Eligibility Criteria

Consideration for admission to the Program is based on:
• eighteen (18) years or older at the time of the offense;
• sufficient evidence to support a criminal charge;
• the accused accepts responsibility for the offence;
• no substantial young offender or adult record of similar offences or recent criminal charge;
• no previous referral to Adult Diversion in the past two (2) years.

Referral Process

• Initially, police determine if the accused meets eligibility criteria at the time of the incident and refer cases to Adult Diversion.
• Once received by Adult Diversion, each case is reviewed with the Crown Attorney for approval or rejection.
• Contact is established with the victim in order to determine the victim's interest in participating in face-to-face mediation with the accused.
• An assessment interview is conducted with the accused in order to determine their acceptance into the Program.
• If the victim agrees to participate, a mediation hearing is held for the purpose of reaching a formal agreement.
• If the victim declines to participate, a diversion agreement is established with the offender by Adult Diversion personnel.

Opting not to participate or failure to complete the Adult Diversion Agreement will result in the case being returned to the police.

Objectives

Adult Diversion is a post-charge alternative to the traditional court process for individuals eighteen (18) years and older who commit eligible offences.

The Program seeks to:
• provide victims with the opportunity to actively participate in a process directed toward achieving a successful resolution to the incident;
• develop initiatives which promote responsible, pro-social behavior on the part of the alleged adult offender and which are also consistent with the protection of society;
• reduce the possibility of accused repeating their criminal behavior;
• provide options for improving efficiency and effectiveness in the handling of cases brought to the Nova Scotia criminal justice system;
• offer an option to the criminal justice system that is visible, accountable and accessible to accused, victims and the community.

Benefits

Adult Diversion benefits victims, the courts, accused, and the community. Accused are held more immediately accountable, must take responsibility for their actions and are made aware of the harm done to the victim.

Both the accused and the victim have the opportunity to participate in resolving the problem in a fair and equitable manner. Victims benefit from a quicker response to their concerns, thus avoiding the stress and delays of the court process.
Range of Adult Diversion Options

A combination of measures may be used, depending on the circumstances and needs of the accused, along with availability and accessibility of the chosen program:

• community service work
• restitution/financial compensation
• victim/offender reconciliation
• education programs
• other approved measures (e.g., letter of apology)
• no further action (reparations previously made)

Adult Diversion Records

Adult Diversion records held by the police and Department of Justice are used to ensure that accused are not admitted to the Program when they are ineligible.

Diversion records are destroyed five (5) years from the date of the successful completion of the agreement.

For further information please contact the Community Corrections Office in your area: