



Nova Scotia
Home for Colored Children
Restorative Inquiry

Reflection and Action Task Group

Final Report to the Legislature



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Reflection and Action Task Group Final Report to the Legislature
Nova Scotia Home for Coloured Children Restorative Inquiry
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SANKOFA:

“To reach back and get it”

Sankofa is a Ghanaian word that, in English, means “to reach back and get it.” The principle of Sankofa is that one should gather the best of what the past has to teach in order to succeed in the future. It is expressed visually as a bird that flies forward while looking backward with an egg in its mouth.

Introduction

The Government of Nova Scotia committed to holding a public inquiry into the Nova Scotia Home for Colored Children (NSHCC) as part of a comprehensive response to the history and legacy of the NSHCC and the abuse that occurred within it. The Restorative Inquiry had an active mandate from 2015 to 2019. It was led by a group of Commissioners, appointed by Order in Council under the Public Inquiries Act. The Commissioners served together on the Council of Parties, which worked collaboratively as the overall decision-making body for the Restorative Inquiry.

The mandate, governance, and implementation of the Restorative Inquiry was guided by restorative principles. Membership on the Council of Parties included former residents (VOICES)¹, those with connections to the former Board of the NSHCC, the African Nova Scotian community, and the government. In November 2019, the Council of Parties released the *Journey to Light: A Different Way Forward*, the *Final Report of the Restorative Inquiry – Nova Scotia Home for Colored Children*. The reports relating to the Restorative Inquiry are available online: restorativeinquiry.ca

¹Established in 2012, the organization VOICES – Victims of Institutional Child Exploitation Society – advocates for and supports former residents of the Nova Scotia Home for Colored Children.

About this report

The governance structure of the Restorative Inquiry as outlined in its mandate and Terms of Reference includes a Reflection and Action Task Group. The Task Group has a mandated responsibility to report to the Legislature on the government's participation and engagement in advancing the recommendations and impact of the Restorative Inquiry into the Nova Scotia Home for Colored Children (NSHCC). Our reporting reflects principles of the Restorative Inquiry to ensure deeper understanding of the issues related to the NSHCC and their importance for the province. It is essential that all members of the Legislature be part of this learning and understanding process and engage in the collective responsibility to realize a better way forward.

The Task Group was comprised of representatives from the Restorative Inquiry's Council of Parties as well as deputy ministers representing departments during the active mandate of the Restorative Inquiry. They included Communities, Culture, and Heritage, Community Services, Education and Early Childhood Development, Health and Wellness, Justice, and Labour and Advanced Education, as well as senior leaders from the Nova Scotia Health Authority and the IWK Health Centre. With the reorganization of government departments and mandates, the government departments now represented are Communities, Culture, Tourism and Heritage, Community Services, Education and Early Childhood Development, Health and Wellness, Justice, and Labour, Skills and Immigration, and the newly created Office of Equity and Anti-Racism Initiatives. All will play an integral role in our collective responsibility as we move forward.

Sankofa served as a symbol for the work of the Restorative Inquiry. It stands for the idea that it is not taboo to go back and fetch that which you have forgotten. The Restorative Inquiry looked back not to ascribe blame but to shed light on the history and experience of the NSHCC, to learn from it, and to move forward into a brighter future. This report demonstrates our continued commitment to look back and learn from previous actions and experiences to move forward. We do this by reflecting on the last two years – including the impact of COVID-19 on Nova Scotians.

This is our third and final report to the Legislature. In this report, we reflect on how the impact of the Restorative Inquiry is shifting government structures and operations to become more human-centred and responsive, and how we are supporting that shift with corporate initiatives and in the community. We consider the impact of COVID-19 both on how we engage with communities and how we design and deliver services. We highlight some of the key learnings of the last few years and acknowledge that the work underway continues to identify significant systemic issues that require attention and a commitment to change. We provide an update on the government's actions relating to "Chapter 7: Making a Difference: Actions, Plans, Commitments and Recommendations," a guide for next steps to make a difference for children, young people, families, and communities in Nova Scotia. Finally, we outline some of the exciting work ahead and how we will approach it together.

After the Inquiry: what we continue to learn and understand

Throughout all phases of the Restorative Inquiry, our participation was guided by four powerful goals within its mandate:

- Build just and respectful relationships.
- Develop knowledge and understanding.
- Establish shared understanding and seek just change.
- Develop plans and act.

