



Business Plan

2020–21

Department of Justice


NOVA SCOTIA

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Budget 2020–21: Business Plan
Finance and Treasury Board
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Message from the Minister



To achieve our vision of a justice system that fosters the safety, health and well-being of all Nova Scotians, we are embracing the guiding principles of diversity, innovation, prevention, and restorative justice.

Guided by these principles, we are focused on improving access to justice, especially for those who struggle the most.

That means a justice system in Nova Scotia that is responsive to diverse communities, collaborative, and accountable to Nova Scotians for the important work we do.

Our 2020-21 Business Plan is designed to deliver on this vision, support public safety, deliver effective and efficient services, and help ensure that all Nova Scotians live in safe and secure communities.

Our work in the coming year reflects these priorities.

Nova Scotia continues to be a leader in restorative justice. Last year we saw a 63% increase in adult referrals to the Nova Scotia Restorative Justice program. Preventative and restorative justice practices are helping us build safer and healthier communities and end this revolving door that too many Nova Scotians – many of them marginalized – cannot escape.

The Nova Scotia Home for Coloured Children Restorative Inquiry showed us many things. The report points out, progress “requires a change in how we do things, not just in the things we do.” We know that change is required throughout the entire justice system to address long-standing systemic racism, discrimination and overrepresentation. This year we will action recommendations of the Inquiry. It is an opportunity to do things differently and to work differently. We will continue to work with African Nova Scotian communities to ensure that we take meaningful action to ensure our justice system better meets their needs.

We know Nova Scotians want to live in a more accessible and inclusive province. We will continue to lead the implementation of the Access by Design 2030 strategy and the Government of Nova Scotia Accessibility Plan, which are guiding the province toward our goal of being fully accessible by 2030.

Last summer, I had the opportunity to speak to survivors of domestic violence during a series of province-wide roundtable discussions. These up-front and honest discussions were heartbreaking and enlightening. What we heard is shaping our work to ensuring victims and survivors of domestic violence have the supports they need to heal and feel safe again. Addressing domestic and intimate partner violence is a priority for our Government, the department, and a personal priority for me as Minister. We will continue to work closely with

Status of Women on the Standing Together Action Plan to address domestic violence, with justice partners including community-based supports. Domestic violence, sexual violence, intimate partner violence and human trafficking are key priority areas.

We remain committed to ensuring that children and families get the court-ordered support payments to which they are entitled. Each day, the Maintenance Enforcement Program supports over 14,000 families and more than 12,000 children and youth. We have made numerous improvements over the last several years to increase support payments and reduce program arrears. In fact, arrears levels are the lowest they have been in over 15 years. This year we will continue to ensure more Nova Scotian families and children get the court-ordered payment they are entitled to receive – work that is vital to the economic opportunity of vulnerable Nova Scotians.

An effective justice system reflects the cultural diversity of our province. Every voice must be heard. Supporting inclusion and diversity in our justice system and addressing systemic racism remains a top priority. In the coming year we will engage Mi'kmaw communities, African Nova Scotians and other justice stakeholders to accelerate the development of the Indigenous Justice Action Plan. We will work across government and with the community to develop the justice pillar of *Count Us In: Nova Scotia's Action Plan in Response to the International Decade for People of African Descent*. A main goal is to address the overrepresentation of both groups in the criminal justice system, to increase their representation in justice professions, and to help address and break down the systemic racism that we know exists in our criminal justice system.

We are dedicated to excellent service and the provision of fair and accessible justice through providing administrative support to all courts of the Province. This includes the Court of Appeal, Supreme Court of Nova Scotia, the Supreme Court (Family Division), the Provincial Court, the Family Court, Small Claims Court, Probate Court and Bankruptcy Court. It also includes support to and further development of Wellness Courts and, this year, the expansion of the unified family court across the Province. We provide safety and security to courthouses and the Province has reinvested in Sheriff Services. We are going to plan and invest in courthouse infrastructure including accessibility. We will provide increased training of court staff and focus on improved technology for the courts to support the administration of and access to justice for all Nova Scotians.

