

DEPARTMENT OF JUSTICE
ACCOUNTABILITY REPORT FOR THE FISCAL YEAR
2004-2005

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ACCOUNTABILITY STATEMENT

The accountability report of the Department of Justice for the year ended March 31, 2005 is prepared pursuant to the *Provincial Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against the department business plan information for the fiscal year 2004-2005. The reporting of department outcomes necessarily includes estimates, judgements and opinions by department management.

We acknowledge that this accountability report is the responsibility of the 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 business plan for the year.

Michael G. Baker, Q.C.
Minister of Justice

Douglas J. Keefe, Q.C.
Deputy Minister of Justice

MESSAGE FROM THE MINISTER AND DEPUTY MINISTER

It is my pleasure to share this accountability document, which contains information that captures our department's progress and accomplishments, financial statistics and performance measures during fiscal year 2004-2005.

As you will read, the Department of Justice provides many vital services in our province that fall under seven core areas. These areas include: oversight, governance and advice to police and private security services; administration of the licensing provisions of the federal *Firearms Act*; provision of assistance to victims of crime; principled dispute resolution mechanisms; correctional services; legal services to government; and the proper administration of justice in the province in partnership with others.

The accomplishments documented in this report reflect the work of our many dedicated employees throughout Nova Scotia, who are working daily to improve public safety and security, reduce the harmful impact of crime on victims, improve access to justice, and promote the lawful administration of justice. I would like to take this opportunity to thank each and every one of them for their commitment and dedication to this critical area of public service. Our work also relied on many justice partners who share our vision of a fair and effective justice system. We extend thanks to them as well.

We look forward to another year of serving the citizens of Nova Scotia and welcome opinions and suggestions regarding our efforts.

Michael G. Baker, Q.C.
Minister of Justice

Douglas J. Keefe, Q.C.
Deputy Minister of Justice

INTRODUCTION

The purpose of this accountability report is to present results of the Department of Justice business plan for 2004-2005. Because this report is based on the goals, priorities and performance measures set out in our business plan, it would be helpful to read both documents together.

In this introduction you will find information on the planning context that framed the development of that plan, along with an overview of issues and events that influenced our work in 2004-2005.

This is followed by a detailed overview of our progress in achieving priorities within the department's seven core business areas. The next section outlines our financial results, and the last section focuses on performance measures.

Planning context

The department's mission reinforces our commitment to the fair and effective administration of justice and to excellence in service to the people of Nova Scotia, while our vision states that: Nova Scotia is seen to be a place where people and their rights are respected. Justice will provide leadership in partnership with others to build a province where:

- citizens trust the justice system;
- people are and feel safe and secure;
- disputes are effectively and sensitively resolved;
- access to Justice processes are timely and affordable;
- communities actively participate in the justice system;
- diversity is valued and respected.

To carry out our mission and realize our vision, the department oversees the functioning of the justice system by working cooperatively with all of its components, including the Public Prosecution Service, Nova Scotia Legal Aid, the Nova Scotia Barristers' Society, the police, the judiciary, the federal government and various non-governmental organizations.

A Justice Partners Forum is held regularly with our partners providing an avenue to work together to achieve common goals while respecting the autonomy of each.

The department's management team also meets regularly to determine priorities and report on accomplishments. That team includes representatives from our seven divisions: Legal Services, Correctional Services, Policing and Victim Services, Court Services, Human Resources, Information Management, and Finance and Administration.

Representatives from these divisions develop priorities, keeping in mind the department's four strategic directions, which are broad themes for change over the next three to five years. They are:

- a justice system that is properly administered and cost effective;
- there is public confidence in the justice system;
- people are and feel safe and secure;
- people make constructive choices.

Like our vision and mission, these strategic directions are aligned with the Government of Nova Scotia's overall priorities as outlined below:

- building greater prosperity;
- health care: better, faster health care and healthier Nova Scotians;
- learning is succeeding;
- fiscal responsibility and accountability;
- protecting what Nova Scotians value: seniors, families and Nova Scotians in need, environment, cultural diversity, consumer protection/insurance, and safer communities/streets.

Issues and events shaping our work in 2004-2005

A number of issues and events in our operating environment influenced the department's work in 2004-2005.

One area relates to the department's ongoing response to the *Framework for Action Against Family Violence: 2001 Review*. The department led initiatives within government to enhance coordination and accountability in relation to domestic violence. A Deputy Ministers' Leadership Committee was established in October 2004, and collaborative work with the departments of Community Services and Health is ongoing. Additional work will focus on developing a standardized safety planning tool for use by department and community stakeholders and a pocket guide for police reference. Training was provided in response to a recognized need in relation to children witnessing domestic violence. Initiatives are also underway to track comparative domestic violence statistics.

On the public safety front, the Madrid bombings in March 2004 reinforced the continuing threat of terrorism and the need for building relationships and communications across sectors. To that end, a member of the Security Committee of Federal Council joined Nova Scotia's Public Safety Anti-Terrorism (PSAT) Senior Officials Committee, with one of our senior officials also becoming a member of the federal security committee. The collaboration between committees will ensure federal and provincial senior officials more fully understand roles and responsibilities and the need for coordination across sectors. Efforts are underway to deepen relationships with municipal officials and the private sector as well as to develop a Nova Scotia Critical Assessment Group for the management of public safety events.

Additional unanticipated events also resulted in new departmental priorities in 2004-2005, including a renewed call for auto theft amendments at the federal level. Nova Scotia is leading the call for tougher laws to combat motor vehicle theft where people recklessly endanger the lives of others. Nova Scotia is also arguing that courts should be given greater discretion to order youth be held in custody until their trials and eventual court ruling.

A tragic event increased the urgency of this critical public safety issue. The event involved a youth who was released on car theft charges because the *Youth Criminal Justice Act* doesn't allow incarceration for such property offences. He has since been charged and convicted in the death of Theresa McEvoy of Halifax. Ms. McEvoy, a 52-year-old mother of three sons, was killed when her car was struck by another vehicle on October 14, 2004.

The McEvoy incident will be the subject of a full, independent and public inquiry announced November 10, 2004. The inquiry chair will have full authority to hold hearings and compel testimony from witnesses. The final report, including findings and recommendations, will be made public.

Court Services was particularly affected, and will continue to be affected, by issues related to the inquiry. The accident and death led to an immediate review of relevant policies and procedures and, specifically, the Provincial Court Procedures Manual. That review took resources away from other projects.

DEPARTMENT PROGRESS AND ACCOMPLISHMENTS

Core Business Area:

Oversight, governance and advice to police and private security services

Priorities:

- ❑ *Prepare for consideration by government a new Police Act and regulations to reflect current accepted policing practices and standards.*

A new *Police Act* that supports safer communities and streets in Nova Scotia was introduced and passed in the fall 2004, with work now underway on regulations to support the *act*. The bill improves public governance by clarifying roles and responsibilities of the minister, police chiefs and municipal police boards. For communities served by the RCMP, it creates police advisory boards with roles similar to those of municipal police boards. Under the legislation, the minister continues to be responsible for ensuring Nova Scotia receives adequate and effective policing. The minister also retains full authority to order investigations if any local concerns are identified. In Nova Scotia, municipalities are responsible for delivering policing services. The province sets operating standards to ensure effectiveness and consistency.

Justice also undertook consultations and needs analysis with the Nova Scotia Association of Police Boards to identify training needed to enhance their police governance skills and abilities. Comprehensive training opportunities were offered to board members from the Policing and Victim Services Division through the department's Justice Learning Centre. The Justice Learning Centre is a partnership between the Department of Justice and the Nova Scotia Community College.

