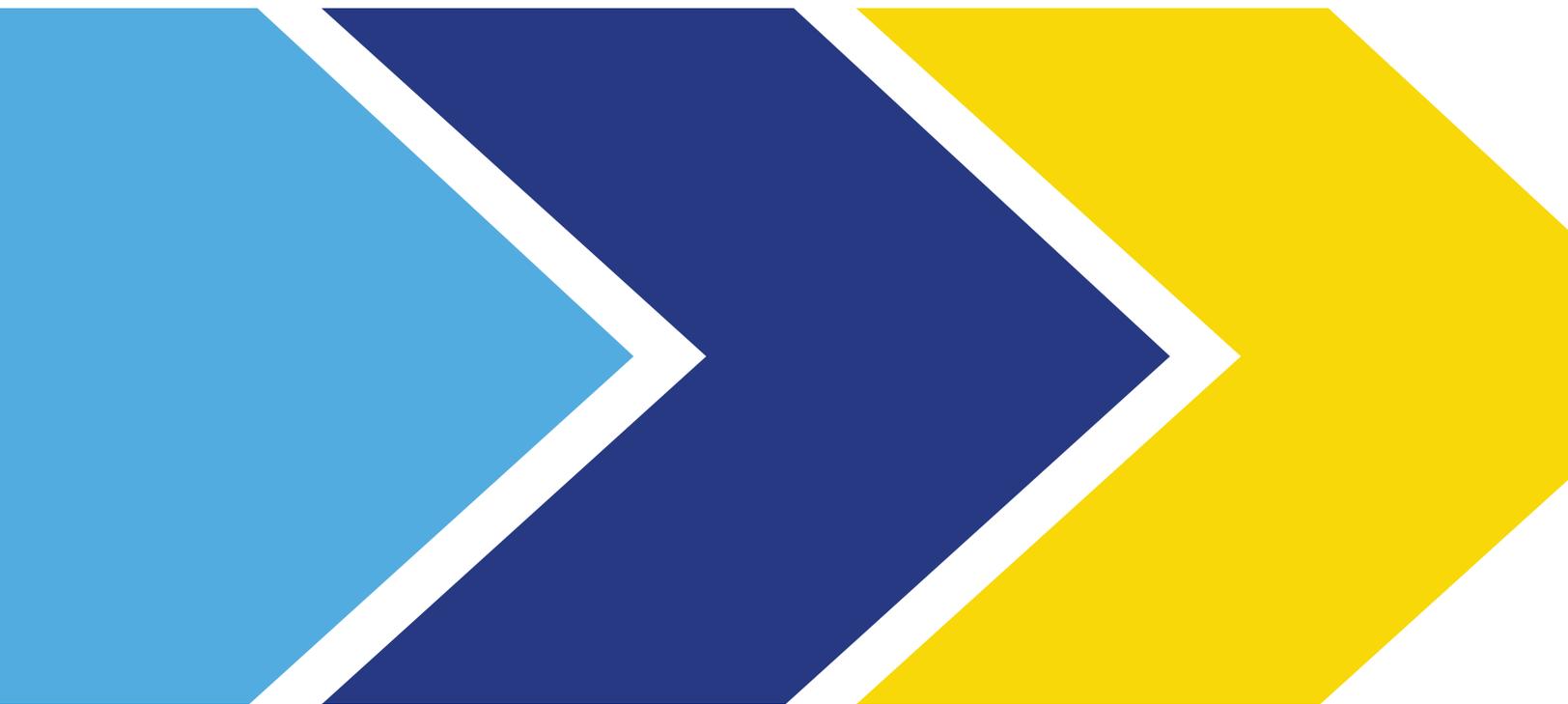


# **BUSINESS PLAN**

2022-23



Justice



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Budget 2022-23: Business Plan  
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## Message from the Minister

It was another challenging year, but Nova Scotians continued to exhibit their trademark resilience as we all learned how to navigate the ongoing realities of COVID-19.

By following public health guidelines and building on the lessons from previous years, most justice operations continued to function, including hearings in the newly renovated COVID compliant satellite jury courtrooms. We enacted legislation to protect healthcare workers from harassment and intimidation by protestors to make their crucial work in the fight against COVID safer.

The vital work of the Desmond Inquiry and the Mass Casualty Commission continued despite the challenges posed by COVID. While recognizing the independence of these bodies, with respect to the Desmond Inquiry the Department of Justice continues to provide infrastructure and logistics support to help prevent tragedies such as these from ever happening again in Nova Scotia or elsewhere in Canada.