Innovation, including the better leveraging of technology has remained a priority for the department and will be a continued focus across all divisions.

Timely justice is one of the hallmarks of a free and democratic society. Addressing delays in the criminal justice system and making courts more efficient is a top priority for me as Minister of Justice, and for Government. The Criminal Justice Transformation Group, which includes the judiciary, the Public Prosecution Service, police, Nova Scotia Legal Aid and others – is focused on this issue. This year, we will continue our work to decrease unnecessary delays in the criminal courts.

All of the priorities supplement the important work we do every day. Leading initiatives to monitor the impact of the legalization of cannabis in the province. Running the courts, keeping those in custody safe, successful reintegration of offenders into the community, and supporting victims of crime. Working with our community and policing partners to fight human trafficking and support its victims. We provide legal support across government, administer the federal Firearms Act, and provide the Nova Scotia Medical Examiner Service. Citizens count on us to provide effective oversight of our police, and to administer the estates of deceased persons.

In the coming year, we will continue to work across government and collaborate with our partners to support an open, accessible and responsive justice system. This will support safety, security and opportunity for a better future for Nova Scotians.

I would like to thank the staff of the Department and our valuable partners, including the Criminal Justice Transformation Group, who are instrumental in accelerating access to justice.

Original signed by

Mark Furey
Attorney General and Minister of Justice

Mandate

“The Department of Justice is responsible for the administration of justice and for promoting access to justice and the safety and security of Nova Scotians through justice-related programs, services and initiatives.”

To accomplish its mandate, the Department provides services through seven core business areas:

- Public Safety and Security;
- Court Services and Sheriff Services;
- Correctional Services;
- Maintenance Enforcement and Victim Services;
- Accessibility Directorate;
- Restorative Initiatives Unit; and,
- Legal Services to Government.

Minister’s Mandate Letter: September 21, 2017

The Premier in the mandate letter requested the Department:

- Use preventative and restorative justice principles to guide our efforts in the justice system;
- Continue to focus on prevention as a mechanism to support the economic and social wellbeing of our province;
- Continue to increase responsiveness to Nova Scotian families and children through the Maintenance Enforcement Program;
- Continue cyber protection actions to ensure the safety of Nova Scotians;
- Continue activities to reduce delays in the justice system;
- Play a leadership role in the government’s work on accessibility; and
- Lead Nova Scotia initiatives to ensure our province is ready to accommodate the federal policy to legalize cannabis when it comes into effect.

The mandate letter also outlined three platform commitments:

- Take immediate action to improve the Maintenance Enforcement Program;
- Work with the Department of Community Services to create a continuum of programs to address Domestic Violence; and
- Expand the Domestic Violence Court to Halifax and make permanent the court in Sydney.

Goals

The Department has set overarching goals to focus its efforts to achieve its vision and meet its mandate:

- Strengthening workplace culture and well-being
- Improving access to justice; and
- Working together for community safety and well-being.

In other words, we will focus on services of Nova Scotians, support for department staff and connecting across government and with community.

Core Responsibilities/Services

The Department has core responsibilities and provides services as outlined below:

- The Accessibility Directorate leads implementation and administration of the *Accessibility Act* to ensure Nova Scotia is accessible by 2030;
- Provision of Courts and support to the judiciary;
- Provision of Sheriff Services including court security, transportation of prisoners to and from correctional facilities and all levels of court, service of documents and execution orders;
- Provision of Family Law Services;
- Provision of Victim Services Program;
- Provision of Maintenance Enforcement Program;
- Legislative oversight for policing, private security, firearms control;
- Oversight of the Restorative Justice Program delivered by community-based Restorative Justice Agencies and Community Corrections championing Restorative Approaches;
- The administration and operation of community and custody-based programs and services for adults and young persons;
- Delivery of correctional programs and services that support public safety and well-being, including offender rehabilitation and reintegration, and crime prevention initiatives;
- Provision of legal advice to government and litigation for or against the Crown; and
- The Minister is responsible for the Office of the Public Trustee, the Medical Examiner Service and the Serious Incident Response Team (SIRT).