- ❑ *Continue to work with the federal government, RCMP, and local law enforcement agencies to take the necessary steps to protect public safety in the face of new terrorist threats.*

This is a multi-year commitment. Phase 1 involved the preparation of a strategic initiative to combat organized crime, criminal extremism and terrorism in partnership with the policing community. The strategy was presented to deputy ministers in November 2004, followed by a presentation for consideration to public safety and anti-terrorism ministers in January of 2005. The strategy received conceptual support, with work then undertaken to secure additional resources for Criminal Intelligence Service Nova Scotia.

The department also undertook consultation on a *Cross-Border Policing Act*, with plans to introduce the new *act* in April 2005. The *act* is based on uniform legislation being introduced across Canada. It will make it easier for police to investigate crimes that cross provincial boundaries. Currently, provincially-appointed police officers lose their status if they leave their home jurisdictions. The legislation has the support of the Canadian Association of Chiefs of Police and other law enforcement organizations. It is another public safety measure to help police investigate complex and often organized criminal activity that involves more than one jurisdiction. The legislation will set out appointment procedures, responsibilities of police officers and civilian oversight procedures.

- ❑ *Better monitoring of sex offenders in Nova Scotia by supporting the federal government in implementing a national sex offender registry to protect public safety.*

The department worked in consultation with relevant justice partners, and in particular the RCMP, on the development of registration and enforcement protocols as well as training modules. The system went live on December 15, 2004 and Nova Scotia has nine designated registration sites. Law enforcement agencies have been provided a 1-800 number to allow for inquiries to be made on the system by the Nova Scotia Sex Offender Information Registration Centre in the event they have a crime of a sexual nature and require a search to be conducted. Law enforcement officials at the sites have also been trained in the collection and registration of offender information. Prosecutors with the Public Prosecution Service and court officials are aware of the new procedures and will be making application for orders when a designated offence has occurred. Work continues on additional training and retrospectivity provisions dealing with offenders who were under sentence as of the proclamation date of December 15.

- ❑ *Criminal Code amendments pursuant to Bill C-45 which deals with corporate liability.*

After the Westray incident, Nova Scotia played a significant role in moving this legislation forward. Under the federal legislation, there is now an explicit legal duty among those who have responsibility for directing the work of others to take reasonable steps to prevent bodily harm or fatal injuries among workers. Provincial and federal departments, including Justice and Environment and Labour, worked with the Public Prosecution Service, RCMP, Halifax Regional Police, the Nova Scotia Chiefs of Police Association, Workers' Compensation Board and Human Resources Development Canada, to ensure awareness of the new provisions and to coordinate criminal and regulatory investigations.

In addition to those priorities identified in the 2004-2005 plan, the following initiatives were undertaken:

❑ *Support the introduction of a Nova Scotia Amber Alert Program.*

Children and certain vulnerable adults in Nova Scotia now have the added protection of the life-saving AMBER Alert program, which was launched on May 25, 2004. Nova Scotia became the eighth province to adopt AMBER Alert, joining Alberta, Manitoba, Ontario, Quebec, Newfoundland and Labrador, New Brunswick and Prince Edward Island. AMBER Alert works through the volunteer efforts of local radio and television broadcasters who work quickly with law enforcement agencies to broadcast details of missing children and potential suspects.

❑ *Investment to support use of DNA crime scene index.*

A one-time provincial payment of \$117,000 was made to the RCMP on behalf of Nova Scotia's 55 municipalities to encourage even greater use of the national DNA crime scene index in criminal investigations. The province's financial support will promote even greater use of the best possible technology to solve outstanding cases. It will also help municipal police agencies budget for the future costs of crime investigations. A new federal-provincial agreement means municipal police agencies will no longer have to pay for DNA tests on a case-by-case basis. They will pay a flat fee each year for the service based on their total uniform assessment. It's a formula endorsed by the Union of Nova Scotia Municipalities (UNSM).

❑ *Introduced amendments to the Private Investigators and Private Guards Act to control use of equipment and uniforms by private guards.*

Amendments to the *Private Investigators and Private Guards Act* regulations have been drafted to provide consistency and clarity for the security industry. Work in this area will continue in 2005-2006.

❑ *Crime prevention initiatives.*

In cooperation with police, community organizations, schools, and the public and corporate sectors, the department has been working in partnership with the federal government in implementing a comprehensive and effective crime prevention strategy to achieve the goal of improving public safety and security. The strategy encourages education and awareness of preventative techniques as well as community involvement and cooperation with local police. Since the implementation of the national strategy in

1998, Nova Scotia has received more than \$6,000,000 in funding which has assisted in the development of 214 crime prevention projects throughout the province. Projects supported government priorities in areas relating to seniors, women and children, Aboriginal communities and domestic violence. The department continued to facilitate the development of new crime prevention initiatives in keeping with the national strategy and provincial government priorities.

Core Business Area:

Administration of the licensing provisions of the federal Firearms Act

Priorities:

- ❑ *Convergence of provincial operational procedures with the federal firearms service delivery model.*

The federal-provincial contribution agreement between Nova Scotia and the Canada Firearms Centre included reference to a service delivery model standard outlining expectations around work being performed within a certain time frame, i.e. time to approve a license. The Provincial Firearms Office has addressed these time-line requirements in the 2004-2005 work plan, and has met those standards.

The office also produced and distributed an information bulletin, “*Our Scope*”, to gun clubs, ranges and firearm businesses to improve clarity regarding the role of the office. This initiative is ongoing.

Core Business Area:

Provision of assistance to victims of crime

- ❑ *Provide resources to support the Domestic Violence Case Co-ordination Program.*

The province made a commitment to continue a \$100,000 increase in funding for the Domestic Violence Case Co-ordination program on an annual basis. The 2003-2004 funding level of \$157,500 was increased to \$257,500 in 2004-2005. The investment is assisting the police in assessing ongoing risks and ensuring processes are in place for case coordination and proactive information sharing in high-risk cases.

Further efforts to address domestic violence included: the development of Phase III of the Domestic Violence Educators Training, which will be sponsored by the Justice Learning Centre in June, 2005; the establishment of a Deputy Ministers' Leadership Committee on Domestic Violence in consultation with the departments of Community Services and Health; and the production of a statistical report providing an overview of the first year of implementation of the *Domestic Violence Intervention Act*.

A Police Pocket Guide on Domestic Violence is also being developed as a resource. The hand-held guide will contain a quick checklist police officers can follow and will provide information on assessing risks, applying for an emergency protection order, laying a charge, protecting children in need, dealing with firearms, following up with victims, communicating with other responders, and guidelines for law enforcement.

Core Business Area:

Principled dispute resolution mechanisms

Priorities:

- ❑ *Enhance the effectiveness, efficiency of and access to courts by assisting and educating self-represented litigants by making additional resources available for people who decide to represent themselves in court.*

The department continues to implement recommendations contained in the Self-represented Litigants Report, including developing information material for self-represented litigants.

Court Services has 35 plain-language brochures intended to help the public understand the court process. Four new brochures were issued in 2004-2005. They are:

- “Using a Subpoena in Probate Court”
- “Applying for Child Maintenance Consent Orders in Family Court”
- “Applying for Child Maintenance Consent Orders in Supreme Court (Family Division)”
- “Enforcing a Small Claims Court Order: A Guide for Creditors.”

