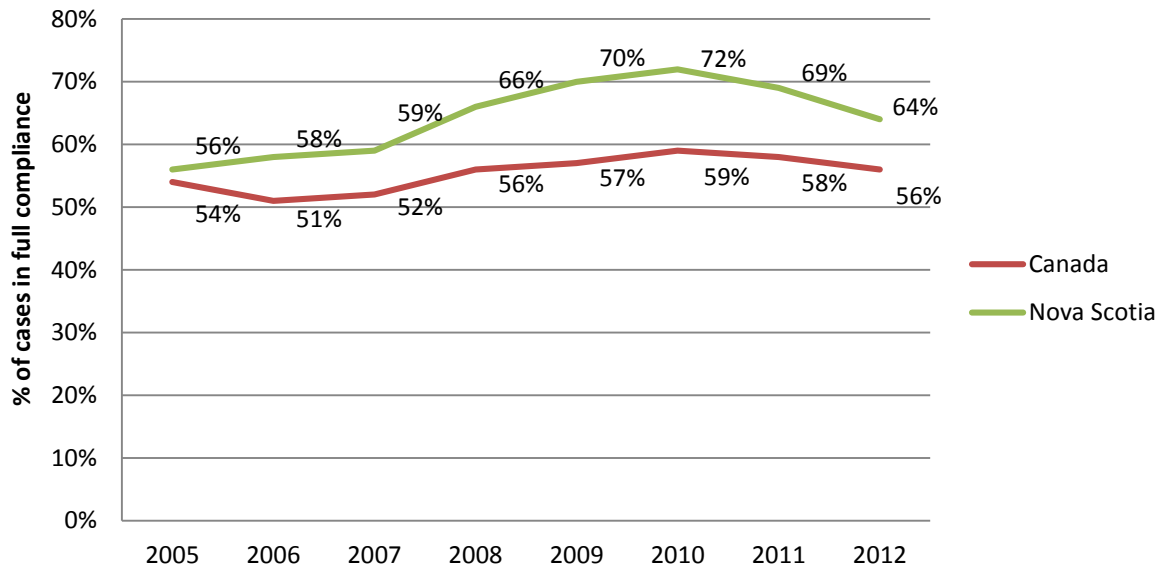
With the goal to meet the targeted 98 days for youth case processing, mitigation strategies in addition to those mentioned in the adult case processing measure include:

- Establishing youth court best practices committees at Justice Centres across the province to coordinate the efforts of all stakeholders.

Performance Measure: Percentage of active Maintenance Enforcement Program (MEP) cases that are in full compliance

This measure indicates the percentage of active MEP cases that are in full compliance with their total monthly payments. Statistics Canada defines compliance as at least the amount expected in a month is received.

Chart 4: Percentage of Maintenance Enforcement Program (MEP) cases in full compliance



Source: Statistics Canada CANSIM, Table 259-0004

Nova Scotia remains eight percent above the Canadian average for full compliance as well as eight percent above the baseline year of 2005.

Looking ahead, remaining at or better than the national average will continue to be the goal of the Department. To support this objective the Department has:

