

Update June 2007

Progress to date

In January 2007 the province accepted all recommendations in the final report of the Nunn Commission of Inquiry. Steady progress is being made on implementation of these recommendations.

In his report Commissioner Nunn recommended the province work to shorten the length of time it takes for a young person's case to proceed through the courts. Case processing time is now significantly shorter than reported at the inquiry, and a new target has been set to reduce it even further. Work to streamline youth case processing will continue with the Public Prosecution Service, Legal Aid, the Judiciary, police and other justice partners. As recommended by Commissioner Nunn, two new crown attorneys have been hired to work in youth court in Halifax and Sydney. Three new mental health professionals are now in place at the IWK to speed up mental health assessments to help reduce case processing time. One psychologist will join the team in October and a fifth position has been posted.

New supports and supervision for youth in conflict with the law are now being provided through a new youth attendance centre in Halifax. The centre serves both full-time day students and provides evening and weekend programming to more than 200 youth under community supervision. A new bail supervision program also operates out of the centre. Both programs will be evaluated for possible expansion to other parts of the province in 2008.

Improving access and services for families is the focus of a new strategy for children and youth now under development for release in early Fall. The strategy will include community based programs, with the goal of bringing services closer to children, youth and families. Leading the strategy is the new Executive Director of the Child and Youth Strategy and Services, who is working with government and community partners. A new Family and Youth Services Division has been created, as recommended by Commissioner Nunn. Key areas for the work of this division are early intervention, family counselling and youth at risk. A website and guide have also been launched to make it easier for children, youth and families to get information on programs and services.

This update includes other highlights of the progress to date, and outlines next steps in the on-going work to address crime and its root causes.

Nunn Recommendation 1

Youth should appear in court within a week of committing a serious offence to reduce “front-end” delay.

Status

A committee with representatives from the Public Prosecution Service, Municipal Police, RCMP, Legal Aid, the Department of Justice and others has finalized a list of serious offenses and has been researching approaches and options to implement this recommendation. Funding has also been designated to continue work on tracking serious offenses.

Following this work, a governance standard is being issued to police and the Public Prosecution Service to have youth appear in court within seven days.

Standard being issued to police and public prosecution service

Nunn Recommendation 2

Consult all justice partners, identify ways to reduce case-processing times, set realistic targets, report results twice yearly (within six months).

Status

Youth court case processing time in Nova Scotia is 108 days (2005/06). In his report, Commissioner Nunn noted that Britain could serve as a model, at 71 working days, or 98 days including weekends, which is how court processing is measured in Canada.

The Justice Partners committee has been identifying and addressing roadblocks to court processing. The group’s research shows that 71% of youth case processing time is spent at the pre-trial stage. Efforts to reduce delays pre-trial include providing information to youth and their parents about preparing for court and tracking disclosure to identify and correct bottle necks.

The province also provided close to \$500,000 to allow the IWK to hire clinical social workers and psychologists to speed up both pre- and post-trial youth mental health assessments. Three new mental health professionals are now in place, one psychologist will join the team in October, and a fifth position has been posted.

Other efforts to reduce delays post trial include ensuring timely referrals for pre-sentence reports; developing protocols for youth who do not show up for post-trial assessments; and ensuring additional probation staff attend youth court.

While work on these and other issues continue, an initial case processing target has been set at 98 days. Targets will be reviewed every six months, revised as work progresses and reported twice annually.

Current case processing time is 108 days

More mental health professionals hired to speed up assessments

Initial youth court case processing target set at 98 days

Nunn Recommendation 3

Train police on court and Justice of the Peace Centre procedures.

Status

Front line training has begun and will be complete within six months. Justice partners representatives sitting on a Training Steering Committee will oversee ongoing training related to the Nunn Inquiry recommendations.

Training has started and will be complete within six months

Nunn Recommendation 4

Justice of the Peace Centre should continue to refine its procedures and ensure its processes are well understood.

Status

Existing stakeholder group is building on progress, based on Commissioner Nunn's work.

Nunn Recommendation 5

Justice should establish an audit section to train staff on and to monitor compliance with court procedures.

Status

Manager of Audit Services and Quality Assurance hired in February 2007. An Internal Audit/Quality Assurance Steering Committee has been established including the Manager, and the Executive Directors of Policy and Information Management and Finance and Administration. An audit strategy is being developed that will include the use of enhanced technology to gather information.

A new computer monitoring program is now in place to track activity and staff training is complete.

Nunn Recommendation 6

Ensure all courts have modern, working technology.

Status

New \$1.9 million computer system (Justice Enterprise Information Network–JEIN) connected all courts in 2005. All staff have been trained on new procedures.

Nunn Recommendation 7

Consider enhancing JEIN, including the possible development of electronic versions of court documents, with the goal of reducing multiple forms of communication for delivering crucial information.

Status

A discussion paper has been developed and a working group is examining options for implementation.

Legislation to support this initiative is being considered.

Nunn Recommendation 8

Separate facilities for Youth Justice Court, with dedicated space for partner agencies where possible.

Status

Consideration is given to the unique needs of youth in planning for all new court facilities, including current construction in Bridgewater and Yarmouth, and planning for a future Halifax Court House. Where numbers do not warrant separate facilities, processes and procedures to separate youth court matters are put in place. Youth needs will also be examined on an on-going basis by the Court House Standards Committee and as part of routine consideration during construction.

Manager of Audit Services and Quality Assurance hired in February 2007

Audit strategy under development

New computer monitoring program in place

Discussion paper developed, options and possible legislation under consideration

Nunn Recommendation 9

Consult with police and encourage the appointment of more youth court liaison officers.

Status

Position descriptions for youth liaison officers are being developed. Nova Scotia Chiefs of Police have endorsed this recommendation.

A province wide provincially funded training program for youth liaison officers is under development. The enforcement community will be consulted on the new program.

Position descriptions in development

Funding will be provided for province wide training

Nunn Recommendation 10

Public Prosecution Service should consider appointing additional Crown attorneys for youth matters, where numbers warrant.

Status

\$300,000 was announced to implement this recommendation. A new Youth Court Crown Attorney has been appointed in Sydney and Halifax.

Needs and case numbers in other parts of the province will continue to be monitored by the Public Prosecution Service.

Two new crown attorneys hired

Nunn Recommendation 11

Lobby federal government to remove time limits for sentencing a young person to a community program like an attendance centre.

Status

Nova Scotia has been calling for changes to the federal Youth Criminal Justice Act (YCJA) since 2005. The required changes have been repeatedly outlined by Nova Scotia, other provinces, youth criminal justice experts, the public through the Minister's Task Force, and Commissioner Nunn's recommendations.

Justice Minister Murray Scott traveled to Ottawa three times in 2007 alone and pressed the Federal Justice Minister for implementation of Commissioner Nunn's recommendations relating to the YCJA. Although disappointed with the lack of progress by the federal government, Nova Scotia will continue to advocate for changes that will better protect the public and serve young people in conflict with the law.

Nova Scotia will continue to advocate for changes to the YCJA

Nunn Recommendation 12

Establish an attendance centre in Halifax.

Status

Halifax Youth Attendance Centre opened in February 2007, providing education, counselling and other programs. This includes space for 12 full-time students (expanding to 20 in Fall 2007), along with evening, weekend and summer programming for approximately 220 youth under community supervision in Halifax Regional Municipality.

Programs offered include academic education, experiential education, recreation, career development, anger management, substance abuse counseling, cultural and cognitive skills, and weekend recreational programming. Experiential training for staff is also being provided. Program evaluation will begin in January 2008.

Expansion to Valley and Industrial Cape Breton will be considered following evaluation of Halifax programs.

Attendance Centre open in Halifax

Possible expansion in 2008

Bail supervision program operating in Halifax

Nunn Recommendation 13

Make every effort to implement a bail supervision program in the Halifax Regional Municipality.

Status

Youth Bail Supervision Program for HRM started in February 2007. The program provides intensive supervision and access to supports for eligible youth who are subject to judicial interim release. Caseload ceilings have been initially set at 10 cases per probation officer.

Expansion of both bail supervision and attendance centre under consideration for 2008

Nunn Recommendation 14

Establish a bail supervision program outside of Halifax.

Status

Expansion to Valley and Industrial Cape Breton will be considered following evaluation of Halifax program.

Youth justice training up to date and on-going, with presentation to Crown attorneys by Commissioner Nunn

Nunn Recommendation 15

Public Prosecution Service should direct its Crown prosecutors to take a common, general approach to pre-trial detention, by ensuring that they are up-to-date in training in the Youth Criminal Justice Act.