Court Services also developed an interactive Small Claims Court forms site which claimants can access on line. They can complete the form while accessing links that explain the court process. Although completed in fiscal year 2004-2005, it will not be released for use until 2005-2006.

- ❑ *Enhance the effectiveness, efficiency of and access to courts by assessing and evaluating court processes, and making recommendations for enhancing efficiencies and effectiveness, and continuous improvement opportunities.*

A number of initiatives were introduced in 2004-2005, including:

- A Family Law Information Centre opened in Sydney in January providing clients of family court with the opportunity to learn more about the court process. The centre makes free legal information available to clients. It also provides basic assistance with such family law topics as court processes and forms, how to find a lawyer, and alternatives to court. Staff at the centre will not provide direct legal advice. Free family law information clinics will be held, however, and when necessary, staff will make referrals to community agencies and programs.
- Court Services also undertook additional efforts to improve case processing at the Supreme Court (Family Division) by: reorganizing intake procedures and supporting the assignment of cases to the general division of the Supreme Court to reduce the backlog; and transferring youth matters to the Provincial Court in Halifax and Cape Breton.
- A study was undertaken on the Halifax Regional Municipality court facilities to identify future needs and options. As a result of this review, a 35-year master plan for court facilities within the municipality was developed to ensure that resources are invested wisely to meet demographic and population changes. The report has been shared within government and with judges, the Nova Scotia Barristers' Society and other major stakeholders.

- ❑ *Improve access to the Supreme Court Family Division by making application to the federal government to expand services province-wide.*

Nova Scotia continued to wait for a federal government response to its June 2004 proposal to expand the Family Division province-wide. Consultations with judiciary, federal officials and stakeholders continued with further action dependent upon the federal response.

Additional activities undertaken in 2004-2005 include:

- ❑ *Building construction and renovations.*

Construction work continued on the Port Hawkesbury Justice Centre, which is still on target for opening in spring/summer 2005.

A location was secured for the new justice centre in Lunenburg County. The new \$9.75 million courthouse in Bridgewater will include four courtrooms, office space and administration space for the judiciary. It is expected to be completed in 18 to 24 months.

Yarmouth will also get a new justice centre. The new facility on Main Street will be designed to ensure the independence of the judiciary. It will also provide space for the Public Prosecution Service, Correctional Services, Court Services, Legal Aid and Victim Services.

Renovations also took place in other courthouses throughout the province, including a three-year project to renovate the historic courthouse in Digby. The province will spend about half a million dollars over the next three years to upgrade the brick exterior and repair the roof and windows.

Amendments to the Maintenance Enforcement Act.

Amendments will help a maintenance recipient get the money they're owed -- the full amount and on time. The amendments include: an expanded definition of income source to include a shareholder's loan or dividends on shares and money from a trust in which a payer holds a beneficial interest; garnishment of income can now cover "any monies payable," not just "remuneration"; authorizes the program to register a maintenance order against a payer's personal property; permits the release of information about a payer to other jurisdictions that can then enforce an order on behalf of Nova Scotia; and gives courts the power to demand information from a payer about real and personal property held on the payer's behalf by a corporation or another person.

Core Business Area:
Correctional services

Priorities:

- Prepare for consideration by government a modern Correctional Services Act which will update the governance structure for the administration and operation of correctional facilities in addition to programs and services for adult offenders and young persons both in custody and in the community.*

A comprehensive review was completed and included analyses of other provincial, territorial and federal acts governing delivery of correctional services. Stakeholders were contacted and their input sought. Various gaps and areas for improvement were identified. An initial draft has been prepared. Additional consultation has been

recommended prior to it being considered by government. The proposed legislation will provide Nova Scotia with a modern *act* based on current theory and practice.

- *Open the new Southwest Nova Scotia Correctional Facility for adult offenders, located in Yarmouth, which has state-of-the-art security features that will provide a healthy, secure environment for correctional workers and ensure the safety of the public.*

The \$8-million Southwest Nova Scotia Correctional Facility (SNSCF) opened to offenders in April 2004. The opening marked the continuing shift toward modern design and safety features that ensure the best protection for the public, correctional employees and offenders. The facility holds up to 38 male offenders who are remanded into custody pending court appearances or who are serving sentences of less than two years. SNSCF employs 30 people.

Additional activities undertaken in 2004-2005 include:

- *Renewed Youth Justice System.*

On April 1, 2003, the federal *Youth Criminal Justice Act* (YCJA) came into effect. This federal legislation governs how the province administers the criminal justice system to persons under 18, including how correctional services for young persons are delivered. During 2004-2005, further refinements to the delivery of correctional services to young persons were made. Particular emphasis was placed on the rehabilitation and reintegration of young persons into the community. A review of programs being delivered to youth at the Nova Scotia Youth Facility in Waterville was started and will continue into 2005-2006. Staff resources for community-based supervision were increased so youth at high risk to re-offend or who have a high level of needs can be more closely supervised and receive programming.

- *Response to Employment Systems Review*

The Correctional Services Division took steps to address an employment systems review. That review, completed in March 2004, examined policies and practices in recruitment, hiring, selection, retention, career development, promotion, discipline and termination. All recommendations were reviewed to determine which were divisional responsibilities and which were the department's Human Resources Corporate Services Unit's or the Public Service Commission's responsibilities. A steering committee to oversee the work plans for all accepted recommendations was established in January 2005. The division has involved other committees, including its Equity Committee, to assist with the implementation of accepted recommendations. This work will continue into 2005-2006.

Core Business Area:
Legal services to government

Priorities:

- *Assess and analyse the delivery of legal services to ensure they are provided in the most efficient manner and that costs of same are distributed equitably.*

Following a review of the delivery of legal services and the need for greater flexibility in responding to client demands, the centralization of all Legal Services staff was initiated. This will continue to be a priority as more office space becomes available. Legal Services also undertook a review of alternate funding options. Efforts continue to ensure consistency in recovering the cost of legal services.

Core Business Area: The proper administration of justice in the province in partnership with others

Priorities:

- *Implement the new Justice Enterprise Information Network to facilitate the exchange of information among justice partners.*

Nova Scotia's new Justice Enterprise Information Network (JEIN) went live at the end of February 2005 and is ensuring faster and better sharing of criminal justice information to enhance public safety. The centralized, integrated criminal justice information system is designed for offender tracking and to support the operations of criminal cases through the entire justice process. Major functions of the system include:

- offender tracking with offender name/alias search and case history inquiry, available to internal Justice Department divisions as well as authorized external agencies such as police agencies and Legal Aid;
- court case management, including court scheduling, recording of court dispositions, case/charge history and tracking;
- automated support for production of documents such as notices to appear;
- Recording and processing of fines imposed, daily/monthly cash balancing, funds distribution, etc.;
- corrections case management, including tracking of offender incarceration, temporary absences, offender transfers, sentence calculation and community service.

In addition, external justice partners who have inquiry access to JEIN do not have to spend time contacting the courts concerning upcoming court cases/appearances or background checks. JEIN also acts as a "portal" to Service Nova Scotia and Municipal Relations (SNSMR), with police being able to make licence plate inquiries. JEIN also has several other interfaces with SNSMR. For example, if an offender does not pay his/her fines, there is an automated process in place to prevent that person from renewing his/her license, and there is a parking ticket interface with HRM for municipal parking tickets.

The network puts Nova Scotia in the lead with the most integrated justice information system in Canada, allowing for greater connectivity to justice partners. It is easier to use, is less costly to run than the current system, and is more technologically adaptable to future requirements.