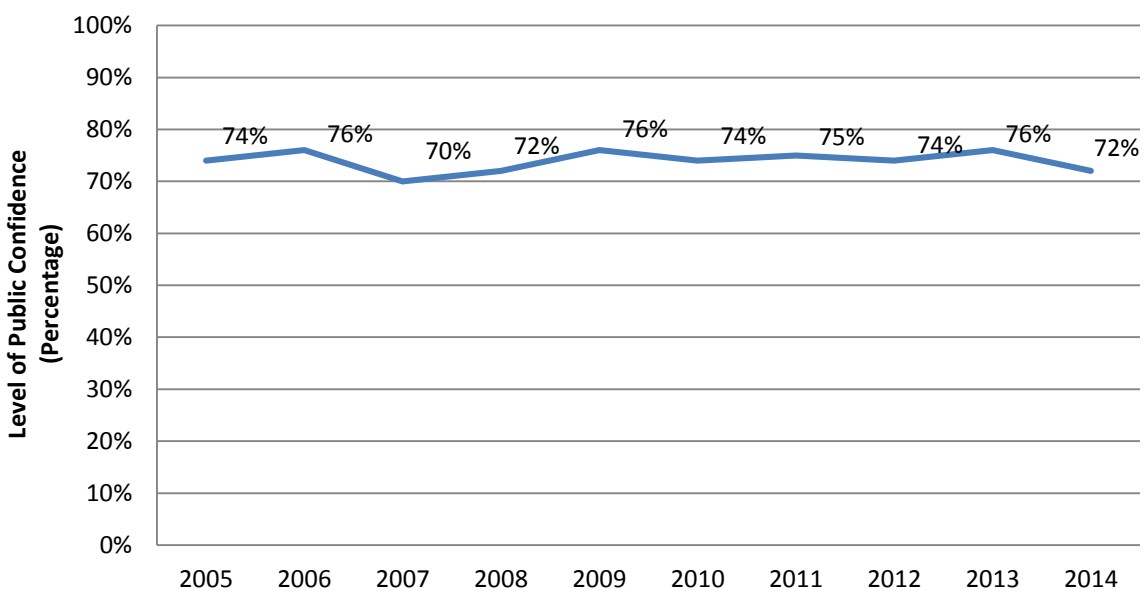
- developed a new report from the case management system that facilitates tracking payment processing as well as enhancing staff efficiency.
- offered intensive staff training
- undertaken the review and re-assigning of caseloads to help improve efficiencies.

OUTCOME: Improve accessibility and effectiveness of family justice services

Performance Measure: Public's confidence in the justice system

The Department of Justice annually surveys Nova Scotians about public confidence in the justice system through the *Atlantic Quarterly Survey*. Responses to these questions provide an indication of the public's level of confidence in the justice system as a whole. The base year for this measure is 2005.

Chart 5: Level of Public Confidence in Justice System.



Source: *Atlantic Quarterly Survey*
Sample size margin of error is 4.9%

Overall, the rate of public confidence has remained relatively stable with approximately three quarters of surveyed Nova Scotians reporting they were very or somewhat satisfied with the Nova Scotian justice system. Since 2005, the percentage has fluctuated by only six percent.

Confidence in the justice system is a subjective and multi-faceted measure. Departmental efforts to help ensure that Nova Scotians remain confident with all facets of the justice system include:

- Improving access to justice as noted in the case processing performance measure.
- Continuing work on the Family Law Reform Project in order to help families experiencing separation and custody issues by addressing specific challenges in family laws, updating them and making them clearer.

OUTCOME: Increased awareness of justice initiatives

Performance Measure: Public's awareness of Department of Justice Initiatives

Table 1: Level of public awareness of the 911 system and its purpose

Date	Degree of Awareness (%)
2012	96
2013	91
2014	92

Source: Atlantic Quarterly Survey

In addition to surveying Nova Scotians' level of confidence with the justice system, the Department also seeks to better understand the public's level of awareness with specific justice initiatives. Beginning in 2012, Nova Scotians were asked "Are you aware that 911 should only be used in emergencies, while regular police, medical and fire department phone numbers should be used to address non-emergency issues?" 2014 marks the third year this measure has been collected. During this time, over 90 percent of Nova Scotians reported being aware of the purpose of the 911 service.

This level of public awareness is supported by EMO initiatives including presentations to members of the public (e.g. schools and retirement homes) as well as regular engagement with stakeholder groups including the Halifax Regional Police and the Royal Canadian Mounted Police.

