

Department of Justice

Mission

The Department of Justice is committed to protecting and promoting the rights and safety of all people in Nova Scotia through responsive programs, policies, and services that are accessible and inclusive.

Mandate

The Department of Justice consists of approximately 1,700 employees (FTEs) and is responsible for the administration of justice and for promoting access to justice and the safety and security of Nova Scotians through justice-related programs, services and initiatives.

To accomplish its mandate, the Department provides services through six Divisions:

- Correctional Services
- Court Services
- Legal Services
- Maintenance Enforcement Program and Victim Services
- Policy and Information Management; and
- Public Safety and Security

as well as the Accessibility Directorate and the Strategic Initiatives Unit.

Vision

A justice system that fosters the safety, health, and well-being of all people in Nova Scotia.

Responsibilities

The Department of Justice is guided by principles of preventative and restorative justice in fulfilling its mandate. The Department's efforts to promote safety, security, and access to justice for Nova Scotians span all areas of the Department and include programs and services that assist vulnerable people including Indigenous Nova Scotians, African Nova Scotians, and Nova Scotians with disabilities.

CORRECTIONAL SERVICES

Correctional Services is responsible for contributing to public safety through effective community and custody-based case management and supervision of individuals incarcerated in provincial correctional facilities and serving community sentences.

The Correctional Services Division operates four adult correctional facilities one adult female unit and one youth facility. The key functions are to provide safe and secure custody and control of individuals under Correctional Services supervision, using Core Correctional Practices (CCP) and evidenced-based and culturally responsive programs that address an individual's criminogenic factors, risks and needs, and assist with successful community reintegration.

There are 22 Community Corrections offices in the province through which probation officers:

- provide information to assist the court in the sentencing process;
- administer and supervise community-based sentences ordered by the courts;
- provide directly or arrange qualified third-party evidence-based and culturally responsive programs that address criminogenic factors to assist individuals with pro-social behavior in the community, thereby increasing public safety; and

Youth Integrated Services are provided to youth under community supervision in the Cape Breton, Colchester/Pictou, Halifax, and Valley regions. These services include on-site education opportunities, mental health and addiction services and evidence-based and culturally responsive programs.

COURT SERVICES

Court Services is responsible for the delivery of services and programs which facilitate the public's access to justice, including management of court administration, court security and transportation of persons in custody and the provision of administrative support to the judiciary in all levels of court in Nova Scotia:

- Court of Appeal
- Supreme Court (General Division)
- Supreme Court (Family Division)
- Provincial Court
- Justice of the Peace Centre

- Gladue and Wellness Court
- Small Claims Court
- Probate Court
- Bankruptcy Court

Court Services in the civil justice context include the administration of the civil weddings program by administrative justices of the peace, and service and execution of civil documents by Sheriff Services.

Court Services in the criminal justice context include restitution and fine collection, administration of programs associated with specialty courts such Youth Justice Court and Wellness Courts that include as Mental Health, Court Monitored Drug Treatment, and Domestic Violence Courts, after-hours interim-release hearings, and the security and transport of people in custody and the service of criminal documents and execution orders by Sheriff Services.

Court Services in the family justice context include administration and management of support services and programs such as Administrative Recalculation of Child Support, Interjurisdictional Support Case Management and Support, the Supervised Access and Exchange Program, the Parent Information Program, Family Assessments and, the Family Law Information Program which includes Family Law Information Centres Resolution Services and nsfamilylaw.ca.

Sheriff Services is responsible for court security, civil enforcement, service and execution of civil and criminal documents, and transportation of people in custody.

Services are delivered throughout the province in full-service Justice Centres or stand-alone courthouses or satellite courts located in Amherst, Antigonish, Bridgewater, Digby and Annapolis Royal, Halifax Regional Municipality, Kentville and Windsor, Pictou, Port Hawkesbury and Wagmatcook, Sydney and Eskasoni, Truro and Shubenacadie, and Yarmouth and Shelburne.

LEGAL SERVICES

The Legal Services Division is the government's law firm, providing a full range of legal advice and services to support government operations and help government achieve its corporate priorities. With a staff of over 165 lawyers, paralegals, clerks and administrative professionals, the Division is one of the largest law offices in the Province and is responsive to its clients' needs. The Division's constant interaction with numerous public bodies affords it a unique perspective on government.