- *Support the effectiveness and efficiency of administrative tribunals in Nova Scotia by educating tribunal members with respect to conducting hearings and writing decisions.*

In addition to the Foundations of Administrative Law workshop already being provided to tribunal members, the Legal Services Division developed two additional workshops, Advanced Decision Writing and Hearing Skills. These three workshops are now being offered at least twice a year, providing tribunal members with a better understanding of their role and responsibilities and helping to ensure parties appearing before tribunals receive a fair hearing and decision.

- *Support the Minister responsible for Sunday shopping in organizing a plebiscite in the fall of 2004 to determine if Nova Scotians want Sunday shopping.*

A province-wide plebiscite was held in October 2004 with Nova Scotians voting 'no' to more Sunday shopping. Municipalities worked hard in helping co-ordinate the plebiscite with local municipal and school board elections. Sunday shopping will remain as it is now – governed by the *Retail Business Uniform Closing Day Act*. The *Retail Business Uniform Closing Day Act* is enforced by local law enforcement agencies and the Public Prosecution Service.

- ❑ *Support the Minister of Justice in sponsoring an all-party resolution of the legislature calling on Ottawa to stop allowing conditional sentences for violent crimes, like manslaughter and sexual assault.*

An all-party resolution was made in the legislature regarding the use of conditional sentences. Nova Scotia joined other provinces in calling for a change to ensure courts will only use conditional sentences for less serious crimes.

Additional activities undertaken in 2004-2005 include:

- ❑ *Development of meaningful justice indicators for strategic and business planning activities at both the departmental and operational levels.*

The department's Information Management Division is leading the initiative, with work underway to establish and track justice indicators for strategic and business planning activities at both the departmental and operational levels. The ultimate vision is to have indicators for all operational areas of the department and for the priorities, goals and projects critical to its mandate.

FINANCIAL RESULTS

<i>Budget Variance (000's)</i>	<i>Allocations</i>	<i>Actual</i>	<i>Increase (Decrease)</i>
<i>Court Services</i>	\$ 28,052	\$ 26,770	(\$1,282)

Fees collected for services provided by this division were over plan by \$576,000. Fees in a number of areas including the offices of probate were over plan. As well, division expenditures were under budget by \$706,000. These variances resulted in a net under-expenditure of \$1,282,000.

<i>Correctional Services</i>	\$ 18,972	\$ 19,456	\$ 484
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A lump sum payment of \$1,270,00 million was paid on the mortgage of the Nova Scotia Youth Centre in Waterville. However, these expenditures were partially offset by reductions in division expenditures of \$786,000. The net result was an over-expenditure of \$484,000.

<i>Policing & Victim Services</i>	\$ 22,186	\$ 21,996	(\$ 190)
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Expenditures were under budget by \$190,000 mainly due to the First Nations Policing Contract. A new community tripartite agreement (CTA) is now in place with cost-sharing on a 52/48 basis with the federal government.

<i>Nova Scotia Legal Aid</i>	\$ 12,595	\$ 12,165	(\$ 430)
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Legal Aid was under budget by \$430,000 due to higher than anticipated federal recoveries.

<i>Office of the Chief Medical Examiner</i>	\$ 1,496	\$ 1,900	\$ 404
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Increased fees provided to medical examiners and pathologists for cases and an increase in toxicology expenses resulted in this over-expenditure.

<i>Administration</i>	\$ 16,325	\$ 15,515	(\$ 810)
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Funds set aside for court-appointed counsel and ongoing public inquiries were not required to the extent originally planned.

<i>Gross Expenditures</i>	\$200,395	\$202,001	(\$1,606)
<i>Net Program Expenses - Net of Recoveries</i>	\$ 99,626	\$ 97,802	(\$1,824)

<i>Funded Staff (FTE's)</i>	1,335.8	1,311.6	(24.2)
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PERFORMANCE MEASURES

CORE BUSINESS AREA: Oversight, governance and advice to police and private security services

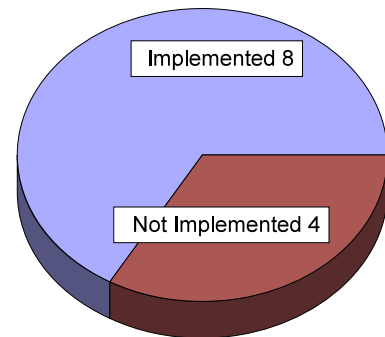
DESIRED OUTCOME: Effective and efficient policing services

MEASURE: Percentage of municipal police services with a self-audit program in place

WHAT DOES THIS MEASURE TELL US?

This measure involves all municipal police services in Nova Scotia. There are currently 12¹ municipal police services. Self-audits contribute to an effective and efficient organization by providing an ongoing review of the organization's activities with the aim of improving performance. The implementation of the self-audit program can be affected by a number of factors, including police resources and legislative and/or policy requirements.

Number of Forces Implementing Self-Audit Program



Source: Policing and Victim Services, DOJ

WHERE ARE WE NOW?

In 2004-2005, eight out of twelve municipal police forces (67%) had a self-audit process and had completed audits relating to specific issues. A self-audit pilot project in relation to spousal/intimate partner violence was conducted by all agencies in September-October 2004. Time constraints delayed achievement of a self-audit manual for all municipal forces by the end of 2004-2005.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure was to have all municipal forces operating a self-audit process by the end of 2004-2005. In anticipation of proclamation of the *Police Act*, which specifies the requirement for the conduct of self-audits, the Policing and Victim Services Division will produce a self-audit manual to support a structured self-audit program. Tracking of this measure will be discontinued in 2005-2006 as the structured self-audit program will be fully implemented.

¹The 2001-2002 Accountability Report and Business Plan reported a total of 11 municipal police services in Nova Scotia. In 2002-2003, Westville Police became an independent police service, resulting in a total of 12 municipal police services.

**CORE BUSINESS AREA: Administration of the licencing provisions of the federal
*Firearms Act***

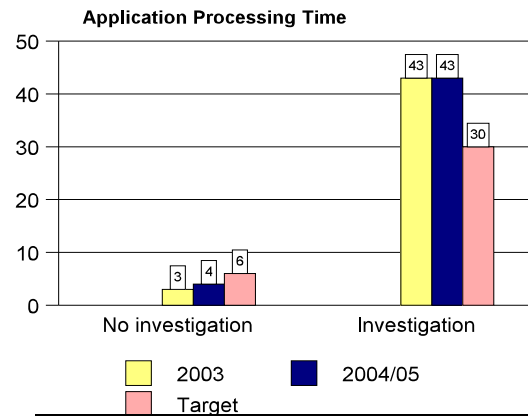
DESIRED OUTCOME: Timely processing of individual firearms licence applications

MEASURE: Median number of days from date application received from the federal Central Processing Site until decision rendered: a) where no investigation is required; b) where an investigation is required

WHAT DOES THIS MEASURE TELL US?

This length of time between when an application is received from the federal Central Processing Site and when a decision is rendered provides information on whether the decision to approve or refuse a license application is done in a timely manner, after determining if there is a public safety risk in issuing that firearms license.

The length-of-time statistic can be affected by a number of factors, including: the length of time it takes various sources to provide event-relevant information allowing for a decision to be made; the complexity of the case; the workload and staffing of the program; and the overall volume of applications received.



Source: Canada Firearms Centre

WHERE ARE WE NOW?