Public Measure: Volume of crime as measured by the crime rate per 100,000 population

Table 2: Crime Rate per 100,000 population

Year	Violent Crime		Property Crime		Other Crime		Total Crime	
	Nova Scotia	Canada	Nova Scotia	Canada	Nova Scotia	Canada	Nova Scotia	Canada
2008	1710	1331	4160	4249	1118	1015	6986	6617
2009	1654	1318	4176	4110	1099	1015	6926	6442
2010	1563	1287	4323	3824	1077	1027	6961	6137
2011	1458	1231	4021	3520	1022	1005	6484	5756
2012	1365	1190	3932	3414	1031	984	6329	5588

The police-reported violent crime rate declined by six percent from 2011 and decreased 20 percent over the five year period 2008 to 2012. At 1,365 incidents per 100,000 population, the rate in Nova Scotia is 15 percent higher than the national average of 1,190 per 100,000 population. Nevertheless, the gap between the Nova Scotia's violent crime rate and the national rate has narrowed over time as Nova Scotia's rate was 48 percent higher than the national average in 2003.

In Nova Scotia, the police-reported property crime rate declined by two percent from 2011 and decreased five percent over the five year period 2008 to 2012. At 3,932 incidents per 100,000 population, the rate in Nova Scotia was higher than the national average (3,414 per 100,000 population).

The rate for other Criminal Code offences was relatively stable (up by one percent) from 2011 and decreased eight percent over the five year period 2008 to 2012. At 1,031 incidents per 100,000 population, the rate in Nova Scotia was higher than the national rate (984 per 100,000 population).

Crime reduction and prevention are not within the sole control or discretion of the Department of Justice. The Department continues to work with its justice partners (e.g., law enforcement, Public Prosecution Service, and Legal Aid) and community organizations to enable a more collaborative approach and better outcomes.

Department of Justice initiatives that have been undertaken to support the decrease in crime include:

- the Ceasefire program, which seeks to respond to and reduce gun violence
- the operationalization of the CyberSCAN Unit, whose mandate is to investigate all cyberbullying complaints and help victims resolve situations through informal or legal means.

Performance Measure: Volume of youth crime as measured by the youth-accused crime rate per 100,000 population aged 12 to 17 years.

Table 3: Youth-accused Crime Rate per 100,000 population

Year	Violent Crime		Property Crime		Other Crime		Total Crime	
	Nova Scotia	Canada	Nova Scotia	Canada	Nova Scotia	Canada	Nova Scotia	Canada
2008	2796	1904	5218	3444	1835	1230	9843	6578
2009	2677	1895	5075	3484	1698	1214	9441	6594
2010	2751	1853	4738	3170	1674	1163	9153	6187
2011	2649	1756	4470	2735	1866	1074	8958	5599
2012	2755	1693	4285	2541	1783	1043	8824	5224

The violent youth crime rate increased by three percent from 2011 to 2,755 per 100,000 youth. The violent youth crime rate was relatively stable (down one percent) over the five year period 2008 to 2012. The Nova Scotia youth violent crime rate remains above the national average (1,639 per 100,000 youth population).

The rate of youth property crime decreased by three percent from 2011 to 4,285 per 100,000 youth population. Over the five year period 2008 to 2012, the youth property crime rate has dropped eighteen percent. The Nova Scotia youth property crime rate remains above the national average (2,541 per 100,000 youth population).

The rate for other Criminal Code offences decreased by four percent from 2011 and decreased three percent over the five year period 2008 to 2012. At 1,783 incidents per 100,000 population, the rate in Nova Scotia was higher than the national rate (1043 per 100,000 population).

Working closely with communities as well as Justice partners, the Department has undertaken several initiatives in continuing its efforts to address youth crime where possible. For example, the Department of Justice, under the lead of the Department of Education and Early Childhood Development, has continued to implement the province’s *Bullying Action Plan*.