Status

The Public Prosecution Service has circulated policies to Crown Attorneys regarding the management of all youth matters including a common general approach to pre-trial detention.

Training on youth criminal justice matters has been incorporated into the PPS's annual conferences. The spring 2007 conference featured Commissioner Merlin Nunn and his chief counsel Michael Messenger.

Nunn Recommendation 16

Ask judges to hear evidence to determine if responsible persons are willing and able to control the youth before the youth is released to their care.

Status

The Public Prosecution Service has circulated policies to Crown Attorneys regarding the management of all youth matters including this directive to request the judge to hear evidence about whether the proposed person is willing and able to take care and exercise control over the young person.

Nunn Recommendation 17

Ask judges to make a finding of guilt at the time of plea without waiting for sentencing.

Status

The Public Prosecution Service has circulated policies to Crown Attorneys regarding the management of all youth matters including this directive to request the judge to make a finding of guilt as required under section 36 of the Youth Criminal Justice Act at the time a young person pleads guilty to a charge.

Nunn Recommendation 18

Work together to identify issues that could delay the recording of a finding of guilt.

Status

Meetings have been held with Public Prosecution, Court Services, the Judiciary and Legal Aid to identify and address issues.

Nunn Recommendation 19

Develop a common protocol for arrest warrants.

Status

Research is underway on practices in other jurisdictions and a committee has been established to develop the protocol.

Protocol being developed

Nunn Recommendation 20

Advocate for making public protection one of the primary goals of the Federal Youth Criminal Justice Act.

Status

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Nova Scotia will continue to advocate for changes to the YCJA

Justice Minister Murray Scott traveled to Ottawa three times in 2007 alone and pressed the Federal Justice Minister for implementation of Commissioner Nunn's recommendations relating to the YCJA. Although disappointed with the lack of progress by the federal government, Nova Scotia will continue to advocate for changes that will better protect the public and serve young people in conflict with the law.

Nunn Recommendation 21

Advocate for amending the definition of violent offender in the Youth Criminal Justice Act to include conduct that could endanger public safety.

Status

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Nunn Recommendation 22

Advocate for changing “pattern of guilt” to “pattern of offences” under the Youth Criminal Justice Act.

Status

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Nunn Recommendation 23

Advocate for simplifying the rules around pre-trial detention under the Youth Criminal Justice Act.

Status

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Nunn Recommendation 24

Advocate for changes to the Youth Criminal Justice Act to require youth to continue court-ordered behaviour, even after a “responsible person” is no longer willing or able to provide supervision.

Status

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Nunn Recommendation 25

Advocate for changes to the Youth Criminal Justice Act to remove the need for a new bail hearing if the person previously designated to supervise the youth outside custody is no longer providing that supervision.

Status

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Nunn Recommendation 26

Immediately develop an interdepartmental strategy to co-ordinate programs and services for youth.

Status

A child and youth strategy is being developed and focuses on addressing a range of needs for Nova Scotia's children, youth and families. Extensive research has been completed, gaps are being identified and the executive director hired in April will begin consulting community partners on projects to support the strategy.

Youth strategy under development for Fall 2007

Nunn Recommendation 27

Appoint senior officials to interdepartmental steering group to develop, implement strategy.

Status

Senior staff officials from five government departments - Health, Community Services, Justice, Education, and Health Promotion and Protection - have been assigned to work collaboratively on the development and implementation of the child and youth strategy.

Interdepartmental official group in place, chaired by Executive Director of the Child and Youth Strategy who reports to the Deputy Minister of Community Services

Nunn Recommendation 28

Appoint senior official to oversee and be accountable for developing the strategy.

Status

The Department of Community Services hired an executive director to manage the development and implementation of the child and youth strategy. The appointment of Robert Wright was announced on April 27. Mr. Wright is a social worker and a mental health specialist whose career has focused on serving young people and their families for 17 years.

Executive Director with extensive background in youth services appointed

Nunn Recommendation 29

Establish a new Community Services Division to provide a range of services that support the “integrity of the family.”

Status

A new family and youth services division has been created at the Department of Community Services to enhance support for families, particularly in areas of early intervention, family counselling and youth at risk.

A website has been developed to act as a one-stop information resource for children, youth and families on programs and services that will help them deal with everyday issues.