The median number of days between date received and decision rendered for applications received during 2004-2005 was: a) 4 days where no investigation was required; and b) 43 days where a field investigation was required, which represents little change compared to the calendar year 2003. The challenge in decreasing the number of field investigative days has been affected by the conversion of police data systems which provide relevant event information.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to have a median processing time at: a) 6 business days where no investigation is required and b) 30 business days where a field investigation is required. The department is reviewing this program area to determine whether other measures may be more appropriate given the program's importance to public safety.

CORE BUSINESS AREA: Provision of assistance to victims of crime

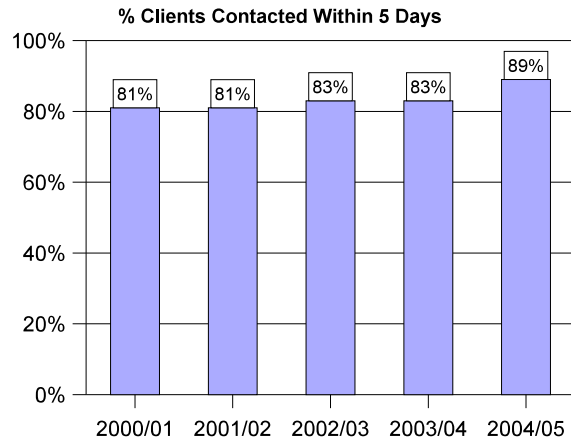
DESIRED OUTCOME: Timely provision of service

MEASURE: The percentage of provincial Victim Services cases where contact with the client is initiated within five days of referral

WHAT DOES THIS MEASURE TELL US?

The length of time between referral to the Provincial Victim Services Program and contact being made with the client provides information on whether support to victims of crime is being provided in a timely manner. The percentage corresponds to those contacted by a representative of the Victim Services program within five days of referral.

The length-of-time statistic can be affected by a number of factors, including: staff resources; the number of referrals to the program; and the quality of the contact information provided by the referral source at the time of the referral.



Source: Policing and Victim Services, DOJ

WHERE ARE WE NOW?

In 2004-2005, 89% of the cases referred to the Provincial Victim Services Program were contacted within five days of the referral being made, an increase from 83% in 2003-2004.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to maintain the percentage of cases at 85% or above. The program will work with referral sources to ensure complete contact information is provided, allowing for the reduction of delays in client contact. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: Provision of assistance to victims of crime

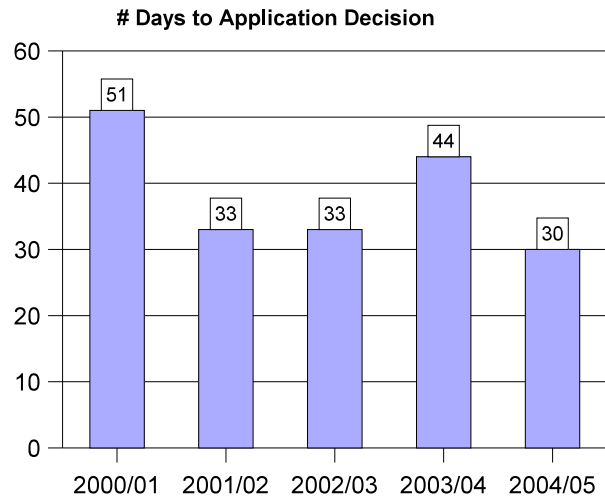
DESIRED OUTCOME: Timely provision of service

MEASURE: Median number of days from date application received by Criminal Injuries Counselling Program until decision rendered

WHAT DOES THIS MEASURE TELL US?

The length of time between when an application is received by the Criminal Injuries Counselling Program and when a decision is rendered provides information on whether support to victims of crime is being provided in a timely manner. The figure reported is the median number of days from when an application is received and a decision is rendered.

The length of time statistic can be affected by a number of factors, including: the length of time it takes various sources to provide case-relevant information allowing for a decision to be made; the complexity of the case; the workload and staffing of the program; and the overall volume of applications received.



Source: Policing and Victim Services, DOJ

WHERE ARE WE NOW?

The median number of days between date received and decision rendered for applications received during 2004-2005 was 30, a decrease compared to 2003-2004. The increase in 2003-2004 compared to 2002-2003 was, in part, due to staffing shortages at the manager level, which has now been remedied.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to have a median processing time at 40 days or less. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: Provision of assistance to victims of crime

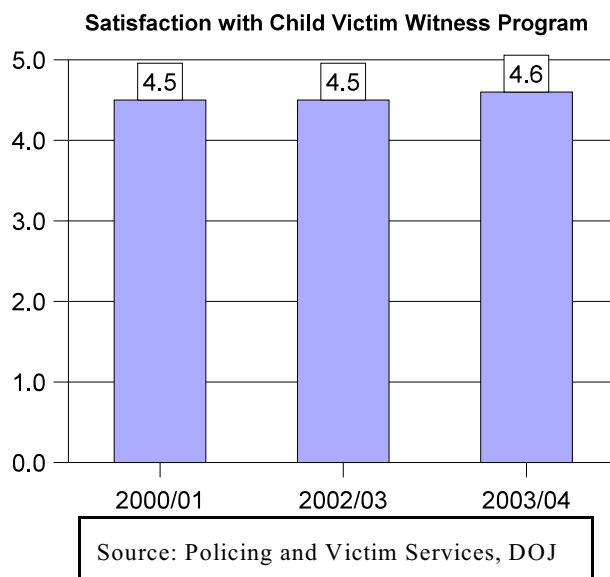
DESIRED OUTCOME: Satisfied clients

MEASURE: Client satisfaction with the Child Victim Witness Program

WHAT DOES THIS MEASURE TELL US?

The level of client satisfaction is used to assess the quality of service provided. The level of client satisfaction with the Child Victim Witness program is assessed during an exit interview with the client, a process initiated in July 2002. A scale is used with 1 indicating poor service and 5 indicating excellent service.

The level of satisfaction with the service provided by staff of the program can be affected by a number of factors, including: the expectations of the clients; the outcome of the court process; and the service provided by program staff.



WHERE ARE WE NOW?

In 2000-2001, based on a preliminary study using a non-representative sample, the level of satisfaction with the service averaged 4.5 out of 5. During the period 2002-2003, the results of 245 exit surveys resulted in an average satisfaction score that remained unchanged from the previous time period examined. During the period 2003-2004, analysis of 241 exit surveys resulted in an average satisfaction score of 4.6².

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure was to maintain the level of satisfaction at 4 out of 5 or higher. Tracking of this measure has been discontinued.

²The exit surveys for 2002-2003 and 2004-2005 were conducted during the periods December 1, 2002 to November 30, 2003 and December 1, 2003 to December 30, 2004 respectively. It should be noted that this does not conform to the standard fiscal year of April 1 to March 31.

CORE BUSINESS AREA: Provision of assistance to victims of crime

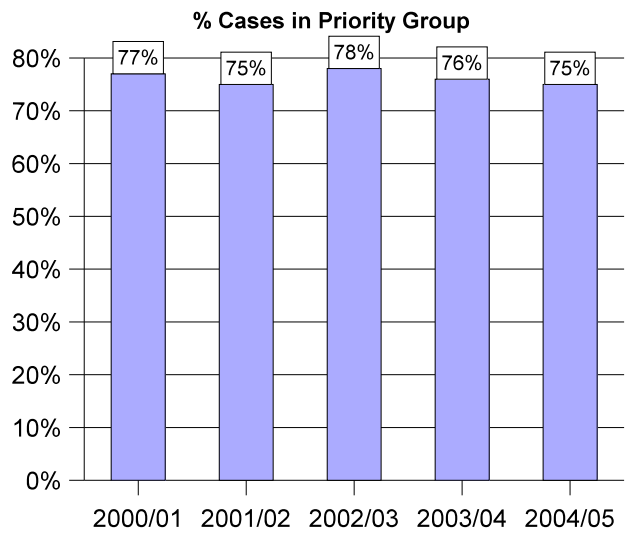
DESIRED OUTCOME: Effective targeting of service

MEASURE: Percentage of cases from Provincial Victim Services Program that are in high priority group

WHAT DOES THIS MEASURE TELL US?