Government offered a variety of supports over the course of the Restorative Inquiry, and we have continued to do so in the years since the Restorative Inquiry ended. We are working now to ensure the following are in place for the future:

- Administration and infrastructure that support a restorative approach.
- Systems examination and information-sharing that support the shift to human-centred systems.
- Collective participation in dialogue, examination, and action across government, focused on the enduring lessons of the Restorative Inquiry.
- Time and resources to absorb learning, alter our thinking, and change the way we work.

Shifting to human-centred systems is complex

The most enduring learning of the Restorative Inquiry is that we need to change the way we work to better meet the needs of our citizens. As we reflect on this, we can see it beginning to shift the structure and operations of government and its work.

Journey to Light: A Different Way Forward identified pathways that model a shift to human-centred systems, responsive services, better engagement with community, and just relations. We need to change why and how we do things and be grounded in a commitment to just relations that places human beings at the centre and fosters the relationships we need to be well and succeed. Going forward we intend to continue modelling those behaviours and continue the shift towards human-centred systems.



We echo the insight of the Final Report that the work required to complete that shift is complex and will take time. We have been exploring and experimenting with ways to change and adapt corporate structures and decision-making to enable change. We have work to do to better understand what appropriate infrastructure support will look like. The work is important, it is urgent, and it is being led at the very centre of government, where Executive Council Office supports all departments and decision-makers to achieve provincial priorities that better serve all Nova Scotians.

Human-centred is an intentional approach that places the experience and needs of people at the centre of WHAT Government does, HOW we do it, and importantly WHY we do it. A human-centred approach offers a different way of thinking that fundamentally impacts the way in which we look at issues and their roles, connections, and relationships. Its potential for the transformation of human services generated significant excitement and support for the Final Report across government. That support remains committed and strong; people are working every day to engage better with community, build just relationships, understand complex issues, and develop human-centred and responsive ways to solve them. Some of the initiatives undertaken since the Restorative Inquiry completed its work have highlighted the complexity of balancing significant system change with the accountability for meeting day-to-day objectives.

The shift to human-centred requires a fundamental reorientation of systems centred on human beings — being attentive to human needs and then designing and structuring systems in such a way that they become responsive to the relational nature of human experience and needs.

The reality is that our systems are populated by individuals who need to understand and learn how to be intentionally human-centred. It will take time to build capacity, to put supports for learning in place, and reorient systems. In addition, change and turnover happens in the system on an ongoing basis. We have learned that we need to be consistently vigilant to where capacity is required. We are working to provide people with the time and resources that allow us to absorb the lessons we learned and alter our way of thinking so we can adjust the way we work.

Experimentation and innovative approaches to problem-solving create positive momentum for the shift to human-centred systems. We should do everything we can to celebrate when new approaches go well and, importantly, to reflect when things don't work out as anticipated and then try again. As we continue to innovate, we continue to put the needs of people at the centre of our work, and we are learning how important it is to create and tend to an environment where it is safe to try new approaches.

As we approach the end of the second year of a global health crisis and reflect on its impact, we are all less certain of how the next few years will unfold. But we have learned that the transition to human-centred systems looks different depending on the context, which is a very valuable insight to take forward into the next phase of our work.

COVID-19 required a human-centred, responsive approach

The COVID-19 crisis demanded a human-centred and coordinated response to ensure the safety of Nova Scotians. The traditional model of building government programs in anticipation of what might be required gave way to the urgent need to respond in real time in a highly coordinated and responsive way. Individuals, communities, businesses, and institutions could all see what they had to do to achieve that shared goal. As a result, long-standing barriers to using a human-centred approach were easier to negotiate. Testing, providing public health information, vaccinating, and responding to the business community called the government to respond and lead in a way that had the safety of the citizen at its core.

Everyone was impacted by COVID-19, but not in the same ways, so our response to the pandemic evolved to be responsive to the human needs that emerged. It was important to engage deeply with groups or communities to better understand their distinct needs. Over time, the impact of isolation on us all demonstrated the Restorative Inquiry's insights on the importance of relationships to our individual and collective well-being.

The requirement for a collaborative and human-centred approach to successfully meet the needs of Nova Scotians through the ongoing COVID-19 crisis gave us an opportunity to learn, to engage with communities differently, and it accelerated the shift to human-centred systems and services. To a large extent, this shift to more relational engagement with communities during COVID-19 grew from the seeds planted by the Restorative Inquiry. We are committed to nurturing these seedlings, to ensure they can take root and bloom across our systems.