Priorities 2020-2021

The Department is focused on achieving results in the areas identified in the Minister's Mandate Letter. The Department's priorities for 2020-2021 are as follows:

Create and enhance a continuum of programs to address Domestic Violence.

Actions:

To support the Province's efforts to prevent domestic violence, the Department will continue to work in partnership with the Department of Community Services and the Nova Scotia Advisory Council on the Status of Women on "Standing Together: A Provincial Action Plan to Prevent Domestic Violence" and supporting the victims of domestic violence.

Work this year will focus on reviewing gaps in programs and expanding current initiatives offered by the Department to prevent future violence and support people affected by domestic violence. Particular attention will be paid to historically marginalized and equity seeking groups. Planned action will include:

- Supporting and participating on the new Domestic Violence Law Enforcement Committee of the Nova Scotia Chiefs of Police Association.

- Renewing high-risk protocols and expansion of the partners/agencies involved; improving information sharing, coordination and response in high-risk cases.
- Working with Police and Service providers to update the Intimate Partner Violence Quick Reference Guide, which will allow Police to have quick and easy access to key reference information about domestic violence resources and best practices.
- Coordinating the continued implementation of domestic violence courts in Sydney, Bridgewater and Halifax, including building consistency of policies, programming and service delivery; collaborating with community-based agencies and partners delivering services to clients of the court; and ongoing monitoring and evaluation to respond to emerging issues in the field.
- Ensuring culturally safe programming linked to the Domestic Violence Court Program in Halifax. In partnership with the Creating Communities of Care through Customary Law project, co-funded with Government of Canada Status of Women. Justice will work with Communities of Care partners to learn more about the experiences of African Nova Scotian and Mi'kmaw families' experiences accessing services; work collaboratively to develop culturally safe policies, programs and spaces to improve that experience with participants of the Domestic Violence Court Program in Halifax.
- Ensuring stronger supportive connections between families experiencing violence and child protection by working with partners at the Department of Community Services, the Domestic Violence Court Program Working Group and the Restorative Initiatives Unit to implement case-conferencing in cases of concurrent domestic violence/child protection matters.
- Refine police training based on the results of Domestic Violence audits of all Municipal Law Enforcement Agencies.

Planned approach to measure progress, impact and success:

- Mechanisms and policy developed to ensure stronger supportive connections between families experiencing violence and Child Protection.
- Number of case coordinator conferences held with Child Protection and service providers involved in Domestic Violence Court.

Increased responsiveness to Nova Scotian families and children for maintenance enforcement.

Actions:

The Department will continue to make improvements to the Maintenance Enforcement Program (MEP) and work to enforce maintenance orders for child and spousal support that is vital to the economic stability of approximately 14,000 families and more than 12,000 children and youth who are served by the program. Arrears for cases managed by MEP have been reduced by over 14% since March 2018 and are at the lowest level in over 15 years. Enforcement of cases in arrears continues to trend upwards, with a 54% improvement over the last two fiscal years. Work this year will focus on:

- Increasing enforcement of arrears.

- Focusing on leading collaborative work with other jurisdictions to improve enforcement of support orders across provincial and territorial jurisdictions.
- Focusing on client service improvements, including leveraging of new technology services, client feedback, and connecting with African Nova Scotian and Mi'kmaq communities.

Planned approach to measure progress, impact and success:

Provide greater support to Nova Scotia families by:

- Increasing the percentage of Maintenance Enforcement cases in full compliance with no arrears, and
- Increasing the percentage of Enforceable Maintenance Enforcement cases where arrears have been reduced.

Play a leadership role in the government's work on accessibility.

Actions:

The Department plays a leadership role in the government's work on accessibility, including implementation of the *Accessibility Act*, which was proclaimed in 2017. In 2020-21, the Department will:

- Develop accessibility standards for the built environment and education, via Standards Development Committees and consultation with stakeholders.
- Work with public-sector bodies to support them in establishing accessibility advisory committees and developing accessibility plans.
- Launch a multi-year public awareness campaign to increase understanding of accessibility and barriers to participation.
- Support departments in implementation of specific actions outlined in the Government of Nova Scotia Accessibility Plan (2018-2021).