The percentage of clients served in the high priority group (i.e., domestic violence cases, offences involving children, homicide, offences causing bodily harm/death, physical assault, robbery, sexual assault, criminal harassment, uttering threats, hostage-taking and kidnaping) provides information on whether the Provincial Victim Services Program is effectively targeting its services.

This percentage can be influenced by a number of factors, including: the frequency of specific types of crimes occurring in the population; knowledge of the Provincial Victim Services Program among Justice partners in the community; and the number of referrals to the program.



Source: Policing and Victim Services, DOJ

WHERE ARE WE NOW?

In 2004-2005, the percentage of cases that fell into the priority group for Provincial Victim Services Program was 75%, a slight decrease from the two previous fiscal years. The program continues to maintain its target for this measure.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to maintain the percentage of cases in the high priority group at 75% or above. Outreach and promotion of the service to key referral sources will continue. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: Provision of assistance to victims of crime

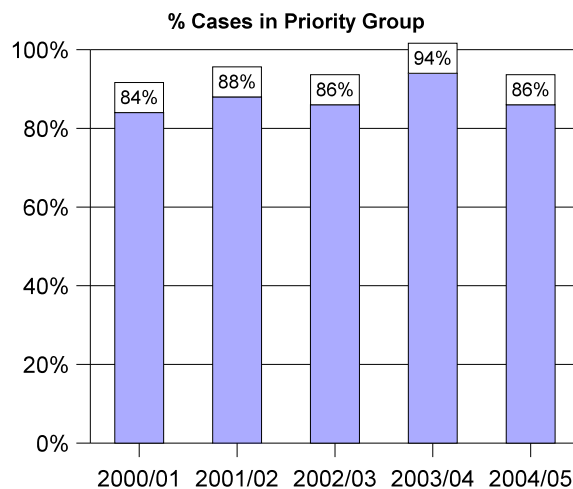
DESIRED OUTCOME: Effective targeting of service

MEASURE: Percentage of cases from Criminal Injuries Counselling Program that are in high priority group

WHAT DOES THIS MEASURE TELL US?

The percentage of clients served in the high priority group (i.e., domestic violence cases, offences involving children, homicide, offences causing bodily harm/death, physical assault, robbery, sexual assault, criminal harassment, uttering threats, hostage-taking and kidnaping) provides information on whether the Criminal Injuries Counselling Program is effectively targeting its services to priority groups.

This percentage can be influenced by a number of factors, including: the frequency of specific types of crimes occurring in the population; the types of applications submitted to the program for counselling; the policies governing the process; and the interpretation of the policies by program staff.



Source: Policing and Victim Services, DOJ

WHERE ARE WE NOW?

In 2004-2005, the percentage of cases that fell into the priority group for the Criminal Injuries Counselling Program was 86%, a decrease from the previous fiscal year (94% for 2003-2004). The program continues to maintain its target for this measure.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to maintain the percentage of cases in the high priority group at 80% or above. Outreach and promotion of the service to key referral sources will continue. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: **Principled dispute resolution mechanisms**

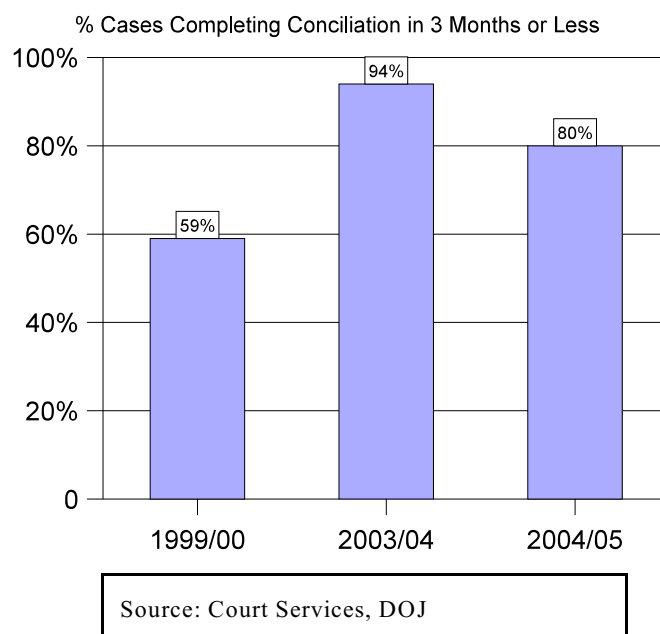
DESIRED OUTCOME: Reduced delay in family court processes

MEASURE: Percentage of cases that completed the conciliation process within three³ months or less of initiation

WHAT DOES THIS MEASURE TELLUS?

This measure is useful in assessing the waiting times and the quality of service provided in the conciliation process. The figure reported is the percentage of cases that took three months or less to complete the conciliation process in the Family Division of the Supreme Court of Nova Scotia. The data for fiscal year 1999-2000 is based on a random sample of cases, while for subsequent years, the percentage is based on all cases processed in the Family Division during that fiscal year.

The indicator is affected by a number of different factors, including: the number of cases being processed through the conciliation process; the number of conciliators available to deal with the case; the relationship between the parties; and the effectiveness of the conciliation process.



WHERE ARE WE NOW?

In 1999-2000, 59% of the cases that proceeded through conciliation completed the process in three months or less. In 2003-2004, 94% of the cases were completed in three months or less and in 2004/05, 80% of the cases were completed in three months or less. This measure can be impacted by administrative changes and changes in client behaviour. More study would be required to determine exact causes. (Data was not available for fiscal years 2000-2001, 2001-2002 and 2002-2003 since the department was developing an information management system. That system is now in place)

³In the 2001-2002 Accountability Report, the measure for timeliness of cases processed was the percentage of cases that completed the conciliation process within six months or less of initiation. This measure was changed to three months or less as it more accurately reflects the goal of conciliation. In addition, the figure for 1999-2000 was inaccurately reported in both the 2001-2002 Accountability Report and the 2003-2004 Department of Justice Business Plan. The accurate figure is 59%.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target is to have 70% of the cases complete conciliation in three months or less. The data indicates this target is currently being achieved.

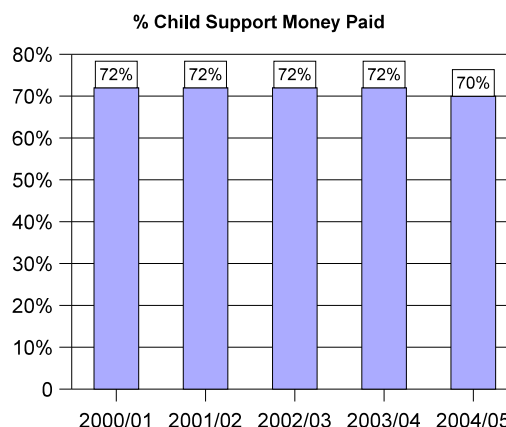
CORE BUSINESS AREA: **Principled dispute resolution mechanisms**

DESIRED OUTCOME: Child support payments paid on time and in full

MEASURE: Percentage of money owed in child support that is collected

WHAT DOES THIS MEASURE TELL US?