Another key learning of the Restorative Inquiry was that system or program failures disproportionately affect those who are already marginalized. The sudden and brutal impact of a global pandemic on Nova Scotia communities laid bare systemic failures already identified by the Restorative Inquiry:

- responses to institutionalized abuse, and other failures of care
- experiences of children and youth in care
- impacts of systemic racism on African Nova Scotians

Through its work the Restorative Inquiry identified ways that government can change, to shift to responsive, human-centred systems based in community engagement and just relations. Process is critical. Nova Scotia's response to COVID-19 includes many examples of those ways of thinking and working, which we should take forward into the next stage of our work.

Becoming a catalyst for change

Rather than being the expert, we began to shift our approach to being a catalyst for change – adapting more of a facilitator approach to problem-solving. For example, at the onset of the pandemic, a cross-departmental **Vulnerable Communities Committee** worked together to address the needs of the most vulnerable people and communities in the province. The process facilitated people-centred problem-solving, rather than focusing on each department's expertise. This enabled people to work together effectively to address issues such as how to support the homeless during the pandemic, how to address community transportation issues, and how to address food insecurity in vulnerable communities.

Ensuring systems and services are responsive, proactive and preventative

To facilitate and encourage testing and address vaccine hesitancy, government learned early that engaging with community leadership was the most effective way to overcome distrust of government in marginalized communities. We partnered with the Health Association of African Canadians, the Association of Black Social Workers, and community leaders to create a **community led response to COVID-19** in African Nova Scotian communities. From community-based testing and vaccine clinics to wrap-around services in housing, food, and transportation, we were able to work cross-departmentally to respond successfully to outbreaks and vaccine hesitancy. This approach was extremely effective because our focus was on the holistic needs of people, rather than departmental mandates.

When the vaccination campaign began, we established **culturally appropriate vaccination services** in African Nova Scotian and Indigenous communities with partners such as the Health Association of African Canadians, the Association of Black Social Workers, and the First Nations Health Directors. Engaging in these conversations improved our understanding of the barriers to participation; public health information was then tailored to overcome these barriers and supports were customized to ensure the health and safety of vulnerable Nova Scotians.

Developing a shared understanding and co-creating solutions

As the Final Report demonstrated, we should not dictate in isolation what our systems and services should look like — the idea of shared understanding and co-creation is important. A **Coordinated Effort table** was established by the Chief Judge of the Provincial Court to better address specific challenges experienced by people on short-term remand in provincial facilities. The table comprised partners from government and the community sector who worked together to reduce barriers to safe pre-trial release plans, including transitional housing, access to primary health care, and culturally appropriate support services. The table facilitated service providers to identify potential failures of care for people transitioning out of remand and take steps to reduce risk to them and their communities.

Co-creation was also apparent in government's response to the impact on businesses. From the early days of the pandemic, government officials met weekly with a group of more than 100 business owners, mostly from the small business sector. These meetings allowed us to hear directly what was needed, and relief programs were tailored based on those conversations.

COVID-19 will have a long-term impact on how we govern and take decisions, and specifically on how we engage with community. Currently, we are all coming to terms with the need to live with COVID-19 as it endures. We are learning how to normalize human-centred and responsive approaches to COVID-19 without remaining in crisis mode.

Thinking and working differently

Despite the system disruptions caused by COVID-19, we have been working with partners and communities to continue implementing the actions, plans, commitments, and recommendations that emerged through the Restorative Inquiry process. Over the last two years, we have been developing supports and infrastructure that will nurture the conditions to think, act, and work differently, and support a shift from system-centred to human-centred systems. In partnership with communities and other partners, we have achieved some progress, and we acknowledge that there is much to be done.

Understanding the impacts of systemic racism

What the Restorative Inquiry showed is that we need to pay time and attention to issues of systemic racism. COVID-19 contributed to our awareness and understanding of all the ways in which systemic racism operates across all our systems. We are working to ensure our services and interactions with marginalized and racialized communities are trauma-informed and centred in equity. As we engage with the work, it is revealing new learnings and highlighting areas where we need to pay attention.

