



House of Assembly
Nova Scotia

HALIFAX, WEDNESDAY, MARCH 20, 2024

COMMITTEE OF THE WHOLE ON SUPPLY

6:51 P.M.

CHAIR
Nolan Young

THE CHAIR: Order. The Subcommittee on Supply will come to order. It is now 6:51 p.m. The subcommittee is meeting to consider the Estimates of the Department of Justice as outlined in Resolutions E13, E20, E22, E25, and E33.

Resolution E13 - Resolved, that a sum not exceeding \$468,687,000 be granted to the Lieutenant Governor to defray expenses in respect of the Department of Justice, pursuant to the Estimate.

Resolution E20 - Resolved, that a sum not exceeding \$1,281,000 be granted to the Lieutenant Governor to defray expenses in respect of the Freedom of Information and Protection of Privacy Review Office, pursuant to the Estimate.

Resolution E22 - Resolved, that a sum not exceeding \$3,044,000 be granted to the Lieutenant Governor to defray expenses in respect of the Human Rights Commission, pursuant to the Estimate.

Resolution E25 - Resolved, that a sum not exceeding \$444,000 be granted to the Lieutenant Governor to defray expenses in respect of the Nova Scotia Police Complaints Commissioner, pursuant to the Estimate.

Resolution E33 - Resolved, that a sum not exceeding \$32,075,000 be granted to the Lieutenant Governor to defray expenses in respect of the Public Prosecution Service, pursuant to the Estimate.

The honourable Minister of Justice.

HON. BRAD JOHNS: Good afternoon, Chair, colleagues, and others watching today. I'm pleased to join you to talk about the work of the Department of Justice. I am tremendously proud of this department and the dedicated individuals who work hard day in and day out to ensure we have a well-functioning, fair, and accessible justice system. Before I begin today, I would like to make a couple of quick introductions. Joining me today from the Department of Justice is Deputy Minister Candace Thomas. We have with us the Executive Director of Finance, whom I believe is behind me, Li Jin, and to my left is Bill Trask, the Executive Director of Policy and Information Management.

When talking about the work of the Department of Justice, I think it's important that we first highlight the broad scope of what we do and how it impacts our province. Nova Scotia's Department of Justice is responsible for the administration of the Province's justice system, which includes the responsibility for public safety and security, including policing and police oversight; licensing and regulation of private security services; cyber safety; oversight of service animals; managing and supporting the administration of the province's court system, which includes our 25 courthouses; providing administrative support to provincially and federally appointed judges; courthouse security; safe transportation of persons in custody; civil enforcement; correctional services, including community and in-custody programs; providing victim services to help victims and witnesses of crime; enforcing court-ordered child support and spousal support payments; leading the province to become more accessible through our Accessibility Act; leading and supporting the government's anti-racism, anti-hate, and equality efforts; and providing legal services and advice to the government of Nova Scotia and all its agencies and Crown corporations.

Our more than 1,800 employees include correctional officers, sheriffs, lawyers, probation officers, court administrators, policy analysts, victim service navigators, youth workers, and firearms experts, all of whom work in communities across Nova Scotia. Our employees are tremendously dedicated to their work and to the Nova Scotians who rely on our justice system, often during some of the most difficult times of their lives.

As attorney general and Minister of Justice, I'm also responsible for a number of arm's-length Crown agencies, commissions, and offices. These include the Nova Scotia Medical Examiner Service, which is led by Chief Medical Examiner Dr. Matthew Bowes; Nova Scotia Legal Aid, led by CEO Charlene Moore; the Office of the Police Complaints Commissioner, led by retired judge Patrick H. Curran; Nova Scotia Public Prosecution Service, led by the Acting Director Rick Woodburn; the Nova Scotia Public Trustee, led by Shannon Ingraham-Christie; the Serious Incident Response Team, or SiRT, led by Acting Director Erin Nauss; the Workers' Compensation Appeals Tribunal, led by Sandy MacIntosh, who is the chief appeal commissioner, and the Nova Scotia Human Rights Commission, led by CEO Joe Fraser.

As an aside, I'm pleased that Nova Scotia just hosted the first federal-provincial-territorial meeting of ministers responsible for human rights in Halifax last June. You'll note a theme of human rights, equality and anti-racism throughout the work of our department.

I'm also responsible for the Freedom of Information and Protection of Privacy Act, the Elections Act, as well as more than 165 other pieces of legislation.

I would like to recognize both Dorothy Rice, who is the Chief Electoral Officer, and Tricia Ralph, the Information and Privacy Commissioner, and thank them for their work, as well. Nova Scotians are fortunate to have two qualified and dedicated individuals in these two roles.

I'll now take a moment to highlight some of the investments in the Department of Justice's budget this year. Our budget for the upcoming fiscal year is \$453.5 million, an increase of \$15.2 million from last year's budget. Major increases include \$2.2 million for an increased cost of the RCMP collective agreement, \$2 million for additional resources to address court delays, and \$1.2 million for the Equity and Anti-Racism Strategy. We're also adding 9.3 net full-time equivalents to the department, largely to support the operations of Nova Scotia's first-ever bail court, which I recently announced.

The Department of Justice also has several projects in the capital plan, including the design work for a new Cape Breton correctional facility and a provincial court scheduling system IT project.

Budget 2024-25 makes important investments in areas of public safety, efficiency in our justice system and government's efforts in addressing racism and inequality. We will continue to make investments and do the work Nova Scotians expect us to do.

One of our highest priorities within the Department of Justice and across government is the action in response to the final report of the Mass Casualty Commission and the Desmond Fatality Inquiry. Our commitment is that we will learn from these tragic events and strive toward taking all necessary steps to ensure that something similar never happens again. We are committed to working together with all levels of government to respond to these reports.

Our immediate response to the Mass Casualty Commission's report focused on four key areas: community well-being; grief, bereavement, and mental wellness resources; policing operations; and gender-based violence prevention. The provincial and federal governments established the Progress Monitoring Committee, which will help the public stay up to date on the progress of the initiatives that Nova Scotia and Canada are taking in response to the report. Through our response to the Mass Casualty Commission's final report, much work is under way to improve mental health services, raise awareness of and address domestic violence, and improve public safety. That is why we're also carefully

considering how recommendations from the Desmond Fatality Inquiry's final report are linked with our actions in response to the final report of the Mass Casualty Commission.

I know that the Desmond and Borden families, their friends and the community of Upper Big Tracadie have waited too long for answers. We have been reviewing the report put forward by Judge Scovil, which touches on public safety and policing, access to mental health treatment and supports, intimate partner and domestic violence, how racialized communities are supported with culturally responsive programs, and how government shares information and supports those who serve their country. These issues are important, and they're not simple.

[7:00 p.m.]

My commitment to the Desmond and Borden families, their friends, and all of the African Nova Scotian rural communities is that the lessons learned from this report will be incorporated into the work of government. We will continue to liaise with federal government about items that fall under their jurisdiction, like veterans' affairs and firearms, while we continue to act on those recommendations that were made to the province.

I want to thank those within government who have led the work in the immediate response and those who are now leading the work on responding to these two reports. I also want to thank those, particularly within our Victim Services division, who have supported the families and communities in the days, months, and years since these terrible events unfolded. These staff were among the first on hand to provide support, arranging counselling services, ensuring that those affected were kept informed, and providing on-site services and supports to the family and community and during the inquiry stages.

On the topic of public safety, I want to speak briefly about another important and significant initiative that my department is currently undertaking: a comprehensive review of policing in Nova Scotia. It is important that our police services are efficient, effective, and affordable, and that they are structured in a way that best serves Nova Scotians.

There are currently 11 police agencies in Nova Scotia - 10 municipal and the RCMP - who serve as the provincial police force. In total, we have almost 2,000 police officer positions across this province. The structure of this review includes an expert external consultant, Deloitte, who will work closely with a Nova Scotia Policing Review Engagement Advisory Committee comprised of people from equity-deserving groups, the provincial government, police agencies, subject matter experts, and others. The process will review how policing is currently done and make recommendations on how to better serve Nova Scotians in the future.

The committee is led by co-chairs Lindell Smith of Halifax and Hayley Crichton, Executive Director of Public Services, Safety and Security in our department. I appreciate all the members of the committee stepping up and helping to guide this work. Local, diverse

voices are crucial in ensuring that Nova Scotians are engaged as this review progresses. We hope to have this done by the end of April 2025.

We also continue to work closely with our partners within the justice system to address sexualized violence, human trafficking, and sexual exploitation. The impact of these crimes is severe and felt in communities across our province, and we know they have a larger impact on marginalized communities and women. Human trafficking can be difficult to detect, and victims tend to be isolated and concealed from the public. Many may experience barriers or be unwilling to report to authorities for various reasons.