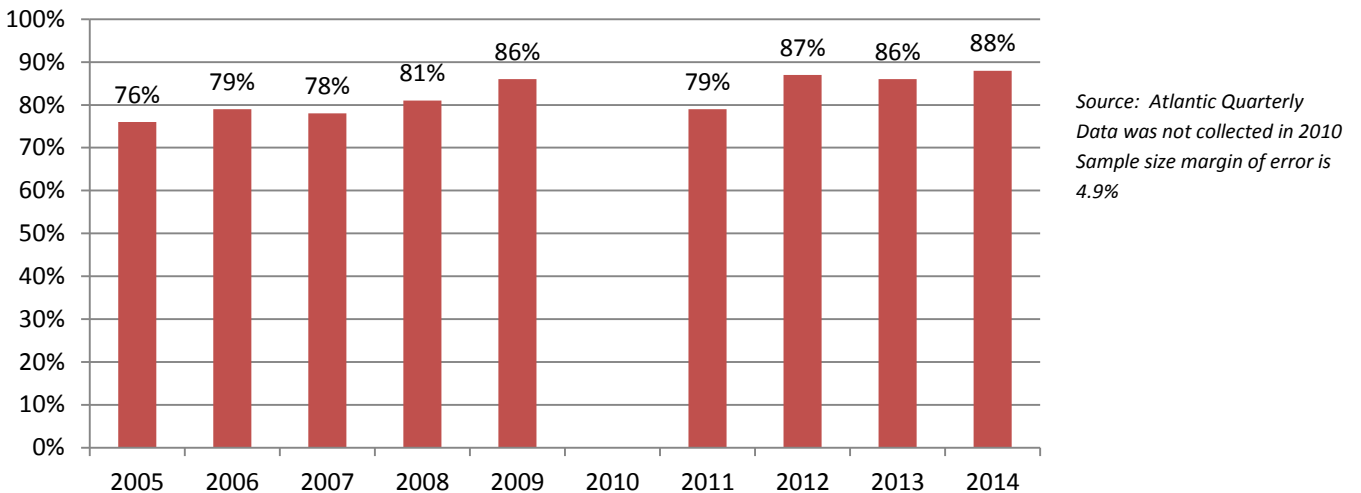
Another initiative, the HUB Model, seeks to leverage strategic partnerships with community organizations, and other government departments in order to intervene at the earliest possible moment with youth at risk in order to avoid interaction with the criminal justice system. The feasibility of this approach was explored in 2013-14 with the goal of implementing a pilot in 2014-15.

For youth in custody, cognitive skills development programs that promote pro-social skills and behaviours have been introduced to facilitate re-integration upon release to the community.

Performance Measure: Public Perception of Safety

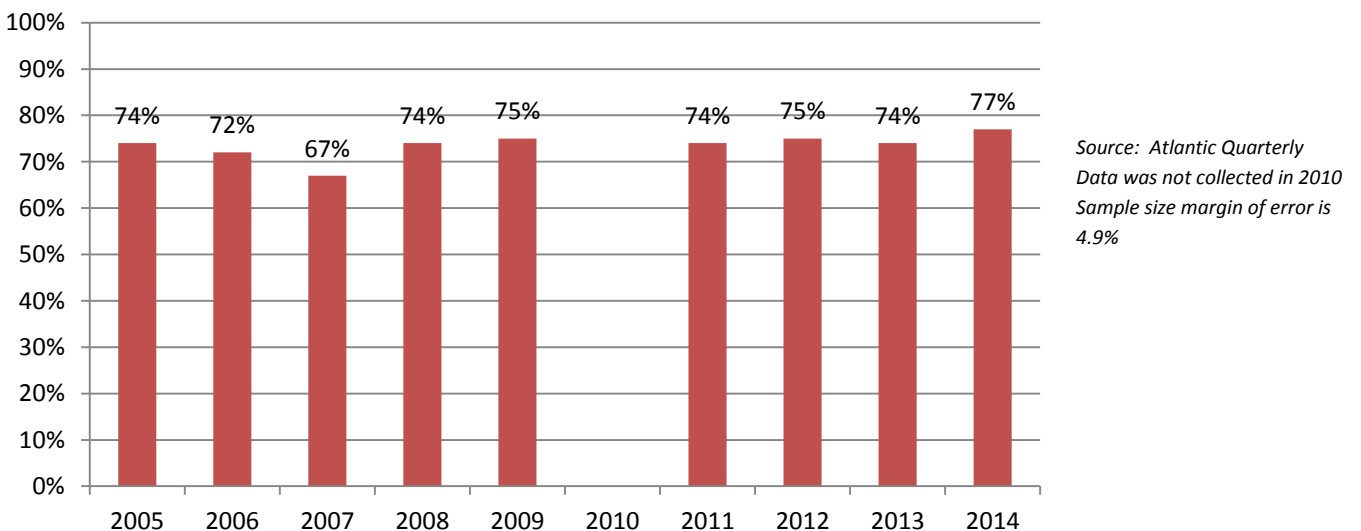
The *Atlantic Quarterly Survey* provides an indication of the public's perception of safety in the home and in the neighbourhood by asking respondents to rate how worried they are about safety when they are alone in their home in the evening or at night as well as when they are walking alone in their area after dark.