The amount of money received by the Maintenance Enforcement Program versus the amount of money realizable from court orders provides information on whether parents who have a child support order from the court are receiving the amount of money which is supposed to be paid to them. The figure reported is the total amount of money received by the program expressed as a percentage of the total amount of money which should have been submitted during the time period.



Source: Maintenance Enforcement Program, DOJ

The collection of child support payments is affected by a number of different factors, including: the economic conditions in society; the relationship between the party paying child support and the party receiving it; and the level of enforcement activity carried out by the Maintenance Enforcement Program.

WHERE ARE WE NOW?

In 2004-2005, the percentage of money collected was 70%. This figure is less than previous years. The reason for this decline is the inclusion of old and uncollectible cases in the statistics. The cumulation of uncollectible cases over several years results in an understatement of the actual percent of child support money paid. Steps are being taken to identify these cumulative uncollectible cases in future years.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure was to have a collection rate of 74 % by 2004-2005. The program will actively pursue cases in default, particularly those in which a payment has never been made. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: Principled dispute resolution mechanisms

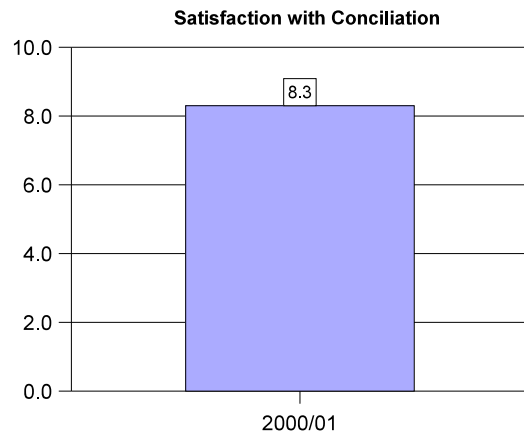
DESIRED OUTCOME: Satisfied clients

MEASURE: Client rating of conciliator performance

WHAT DOES THIS MEASURE TELL US?

The level of client satisfaction with conciliation services provides information on the overall quality of service provided. The rating of the conciliator performance is on a 10 point scale with 1 indicating a low level of satisfaction and 10 indicating a high level of satisfaction. The satisfaction measure is obtained from a telephone survey of approximately 200 conciliation clients who were randomly selected.

The level of satisfaction with the service provided by conciliators can be affected by a number of factors, including: the expectations of the clients; the outcome of the conciliation process; and the service provided by the conciliator.



Source: Policy, Planning & Research, DOJ

WHERE ARE WE NOW?

In 2000-2001, the level of satisfaction with the performance of the conciliator averaged 8.3 out of 10. Plans to collect client satisfaction data were put on hold due to changes occurring in the service delivery process. Court Services has decided to discontinue tracking this measure and it has been removed from our 2005-2006 business plan.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure was to maintain the level of client satisfaction above 7.5 out of 10.

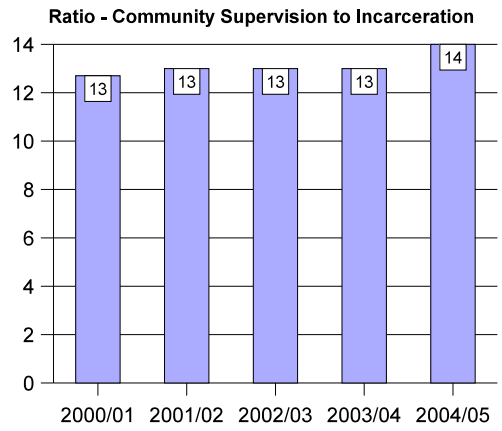
CORE BUSINESS AREA: Correctional services

DESIRED OUTCOME: Effective use of alternatives to incarceration

MEASURE: Ratio of adults under community supervision to adults in correctional facilities

WHAT DOES THIS MEASURE TELL US?

The ratio of adult offenders in Nova Scotia under community supervision to adult offenders in facilities is calculated by adding the number of adult offenders on probation, serving conditional sentences, and on conditional release programs, i.e. temporary absence and day parole, and dividing by the number of adult offenders held in custody in correctional facilities. This indicator provides information on the extent to which alternatives to incarceration are being used. It can be affected by a number of factors, including: sentencing practices of judges; the use of discretion in granting conditional releases; the nature of the offence committed by the offender; and changes in legislation and policy.



Source: Correctional Services, DOJ

WHERE ARE WE NOW?

For 2004-2005, there were 14 adult offenders under community supervision for every adult offender in a correctional facility.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target of 14 to 1 for 2004-05 has been met. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: Correctional services

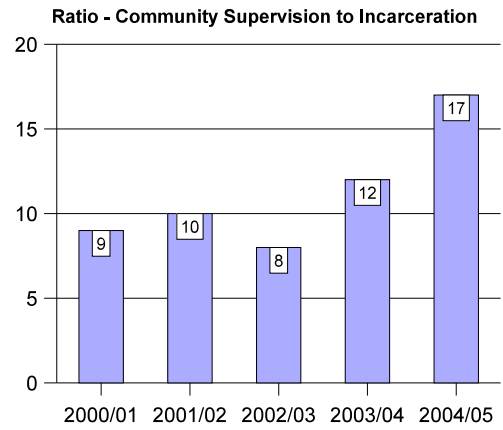
DESIRED OUTCOME: Effective use of alternatives to incarceration

MEASURE: Ratio of youth under community supervision to youth in correctional facilities

WHAT DOES THIS MEASURE TELL US?

The ratio of young persons in Nova Scotia under community supervision to young persons in facilities is calculated by adding the number of young persons on probation, serving community portions of their sentences, and on conditional release, e.g., reintegration leave, and dividing by the number of young persons serving sentences in youth correctional facilities.

This indicator provides information on the extent to which alternatives to incarceration are being used. It can be affected by a number of factors, including: sentencing practices of judges; the use of discretion in granting conditional releases; the nature of the offence committed by the offender; and changes in legislation and policy.



Source: Correctional Services, DOJ

WHERE ARE WE NOW?

For 2004-2005, there were 17 young persons under community supervision for every young person in a youth correctional facility.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target of a ratio of 10 to 1 or greater has been met. Reintegration planning, in accordance with the new *Youth Criminal Justice Act* appears to have assisted staff in developing appropriate release plans for youth. This trend will continue to be monitored to assess the impact of the *Youth Criminal Justice Act*; however, the measure has not been identified for tracking as part of the business planning process for 2005-2006.

CORE BUSINESS AREA: Correctional services

DESIRED OUTCOME: Safe and secure facility operations

MEASURE: Number of escapes per year from a correctional facility

WHAT DOES THIS MEASURE TELL US?