Operating within government, the Division adds value to the services and advice it provides because it understands the corporate environment in which government operates. The Division collaborates with its clients to deliver services that align with government's priorities.

The Division has extensive experience with legal issues that uniquely affect the Crown and offers a full range of commercial legal advice. The Division is highly skilled in matters of administrative law which applies to the decisions and actions of those operating under statutory authority. The advice provided by the Division assists those responsible for the management and operation of government departments and agencies to understand the legal aspects of these roles and helps them to identify and manage risk. Services provided by the Division include assistance with the negotiation and drafting of agreements, commercial transactions, corporate governance, property transactions, the development of legislation and regulations to implement the public policy goals of government, support in employment and labour matters, and routine advice.

The Division also represents government in most legal proceedings, except prosecutions. This includes formal litigation on behalf of the Crown before all levels of courts in the Province, the Federal Courts and the Supreme Court of Canada. Typical cases brought before these courts include judicial review applications, statutory appeals, contractual disputes, constitutional issues, class actions, and child and adult protection proceedings and other claims made by or against government. Beyond the courts, the Division represents government before administrative bodies and tribunals, and in arbitrations and mediations. The Division assists government departments and agencies in navigating the procedural and substantive aspects of these proceedings and helps them efficiently and effectively resolve disputes.

The Division is also home to the Registry of Regulations. The Registry of Regulations files, consolidates and publishes Nova Scotia regulations. The Registry reviews all draft regulations to ensure they meet the required plain language standards and are consistent in form, style and content with current legislation and regulations. The Registry is also responsible for the publication of the Royal Gazette Part I and Part II.

MAINTENANCE ENFORCEMENT AND VICTIM SERVICES

This Division has responsibility for providing support to victims of crime, as well as families and children who need assistance with payments owed to them through a maintenance support order and ensuring that there is improved access to these critical programs for vulnerable groups who need them.

Victim Services

With four offices and three sub-offices across Nova Scotia, this team aims to reduce the harmful impact of crime on victims by:

- Providing direct services for victims through core programs: the Provincial Victim Services Program, Criminal Injuries Counselling Program, Victim Impact Statement Program, Child Victim/Witness Program and Human Trafficking Navigational Support;
- Promoting victims' rights and interests and advising government on issues relating to victims of crime; and
- Working with justice partners and community stakeholders to develop policies and programs that address the needs of crime victims.

Maintenance Enforcement Program

This program provides the following services for clients who have obtained court-ordered child and maintenance support orders:

- Enforces the provisions of court orders through a variety of actions provided for in the *Maintenance Enforcement Act*, including licenses suspensions, employment or other forms of garnishment, and court actions;
- Providing enrollment functions to register clients in the program;
- Receiving, distributing and administering payments from payors, garnishee organizations and other payment sources to program recipients; and
- Administering and enforcing inter-jurisdictional support orders for payors and recipients not living in Nova Scotia.

POLICY AND INFORMATION MANAGEMENT

Policy and Information Management brings together an inter-related group of department functions dedicated to the creation, coordination, analysis, sharing, accuracy, storage, and business use of information. The Division's support for Justice includes:

- providing Department-wide policy formulation, advice, research, and business planning services;
- managing legislation;
- managing federal-provincial-territorial relations;
- coordinating the African Nova Scotian Justice Initiative;
- managing the Department's records management program (Central Registry); and
- coordinating the Department's facility and accommodation requirements.