This is why the work of the **Office of Equity and Anti-Racism Initiatives** is crucial to the ongoing impact of the Restorative Inquiry. The office was established to create, through meaningful and sustained community engagement, an all-of-government response to address systemic racism, promote diversity, and achieve anti-racist outcomes that promote economic, health, social, and educational outcomes. The office will work across government to add focus and guidance on issues relevant to systemic racism and will support and lead the work in building understanding of all the ways in which systemic racism operates across all our systems.

Along with the Restorative Inquiry, there have been multiple reports and commissions that have demonstrably shown that we need to better understand the impact of anti-Black racism in our justice system. As we take these collective lessons forward, we need to support a variety of community-led approaches and mechanisms. For example, the province is investing in a community-led **African Nova Scotian Justice Institute** that will support African Nova Scotians in contact with the law and help address overrepresentation and anti-Black racism in the justice system. The institute, the first of its kind in Atlantic Canada, will be led by the African Nova Scotian Decade for People of African Descent Coalition. It will provide justice-related support, research, and outreach programs, undertake race and cultural assessments and treatment services, and develop an African Nova Scotian court support process.

The Department of Community Services (DCS) implemented an anti-Black racism policy that supports a zero-tolerance approach to racist behaviours of all forms and is foundational to the department's commitment to address anti-Black racism. All staff have received training to support understanding and awareness of the policy. An experienced African Nova Scotian staff member has been appointed to lead an **Africentric Child Welfare team**, which will provide cultural advice and guidance to other social workers working with children, youth, and families of African descent. The team and its practice will be centred in an Africentric perspective.


The **African Nova Scotian youth employment social innovation lab** is a community-led social innovation lab involving multiple government departments, focused on closing the employment gap for African Nova Scotian youth. A team of youth, community members and leaders, service providers, and employers work collaboratively to develop solutions to improve employment equity amongst African Nova Scotian youth. This work is centred on First Voice and building strong relationships with youth.

The **Public Service Commission** has developed anti-racist learning and development resources focused on privilege, unconscious bias, and microaggressions (amongst others). These courses aim to increase public servants' awareness of these issues. By examining their own privilege, bias, and acts of microaggressions, the courses offer opportunities for understanding impact and consequences, as well as skills for approaching, addressing, and intervening when such acts occur at work and in personal lives. In addition, several government departments have recruited senior managers dedicated to Diversity, Equity, and Inclusion to further embed anti-racist approaches into their work.

Building capacity to shift to human-centred systems

Human-centred systems deliver outcomes centred on the well-being of children, families, and communities. Those outcomes do not belong to one system or another, and they cannot be achieved in silos. They require a shared or collective responsibility that places people at the centre of systems and services. That shift requires us to continue developing relational ways of working together to identify and remove silos and beliefs that prevent integrated service delivery, and to expand collaborative cultures operating within the system.

Executive Council Office (ECO) will work with departments to foster and facilitate the shift to a human-centred approach in strategy, decision-making, policy design, and operations. The goal of this work is to accelerate system-level change and different ways of working to improve outcomes for Nova Scotians. In practice, that means the development of policy, programs, initiatives, and practices to support a shift to responsive, human-centred systems centred in community engagement and just relations. Citizen-centred approaches are being incorporated in the heart of government's decision-making engine, with specific expertise located at ECO to provide a lens on holistic policy development, assessments of cabinet submissions, and strategic approaches to our work.



Strong collaboration among government, community, and academia have been key to the significant development, growth, and innovation in the use of a restorative approach in Nova Scotia. The **Restorative Research, Innovation and Education Lab** (the Restorative Lab) at Dalhousie University will serve a vital leadership role in continuing to build and nurture such collaborations to support developments in research, policy, and practice. The Restorative Lab will be a key lever in responding to complex and integrated social problems. Its efforts will be focused on supporting research, innovation, and actions to build healthy, just, and sustainable communities.

In 2020, Nova Scotia experienced the worst mass shooting in Canadian history. We responded immediately with human-centred supports and services, as victims' families and survivors of the mass shooting experienced levels of trauma and grief that most of us cannot imagine. The events of April 2020 have resulted in multiple justice-related processes and investigations. We have come to understand how difficult it has been for families and those impacted to find information and deal with different agencies and services, due to the fragmented and siloed approach regarding family engagement. We have established an **integrated support model (ISM)** which is a team approach to communications, support, and services from the many agencies involved. This ISM will be centred around the needs of those most impacted by the event, to ensure they do not experience further harm or stress from trying to get the support and care they deserve. Additionally, restorative principles have been embedded into the Terms of Reference of the Mass Casualty Commission.