Planned approach to measure progress, impact and success:

- Engage public in consultations on standards development.
- Annual independent Report Card by the Accessibility Advisory Board on the implementation of Access by Design 2030 and the Government of Nova Scotia Accessibility Plan to meet the target of an accessible Nova Scotia by 2030.
- Percentage of public-sector bodies who report that they have an accessibility plan.
- Percentage of actions in the Government of Nova Scotia Accessibility Plan (2018-2021) that have been implemented or are in progress.

Lead Preventative Justice as a mechanism to support the economic and social well-being of our province.

Actions:

Preventative Justice refers to actions and initiatives which prevent or reduce individuals' contact with the justice system. In 2020-21, the Department will

- Begin implementation of the 4-year Department of Justice Diversity and Inclusion Action Plan focused on:

1. Recruitment, retention and advancement
 2. A culturally competent and inclusive work environment, and
 3. Culturally responsive programming and services
- With the Mi'kmaq Legal Support Network (MLSN) and the Chief responsible for Justice Portfolio discuss a partnership for engaging directly with Mi'kmaw communities to inform the development of the Indigenous Justice Action Plan. This will involve an innovative, Collective Impact approach using First Voice to gain input, insight, and wisdom from the Mi'kmaw nation, and those with lived experiences.
 - Collaborate with African Nova Scotian Affairs to engage African Nova Scotian communities and other justice system stakeholders on the development of an African Nova Scotian Justice Plan in support of *Count Us In: Nova Scotia's Action Plan in Response to the International Decade for People of African Descent*.
 - Develop Africentric relevant programming that better meets the needs of African Nova Scotians involved in the Justice system.
 - Continue to engage with community, police and other stakeholders in addressing Dr. Scot Wortley's *Halifax, Nova Scotia: Street Checks Report*.
 - Renew the additional officer program to support a program that is more efficient across jurisdictions, focused on prevention, protection and provincial policy priorities,
 - Improve services to families with family law matters through the expansion of the unified family court throughout the Province.
 - Better acoustics and technology to enable Nova Scotians to see and hear court proceedings.
 - Infrastructure planning for courthouses to ensure a coordinated and prioritized approach to courthouse improvements.
 - Improved training for court staff to ensure excellent service and information to Nova Scotians as they access the justice system.
 - Support the implementation of E-Court, an innovative online platform for case management, processing, and adjudication.
 - Support the work of the Desmond Fatality Inquiry by providing infrastructure, security, technology and staff.
 - In partnership with Executive Council Office, Public Service Commission and the Human Rights Commission, continue to implement the Agencies, Boards and Commissions (ABCs) Diversity Recruitment and Inclusion Strategy developed in 2018.
 - Correctional Services will better meet the needs of female inmates, by enhancing partnerships with community agencies and transitioning East Unit at Central Nova Scotia Correctional Facility into a separate facility for women.
 - Correctional Services will better use restorative practices and also make technological improvements to support reintegration and safety,

- Correctional Services will leverage existing partnerships to extend educational opportunities for those reintegrating from custody to community.
- In partnership with existing community-based organizations and police, Public Safety and Security will support the Guns and Gangs Initiative to restrict criminal access to firearms, reduce gun and gang violence and address human trafficking.
- Continue cyber-protection actions to ensure the safety of Nova Scotians, including raising awareness through education.

Planned approach to measure progress, impact and success:

- An increase in the proportion of ABC applicants and appointments from African Nova Scotians and Indigenous populations.
- Number of persons in custody and under community supervision who have completed educational programming.
- Number of cyber-safety education sessions held across the province.

Restorative Justice is an effective approach to reduce future contact with the justice system and improve victim outcomes. Restorative approaches across government and across the province will be supported by the Department.