While Statistics Canada has recently reported a decrease in the rate of human trafficking in Nova Scotia in 2022, over the previous year, we unfortunately continue to have the highest rate of human trafficking among provinces and territories. Sadly, our coastal locations have been identified as a hub for human trafficking where victims are often moved from Atlantic Canada to the rest of the country. We are taking steps to address all aspects of this crime. We are supporting police in the investigation of the people who commit these crimes, providing additional resources to the Public Prosecution Service to ensure that those who are responsible are tried for these crimes, and providing support to victims to help them move forward.

We continue to support a dedicated police human trafficking unit. Since 2018, government has invested \$1.3 million in this integrated unit, which is comprised of the RCMP and municipal officers, to provide dedicated support to survivors and enforce laws against human trafficking. The funding has been implemented through a plan and focuses on marginalized communities, including survivors of human trafficking. We know more needs to be done. Combatting human trafficking requires education, prevention, enforcement, and support. I know our police agencies are dedicated to addressing human trafficking and we will continue to work together on this.

The Public Prosecution Service already had a dedicated team providing prosecutions for human trafficking. We have recently provided two additional positions - a Crown prosecutor as well as a legal assistant - to expand this team and provide dedicated services in Cape Breton. We are also increasing our support for victims of sexualized violence. In addition to the human trafficking support provided by PPS, we have also recently provided two new positions specifically dedicated to sexual assault prosecutions.

Survivors of sexual violence are entitled to be treated with respect, and a range of services is available to help survivors navigate the justice system. Victim Services provides multiple supports and services for survivors of crime and specific supports for survivors of sexual violence. Victim Services navigators are trained in trauma-informed practices and are there to help victims throughout the core process, including supports for making victim impact statements which help ensure survivors are heard and that the court has a full understanding of the impact of these horrible crimes.

In addition to these supports, Victim Services offers other programs to help people who have experienced sexualized violence. The first of these programs is an independent legal advice program; knowledge is power, and we want to empower survivors. This program provides survivors of sexual violence, including people impacted by human trafficking, the opportunity to access up to four free hours of independent legal advice. Survivors can access this at any point and it does not require a police report.

Earlier this month, six new lawyers received training and will be added to the roster of lawyers who are now available under this program. Another program that supports victims of sexual violence is our SOLR - Sexual Offence Legal Representation. Our criminal justice system is built on the idea that every accused has a right to make full answer and defence. This program ensures that victims have their own independent legal advice and representation in court cases where an accused is requesting access to the victim's personal records.

Through the Criminal Injuries Counselling Program, Victim Services can help victims pay for professional counselling services to deal with trauma resulting from the crime. This program is available to victims of a violent criminal offence, immediate families of a person who has been murdered, or to people injured while trying to stop a crime. Counselling is provided by approved private counselling specialists within the community.

Victim Services is currently in the process of streamlining this program to speed up approvals and find efficiencies that allow staff to devote more time to counselling and clients. They are also focused on recruiting a more diverse roster of counselors. We are also continuing to work on amendments to the Victims' Rights and Services Act to ensure that a survivor of sexual violence is treated with respect throughout the process. We've completed consultations with service providers and will be using this information to develop proposed amendments to address the needs of sexual assault survivors across the criminal justice system.

We also remain committed to addressing serious crime in our community, including gun violence. A new framework is currently under development to guide investment and projects that combat serious and violent crime in Nova Scotia. We also remain committed to addressing hate-motivated crimes. I am very concerned about the increase in police-reported hate crimes nationally and here in Nova Scotia. Every Nova Scotian has a right to feel safe and secure in their community and we are committed to ensuring our police agencies have the resources and supports they need to address violent crime, fire-related crime, organized crime, and hate crime. We are deeply committed to addressing racism, hate, and inequality in our communities and the Equity and Anti-Racism Strategy, a first of its kind in Canada, reflects this commitment.

A theme you will see throughout our work and something that we view as a matter of great importance is addressing systemic discrimination in the justice system. Every Nova

Scotian should trust that our justice system will treat them fairly and equitably regardless of their skin colour, cultural background, sexual identify, gender identity, or gender expression. Everyone deserves to see themselves reflected in a justice system that is as diverse as the communities that it operates within.

Since last budget, the provincial Office of Equity and Anti-Racism - or OEA - has moved to the Department of Justice. OEA has a natural home in this department, and its work aligns well with the work already underway in DOJ. The Office of Equity and Anti-Racism was established to work across government and with partners in community to improve the lives of the underrepresented and unserved communities by identifying and addressing systemic inequality and racism.

We also have a lot of excellent work under way to combat systemic discrimination and racism, such as the development of accessibility standards, the ongoing development of the African-Nova Scotian Justice Action Plan and an Indigenous Justice Action Strategy, and the implementation of recommendations from the Wortley Report on Street Checks, all while working with community.

In July 2023, I was pleased to announce the Province's Equity and Anti-Racism Strategy. The goal of this first-of-its-kind-in-Canada plan is to ensure a whole-of-government approach in identifying and addressing systemic hate, inequality, and racism. The strategy responds to community feedback by addressing how government applies an equity and anti-racism lens when considering and making legislation, regulations, and policy. It also responds to community concerns about how equity and race-based data is collected and used, how we support and fund communities in addressing hate, inequality, and racism through the community network, and the need to support municipalities and villages to create welcoming communities by doing equity and anti-racism work throughout this province.

The strategy aligns OEA as the lead within government for the 2SLGBTQIA+ community. This is the first time a lead department has been identified for the rainbow community, and OEA is currently working on an action plan that will be informed by the community to meet their needs. This was all made possible because of the engagement of Nova Scotians and the all-party legislative community, who worked together on the Dismantling Racism and Hate Act, which passed through the Legislature unanimously. This legislation also empowers government to require other public sector bodies to develop their own equity and anti-racism plans.

Last month, OEA's Community Network Grant program opened for applications. Through this program, community organizations can apply for funding for projects that have a primary mandate and objectives related to equity and anti-racism. These grants are part of OEA's Community Network, which was created to provide a virtual space to better connect communities with each other and with the government for meaningful, sustainable

dialogue. The network launched on July 31, 2023 will continue to grow with feedback from members, and is one of the key commitments in the Dismantling Racism and Hate Act.

The Department of Justice also continues to work on an Indigenous Justice Action Strategy. We are committed to a justice system that meets the needs of Indigenous persons, and that means addressing overrepresentation, being culturally responsive, and having more supports. We are using a “nothing about us without us” approach to engage with the Mi’kmaq community and service delivery agencies. Extensive engagement with community, Mi’kmaq justice agencies, and partners is informing the strategy, which will identify opportunities to improve culturally appropriate and responsive programs and services to address the overrepresentation of Indigenous persons in the justice system.

[7:15 p.m.]

We have gathered the experiences of over 180 people and are working with KMKNO, which is the Mi’kmaw rights organization, to complete the community engagement process. We’re also developing an African Nova Scotia Justice Action Plan, working with African Nova Scotians and people of African descent. We have conducted significant engagements in over 25 African Nova Scotian communities across this province. The voices of community members are critical in developing this plan.

This work is being done with the African Nova Scotian Decade for People of African Descent Coalition, the African Nova Scotian Justice Institute, the Association of Black Social Workers, and the Office of African Nova Scotian Affairs. I look forward to sharing more details on both of these strategies in the near future. I truly thank everyone who has taken the time to speak with us and share their thoughts and experiences.

Another important area in our department is accessibility. I want to reaffirm our government’s goal of a fair and more accessible Nova Scotia by 2030. An accessible province means an exclusive future for Nova Scotians and our government is committed to leading by example. We know that people with disabilities across Nova Scotia experience more financial insecurity, social isolation, and higher rates of unstable employment compared to those without disabilities. We are working to change that.

All government departments are acting on commitments made through the Government of Nova Scotia’s Accessibility Plan. A key highlight for me was receiving the report on the first independent review of the Accessibility Act in May. Dr. Katie Aubrecht, a disability scholar and associate professor at StFX University led the independent review.

It is important to regularly review implementation of the Accessibility Act to make sure that it continues to remove and prevent barriers from people with disabilities. Dr. Aubrecht’s recommendations will help us to strengthen our approach to this important work. We’re taking action to address 47 of the 48 recommendations from Dr. Aubrecht that will help guide us to achieving more accessible goals in the future.

We continue to make good progress to develop all six standard areas in education, employment, goods and services, the built environment, information and communication, and public transportation. Work is also under way on the development of the implementation of the Accessibility Plan by government in 107 public sector organizations.

We have also been working closely with the Public Service Commission to make accessible training mandatory for civil servants. Impressively, over 9,000 employees have completed the Introduction to Disability training and over 5,000 have completed Introduction to Accessibility Barriers and Solutions.

Of course, partnership is a cornerstone to reaching our goal of an accessible province. Municipalities, villages, and other public sector bodies are important partners. I'm pleased that nearly all the prescribed public sector bodies have developed and are implementing their own accessibility plans as well. Overall, I'm very pleased with the progress of the accessibility standards, and would like to thank the Accessibility Directorate, staff, and the Accessibility Advisory Board for their commitments and all their hard work to helping us make Nova Scotia more accessible.