Another example of how we are trying to work in more integrated ways across our systems is the **Integrated Service Delivery committee**, which focuses on improving the delivery of services to children, youth, and families. The departments and agencies involved work together to serve the best interests of children, youth, and families by modelling an integrated service delivery (ISD) approach that identifies and removes systemic barriers to human-centred services. The working group's priorities include removal of barriers to integrated services, better use of resources and community capacity, and easier access to support.

A restorative approach was taken in developing the **Accessibility Act Responsive Compliance and Enforcement Framework**. The framework outlines government's collaborative approach to ensuring compliance and enforcement of the Accessibility Act, including accessibility standards and the requirements of prescribed public sector bodies. Collaboration with all stakeholders, including First Voice and regulated sectors, is at the heart of the framework and the core principles of the Accessibility Directorate. Representatives from impacted organizations were engaged in designing the details of how their obligations will be met, and the framework was informed through a collaborative approach that included people with disabilities and the organizations that represent them, representatives of regulated sectors, and government staff. The goal is to remove accessibility barriers, not to be punitive. Therefore, providing education, guidance, and resources to organizations is the starting point of the compliance and enforcement process. This will ensure that regulated sectors are aware of their obligations under the Accessibility Act and that they have the knowledge and support they need to achieve compliance.

Modelling a different way forward

In addition to the corporate initiatives underway to support and facilitate shifting systems, the Restorative Inquiry has also called our attention to the importance of continuing learning and understanding as we journey forward. Some of this journey might have been at a slower pace than expected, because of challenges created by COVID-19 restrictions and responses; however, we have continued to model a different way forward. Our goal in this work is to maintain our shift to human-centred systems and structures, a human-centred integrated system of care, and the development of just relationships.

Chapter 7 of the Final Report shares the actions, plans, commitments, and recommendations that emerged through the Restorative Inquiry process as steps towards a fundamental shift in support of a different way forward. It reflects the elements of the work ahead to support parties' plans and commitments. This chapter provides an important guide for next steps to make a difference for children, young people, families, and communities in Nova Scotia, and the following outlines the work underway.

Continued Learning and Understanding Toward Just Relationships

The first set of specific actions is aimed at ensuring that the learning and understanding gained in the Restorative Inquiry is shared broadly within African Nova Scotian communities and with all Nova Scotians, and that these learnings guide us to address systemic racism in support of securing just relationships.

Digital Oral Histories for Reconciliation

The Restorative Inquiry recommended several ways to share the experiences of children and youth with the NSHCC and the impacts of systemic racism. These include the creation of curriculum for grade 11 students that allows former residents to share their experiences with the NSHCC and the Restorative Inquiry and provides an opportunity for young people to develop a historical consciousness about the history of African Nova Scotians. The curriculum provides an opportunity to learn about systemic racism that has existed throughout the history of Nova Scotia and continues today. Digital Oral Histories for Reconciliation (DOHR) was piloted in two classrooms in 2019 and is currently being evaluated with the intention of expanding it to other schools.

Important community conversations

The Black Cultural Centre (BCC) is installing an interactive museum exhibit that incorporates a five-part video series created during the Restorative Inquiry, as well as the DOHR content. We will support their work and seek opportunities to work collaboratively with the BCC and VOICES to explore potential important community conversations about difficult topics that will support learning and healing from the multiple impacts of systemic racism.

Anti-racist training for police and justice system employees

The Restorative Inquiry noted the need for police and those involved in the justice system to better understand the experiences of children and youth with the NSHCC and how police and other justice partners contributed to systemic racism experienced historically and currently. During and since the Restorative Inquiry, the Department of Justice has been working with the RCMP, municipal police, and other justice partners, such as the Public Prosecution Service, Nova Scotia Legal Aid, and divisions including Correctional Services and Court Services. The department provided additional funding to support training for law enforcement related to understanding the impacts of systemic racism and collaborated with the RCMP on adapting the African Canadian Experiences (ACE) training for delivery to municipal police. We expect that this training will continue to be central to the learning and development required for law enforcement and justice professionals.