Actions:

Nova Scotia has a long history of recognizing that Restorative Justice and a Restorative Approach is an effective approach to transform the Criminal Justice System and make communities safe. Nova Scotia's Restorative Justice Program (NSRJP) supports those who have been affected by criminal harms (individuals and community) to have the opportunity to work with those responsible, or who contributed to what happened, together with others who can offer support to consider the contexts, causes, circumstances, and impacts of an incident. In 2019, there were 1342 adult referrals and 545 youth referrals to the Nova Scotia Restorative Justice Program (NSRJP) for a total of 1887 referrals. This represents a 63% increase in adult referrals over the previous year.

In 2020-21, The Department will:

- Partner with the Restorative Research, Innovation and Education Lab, Schulich School of Law, Dalhousie University to focus on justice transformation in Nova Scotia and increase the capacity for the effective use of a restorative approach beyond criminal justice.
- Support Government's commitment to work differently as laid out in the Final Report of the Restorative Inquiry into the Nova Scotia Home for Colored Children, including enhancing our responsiveness to families and children by supporting the development of an integrated and family-centred approach to decision making and service delivery.
- Create a working group with justice stakeholders and community around the intersection of restorative justice and domestic violence.

- Take a restorative approach to employee engagement within the Government of Nova Scotia through supporting any Department, division or unit interested in adopting a restorative approach.
- Continue to support the Restorative Process for Wheelchair Accessibility in Restaurants.

Planned approach to measure progress, impact and success:

- Increase the number of adult referrals to Restorative Justice by Police in all regions.
- Increase the number of victims participating in the Nova Scotia Restorative Justice Program.

Leading initiatives to monitor the impact of the legalization of cannabis in the province.

Actions:

- Along with Finance, the Department of Health and Wellness, the Department of Justice will monitor the provincial framework established to accommodate the federal policy to legalize cannabis.
- Continue the Drug Impaired Driving training plan with law Enforcement Agencies for Drug Recognition Experts (DRE) and new Standardized Field Sobriety Testing (SFST).
- Work collaboratively with our partners and stakeholders to effectively determine impacts on the justice system and address issues that arise from legalizing cannabis.
- Ensure Nova Scotians are aware of the rules and risks of legal cannabis through public education and awareness efforts.

Planned approach to measure progress, impact and success:

- Number of Police Officers trained in Standardized Field Sobriety Test (SFST) and Drug Recognition Experts (DRE).

Continue activities to reduce delays in the justice system.

Actions:

- Chair and support the work of the Criminal Justice Transformation Group, comprised of the senior leaders of Nova Scotia's criminal justice system, in its efforts to:
 1. meet timeline parameters set by the Supreme Court of Canada
 2. address the substantial increase in the number of people on remand and the overrepresentation of marginalized populations.

Planned approach to measure progress, impact and success:

- Number of cases exceeding *R. v. Jordan* thresholds.

Departmental Expense Summary

Departmental Expenses Summary (\$ thousands)			
<u>Programs and Services</u>	<u>2019-2020 Estimate</u>	<u>2019-2020 Forecast</u>	<u>2020-2021 Estimate</u>
Administration	23,416	22,957	26,235
Nova Scotia Legal Aid	26,904	26,904	27,674
Court Services	66,225	68,577	69,616
Maintenance Enforcement and Victim Services	8,834	9,824	10,105
Correctional Services	74,769	75,280	75,564
Public Trustee	2,681	2,644	2,648
Nova Scotia Medical Examiner Service	4,986	4,986	5,011
Public Safety and Security	151,840	149,642	154,790
Serious Incident Response Team	671	671	673
Accessibility Directorate	1,112	1,353	1,928
Total - Departmental Expenses	361,438	362,838	374,244
Ordinary Recoveries	123,575	123,661	128,475
<u>Funded Staff (# of FTEs)</u>			
Department Funded Staff	1657.1	1596.4	1689.8
Note: For Ordinary Revenues, see Estimates and Supplementary Detail Book, Chapter 2 For TCA Purchase Requirements, see Estimates and Supplementary Detail Book, Chapter 1			