



**Attorney General
Justice
Office of the Minister**

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MINISTER'S DIRECTIVE

WHEREAS under the Nova Scotia *Police Act*, the Minister of Justice is the constituted authority for the administration of justice within the Province and is responsible to ensure an adequate and effective level of policing is maintained throughout the Province;

AND WHEREAS under the Nova Scotia *Police Act*, the Minister shall promote the preservation of peace, the prevention of crime, the efficiency of police services and the improvement of police relationships with communities within the Province;

AND WHEREAS for the purposes of so doing, the Minister may issue a directive to police;

AND WHEREAS Dr. Scot Wortley's *Halifax Nova Scotia: Street Checks Report* ("Wortley Report"), released on March 27, 2019, found the use of street checks is resulting in a disproportionate and negative impact on the African Nova Scotian community;

AND WHEREAS the use of street checks has created fear, intimidation and mistrust of police in the African Nova Scotian community and has undermined overall public confidence in police;

AND WHEREAS the Minister issued a Directive to police on March 28, 2019 prohibiting the use of street checks as part of a quota system or as a performance measurement tool, and dedicated funding for police training on the findings of the Wortley Report;

AND WHEREAS the Minister, committed to ensuring meaningful change, has also asked the African Nova Scotian Community including youth, as well as government, police, the Halifax Board of Police Commissioners, the Nova Scotia Human Rights Commission and other key partners to come together as a working group to review the recommendations of the Wortley Report and develop a plan recommending short, mid and longer-term actions;

AND WHEREAS the Wortley Report warrants, on an interim basis, an immediate change in current street check practices, until further notice;

I, MARK FUREY, MINISTER OF JUSTICE FOR NOVA SCOTIA DO HEREBY ISSUE THE FOLLOWING DIRECTIVE to all municipal police forces and the Royal Canadian Mounted Police, in their capacity as the Provincial Police, across the Province:

DEFINITIONS

For purposes of this Directive, the following definitions apply:

- a. “Identifying information” means any information which, alone or in combination with other information, can be used to identify an individual, and includes information about an individual’s race, age, sex, sexual orientation, gender identity, marital or family status, socioeconomic circumstances, and education, medical, psychiatric, psychological, criminal or employment history;
- b. “Passenger” means a person in a motor vehicle other than the driver;
- c. “Pedestrian” means a person in a place accessible to the public;
- d. “Street check” means an interaction between police and a person for the purpose of collecting and recording identifying information for general intelligence purposes;
- e. “Suspicious activity” means any activity where, under all of the circumstances, there are objective, credible grounds to request identifying information.

DIRECTIVE:

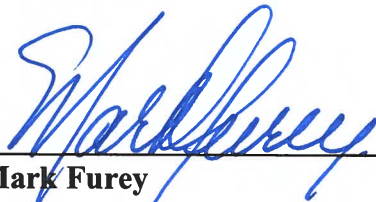
1. There shall be an immediate moratorium on street checks of pedestrians and passengers.
2. No police activities, whether addressed in this Directive or not, shall be conducted on the basis of discrimination, including race.
3. Senior leadership in all municipal police forces and the RCMP shall ensure that police officers at all levels, and particularly, front-line officers, adhere to this Directive.
4. The moratorium applies to street checks of pedestrians and passengers. It does not apply to the following police activities which, in accordance with clause 2, shall not be conducted on the basis of discrimination, including race:
 - a. motor vehicle stops where the driver is stopped under statutory or common law, including:
 - i. the *Motor Vehicle Act* to ensure compliance with license, registration, insurance and fitness of the vehicle;
 - ii. the *Criminal Code*, or for sobriety checks;
 - b. police inquiries into suspicious activity;
 - i. when inquiring into suspicious activity, police officers are directed that where there is suspicious activity and it is feasible to do so, they should first make inquiries of an individual to confirm or dispel the officer's suspicion without requesting identifying information;
 - c. police investigations of an offence or where police reasonably suspect that an offence has occurred, and that the person stopped is connected to the offence;

- d. investigative detention or arrest;
 - e. executing warrants.
5. For greater certainty, the moratorium does not, and is not intended to, constrain respectful general interactions between police and community. Respectful interactions between police and citizens are permissible under common law and essential to safe communities and effective policing.

THIS DIRECTIVE is in addition to, and does not replace, the Minister's Directive issued to police on March 28, 2019 prohibiting the use of street checks as part of a quota system or as a performance measurement tool.

THIS DIRECTIVE shall be in place until further notice and may be amended, revoked or replaced by the Minister at any time.

DATED this 17 day of April, 2019.



Mark Furey