A guide on programs and services offered through the departments of Justice, Community Services, Health, Education and Health Promotion and Protection has been developed for distribution to government offices, family resource centres, hospitals and other sites.

Nunn Recommendation 30

Build on Youth Crime report, in particular, the gap analysis.

Status

Initial gap analysis is being used to support development of the youth strategy. Regular research will be done on youth matters, including further gap analysis. Initial consultation session held with school boards, health districts, NSTU and other stakeholders.

Nunn Recommendation 31

Additional training for teachers, administrators on helping students with attention deficit and other disorders; funding for assessment and early intervention.

Status

Professional development modules and resources on attention deficit disorder and attention deficit/hyperactivity disorder are being developed collaboratively by the Department of Education, the Learning Disabilities Association and the Dalhousie University Chair on Adolescent Mental Health. Collaborative lead teams of health and education professionals will be trained in strategies to address adolescent depression and suicide prevention in October, 2007. Both initiatives will assist professionals in health and education to understand and respond, in a consistent and proactive way, to children and youth at risk in these areas.

A new Early Development Instrument for all Grade primary students will help to assess the educational and general well-being of the province’s youngest students in the areas of physical health and well-being, social competence, emotional maturity, language and cognitive development and communication skills and general knowledge. The information collected will help school boards better identify the strengths and needs of children in communities across Nova Scotia. It will be introduced in Winter 2008.

New division created to coordinate and deliver youth services, additional staff hired

Family and youth services website launched in June 2007

Training resources being developed by the Department of Education in coordination with Learning Disabilities Association and Dalhousie University

Introduction of a comprehensive early assessment: A population based measure for communities

Nunn Recommendation 32

More “school attachment” programs and supports.

Status

Positive and Effective Behaviour Supports Program (PEBS) has been introduced to in more than 300 schools and will be extended to 100 more schools in the 2007-08 school year. All schools will be participating by March 2008. This school wide system of behavioral supports uses proactive strategies for teaching and reinforcing appropriate students behaviors based on a code of conduct and consistent use of data to inform decision making and program design. Research shows that office referrals and out of school suspensions are reduced significantly and instructional minutes and on task time are increased.

The second phase of the initiative began in Spring 2007 with training for lead teachers and school psychologists on Functional Behavioural Analysis to assist teachers to address more persistent and challenging student behaviors.

The O2 (Options and Opportunities Program) will be available in 35 high schools by the fall. The program supports students who are disengaged but who will thrive on a more hands-on learning experience. O2 focuses on Community Learning Partnerships, Integrated Career Education and Planning, and application of Skills for the Workplace. Participating schools are reporting improved student success, attendance and student behaviour.

More than \$500,000 was provided to school boards to hire 12 new guidance counsellors in 2006-07. Targeted funding in Learning For Life II has lowered the resource teacher-to-student ratio from 1:253 in 2000 to 1:168 in 2007 (target is 1:165). This has allowed school boards to meet resource needs in junior and senior high and to develop innovative programming responding to their specific needs.

Examples include: Intensive short term, multi-agency intervention services to support students with challenging behaviors, transition programs, early intervention for students with challenging behaviors and supporting at risk students to develop life skills and improved behavior management.

Nunn Recommendation 33

Enforce school attendance.

Status

The Principals Committee on Attendance submitted its report to the Department of Education in March 2007. The Department and school boards are reviewing the report with recommendations to be presented to the Minister in Fall of 2007.

A guide for teachers and administrators on increasing student engagement in high schools titled Increasing Learning Success will be released in Fall 2007. A handbook on strategies to increase student attendance and criteria for access to grants for pilot projects in school boards is being developed and will be available in Fall 2008.

Nunn Recommendation 34

Provide in-school alternatives to out-of-school suspension.

Status

In-school suspension programs are in place in many junior and senior high schools throughout the province. A review of staffing, teacher time, scheduling and facilities issues will be done. More in school suspension programs will be implemented in Fall 2007.

Positive and Effective Behaviour program extended to all schools by early 2008

Training provided to lead teachers and school psychologists

Options and Opportunities program expanding to eight more high schools in Fall 2007

Resource teacher to student ratio lowered, near target

Student engagement and school attendance program guides for teachers in development for implementation in Fall 2007 and Fall 2008

Funding for pilot projects to increase student attendance available in Fall 2007

More in school suspension programs will be implemented in Fall 2007