The coming year will see the Department continue to strengthen its efforts in providing access to justice for all and working together for community safety and well-being.

The Department will strengthen supports for victims of crime and provide additional resources to help police and crown attorneys bring those perpetrating crimes to justice. A working group will be established to examine options for enhancing and expanding legal representation for victims of sexual violence. This coming year will also see the establishing of a Human Trafficking Prosecution Team within Nova Scotia's Public Prosecution Service.

While significant progress was made with the opening of the African Nova Scotia Justice Institute, we know there is a long way to go in providing equity, inclusion, and fairness within the justice system. With the acceptance of the Wortley Report, the Department will continue its work implementing the recommendations that apply to the Department.

The Department's important work on accessibility will continue, with the implementation of the first accessibility standard for the built environment, and the development of recommendations for standards in the areas of education and employment, while laying the groundwork for standard development in transportation, goods and services, and communication and information technology. The Government of Nova Scotia Accessibility Plan 2022-2025 will be launched, along with the compliance and enforcement framework and an accessibility awareness campaign.

Transparency and access to information continue to be areas the Government of Nova Scotia is committed to making improvements in. A thorough review to modernize the Freedom of Information and Protection of Privacy legislation will be undertaken.

In closing, I'd like to offer my thanks to the staff of the Department whose hard work and commitment allow us to continue our efforts to keep Nova Scotians safe and secure. Along with our community justice partners, they have adapted to changing circumstances over the past two years, and I am very grateful for their dedication on behalf of the people of this province.

Original signed by

Bradley Johns  
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.

## Goals

The Department, in its Strategic Plan, has set overarching goals to focus its efforts to achieve its vision and meet its mandate. These goals are:

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

## Core Responsibilities and Services

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

- Implementation and administration of the *Accessibility Act* to ensure Nova Scotia achieves the goal of an accessible province by 2030;
- Provision of Courts administration and support to the judiciary;
- Provision of Sheriff Services, including court security, transportation of individuals in provincial custody to and from correctional facilities and all levels of court, service of documents and execution orders;
- Provision of Family Law Services;
- Provision of the Victim Services Program;
- Provision of the Maintenance Enforcement Program;
- Legislative oversight for policing, private security, and firearms control;
- Implementation of restorative approaches through the Nova Scotia Restorative Justice Program, both within government and with community partners;
- The administration and operation of community and custody-based programs and services for adults and young persons that support public safety and well-being, including rehabilitation, reintegration, and crime-prevention initiatives;
- Provision of legal advice to government and representing government in litigation for or against the Crown; and
- Ministerial responsibility for the Office of the Public Trustee, the Medical Examiner Service, and the Serious Incident Response Team.

## Mandate Letter Priorities 2022-23

The following priorities were identified in the September 2021 Mandate Letter to Minister of Justice and Attorney General Bradley Johns.

### Amend the Elections Act to Establish Fixed Election Dates

This work was completed in 2021-22. An amendment to the Act set July 15, 2025, as the date of the next general election, with future elections to take place on the third Tuesday of July every four years. Additional amendments allow for flexibility in the event of a holiday or overlapping municipal or federal election.

### Amend the Freedom of Information and Protection of Privacy Act to give order-making ability to the Privacy Commissioner

While the Freedom of Information and Protection of Privacy (FOIPOP) Act is functional, it is dated and in need of modernization to reflect the realities and challenges of today's digital world.

A full review of the FOIPOP regime will be undertaken in 2022-23 to determine what additional amendments, beyond granting order-making powers to the Information Access and Privacy Review Officer, are required to modernize the legislation.

### Amend the Victims' Rights and Services Act to entitle a victim of sexual violence to be treated with respect when testifying about the sexual violence and enshrine the right of a victim of sexual violence to legal representation

Through the Maintenance Enforcement and Victim Services Division, the Department offers two programs providing legal support to victims of sexual violence, the Sexual Offence Legal Representation Program (SOLR) and the Independent Legal Advice Program (ILA).

In 2022-23, the Department will convene a working group with justice system stakeholders to examine options for enhancing and expanding the scope of SOLR, ensuring its longevity and that of ILA. This work will also include developing standards for training staff and lawyers involved in the programs and evaluating whether the services offered continue to meet the need of program participants.