PUBLIC SAFETY AND SECURITY

Public Safety and Security has responsibility for public safety initiatives in the province, including oversight, governance and advice to police, private security services and firearms license holders, as well as enforcement of community safety processes and security intelligence management services. Divisional responsibilities include:

- Administration of the *Police Act*, including acting in an advisory role to all police services, managing contracts with the RCMP and First Nations Policing, and strengthening policing initiatives through the development of standards, audits and inspections and governance training;
- Partnerships with the public safety community and federal-provincial-territorial partners to contribute to and facilitate initiatives to improve public safety;
- Liaising with public safety stakeholders and federal-provincial-territorial partners on crime prevention initiatives;
- Effective regulation and monitoring of the private security industry pursuant to the *Private Investigators and Private Guards Act*, including the licensing of businesses and individuals engaged in private security services;
- Administration of the licensing provisions of the federal *Firearms Act*, including licensing firearms owners/businesses, designation and inspection of firing ranges, and delivering firearms safety courses;

- Enforcement of the *Safer Communities and Neighbourhoods Act*, which aims to improve community safety by targeting and, if necessary, shutting down residential and commercial buildings and land that are regularly used for illegal activities such as: producing, selling or using illegal drugs, prostitution, illegal gaming, or the unlawful sale and consumption of alcohol;
- Administration of the Rewards for Major Unsolved Crimes program;
- Administration of the Security Intelligence Management Section through coordination of security and threat assessments on behalf of government;
- Administration of corporate security;
- Administration of service agreements with a network of eight community justice agencies and one community organization which offers services for Indigenous peoples; and,
- Programs to improve the cybersafety of Nova Scotian adults and youth.

ACCESSIBILITY DIRECTORATE

The Accessibility Directorate is responsible for implementing and administering the *Nova Scotia Accessibility Act* and addressing broader issues across the province related to persons with disabilities. With the focus on achieving an accessible Nova Scotia by 2030, the Directorate works to prevent and remove barriers so that persons with disabilities are to participate fully in their communities and in society more broadly.

The Accessibility Directorate provides support to the Accessibility Advisory Board, which is responsible for advising and making recommendations to the Minister of Justice about accessibility. In this capacity, the Directorate coordinates the work of the Advisory Board as well as the Standard Development Committees, with the respective Chairs being appointed by the Minister of Justice.

Accessibility standards will apply to six areas: the built environment, education, employment, goods and services, information and communication, and public transportation and transportation infrastructure. The Directorate leads government's work to review recommendations made by the Standard Development Committees, including drafting proposed standards.

In addition, the Directorate supports government's role to lead by example in accessibility, to improving access for persons with disabilities to government information, infrastructure, workforce, programs, and services.

Using a collaborative approach, the Directorate works with staff across government, to support the development and implementation of the Government of Nova Scotia's accessibility plans that set out accessibility priorities to create an inclusive, responsive, and barrier-free workplace for Nova Scotia public servants, and that ensure services to Nova Scotians are accessible to all.

Through working with persons with disabilities, municipalities, businesses, postsecondary institutions, and community groups the Directorate supports accessibility initiatives across public and private sectors and throughout the province. The Directorate's work is grounded in collaboration and first voice representation and participation of persons with disabilities.

STRATEGIC INITIATIVES UNIT

The Strategic Initiatives Unit brings together several areas of the Department's work, including the following:

- Domestic Violence Initiatives Unit;
- Inclusive Diversity, Equity, and Accessibility;
- Indigenous Justice initiatives; and
- Restorative Initiatives Unit.

Domestic Violence Initiatives Unit

The Domestic Violence Unit (DVU) identifies opportunities and implements programs and services which serve to prevent domestic violence, support victims, heighten the coordination between service agencies, and shift policies and interventions to achieve results that meet the needs of the most vulnerable.

The DVU has been collaborating with the Status of Women and other departments and community organizations in support of the *Standing Together Initiative to Prevent Domestic Violence*. The Standing Together initiative led by the Nova Scotia Advisory Council on the Status of Women, has been working with community organizations, groups, and experts to build an action plan to break harmful cycles of domestic violence, utilizing a trauma informed, human centred approach.

The DVU has also been leading major projects focused on improving the response to domestic violence cases, such as the redesign of the Domestic Violence Training Program and the rollout of training content that is available 24/7. As well, the DVU has been a leader in the implementation of the Provincial Highest Risk Domestic Violence Table. The Table's focus is the prevention of domestic homicides through increasing victim safety and perpetrator accountability support in high-risk cases.

The DVU is comprised of an Executive Lead, Project Manager and an Administrative Assistant who report to the Senior Executive Advisor to the Deputy Minister.