I'd like to shift right now to a more important topic of access to justice. The province continues to be committed to finding efficiencies and reducing backlogs and delay in our provincial courts. We are aware of the impact of the Supreme Court Canada's 2016 Jordan Decision. While there has been progress at reducing the number of cases above the Jordan threshold, the number remained very high compared to pre-pandemic levels.

That is why our government is making significant investments across the Province's criminal justice system to increase efficiencies and reduce the backlog of cases. Our courts have adapted and shifted rapidly, and the use of more virtual services has improved access to the justice system for many Nova Scotians. We have filled judicial vacancies, implemented new training, adopted new technologies, and added new permanent positions to the Public Prosecution Service and within Court Services.

Just a few weeks ago, I was pleased to announce that the province will establish its first-ever bail court. The new bail court will be a hybrid provincial court that deals with bail hearings in person in HRM and virtually across Nova Scotia.

There are, on average, 12,000 judicial interim release hearings each year in courtrooms across Nova Scotia. Moving these matters to a single court will allow other courts to focus on setting matters down for trial. It will enable more trials to be held sooner, reducing the possibility of cases being dismissed without a trial. It will also assist in addressing the high number of remands in provincial correctional facilities.

To support an increasing caseload, Nova Scotia Legal Aid will receive an annual grant of \$227,000 to hire a new staff lawyer and a court support worker.

In August 2023, I was pleased to appoint Judge Perry Borden as our new provincial chief judge. More recently, I appointed two experienced and respected judges, Judge Shane Russell of Sydney and Judge Ronda van der Hoek of Windsor, as Associate Chief Judges. Administering the provincial court continues to become more complex. I know that they will make tremendous contributions to the administration of the courts in our province.

We have also made what we believe to be the single largest increase in staffing in the Nova Scotia Public Prosecution Service since it was first established in 1990. To ensure that PPS has the resources needed to prosecute more complex cases, we're providing funding for 27 permanent positions.

Seventeen of those are brand new positions - 11 Crown attorneys and six legal assistants - that will play a crucial role in the administration of justice and support specialized prosecution teams related to human trafficking and sexualized violence, as well as increase frontline Crown attorney positions around the province.

The other 10 positions will allow PPS to make its intake pilot teams permanent. This pilot began in 2017 to triage cases to address the court backlogs and support compliance with Jordan timelines. These existing term positions have now been converted to permanent full-time positions. The Public Prosecution Service will designate four of these new lawyer positions for equity candidates to improve representation within the organization and throughout the justice system.

Building on lessons learned through the pandemic, we continue to work with judges and the Department of Cyber Security and Digital Solutions to modernize the courts of Nova Scotia. The Digital Task Force, co-led by the Department of Justice and the Nova Scotia judiciary, aims to improve access to justice, increase efficiencies, and create better outcomes for users.

Courts continue to shift to virtual and hybrid court models where appropriate by hearing matters via telephone and video conferencing. The work of the Digital Task Force continues. The next step includes focusing on the development of digital solutions for Nova Scotia's Court of Appeal.

Our Court Services division has made supporting families a key focus in their work. Divorce can be incredibly difficult for families, which is why we have introduced a virtual workshop to help people gain basic information about the process and how to apply to the court for a divorce. These live and interactive virtual workshops are held throughout the year.

We are also supporting families through our Supervised Parenting and Exchange Program. This program enables visits between children and parents in situations where a court has determined that the parents should not interact with one another or that a parent

needs to be supervised during a visit. This program is available throughout most of our province, with the goal of full expansion by the end of 2024.

We know that family disputes in court can be stressful. We have an online resource that offers information relating to the law, processes, and services that make up family law in Nova Scotia - nsfamilylaw.ca is a website that helps Nova Scotians understand the process and provides the tools to navigate the options available. It is an important resource and I'm pleased to say that the website is now also available in French, expanding the impact of this tool to all families. I know that the court services continue to grow in their capacity with their staff to offer even more French services as we move forward.

We've also completed engagement to inform our work to offer a more comprehensive approach to adjusting child support orders. Through our Administrative Recalculation of Child Support Program, we can recalculate certain child support orders based on updated income information provided by a parent who is paying the support. We are looking to expand this program to allow for additional changes without the need to have to return to court to adjust the order. This reduces delay, removes matters from the courts, removes stress, and makes it easier for families.

I've already outlined some of the great work happening in our Maintenance Enforcement and Victim Services divisions to support victims of crime. I'd now like to focus a bit on this division's critical work to support families to get the court-ordered spousal payments and child support Maintenance Enforcement Program. This is an important program that supports the financial and emotional stability of Nova Scotians. It supports more than 12,000 children and collects and pays out nearly \$154,000 in child and spousal support to recipients each and every day.

We have made many improvements over the last several years to increase support payments to families and reduce program arrears. We continue to improve how this program is run, with an eye on improving the experience for our clients. The MEP will often receive information that may impact payments. Recent changes have decreased the amount of time it takes to act on this information by 94 per cent. This means families are now waiting less time to receive their payments.

We are also being more proactive in how we engage new clients to the MEP. Staff now reach out directly to people who have recently received court orders providing information on how the program works, its benefits, as well as answering questions that they may have. I'm pleased to say that today, arrears are at the lowest level in more than 15 years. Despite that, we remain focused on continuing to reduce arrears and improve enforcement.

Correctional Services is responsible for the administration and operation of community- and custody-based programs, and services for adults and young persons. We take our responsibilities to those in our custody very seriously, and we do not do it alone.

We work closely with partner agencies around the province to deliver programs and services that support rehabilitation, diversity, and positive outcomes.

The Department of Justice, through Correctional Services, operates four adult correctional facilities and one youth centre. On any given day, there are about 460 individuals in provincial custody. Among the goals of Correctional Services is to provide programs and services that achieve positive changes in behaviour and attitude and which balance deterrence, sentences, and rehabilitation.

Correctional Services has focused on addressing the social determinants of health needs of our clients. In doing so, you will find social workers, correctional case workers, programmers, and teachers providing services to individuals in our custody or under our supervision in the community. Our Department of Justice employs 14 social workers who work in our facilities and community corrections. These registered social workers provide services to persons in custody or under community supervision in a culturally responsive and trauma-informed manner. The services they provide include individuals in group therapy, clinical programming, system navigation, and advocacy.

Our social workers also help with skill-building, helping individuals develop different ways to cope with stress, regulate their emotions, and improve their relationships with others. Improved outcomes will not only reduce the pressure on primary care but also on other government resources.

Some other examples of this work include partnerships with the John Howard Society and the Elizabeth Fry Society, which receive financial support and in-kind services for supportive housing for individuals on bail or transitioning from custody to community. Supportive housing case management provides vulnerable Nova Scotians with the support they need to reintegrate and stay in our communities. Individuals dealing with chronic or persistent mental health issues, brain injuries, and developmental disabilities can be vulnerable in institutional settings, which is why we have developed in-custody specialized living units.

The Niijin living unit in the Northeast Nova Scotia Correctional Facility in Pictou County is an example of one of these units. Niiji translates to “where I heal.” This innovative program has provided opportunities specifically designed for this population to help them to develop basic life skills like healthy eating, money management, and career development.

We also have community outreach programs that provide an opportunity for those in custody to give back and make good use of their skills. This includes the Nova Ramp Up Project, where persons in custody at Northeast Nova Scotia Correctional Facility build ramps to make businesses and organizations more accessible. These ramps have been distributed throughout Antigonish, Pictou, and Colchester counties. Persons in custody who participate in this community outreach program acquire transferable skills, are

educated on the history of the area they live in, and gain the confidence needed to be productive members of society, all while giving back to the community.

[7:30 p.m.]

I want to take a moment to discuss the work of our community correctional staff. Community-based sentences allow people to serve their sentences in the community under the supervision of a probation officer. These sentences can include probation, conditional sentences, custody and supervision, conditional supervision, and intensive rehabilitation custody and supervision. Probation officers also supervise individuals released from custody or on conditional releases and prepare pre-sentencing investigations to assist the courts in the sentencing process. Staff in Community Corrections work out of 22 offices across our province, helping to ensure people who are in conflict with the law are following their sentence and supporting them in reintegrating into society.

In alignment with the recommendations of the Truth and Reconciliation Commission, Community Corrections has successfully concluded three annual conferences on fetal alcohol spectrum disorder knowledge and resource-building for the Indigenous Youth Justice Project. These gatherings aim to foster a supportive network for Indigenous youth with fetal alcohol spectrum syndrome.

Furthermore, our commitment to providing culturally relevant services to Indigenous and African Nova Scotian communities continues. We have recently opened a satellite office in North Preston and are working to establish an office in Wagmatcook. These offices provide culturally appropriate support to the Province and Healing to Wellness and Gladue Courts in those areas. Additional plans are under way to expand our satellite offices to Eskasoni to accommodate the growing need of this community in terms of community corrections.