Chart 6: Public perception of safety in the home



Respondents consistently report feeling safe in their homes as well as their neighbourhoods. The reporting of public perception of safety has remained consistent since the base year of 2005. Reporting of safety in the home ranged from a low of 76 percent in 2005 to a high of 88 percent in 2014. Safety in the neighbourhood was reported at slightly lower levels ranging from a low of 67 percent in 2007 to a high of 77 percent in 2014.

Chart 7: Public perception of safety in the neighbourhood



In addition to the initiatives highlighted with the volume of crime performance measures, the Department has also undertaken:

- The domestic violence pilot court program in Sydney has been positively received by the community and stakeholders. The court started hearing its first cases in Sydney on June 21, 2012. By an accused pleading guilty to domestic violence related charges and entering into recommended programming, the need for a trial is negated and in turn, victims do not have to testify. During its first year of operation, 110 offenders out of 698 accused were determined to be eligible for the program.
- The Mental Health Court works with people in Halifax experiencing mental disorders who are in conflict with the law. Since its inception in 2009 737 individuals have been referred to the court and 237 of those individuals have been eligible and have been accepted. Of those accepted 180 have successfully completed the program.

Performance Measure: Major incidents involving persons in custody

Table 4: Breakdown of Major Incidents Involving Persons in Custody 2011/12 – 2013/14

Type of Major Incident	2011-12 (base year)	2012-13	2013-2014
Major disturbance at a correctional facility	0	1 ²	1 ³
Lockdown ⁴	4	n/a	n/a
Major disruptions of day-to-day activities in a correctional facility or Justice Centre/Court	0	0	0
Purposeful damage to a correctional facility, Justice Centre/Court, Department of Justice office or Department vehicle estimated to be in excess of \$5,000	0	0	0
Motor vehicle accident which occurs while transporting a person(s) in custody	0	1	0
Assault committed by a person in custody against another person within a correctional facility	3	4	6
Escape from custody including escape from Sheriff Services	3	1	0
Wrongful release of a person from custody	2	0	1 ⁵
Seizure of explosives or firearms at a correctional facility or Justice Centre/Court	0	0	0
Hostage taking	0	0	0
Bomb threat	0	1	0
Major seizure of drugs at a correctional facility	1	0	0
Closure of a correctional facility to the public as a result of a health concern	0	0	0
Death of a person while in custody	3	0	1
Total	14	8	9

This measure tracks major incidents involving persons in custody as per the department’s policy on Disclosure of Information on Major Incidents Involving Persons in Custody. Major incidents include, but are not limited to: assault in custody requiring hospitalization, death in custody, escape from custody, seizure of explosives or firearms, and a riot.

The frequency of incidents reported remained relatively stable in 2013-14 with nine incidents in comparison to 2012-13 where there were eight reported major incidents.