Access to case files

The Restorative Inquiry highlighted the need for government to provide easier and more streamlined access to former residents' case files. We continue to share those lessons and impacts with our partners in the system of care. The importance and sensitivity of the information contained in case files requires records management processes that are human-centred and trauma informed. Additionally, we will apply these learnings as we continue to implement the Adoptions Record Act. The goal of the act is to create an equitable system that supports access to information contained in all adoption records, supports privacy for those who request it, and provides supports and services in a respectful, trauma-informed, and culturally respectful manner.

Human-centred integrated systems of care

The Restorative Inquiry highlighted the need for significant changes in how government works with individuals, families, and communities to ensure the needs of children and youth are met. The final report contains recommendations that require a fundamental reorientation of the system of care, so that people are at the centre of the systems and structures that care for them.


Family-led decision-making

The Restorative Inquiry report states that “the overall system of care must surround and support the caring role of the family, rather than intervene in ways aimed at serving or protecting children apart from relationship and connection with family.” Family-led decision-making recognizes that families and kinship groups have a pivotal role in the care and protection of children and youth and should be empowered and supported in culturally appropriate ways through collaborative decision-making processes. To do this, there must be authentic partnerships where power and authority are shared with family and kinship groups to support their decision-making role in the provision of care.

Government and community partners are co-creating a prototype family-led decision-making model. A trail-blaze approach is being used to enable government, families, and communities to better understand and appreciate the shifts required to make this successful across the province. This work focuses on all services related to caring for and protecting children, including community services, education, justice, and health. We remain committed to ensuring that the learnings from this work will contribute to future legislation and policy amendments, as necessary, to support system reorientation to family-led decision-making.

Integrated court systems (multiple proceedings)

Another recommendation that emerged from the Restorative Inquiry was to take a more restorative approach to court processes related to care and protection of children and youth. One of the lessons we recognize is the way in which our system of justice is siloed and fragmented for youth and families. This fragmentation and complexity undermine the integrated and holistic approach needed for human-centred care. While it may not be possible to integrate the court system, it is possible to provide opportunities for integrated case conferencing to deal with multiple proceedings at the same time. The application of a restorative approach offers helpful models for collaborative case management and settlement conferences that would support a more integrative and holistic approach in such circumstances.



We will continue to collaborate with the Restorative Lab and community partners to explore and implement integrated court processes to ensure that the best interests of young people and their families are considered in the complex intersections between court orders from different levels of courts, and to ensure that families are at the centre, and supported, through decision-making processes. That will include working actively to design a trail-blaze approach and to identify possibilities for real-time changes that would impact the experience of those affected.

Shared outcomes framework for children and youth

As part of the shift to an integrated and holistic human-centred approach to children and youth services, the Restorative Inquiry recommended the establishment of a shared outcomes framework. The development and implementation of the framework is being facilitated by Executive Council Office, in partnership with departments, agencies, and community partners. The framework will comprise shared priorities and outcomes relating to children and youth well-being and support regular public reporting on progress towards achieving them.

The development of a shared outcomes framework begins by engaging with youth, their families, and communities to understand what well-being means to them. Planning for this engagement is underway. The framework will identify outcomes for all children, centred on the importance of relationships with family and community to their well-being, with a strong focus on equity.

Developing outcomes based on the social determinants of health will provide an opportunity for all government departments to support improved well-being for children and youth. Throughout the implementation phase, the partners will work to agree to data collection, analysis, and information-sharing approaches that facilitate wrap-around services and contribute to achieving shared outcomes.

Children and Youth Commission

The Restorative Inquiry noted the importance of having a mechanism or entity that continues the work of the Restorative Inquiry – an independent body able to facilitate relationship building, learning and understanding, and planning and action, with the intended purpose of addressing the needs of children and youth. The commission would take a restorative, human-centred approach to responding to failures of care in ways that ensure learning and understanding to improve future care.

Government is committed to developing an innovative model for a Children and Youth Commission in Nova Scotia. Although the Child and Youth Advocate model is one which has been replicated across the country, the Restorative Inquiry recommendation offered an alternative – one which would provide Nova Scotia with the opportunity to lead Canada in a restorative and human-centred approach to supporting and bringing forward the voice of children and youth.