I also want to take some time to talk about how we support our correctional officers. Correctional officers work in a unique and challenging environment where they sometimes need to be absent due to physical or psychological injuries. On the recruitment side, the department has dedicated a full-time position to focus on recruitment and retention and has implemented a continuous open-application process that's seen positive results. We have also designated positions for members of underrepresented groups, held virtual information sessions to help better engage interested candidates from outside Nova Scotia, and attend job fairs whenever possible.

On the retention side, there are several additional initiatives under way to improve overall staffing and staff well-being. We have engaged with the Office of Workplace Mental Health, which supports the mental health needs of staff. We have hired two workplace wellness social workers to provide clinical services and wellness initiatives for staff and a dedicated occupational health and safety specialist to support staff in developing safe workplace practices.

In the last few years, we have enhanced training with new courses on mental health and addictions, cultural awareness, human rights, and the use of force. We have also doubled the number of on-the-job training shifts that correctional officers must complete during their training period; 33 correctional officers recently completed their training and started on the job, with another group of 45 new correctional officers currently undergoing training. A new class will begin as soon as this class is finished. In fact, just this week it was my pleasure to stop by and meet with the officers currently in training. It was an opportunity for me to see first-hand the training they receive and to talk to some of our newest employees.

I'd like now to take a moment to give an overview of our department's Legal Services division. This division is the government's law firm, providing a range of legal advice and services to the Government of Nova Scotia, Crown corporations, agencies, boards, and commissions.

Legal Services includes lawyers, legal technicians, administrative professionals, and editors. The division is skilled in administrative law, negotiating and drafting of agreements, commercial transactions, corporate governance, property transactions, employment and labour matters, child protection, human rights, constitutional matters, First Nations matters, and the day-to-day advice on routine legal matters for government. Legal Services also works on every piece of legislation and set of regulations for government. The division represents government in all legal proceedings before administrative bodies and tribunals, and in arbitrations and mediations.

Legal Services is also home to the Registrar of Regulations, which is responsible for filing, consolidating, and publishing Nova Scotia's regulations. The Registrar is responsible for the publication of the Royal Gazette, Part I and Part II, and reviews all draft regulations to ensure that they meet the Plain Language Standard. They also ensure that the regulations are consistent in form, style, and content with the current legislation and regulation standards.

Improving access to information and privacy legislation is part of my mandate from the Premier. That is why we are in the process of conducting a comprehensive review of the information access and privacy legislation framework in Nova Scotia. The FOIPOP Act has been in effect since 1994 and the last major update was conducted in 1999. It's certainly time to update our legislation and make sure that it continues to be effective in protecting the privacy rights of Nova Scotians and ensuring transparency of government and other public bodies.

More than 400 public sector entities fall under the FOIPOP Act or access to information legislation. In 2022-23, there were more than 5,000 requests for records across public sector entities that were subject to access to information legislation, nearly five times the volume of 20 years ago.

When this review, which launched in September, opened for public feedback, we received about 100 submissions from members of the public through that engagement. The working group undertaking this review has also solicited feedback from municipalities and other public sector entities, including government departments, and has met directly with newsrooms and stakeholders. I know they will soon be engaging with members of the Legislature as well.

This is a big job and I greatly appreciate everyone who has taken the time to meet with us and share their views. This work is being done by our Policy and Information Management division, which is supporting many of the initiatives that I've mentioned today, including our response to the final reports of the Mass Casualty Commission and the Desmond Fatality Inquiry, the African Nova Scotian Justice Action Plan, and implementing recommendations from the Wortley Report.

I appreciate the time given to me today for an overview of the important work being done by the Department of Justice. Employees of our department are working in communities in every corner of this province, making a positive difference in the lives of Nova Scotians every day.

Before I wrap up, I do want to thank everyone from the Department of Justice and our partners who support the Budget Estimate process. I especially want to give a quick shout-out to all the staff at the department right now who are over in the Michael Baker Boardroom supporting us.

With that, I look forward to questions from the committee. Thank you.

THE CHAIR: Thank you, Minister. As usual, I think everyone knows how this operates by now. We'll start with the first hour with the Opposition and then move on to the NDP.

With that said, we'll have our first hour.

The honourable member for Timberlea-Prospect.

HON. IAIN RANKIN: Thank you to the minister for his opening remarks and the time that the staff have put into the budget and being here into the evening hours to look at examining the budget for the Department of Justice.

I want to start with an area that wasn't mentioned in your introductory remarks, and that's relative to access to justice in the Legal Aid budget. I think it could be fairly stated that Justice really has three core pillars. We have heard, and our caucus has also pressured for increases to the Public Prosecution and the Court Services as well, and we do see increases - significant increases - to the PPS.

When we look at the Nova Scotia Legal Aid budget, there seems to be a \$1 million cut. In my view, you cannot really address the Jordan threshold concerns effectively in a holistic way unless you're equally contributing to the different facets of Justice. Even if the Legal Aid budget came in at the same, I think that would cause problems in providing similar resources year over year, given inflationary impacts and an increasing population. Really disappointed yet again to see, year over year, what seems to be an undervaluing of the service of Legal Aid and how that can contribute to throw off the balance of access to justice in Nova Scotia.

I'd ask the minister if he would commit to taking a look at this and increase that funding and reverse that cut.

HON. BRAD JOHNS: One of the challenges that the department faced this year was a decrease in our federal funding. The federal government makes a contribution towards Legal Aid this year, and they actually decreased the funding \$1.6 million. The department has reached out directly to our federal counterparts and have expressed the need to see that funding reinstated and the importance of that funding for Legal Aid. We certainly agree that it's a three-legged stool, and when you increase one area, whether it be the courts, PPS, or Legal Aid, it has an impact on other areas.

We've also had discussions in regard to the tariff rate that we pay. If somebody has to go outside of Legal Aid and get legal assistance, that rate hasn't increased in a number of years. We are looking at trying to get an increase in that as well. I'll see if my deputy minister has anything else.

I would say too that I very much appreciate the work that Nova Scotia Legal Aid does. Charlene Moore, who's here as the CEO, as well as George Ash, who is the board chair - they are very committed and work along with us. We've met with them numerous times. I personally am an advocate for Legal Aid.

I would point out that provincially, the funding is at 80 per cent. We do fund them relatively well. It was really that hit from the \$1.6 million that the feds clawed back on.

IAIN RANKIN: I am aware that the federal government has reduced the funding. However, in other provinces across the federation what they are doing - and I wonder if the minister is aware of this - other provinces are actually supplementing that funding to ensure that they don't lose that, as the minister referenced, laying on the stool, because it does present challenges in tying up cases.

I take the minister sincerely that he's really trying to look at the threshold with Jordan, but without having access to funding for defence, I think that presents an issue for the minister. Given that he's an advocate for legal aid - self-proclaimed - and given that the minister has increased the court services - which he explained in the intro, all the various things they do, but essentially government lawyers have increased by \$1.5 million

- I think it's problematic to have Nova Scotia Legal Aid reduced by \$1 million, even if it's the federal government. I know that's true, but is the minister aware that other provinces have supplemented the funding, and will he consider looking at what other provinces have done so that we don't create that imbalance in the justice system?

[7:45 p.m.]

BRAD JOHNS: We are aware, and I am committed. We are trying to fix it.

IAIN RANKIN: With respect to the tariff rates for certificate lawyers and financial eligibility criteria, that continues to be a major issue. The minister did commit to addressing the tariff rates last year, after Public Accounts Committee, and nothing has been announced since that meeting. I know he referenced it again today, but Legal Aid cannot make changes to financial eligibility or tariff rates without government intervention, because they're governed by the regulations, as the minister knows.

Will the minister acknowledge that the certificate lawyers are being underpaid? I know that he's looking at it. When can we expect an update to look at it being increased, like in other provinces such as Alberta, for example?

BRAD JOHNS: As I spoke earlier, we are aware that tariff rates are very low. We are trying to get an increase on that. We do have an R and R going very soon to the Treasury and Policy Board, and we're optimistic that there will be some funding to come to offset that.

IAIN RANKIN: Thank you very much for the transparency. I guess we're on a roll. We're getting some good answers. I'm not used to that.

The minister is aware there have been several FOIPOP's trying to look at the investigation into discriminatory hiring practices within the Public Prosecution Service. We haven't been able to actually see the actual findings. They've been redacted under the auspices of being advice to a minister. I guess I'd just challenge that, in the sense that this is an independent report, not unlike other reports that have been passed with the Lahey Forest Practices Report, and then staff take a report with recommendations and then they look at giving advice to a minister, which I can understand being confidential. Can the minister shed any light on what's in that report that's so problematic that it's not being shared publicly with the Opposition or the media?