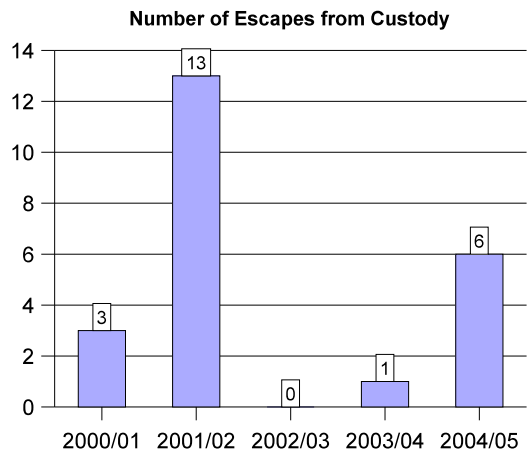
The number of escapes from custody in a year provides information on the security level of correctional facilities. The figure reported is the total number of escapes from adult and young offender facilities. The number of escapes indicator could be influenced by a number of factors, including: the number of offenders incarcerated; staffing resources; effectiveness of security policies and procedures; and the effectiveness of correctional staff in maintaining security.

WHERE ARE WE NOW?

In 2004-2005, there were six escapes from youth correctional facilities.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to have no escapes.



Source: Correctional Services, DOJ

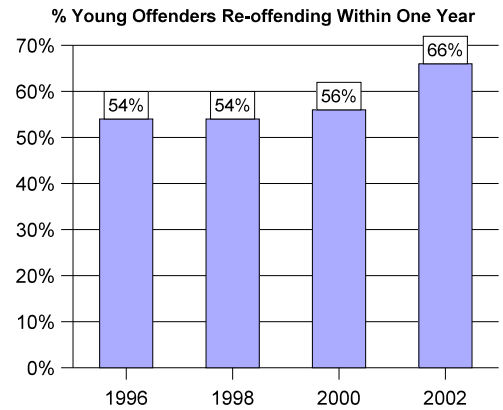
CORE BUSINESS AREA: Correctional services

DESIRED OUTCOME: Reduced recidivism

MEASURE: Percent of incarcerated youth who re-offend within one year of release

WHAT DOES THIS MEASURE TELL US?

The percentage of incarcerated young persons who are convicted of a criminal offence within one year of release is one of the key indicators of recidivism among young persons. This statistic is derived from a follow-up of young persons incarcerated in youth correctional facilities to see if they have subsequently been convicted of a criminal offence. Data are collected approximately two years after the young person is released from a correctional facility.



Source: Policy, Planning & Research, DOJ

The level of re-offending can be affected by a number of different factors, including: the success of rehabilitative programs and services; enforcement activity by the police; support offered by the family of the young person; levels of delay in the court system where a conviction would take place; and the level of support and/or supervision provided by probation officers.

WHERE ARE WE NOW?

For the 2002 group of young offenders, 66% re-offended within one year of release from the correctional facility. This level of re-offending represents an increase compared to the preceding time period. Further analysis of data relating to the young offender population in terms of seriousness of prior criminal history and average length of sentence may help to explain why the increase is happening.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure was to have the percentage of young persons re-offending within one year decrease to 50% in the 2004-2005 reporting year. Based on the trends in the data and further analysis of changes in the offender population, the target for subsequent reporting years will have to be revised.

CORE BUSINESS AREA: Correctional services

DESIRED OUTCOME: Reduced incarceration of young offenders

MEASURE: Daily in-house population counts

WHAT DOES THIS MEASURE TELL US?

The daily in-house population counts for young persons tell us the number of young persons who are in a correctional facility at any one point in time. The figures reported are an average of the daily in-house population figures for a fiscal year period and includes offenders who are remanded and those serving sentences. The figures exclude young persons on approved conditional releases from the youth correctional facility, i.e. reintegration leaves.

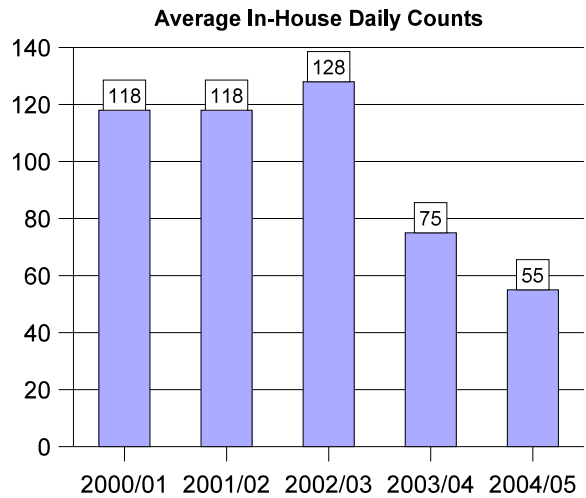
The in-house population counts can be affected by a number of different factors, including: the number of offenses taking place; their seriousness; and judicial discretion with respect to remanding young persons into custody and in using non-custodial sentencing options.

WHERE ARE WE NOW?

For 2004-2005, there was, on average, an in-house population count of 55 young persons. This figure represents a 27% decrease from the previous fiscal year (75 in 2003-2004). The significant decreases observed in 2003-2004 and 2004-2005 are primarily due to the implementation of the *Youth Criminal Justice Act* which specifically sets out that other options to incarceration must be considered. The act has had a significant effect on youth incarceration rates not only in Nova Scotia but across Canada.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure is to have an average daily in-house population count of 124 or less. It is anticipated that reintegration planning (releasing youth back into the community under supervision at the earliest appropriate point in their sentence) coupled with new modes of supervision for youth will reduce the incarceration rates of young offenders. This trend will continue to be monitored to assess the impact of the *Youth Criminal Justice Act*; however, the measure has not been identified for tracking as part of the business planning process for 2005-2006.



Source: Policy, Planning & Research, DOJ

CORE BUSINESS AREA: Legal services to government

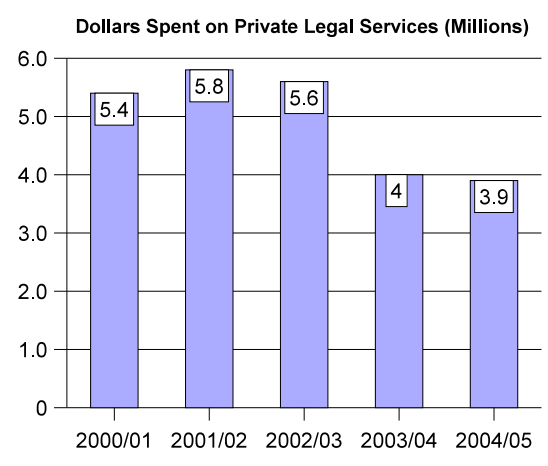
DESIRED OUTCOME: Cost-effective delivery of legal services

MEASURE: Annual cost to government of private legal services

WHAT DOES THIS MEASURE TELL US?

The amount of money spent during the fiscal year on private legal services for the government provides information on the extent to which government is procuring work from private lawyers/legal consultants rather than using internal resources. The dollar amounts reported are obtained from the Nova Scotia Department of Finance and represent all payments to law firms coded as 'legal services.'

The annual cost of private legal services is influenced by a number of factors, including: the need to acquire outside legal advice for specialized cases requiring a high level of expertise in an area; and policy decisions to increase internal legal resources to handle cases.



Source: Legal Services, DOJ

WHERE ARE WE NOW?

In 2004-2005, the dollar figure for the annual cost to government of private legal services was \$3.9 million. This figure represents a decrease from 2003-2004.

WHERE DO WE WANT TO GO/BE IN THE FUTURE?

The target for this measure was to have an annual cost of approximately \$3 million by 2004-2005. Building capacity within the Legal Services Division has reduced the need for private legal services significantly; however, the target was not reached. Justice will continue to build sufficient capacity within Legal Services so that we are able to continue in our efforts to reduce the cost of legal services to government in an efficient and orderly manner. The department will continue to track this measure internally; however, it has not been identified for tracking as part of the business planning process for 2005-2006.