At the same time, a review of the Victims Rights and Services Act will be undertaken to determine required updates to the legislation.

### Support the implementation of the Wortley Report and ensure that street checks end

On December 2, 2021, the Minister of Justice issued a new directive to strengthen the existing ban on street checks and provide clearer direction to police in the province. Among other changes, the new directive replaces reference to "suspicious activity" with

“reasonable suspicion”, the legal standard required for police to detain individuals suspected of unlawful activity.

In 2022-23, the Department will continue to address recommendations applicable to it from the Halifax Nova Scotia Street Checks Report (“the Wortley Report”). This will include providing ongoing support to the research committee struck to guide the collection of race-based data on police stops and examine options for implementation, engaging with the community and justice system stakeholders to review the police complaints process, and examining the impacts of racial bias and systemic racism in other aspects of the criminal justice system beyond street checks and policing. Development of both an African Nova Scotian Justice Plan and an Indigenous Justice Plan will be key initiatives undertaken to address systemic racism in the justice system.

Create a Human Trafficking Prosecution Team within the Public Prosecutions office to provide legal advice to police officers and to deliver enhanced education and training to justice sector employees

Establishment of a Human Trafficking Prosecution Team will be led by the Nova Scotia Public Prosecution Service. This will expand on the one dedicated prosecutor currently in place. The team will respond to the anticipated increased number of human trafficking prosecutions created by an expansion of dedicated police investigative units and a return to pre-pandemic court activity.

In addition to the priorities from the Minister’s Mandate Letter, the Department will continue to work on the following in 2022-23:

#### Accessibility

In 2022-23, the Department’s Accessibility Directorate will continue to lead in working towards the implementation of the Accessibility Act and the goal of an Accessible Nova Scotia in 2030. This work will include: the development and implementation of the second multi-year Government of Nova Scotia Accessibility Plan, involving collaboration across government; the enactment of the first accessibility standard, built environment; continued development of the remaining five standard areas including the compliance and enforcement framework; and efforts to increase awareness and understanding of accessibility among Nova Scotians.

### Addictions and Mental Health

The interaction between addictions, mental health and the justice system is complex and addressing it requires a collaborative effort across government departments, justice partners and community agencies.

Efforts will continue in the 2022-23 to address the addictions and mental health needs of those coming in contact with the justice system. This will include supporting the community-led supportive housing pilot project launched in 2021–22 in Pictou County; providing case management, clinical services and programming for incarcerated individuals and those under community supervision; providing assessment and clinical services for youth at the Nova Scotia Youth Centre; lending support to the province’s problem solving and therapeutic Wellness Courts; and providing counselling services to victims of crime for compensable offences through Provincial Victim Services’ Criminal Injuries Counselling program.

This work will also include ensuring that employees who offer services to those in contact with the justice system remain healthy and supported. This will involve wellness initiatives that both identify and address occupational stressors to support better outcomes.

### Digital Transformation

The COVID-19 pandemic has emphasized the importance of ensuring Nova Scotia’s courts and other elements of the justice system are able to operate with modern technology to better serve Nova Scotians. Work to examine options for digital transformation in court services and legal services, as well as other areas of the Department, will continue in 2022-23.

## Departmental Expenses Summary

### Justice Budget 2022-23 (\$ Thousands)

Programs and Services	2021-22 Estimate	2021-22 Forecast	2022-23 Estimate
Administration	31,817	36,852	33,483
Nova Scotia Legal Aid	28,892	29,745	29,450
Court Services	73,221	74,174	74,993
Correctional Services	82,951	77,573	80,745
Public Trustee	2,841	2,840	3,109
Nova Scotia Medical Examiner	5,137	5,803	5,537
Public Safety and Security	154,772	168,025	174,427
Serious Incident Response Team	647	691	661
Accessibility Directorate	2,248	2,281	2,837
Maintenance and Enforcement and Victim Services	9,816	10,301	10,508
<b>Total Departmental Expenses</b>	<b>392,342</b>	<b>408,285</b>	<b>415,750</b>
<b>Ordinary Recoveries</b>	131,832	127,577	142,204
<b>Department Funded Staff</b>	1,687.6	1,610.0	1,717.6

#### Note

For Ordinary Revenues, See Estimates and Supplementary Detail Book, Chapter 2

For TCA Purchase Requirements, See Estimates and Supplementary Detail Book Chapter 1