BRAD JOHNS: What I would offer, if I could, is that most of that report is a report for the PPS. What I will say is that I do acknowledge that in the past there was systemic racism in the PPS. We are trying to change that culture. Recently there was a new EDI director who's been hired to do some work up there, and through our past acting director and the current director, Rick Woodburn, who's also acting, I've given a ministerial directive that we need to address any of the concerns that may have been highlighted in

that report around systemic racism. I know that they're working toward addressing any of the concerns that are in there.

IAIN RANKIN: I acknowledge there have been some strides forward and some equity appointments. I won't stay on PPS too long, but can the minister let us know when a new permanent director for the NSPPS will be appointed, given that that position is so influential and so important that we need a permanent person in that position?

BRAD JOHNS: Of course, government does recognize the stability. I do as minister recognize the stability of a permanent director. Currently we have been working to review that position, working with a recruitment firm to look at potentially hiring. Right now, what I would say is we're hoping that within the next few months we'll be able to have an announcement on that.

IAIN RANKIN: That directive - the ministerial directive that was given to PPS - is that something that we could get a copy of? Is that public? I know in the Department of Environment and Climate Change - I'm not familiar with how it works in the Department of Justice, but in the Department of Environment and Climate Change, certainly it was a very official thing to give a directive to a company. Is that an official document or what is that?

BRAD JOHNS: In my role as Minister of Justice, I do meet with all levels of the court, PPS, as well as the judiciary, on a regular basis. It was a verbal direction that we needed to address any of the issues that were highlighted there. As I said, traditionally, every couple of months, I meet with either the PPS director, chief judge or chief judges. A lot of times when we have an opportunity to sit down, we talk about some of the goals and challenges that we have and try to work together. We've been very successful so far in doing that. So it wasn't a written directive, it was just a verbal directive to address any of the issues that were laid out.

IAIN RANKIN: That's fair. Given the conversations that the minister has ongoing with PPS and others, I am aware of a case that I think resulted in a serious error, and the African Nova Scotian Justice Institute highlighted this decision in a letter to the minister, that the PPS should have been aware, or ought to have been aware, that there was no realistic prospect of conviction and that it was not in the public interest to proceed with the prosecution.

Of course, the fact that Mr. Riley was acquitted does not alleviate the concerns surrounding the actions of the prosecution in this case. I'm wondering, and I'll repeat the request, if the Minister of Justice would use his authority under Section 6(b) of the Public Prosecution Act to conduct an independent review of the decision to prosecute Mr. Riley.

BRAD JOHNS: I am well aware of this particular case, particularly because it highlighted my role and the importance of having prosecutorial independence from the

Minister of Justice. When this was raised with me, I deferred to the previous acting director, to their expertise on this. I am very cognizant of the need to ensure that government is independent from both prosecution as well as the judiciary. Of course, coming out of the Marshall Inquiry, that was one of the recommendations - to ensure judicial and prosecutorial independence - so I am well aware of the case. I am also well aware that the decision at the time was made by the director.

Unfortunately, sometimes the decisions of the courts or the decision of the Crown attorneys whether to charge and prosecute or not to prosecute - sometimes those have their deterrents in the community, but at the same time those decisions really need to be independent of government in that influence.

IAIN RANKIN: With respect, I did cite the part of the Act that he has. The minister or the Attorney General does have the authority to look at an investigation. I think, going back to the Marshall Inquiry and the independence discussion - we've had this the last couple of years - is that what came out of that, and the creation of the independent prosecution, was to prevent systemic racism. It wasn't to be used as a barrier to things like that that can occur.

We're not asking for a court decision to be changed - in this case, Mr. Riley was acquitted. What we're trying to look at is an investigation on how the Public Prosecution Service came to the decision that it would be in the public interest, which is under their auspices, to pursue the trial, which they should have known that they weren't. Again, that goes back to ensuring that we get a permanent director in place, which apparently will take in the order of magnitude of months, even though it's now been years to get in place. I'll leave the minister with that and move on to remand.

We have 12 per cent of African Nova Scotians represented in remand, and 2.4 per cent of the population. When considering release on bail, judges are required to "give particular attention to circumstances of accused who belong to a vulnerable population that is overrepresented in the criminal justice system" - that's a quote, Section 493.2(B) of the Criminal Code.

Given that judges are required to account for the circumstances of African Nova Scotians when considering release, and given that the department has now an African Nova Scotian Justice Action Plan, what specific resources are being directed to address the overrepresentation of African Nova Scotians that are on remand?

BRAD JOHNS: Before I answer this question, I do want to address very briefly - I don't want to open up the rabbit hole, but I do want to very briefly comment on something the member mentioned. I do want to point out that there are some legislative abilities that the Minister of Justice and the Attorney General have that, although the ability is there, they're there for very rare circumstances, not used very often in cases. In the case that the member did speak about, previous to that I believe it has only been once in the history of

Nova Scotia - I believe it might have been twice - but I know that former Justice Minister Diab actually had an issue in regard to sunbathers at Crystal Crescent Beach, and that was the one time that I think that - so it's not a case that's used very often where the Attorney General would interfere with the Public Prosecution Services.

[8:00 p.m.]

Direct to the question that's here before me now, what I would like to say is that part of this is really this bail court. We are trying to address the remand numbers. We're looking - and I've alluded to this in the past, about different projects similar to this, that we're looking at what would be able to help people not be in remand. We recognize that people having to sit in jail waiting to get in front of a judge is never a good thing. It's not good for the system. It's not good for the individuals.

So we're really investing in this bail court - the first time in Nova Scotia's history. Everyone whom we've spoken with from all levels of the judiciary seem to think that this is going to be a positive thing for Nova Scotia. Hopefully it will be a first step to a number of other items that we've talked about and are thinking about trying to implement in the future. We're really putting a lot of hope into this addressing some of that backlog and as people enter into the system, helping to ensure they don't stay in the system.

IAIN RANKIN: Just a comment back to that: After the Marshall Commission was asking for change and independence, I think it was clear, in my view, that the independence was about preventing political interference and that's not what I'm asking for. I'm asking for, in the capacity of the Attorney General - who is the chief legal officer of Nova Scotia, who is accountable to the House of Assembly, has the tools, as the minister just suggested he has, and I don't think that the quantity of times that the clause is used is particularly relevant in this case. We are talking about a murder trial that was acquitted with an African Nova Scotian.

I'll get back to the bail issues, but I would just suggest that the minister really talk to a number of his staff and review what the independence versus accountability is for the PPS. The question on remand - I'd just like to know: In this budget, would there be anything related to bail supervision initiatives that are included in this budget?

BRAD JOHNS: What I would say is the significant portion of this budget to going forward trying to address the issues the member raises is really the bail court. There's a significant investment that's going into that regarding staff and everything else, because we're pretty much starting from scratch in that.

We are looking at a number of pilot projects, some of which are not in this budget, but we'll be looking at a pilot project around bail supervision that we're looking at coming up as well as working with the African Nova Scotian Justice Institute. We've given them some funding for bail supervision programs.

IAIN RANKIN: Flowing into desegregated race-based data in court services, it's a similar topic. We know that African Nova Scotians are overrepresented in the justice system, including in custody.

We talked about how judges are required to pay attention to the particular circumstances of African Nova Scotians at the very earliest stages of their adjudication, including for bail. In the 2021 case of *R v. Anderson*, the Nova Scotia Court of Appeal confirmed that every African Nova Scotian has the right to order an Impact of Race and Culture Assessment before they are sentenced.

Judges need to know if someone identifies as African Nova Scotian. Often, we would hope that the lawyers are asking their clients if they identify as African Nova Scotian, but the reality is that many are actually self-represented in court. What happens when a self-represented African Nova Scotian walks into a courtroom to deal with their matter? Can the minister tell the committee who is asking that person if they identify as an African Nova Scotian in the court?

BRAD JOHNS: Staff may be able to find this for me, but as the member mentioned, there are such things. We use the acronym IRCA for the Impact of Race and Culture Assessment. Typically, those are ordered by the judges, the Crown attorneys, or the defense attorneys. It really is up to the individual or those who are representing the individual to identify, if not clear. We do, as a department, fund that through the African Nova Scotian Justice Institute. If the member would like, I can find the amount that we fund, but we do fund that.

Those have an approximate cost of about \$5,000 to \$7,000, I think, per report. I have been down to the African Nova Scotian Justice Institute and met with them. I've worked with, as the member previously mentioned, Robert Wright, who is the past director there, around IRCAs and the usage of IRCAs. If the member would like, we can try to find a number and let him know what the number is in the budget that we fund.

IAIN RANKIN: I believe IRCAs are toward the end of the process. The gap, as I understand there is, is really at the very beginning of when somebody identifies.

We now have a relatively new bill before that has passed in the Legislature, the Dismantling Racism and Hate Act. The department has obligations, under Section No. 11, which talk about the establishment of data standards across government. We need to have not only the judges having this information, but the department needs to start looking at tracking this information early as they enter the court system.

Relative to collecting that data, can the minister talk about resources that he plans to vote to the collection of race-based data within the court services system in this budget?