Inclusion, Diversity, Equity and Accessibility

The Inclusion, Diversity, Equity and Accessibility (IDEA) Unit is responsible for ensuring an inclusion and diversity lens is applied to strategies, policies, standards, program design, recruitment, retention, and other initiatives of the department.

The IDEA unit is also responsible for providing policy advice and operational leadership to the department on the development and implementation of inclusion, diversity, equity, and accessibility as it applies to all Nova Scotians but with emphasis on representing the needs and realities of historically underrepresented and/or marginalized communities and groups within the province.

The work of the Unit is supported by the Senior Advisor, Diversity and Inclusion and reports to the Senior Executive Advisor to the Deputy Minister in Strategic Initiatives Unit.

Indigenous Justice Initiatives

The Indigenous Justice Action Plan is a significant priority of the Department in collaboration with the Government of Canada and Indigenous community partners, DOJ has committed to the development of an Indigenous Justice Action Plan (IJAP) to provide a strategic and comprehensive approach to the work of Indigenous justice in Nova Scotia.

Guided by the calls for action in the Marshall Inquiry, the Murdered and Missing Indigenous Women and Girls Inquiry and the Truth and Reconciliation Report, the Wortley Report, UNDA and with community engagement and input as a leading stage to its work, the Department developed an overall plan to deliver the Indigenous Justice Action Plan (IJAP).

The goal for the IJAP is to transform the justice system in ways that meet the needs of indigenous persons by addressing systemic discrimination and removing systemic barriers throughout the justice system in Nova Scotia.

Restorative Initiatives Unit

The Restorative Initiatives Unit supports and advances restorative approaches throughout government and in the Province. Nova Scotia is an international leader in a restorative approach anchored by the Restorative Justice Program for youth and adults across the province and the Restorative Approach in Schools project supporting a province-wide network of educators and schools. A Restorative

Approach offers a common set of principles to guide processes - it is not one fixed model or practice. This approach considers the contexts, causes, circumstances, and impacts related to an issue or incident to determine what is required for a good outcome and to determine what needs to change at a local or system level. A restorative approach can respond to the nature of the situation and the needs of all involved by bringing together everyone who has a stake in the outcome those who have been affected, those with responsibility for what happened, and those who can support a good outcome.

The use of a restorative approach is growing rapidly in Nova Scotia across government and in communities. A small and dynamic team leads this work to facilitate integration and collaboration in the application and development of this approach in the province. The team is comprised of the Director of Restorative Initiatives, a Restorative Approach Coordinator, a Restorative Justice Coordinator, and a Restorative Approaches Senior Policy Analyst, led by the Senior Executive Advisor to the Deputy Minister.

For the past 20 years Nova Scotia has been championing a restorative approach in the justice system through the Nova Scotia Restorative Justice Program (NSRJP), and this remains a key pillar of the Unit's overall work. Restorative justice is founded on a collaboration between justice stakeholders from the justice system and community. The NSRJP memorandum of understanding reaffirms justice stakeholders' commitment to the integrated restorative justice program. Cases are referred to the restorative justice regional teams located across the province. These teams include members from the community-based Restorative Justice Agencies and the Community corrections unit of the Department's Correctional Services Division. Members of the team work collaboratively to provide restorative justice in adult cases while the Restorative Justice Agencies are the primary providers in cases involving young people.

Acts Administered

Accessibility Act

Adult Capacity and Decision-making Act

Age of Majority Act

Alternative Penalty Act

Apologies Act

Applied Science Technology Act

Apportionment Act

Arbitration Act
Architects Act
Assets Management and Disposition Act
Assignments and Preferences Act
Beneficiaries Designation Act
Bills of Lading Act
Blind Persons' Rights Act
Body Armour Control Act
Builders' Lien Act
Canada and United Kingdom Reciprocal Recognition and Enforcement of Judgments Act
Canadian Information Processing Society of Nova Scotia Act
Cannabis Control Act (Part II)
Cape Breton Barristers' Society Act
Child Abduction Act
Child Pornography Reporting Act
Civil Forfeiture Act
Class Proceedings Act
Collection Act
Commercial Arbitration Act
Commercial Mediation Act
Compensation for Victims of Crime Act
Conflict of Interest Act
Constables' Protection Act
Constitutional Questions Act
Contributory Negligence Act
Controverted Elections Act
Conveyancing Act
Correctional Services Act
Cost and Fees Act
Court and Administrative Reform Act
Court for Divorce and Matrimonial Causes Act
Court Houses and Lockup Houses Act
Court Jurisdiction and Proceedings Transfer Act
Court Officials Act
Court Security Act
Creditors' Relief Act
Criminal Notoriety Act

Cross-border Policing Act
Cyber Safety Act
Defamation Act
Demise of the Crown Act
Descent of Property Act
Domestic Violence Intervention Act
Elections Act
Electronic Commerce Act
Emancipation Day Act
Enforcement of Canadian Judgments and Decrees Act
Enforcement of Court Orders Act
Engineering Profession Act
Escheats Act
Estate Actions Act
Estreats Act
Evidence Act
Expropriation Act
Family Court Act
Family Orders Information Release Act
Fatal Injuries Act
Fatality Investigations Act
Federal-Provincial Power Act
Flea Markets Regulation Act
Forcible Entry and Detainer Act
Freedom of Information and Protection of Privacy Act
Geoscience Profession Act
Guardianship Act
Gunshot Wounds Mandatory Reporting Act
House of Assembly Act
Human Rights Act
Inebriates' Guardianship Act
Interest on Judgments Act
Interior Designers Act
Interjurisdictional Support Orders Act
International Commercial Arbitration Act
International Interests in Mobile Aircraft Equipment Act
International Sale of Goods Act

International Trusts Act
International Wills Act
Interpretation Act
Interprovincial Subpoena Act
Intestate Succession Act
Intimate Images and Cyber-protection Act
Judicature Act
Judicial Disqualifications Removal Act
Juries Act
Justices of the Peace Act
Land Actions Venue Act
Law Reform Commission Act
Legal Aid Act
Legal Profession Act
Liberty of the Subject Act
Lieutenant Governor and Great Seal Act
Limitation of Actions Act
Maintenance and Custody Act
Maintenance Enforcement Act
Matrimonial Property Act
Members and Public Employees Disclosure Act
Night Courts Act
Notaries and Commissioners Act
Occupiers' Liability Act
Ombudsman Act
Overholding Tenants Act
Partition Act
Partnership Act
Payment into Court Act
Personal Directives Act
Personal Information International Disclosure Protection Act
Pledging of Service Emblems Act
Police Act
Police and Peace Officers' Memorial Day Act
Police Identity Management Act
Police Services Act
Powers of Attorney Act

Presumption of Death Act
Privacy Review Officer Act
Private Investigators and Private Guards Act
Probate Act
Proceedings Against the Crown Act
Professional Planners Act
Protecting Access to Health Services Act
Protection of Property Act
Provincial Court Act
Public Inquiries Act
Public Prosecutions Act
Public Subscriptions Act
Public Trustee Act
Purchasing Management Association of Canada Act
Quieting Titles Act
Real Property Act
Reciprocal Enforcement of Custody Orders Act
Reciprocal Enforcement of Judgment Act
Regulations Act
Religious and Charitable Corporations Property Act
Religious Congregations and Societies Act
Remembrance Day Act
Remission of Penalties Act
Retail Business Uniform Closing Day Act
Safer Communities and Neighbourhoods Act
Sale of Goods Act
Sale of Land under Execution Act
Small Claims Court Act
Solemnization of Marriage Act
Statute of Frauds Act
Statute Revision Act
Storage Warehouse Keepers Act
Summary Proceedings Act
Supreme and Exchequer Courts of Canada
Sureties Act
Survival of Actions Act
Survivorship Act

Tenancies and Distress for Rent Act
Testators' Family Maintenance Act
Ticket of Leave Act
Time Definition Act
Tortfeasors Act
Trustee Act
Unclaimed Articles Act
Uniform Law Act
Variation of Trusts Act
Vendors and Purchasers Act
Victims' Rights and Services Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Woodsmen's Lien Act
Workers' Compensation Act (Part II only)
Youth Justice Act

Administrative update: **June 23, 2022**