Although the Restorative Inquiry outlined the principles and intent of a commission, key considerations remain to be developed to establish such an entity including:


- Independence and autonomy
- Human-centred design
- Structure and governance
- Legal authorities, including investigative powers, oversight, and reporting
- Mandate, including roles and responsibilities
- Access to information
- Appointment process

A model for a commission must also consider alignment with other interrelated legislative and policy areas including, for example, the recent amendments to the Fatality Investigations Act, which created a Child Death Review Committee. In 2022, the government will develop a commission using the process and the model outlined in the Restorative Inquiry Report.

Restorative Responses to Failures of Care

Another group of recommendations from the Restorative Inquiry relates to the conditions needed to enable different responses in situations related to harms associated with institutional failures of care. These recommendations address how government, police, and other justice stakeholders respond to institutional abuse, and what improvements can be made.

The development of guidelines issued by the Attorney General to support a shift in how the government responds to claims of system-related failures of care will create the conditions necessary for different responses to failures of care. The intent of the guidelines is to provide guidance to government decision-makers (ministers, departments, and agencies) when providing instruction to legal counsel, and to legal counsel with respect to the conduct of civil litigation in such matters, so they are prepared to provide advice consistent with a different response. The Department of Justice' Legal Services Division has drafted guidelines informed by this intent and by restorative principles. These guidelines will inform how government addresses these instances in the future, to ensure those harmed are not further harmed during the legal process, and that processes are not overly complicated and difficult to navigate. Legal Services Division is committed to ongoing development in applying a restorative approach in its role of providing advice to client departments within civil litigation. This shift continues to inform how we make decisions in these challenging situations with respect to institutional failures.



During the Restorative Inquiry, the RCMP shared that there have been significant changes to the way cases are handled since their role in response to complaints in the NSHCC, but there are still challenges to information sharing. Following the Restorative Inquiry, the Department of Justice provided training to department staff, police, and other justice partners that addressed ethics and trauma-informed practices. This training should improve how police work with other partners in providing care and addressing concerns.

Another way in which we are changing our approach to institutional failures is in the way we respond to serious incidents and/or institutional failures. For example, Correctional Services within the Department of Justice recently used a restorative approach with employees following an escape from the Northeast Nova Scotia Correctional Facility.

The Department of Justice remains committed to building the capacity of staff and justice stakeholders to work alongside partners through restorative processes. Initiatives have been undertaken with a variety of justice partners including the Mi'kmaw Legal Support Network, Advisory Council on the Status of Women, Crown attorneys, as well as divisions within the department – court services, corrections, victim services, maintenance enforcement, and legal services.

Conclusion: the journey continues

We would like to thank everyone involved in the Restorative Inquiry and the work stemming from the Restorative Inquiry. Addressing inequity and racism is some of the most important work the government and its partners will ever undertake. As the Restorative Inquiry demonstrates, the impacts of inequity and racism are deeply harmful and long-lasting. They impact not only individuals and communities, but the province as a whole.

As we reflect on the lessons from the Restorative Inquiry, it is clear to us they are focused on shifting culture and practice. A key learning from the Restorative Inquiry is the need to change the way we work. The complexity of culture change requires more than simple changes to policies, protocols, or practices. It requires a new paradigm — keeping people at the centre of all that we do — and we are beginning to understand the implications of this culture shift in how and why we work.

We are grateful to former residents for taking the first steps on this journey, and to the Council of the Parties for modelling how to think and work in different ways. We have learned from the wisdom of the Council, who built a restorative process while undertaking the work of the Restorative Inquiry. We understand the complexity of dismantling our old ways of thinking and working while simultaneously building our capacity to think and work in human-centred ways. We are undertaking the foundational work to scale this approach across our systems. In keeping with the principle of Sankofa, there is wisdom in learning from the past to ensure a strong future. We take that advice with us as the journey continues.

The culture shift has not been and will not be easy. It requires attention to the very concept, structure, and governance of our systems and institutions. The work we have undertaken and continue to undertake is revealing to us how important our learning mindset will be. We will move forward intentionally by continuing to reflect and learn as we go and adjusting course as necessary.

This report fulfils our obligation as outlined in the Mandate and Terms of Reference of the Restorative Inquiry. We remain committed to our ongoing responsibility to children, families, and communities. We continue to ensure that the lessons and spirit of the Restorative Inquiry are anchored at the centre of all that we do as government.




NOVA SCOTIA

The text "NOVA SCOTIA" is written in a white, serif font on a blue background. Above the text is a small crest featuring a shield with a crown on top, flanked by two figures holding a banner.