BRAD JOHNS: The member is correct. The OEA, the Dismantling Racism and Hate Act, and Wortley all talk about the established data collections and standards for government. These are not necessarily a line item. It really is the work of OEA. It's a broader mandate. It's within their budget as part of their mandate of what they are doing to try to work with community and to work around data collection. That's part of the consultations that we do with the public as well, to see the type of data we'll be collecting and to ensure how we collect it. We're also doing that in conjunction with the African Nova Scotian Justice Institute and other partners.

IAIN RANKIN: I know my colleague, the MLA for Cole Harbour, may have some questions on OEA later this evening, so he may ask about that. I want to ask about community justice centres, which also can provide an integrated model of culturally appropriate services and can help decrease the overrepresentation of both African Nova Scotians and Indigenous peoples.

The Government of Canada has invested \$28.6 million over five years to support community justice centres. There were pilot projects in British Columbia, Manitoba, and Ontario. Consultations are underway to expand these concepts to all provinces and territories. I want to know if Nova Scotia is taking part in the consultations for those centres and how much funding the federal government provided for consultations.

BRAD JOHNS: Once again, the member is correct. There have been community justice centres that are funded federally. Nova Scotia is currently part of that engagement. We are talking with the feds in regard to that. So far, we've only received \$20,000 from the feds, but we are continuing to discuss with them. Nova Scotia did take part in an engagement with the African Nova Scotian and Indigenous services provides, so we engaged them as well.

IAIN RANKIN: I'm wondering, with any consultation that happens with this, if you can ensure African Nova Scotian communities are included and make all efforts to ensure you can secure one of these centres for Nova Scotia.

I'm going to touch on one more topic right now - I think it needs to be talked about to the extent it can - and that is the response to the Mass Casualty Commission, specifically around police operations. I know the minister mentioned four headings. I'd like to know where the minister sees the committee he put together going. Will they be looking at reviewing the inefficiencies we see in our state of policing: the overlaps, the duplications, and the gaps in services? Presumably, to see all that, the committee will need to see the current amount of funding each level of government is spending on policing in Nova Scotia.

I'd ask the minister what his impressions are of what's going to come out of that. Is it fair to say it's an overhaul of policing, as there are so many recommendations that looked at the model of policing in Nova Scotia? This isn't the first time reports have been

critical on all these things that are difficult to talk about and have financial implications. I'd like to ask the minister, first of all: Are all those budgets going to be shared, and is there a way of sharing the budgets that we spend in policing with the committee?

[8:15 p.m.]

BRAD JOHNS: I'll try to answer this, and I may need some clarification in regard to specifics on which budgets the member is asking for. As the member probably knows, we are in the process of doing a review of policing services across this province. We have engaged a consultant and we do have a committee put together, as I spoke about in my opening remarks.

I want to be very clear that it's very early on in the process, and I don't really want to surmise what may come out of it. I've asked to look at a variety of models and to try to keep it as open, an open mind to what - I don't want to surmise that anything in particular is going to come out of that review.

As the member did mention, we do have the recommendations both from the Mass Casualty Commission as well as the Desmond Fatality Inquiry, so we have those recommendations. Also, because we are in continuous discussions with our policing partners - whether it be the RCMP, whether it be municipal policing, or whether it be municipalities and villages across the province - the department is in regular contact with those. We certainly understand some of the strengths and weaknesses that all models of policing offer.

I do believe from my personal time as one of the previous chairs of the Halifax Regional Police Advisory Board we do know, and I can state, that there are pros and cons to many of the models. I was in a unique position with the HRM where it was an integrated service by a municipal police force as well as the RCMP across the municipality. I do have some unique perspectives, I think. I do see pros and cons to a number of models. That's why we've engaged a consultant - to take a look at these.

We've also asked a number of other provinces across the country that actually have just recently completed reviews of policing as well. We have asked them for the consultants to review some of those well, and to take into consideration what the best model for Nova Scotians is. I think it's fair for me to say that the goal is to provide - as I said during my opening remarks - the safest, securest, best policing options for Nova Scotians while still keeping an eye on affordability to municipalities that need to provide that service. We're very cognizant of that as we move forward through that process.

I'll just see if there's anybody writing anything down that's specific to the budget question that the member asked.

Although the Province oversees the administration of justice and policing in the province, there are a number of models, and ultimately those are incorporated in municipal, town, or village budgets that in some cases pay for those directly, so we don't have all those numbers.

Having talked previously a little bit about the police review study that we're in the process of starting, I would offer for members that this year we are looking at forecasting in this budget - I'm sorry, in last year's budget - we had \$180,000 committed to that. This year, we've increased that amount to \$520,000 to ensure that it's a comprehensive police review and that it takes into a number of the things that we've talked about.

IAIN RANKIN: I appreciate the open-mindedness, but I would say that some of these things were looked at in the past. I was talking about the recommendation that the RCMP retain the tasks that are suitable to a federal policing agency and identifying what responsibilities are better assigned to other agencies.

I know I'm hearing of vacancy issues across the entire province within the RCMP. I note that the minister does have knowledge of the FTE count on the 11 forces, which includes the RCMP. He said 2,000 FTEs.

Can he share just how many vacancies are there in the RCMP? Or maybe he has knowledge of all the departments, since he knows, as an aggregate, how many FTEs there are. How much of an issue is that? What steps is the minister going to take in the interim to ensure that all municipalities have adequate police resources to keep communities safe, given that we're going to wait now until April 2025, which I believe is the time that the report's given back by the committee? Lots of vacancies. Does he know how many, and what is he going to do to ensure that there is anything happening to fill those vacancies?

BRAD JOHNS: I've said this a few times in the House in regard to a variety of issues that have come up. I would reiterate it here again tonight, which is that there has been a challenge in all policing, security, and corrections. We have had a challenge with recruitment. I know that the RCMP have had their own challenges, significant challenges.

What I would offer is that there's a current vacancy rate of 22 per cent - 78 per cent is full-time. We are working with our federal partners and have contacted them to express the need to backfill those and to make sure that people who are coming out of depot are assigned to Nova Scotia. We've written to our federal partners on that. Once again, I think that as we go forward with this police review, it will certainly be looking at that issue as well.

As the member did speak, there have been some discussions federally in regard to what role the RCMP may play going forward. That rumour of discussions seem to be more so like a year and a half to two years ago. We really haven't had any discussions around that or heard anything else other than a few rumours that were going around at that time

from our federal partners. The previous minister - federally, as well as this current one - I have suggested to both of them that if there was to be a change in the federal mandate around RCMP policing and the models that they are offering, it would be very important to the provinces to be advised of those changes sooner rather than later. Of course, our provincial policing contract with the RCMP expires in 2032, which is part of why we are actually looking at doing that review now: to see what model fits, to see what it is that we would like to highlight in any new models or anything potentially going forward.

I know it's probably frustrating for members, and I do apologize, but it's really hard to surmise what's going to come out of a process that we just started. Particularly as I've said, I really want the review to be as open and to look at all models. I don't want to be restrictive with the goal, once again, of providing the best security, the best policing, at an affordable price to Nova Scotians.

IAIN RANKIN: I'm going to cede the remainder of my time to the member for Cumberland North. I appreciate all your answers and how short they were.

THE CHAIR: The honourable member for Cumberland North, with about 14 minutes.

ELIZABETH SMITH-MCCROSSIN: Thank you to the minister and the department staff. I have a few questions that are pertaining mainly to Cumberland County, but I do have a few that are more province-wide. I'll start with Cumberland.

We've had a lot of crime in Cumberland. Of course, the mass murder was the most traumatic, but since then we've seen several murders. Two Cumberland County women have been murdered through intimate partner violence: one worked in Amherst, and was originally from Amherst, but lived in Sackville, and another was from another part of the county. There are a lot of drug-related crimes. Just recently - I know it's over in Sackville, but just on the weekend a gentleman called his wife to go to a local pharmacy to pick up some medication and was stabbed and died, bled out. He was in his early 40s. The two men have been arrested, thankfully.

My point, Minister, is that we're having a lot of crime up in our area. There's a gentleman who went missing in February, I believe, of 2022, Jessie Morrissey. His body has never been found, and his mother contacts me on a regular basis. Obviously, she's still very distraught that her son has not been found. She feels that there's not been enough effort made to locate her son's body.

My question to the minister is: What is being done to address the high rates of crime in northern Nova Scotia specifically?

HON. BRAD JOHNS: As I've said previously, the Department of Justice, overall, we look after Justice and the overall responsibility for policing, but in municipalities, each

municipality contracts - typically for policing in this area, I believe it's the RCMP. I am aware that recently - within the last few months, I believe - the RCMP held a community meeting for residents to come out and express some of their concerns there.

We would look for feedback through the RCMP to us. The department is regularly trying to work with departments. I think that all Nova Scotians have a right to feel safe and secure and that's what they expect from their policing. The Department of Justice has been committed to try to work with agencies across the province to provide supports and resources to ensure that they can address violent crime.