² Note that this major disturbance also resulted in a facility lockdown

³ Note that this major disturbance also resulted in a facility lockdown

⁴ Note that the “lockdown” category, on its own, was discontinued in October, 2011. Lockdowns continue to be tracked when they result from the occurrence of another major incident.

⁵ The Department of Justice became aware of an early release of a young person from the Nova Scotia Youth Facility in Waterville due to a miscommunication within Court Services regarding sentence orders.

To address the instances described above the Department:

- Continues with the construction of a new facility in the Northern region, which will provide new and updated infrastructure as well as direct supervision for offenders. Under direct supervision, staff are stationed inside the living units and are not separated from offenders by physical barriers. They are maintaining direct and frequent contact with the offenders in their work area and are using this interaction to build effective working relationships
- Correctional Services introduced new programming such as The Parenting Journey and cognitive based programming to offenders.
- The WOOF! Program, a partnership with the SPCA and the Central Nova Scotia Correctional facility, places puppies with inmates who are responsible for training and preparing them for adoption. This program was expanded from a pilot initiative to core operations in July of 2013.

Notes pertaining to performance measures:

1) “Major Incidents” as defined by the Nova Scotia Department of Justice’s policy on *Disclosure of Information on Major Incidents Involving Persons in Custody*. This information can be found at: http://novascotia.ca/just/updates_incidents_list.asp

- A major disturbance at a correctional facility (a disturbance of four or more persons in custody, over a protracted period of 60 minutes or longer, and (a) necessitating the hold or call back of staff or (b) exceeding the resource capacity of the facility, and requiring emergency police services to respond to the identified threat);
- Major disruptions of day-to-day activities in a correctional facility or Justice Centre/Court (including major power outages or loss of telephone service) where it has been determined that there is a threat to public safety;
- Purposeful damage to a correctional facility, Justice Centre/Court, Department of Justice office or Department vehicle estimated to be in excess of \$5,000;
- A motor vehicle accident which occurs while transporting a person(s) in custody resulting in an emergency medical response at the scene or inpatient hospitalization;
- Assault committed by a person in custody against another person within a correctional facility, while in the custody of Sheriff Services, or while in court resulting in serious injury that requires inpatient hospitalization;
- Escape from custody including escape from Sheriff Services, escape from correctional facilities and escape from escorted temporary absences;
- Wrongful release of a person from custody prior to the expiration of his or her sentence or remand;
- Seizure of explosives or firearms at a correctional facility or Justice Centre/Court;
- A hostage taking;
- A bomb threat;
- Major seizure of drugs at a correctional facility;
- Closure of a correctional facility to the public as a result of a health concern (e.g., flu outbreak); and,
- The death of a person while in custody

Supplemental Information and Appendices

Appendix A: Public Interest Disclosure of Wrongdoing Act

The *Public Interest Disclosure of Wrongdoing Act* (PIDWA) was proclaimed into law on December 20, 2011.

The Act provides for government employees to be able to come forward if they reasonably believe that a wrongdoing has been committed or is about to be committed and they are acting in good faith.

The Act also protects employees who do disclose from reprisals, by enabling them to lay a complaint of reprisal with the Labor Board.

A wrongdoing, for the purposes of the Act is:

- a. a contravention of provincial or federal laws or regulations
- b. a misuse or gross mismanagement of public funds or assets
- c. an act or omission that creates an imminent risk of a substantial and specific danger to the life, health or safety of persons or the environment, or
- d. directing or counselling someone to commit a wrongdoing

The following is a summary of disclosures received by the Department of Justice.

Information Required under Section 18 of the Act	Fiscal Year 2013-2014
The number of disclosures received	0
The number of findings of wrongdoing	N/A
Details of each wrongdoing (insert separate row for each wrongdoing)	N/A
Recommendations and actions taken on each wrongdoing (insert separate row for each wrongdoing)	N/A