[8:30 p.m.]

Guns and gangs are big issues. We have had some funding through the federal guns and gangs program, which municipalities and units across the province have been able to access. We're actually in the process now of looking at a new framework, which is kind of under development right now, to help guide investments in other initiatives that would be able to combat serious and violent crime.

Other than that, it really relies on the local police to let us know whether or not they have the resources that they need to be able to combat that crime. If they don't, that's when they come to us and we see if there are opportunities to help offset that. I don't know if that really helps with the question.

ELIZABETH SMITH-MCCROSSIN: I think what my constituents are asking me is: What can be done? I'm not sure, as MLA, so I just bring the concerns to the minister.

We're definitely seeing an increase in violent crime. We're seeing an increase in small petty crime. People are frustrated that criminals are not being arrested and when they are, they're often not being detained for long. They're being released back into the community and continuing to commit crime.

You're right. There was a hugely attended meeting in Wentworth. I'm not sure if we're going to see any results from that or not. I did want to address it and bring it up with the minister. Obviously, having two women within the last year murdered in our area by their intimate partners is something that we have not seen in the past either. It's a very big concern.

Minister, I'm wondering if you can also comment on the Mass Casualty Commission and the work there. I was listening to the opening remarks. I am concerned that there's a lot of words being said, but on the ground, we're not actually seeing a big difference in services available.

I did attend a community meeting in Wentworth quite a few months ago where Nova Scotia Health Authority and the Department of Justice met with community

members. Most of the people there were department staff. They were asking how the community can step up and provide the services that the Mass Casualty Commission recommended. I didn't feel it was the right approach. I feel like there should be professionals.

The government should be hiring professionals to help with counselling and trauma for the people in our community. Instead, the people who were holding the meeting were asking the community to come up with the solutions and the ideas.

My concern is that we're going to be relying on volunteers and non-profit societies to try to provide supports that really should be provided by professionals. I'm wondering if the minister can comment on that.

BRAD JOHNS: As I think I mentioned during my opening remarks, what the provincial government did was we reviewed those recommendations in depth and made a decision. They touched along so many different aspects of government and they weren't necessarily all aligned with the Department of Justice. There was a health and wellness component and a mental health component.

What we've done is we are taking an all-government, collaborative approach to this. We're trying to ensure that the recommendations are acted on. As I'm sure the member knows, there is the Mass Casualty Progress Monitoring Committee, which is led by members of the community, as well as some directly impacted by the events. Their role is to hold government accountable and ensure that government acts on those recommendations.

We are committed to doing what's laid out there and what we're committed to doing. We have seen some first phases coming out the door. I know through the Office of Addictions and Mental Health there was some funding that has gone out to there already and we'll continue as an all-of-government approach as we move forward on this.

ELIZABETH SMITH-MCCROSSIN: Just a couple of quick questions, Minister: Is your department looking at the Partition Act? I've had some concerns brought to me about the fact that changes are needed for this Act. They're looking for changes that will allow spouses and former spouses the right of first refusal on subsequent sales of partitioned lands, and also allowing a spouse or former spouse to purchase land when it is required to be sold as a result of not being partitionable. I'm wondering if the minister can comment on if that's something his department is willing to look at.

BRAD JOHNS: What I would offer is we have not looked at that specific. If the member at some point in time wants to provide me with that - we are in the process of doing a review of the Matrimonial Property Act, which would probably align under - as we move forward with amendments to that Act.

If you just want to forward something to me, we can certainly take a look at that as we do the Matrimonial Property Act. Quickly, before we go back to the member, I don't want to surmise but I do want to clarify that when the member is speaking about Sackville, I'm assuming it's Sackville, New Brunswick? Okay, thank you.

ELIZABETH SMITH-MCCROSSIN: Thank you, Minister. Yes, we share a lot with Westmoreland County, New Brunswick. I know the former Minister of Justice, Murray Scott, tabled a bill years ago on cross-border policing. I believe that bill is still active; however, we could definitely see improvements in our two provinces working together.

In the past, I have gone to New Brunswick and met with their Minister of Justice to discuss, but they have a new minister now.

Before I finish, I would like to ask a question about NDA legislation. I'm wondering if the minister can provide me with the reasoning why he's changed his position on this very important topic. We know previously the minister was in support of this legislation for victims of sexual assault. I'm wondering if the minister could provide the reason why. Is it the minister's decision, through research, or is he being directed by someone?

BRAD JOHNS: Twofold, I will just quickly say that part of the police review we're doing, when I said I want to look at all options, I did look at co-operation with other provinces. We've done that with our Serious Incident Response Team, where we've joined with New Brunswick and we're in discussions with P.E.I., looking at a Maritime SiRT project.

In regard to the NDAs specifically, what I would say is that initially when I was approached and asked for this, I said, "It sounds like it makes a lot of sense, let me go back and look at it." That was the commitment I made at the time. People bring things to me all the time and typically I do say "Okay, that seems to make sense," or "No, I don't think that's going to be viable."

I know that this came up in the past as well as today. I did do jurisdictional scans and we did reach out to other governments. We actually had people who contacted me directly, and as more information was gained, it built to where we are now. This is the recommendation that's coming forward based on the things that we've heard, not only - I have heard from people who are very supportive, and are very strong, and feel this is...(interruption).

THE CHAIR: Order. That would conclude the first round of questions. My apologies. A quick two-minute break. We're now in recess.

[The committee recessed at 8:40 p.m.]

[The committee reconvened at 8:43 p.m.]

THE CHAIR: Order. The Subcommittee of the Whole House on Supply will speed back to order. It's now the NDP caucus.

The honourable member for Halifax Needham.

SUZY HANSEN: I'm just going to pick up where my colleague left off. We've been talking about NDAs, and we had a really robust conversation in the House just recently where we're all in agreement, so I'm just curious to know: Where is the information to put a halt on this piece of legislation? Is there any information that you could give us so that we would know why there is not a piece of legislation put forward on the misuse of NDAs?

[8:45 p.m.]

BRAD JOHNS: As I stated previously, in the role as Attorney General and Minister of Justice, I've been approached by a number of members of the House with a number of suggestions around pieces of legislation that they would like to see enacted, or things that they would like to bring forward. Regardless, in the role as Attorney General and Minister of Justice, and I think everybody in the House would think this - I try to be as non-partisan as I can. Somebody brings a good idea to me, I think if it's going to be the best for Nova Scotians, I do that. I did go into this in good faith, saying that I was open to it.

As I said previously, as we started to do that scan and as I started to look into this more and more, I started to become less and less convinced that this was the right thing to do for everybody at the time. I think that it may be the right thing for some people, but I have had people say to me that it's not the right thing for everyone. I have been approached by people who, although they can't go into specific details around their circumstances, they have said to me that they're glad that options were there. I became very concerned that I didn't want to take away options from people. I wanted to be able to provide options.

I do think that when people are in a stressful time, they want to have options available to them. I know that in some cases, some people do not feel that way, and I respect that, but I also try to respect the other side of that as well.

As said, there have been jurisdictional scans where we've looked at other provinces, states, territories. As has been said - and I really don't want to continue to say the same thing over and over again - but the only province in the country that's really enacted this is P.E.I. Manitoba, of course, through their Law Reform Commission, reviewed this and decided that this wasn't legislation that they wanted to move forward with at this time, either.

What initially seemed to me to be a very makes-sense motion - and I know that this is passionate to the Opposition, as well as the independent member of the House. There have been, I think, three separate bills that have all come forward in regard to this. I recognize the importance to those members of this, but after careful consideration it's been decided that we're at the right place right now.

Now, having said that, as things change, there may be opportunities in the future to re-examine it. I'm not a close-minded person at all. I am very happy to see that there are organizations, universities, and, as has been talked about in the House, the Barristers' Society - a number of organizations are coming forward. This is highlighted now, and I think shining lights on things is very positive. I'm just hesitant to enact legislation for it.

What I would say is that one of the things that it has highlighted for me is the need to ensure that people are informed in their decisions, and that they have the ability to be informed. I don't believe this was spoken about today. I was prepping for budgets, so I didn't really have a chance to listen to the debate today in the House.

The Advisory Council on the Status of Women, the Department of Labour, Skills and Immigration, and the Department of Justice have all joined together and we're actually looking at providing \$130,000 in funding over the next three years to the Legal Information Society of Nova Scotia. What that will do is provide free legal advice to anyone, up to four hours. Anyone who is a survivor or a victim of workplace sexual harassment or sexual harassment will have an opportunity to receive up to four hours of free legal advice before entering into any type of agreements or anything.

We are looking at some other programs we're going to do, as well, to ensure that we empower victims, survivors of sexual harassment, that we empower them to be able to make the right decisions. I think the Minister of Health and Wellness, when she spoke when I was out sick, on this item, one of the things she highlighted was that there is a power in choice as well.

SUZY HANSEN: I do not disagree with any of the comments that were made by the ministers previous and the Minister of Health and Wellness, as well as the Minister of Labour, Skills and Immigration and the Status of Women. I don't disagree with having those programs. I think those programs are valuable. What I'm saying is - because I come from a lens of prevention - if we can prevent an action from happening, which in turn would exhaust our legal system, which in turn would also exhaust the justice system, I think we need to step back and think about what that looks like.

That's why I'm bringing this forward. I'm glad the minister is saying that it may be re-examined. I'm just curious to know if you could table any of the results from the jurisdictional scans, and maybe even some statistics on the amount of feedback that your department has had, both for and against legislation to restrict the use of NDAs.

BRAD JOHNS: We'll see what we can provide to you. What I will say is, of course, I do attend the Federal-Provincial-Territorial Meeting of Ministers responsible for Justice and Public Safety and these are discussions we've had there as well. What I want to say is I don't want to put out hope to say that we're doing this, because we're not doing this at this time, but I will commit that I'll continue to monitor it and keep a close eye on this. I do know that this is a very important topic to a number of members in this House, and I don't take that lightly.

SUZY HANSEN: Something popped into my head just now because I remember we had this discussion on street checks and I asked, "Why are we not legislating it?" and the minister put forward a directive. I'm curious to know: Would the minister put forward a directive to ban the misuse of NDAs?

BRAD JOHNS: Thank you for the idea. I guess what the distinction would be is that in regard to street checks, that is a direct policing matter, so I do have direct oversight on that. Where a minister's directive in regard to something like NDAs - that affects more of the private sector as well, so I don't really have the legislative ability to do that.

As I said previously, I do think there is value in the discussions that we've had, because what they've done is highlight something that I think a few people have had an opportunity to talk about. I think whenever something is in the paper and is being talked about and is being highlighted, people become more aware of that. In the case of NDAs, I think it hasn't been.

Even though we are not going forward with legislation at this time, the fact that people, I think, in this province who never knew what an NDA was are now talking about those, asking about the differences between NDAs and confidentiality agreements. This is a discussion that wasn't happening before, so I do think there's been a benefit to that, although not where you want it to be, but there is a benefit to it.

SUZY HANSEN: It doesn't hurt to ask those questions. I'm going to go into something that you mentioned during your beginning conversation about a comprehensive review of FOIPOP legislation. I'm wondering: Reviewing the FOIPOP legislation - is that going to mean that you're going to give order-making ability to the Information and Privacy Commissioner? We know that was a part of your mandate for 2021.

BRAD JOHNS: It was a direction that was provided in my mandate letter. We are still going forward in that direction. I know that perhaps there have been some suggestions otherwise. When I say that, we are going forward with a review of the FOIPOP Act. If that is one of the recommendations that come out of it, we'll consider it at the time. Once again, very similar to the Police Act, I don't want to surmise what's going to come out as we move forward.

I know that in the House, the Premier has been on record saying that he has some personal concerns around that, and we'll certainly take those into consideration as well, but the goal here is really to try to reform an Act that is 25 years old and to try to bring it up to speed with some of the challenges that are in 2024. When that initial legislation was passed and then amended in 1999, text messages didn't really even exist. People were still using, I think, Palm Pilots and Motorola brick phones.

So much has changed in regard to technology and the tools that we use, and even the way people access it. As I said during my opening statement, I did ask the review committee to try to do broad consultation so that we can have good feedback. I think that members of the media might have been surprised when they were reached out to and asked for feedback and all the news outlets were provided an opportunity to give written feedback. Some of the larger news outlets were actually provided an opportunity to come in and be interviewed by the committee. I think that was unique.

I have asked the committee to reach out to the caucuses and potentially every MLA, but at least to the caucuses if nothing else, so that we can get feedback on how they're utilizing FOIPOP. The goal here really is to try to make it a little bit more efficient. There are some abuses, I think by both government and otherwise. There are abuses of the system. There are concerns about the information that's collected and how it's collected and the technologies. It's going to be a pretty open review of that. We're continuing to do that and, as I said, we're hoping that - I believe it was late 2024, 2025 - we'll have some recommendations coming back on that.

To answer the question directly, I cannot say whether we would recommend that the Commissioner have order-making power or not. We'll see how that comes out after the consultations and process. That's a fair comment, isn't it? I know that there have been other people who've said absolutely not, but I'm trying to keep an open mind as much as I can. We'll cross that bridge when it comes to it.

SUZY HANSEN: I respect the minister's answer. I do want to point out that it was under your directive for a reason, and I understand that now there's a whole new review that is happening, which - just giving a suggestion - if government departments were a lot more open and transparent, things would probably not be requested as much, and if it wasn't as redacted, you probably wouldn't have so many people wondering why this process is such a tedious, frustrating process to start. I wanted to say that because that was part of the letter, and I was curious.

I have a question. I'm going to switch gears here about the African Nova Scotian Justice Institute. I am going to be frank because I say this whenever I am asking any minister a question. Sustainable funding is important, and what we know from sitting here for the past two or three times I've sat in budget sittings is that it is year by year. I am curious to know: Does the African Nova Scotian Justice Institute have continual funding

at least until 2026, until the decade has been fully finished, or more? I don't know if you know the decade has been extended, so it is not ended this year.

[9:00 p.m.]

BRAD JOHNS: I want to start by ensuring the member that this minister really values the contribution of the African Nova Scotian Justice Institute. The Department of Justice and the Institute are working well together, I believe. We certainly are not doing everything they want, but we have a good working relationship.

Funding has been done in five-year blocks, so they are funded until March 2026. I would be surprised, given their impact and their work with government - as I said, we don't always work, we don't always agree, but it has been a collaborative relationship. I think it has been a good relationship for Nova Scotians, particularly those of African descent, and I don't anticipate seeing any changes. I would anticipate they would continue to be funded past that as well. I hope that helps.

SUZY HANSEN: What is the Department of Justice plan or strategy for the Black community in Nova Scotia?

BRAD JOHNS: I did address this in my opening remarks. I don't know if the member was here for my opening remarks or not. We've completed 25 community consultation discussions in community - just over 25, I think. We will continue to do engagement, of course, with the community. The entire plan is still in the finalization stages, so I can't really give that to you now, but I would anticipate we are going to be done relatively soon.

As the member would know, I certainly have no issues with engaging with the members in the House to try to work collaboratively on some of these issues. I don't view these as partisan at all. I view these as provincial, and the more input we have and the more collaboratively we work together, the better we will be. As the deputy just pointed out, as we move forward with the Department of Justice action plan, the African Nova Scotian Justice Institute is playing a huge role in that as well.

SUZY HANSEN: It was brought to my attention there was some disparity in the restorative justice referrals because of police reports that talked about racism and discrimination within those reports. I am wondering: Is there any new money in the budget towards Nova Scotia Restorative Justice Program for us to decrease the disparity in these referrals?

BRAD JOHNS: If I don't answer this correctly, you can certainly follow up with me, and I will ensure I get you the right numbers. Of course, you know the Restorative Justice Program in Nova Scotia has been in place now for approximately 25 years. We do work with several community groups, some of which I did discuss - The John Howard

Society of Nova Scotia, Cumberland Restorative Justice Society, Island Community Justice Society - there are several of them we do work with.

In this year's budget, the amount allocated to the Restorative Justice Program is \$2.5 million. I don't know if that helps or not.

To follow up, the deputy has given me a number here. Customary law for renewal is \$109,000 specific to that group.

SUZY HANSEN: That was what I was going to ask, if there was a specific number because that was an overall number for all the other programs that fall under that umbrella.

My next question is: How is the Department of Justice responding to the needs outlined by the African Nova Scotian Justice Institute in a letter written - and I know this was a while ago - on July 21, 2023, as it relates to the challenges of the Public Prosecution Service? I know that recently, in May, they had a training day, and I am curious to know: What was the follow-up? How is that conversation going? Were there apologies given? Give me some detail on how that process went.

BRAD JOHNS: As I said previously to one of the other members, there were some concerns - as I think there is somewhat with all government - around systemic racism and needs to try to address that. PPS recently hired an EDI lead - a new lead for that department within PPS. I think that is part of what came out during the announcement at the Black Cultural Centre. We will continue to work with them. As I did mention to one of the previous speakers, I have been clear with PPS that we need to address and ensure there is no systemic racism or any other observation of racism in PPS. That direction has been given to the acting director.

SUZY HANSEN: My next question would be: What is the representation of Mi'kmaw and Black folk who are in senior roles in the PPS right now?

BRAD JOHNS: I guess what I would say is I know it's currently a very low percentage. I'm not really 100 per cent sure if I could tell you anybody right now. Having said that, Chief Judge Borden has just been raised to be the chief judge. One of the previous Crown attorneys was acting for SiRT and he's now on the bench as well.

The member may not know that every year I host a First Nations-African Nova Scotian dinner or get-together where we bring people in who are coming out of university to try to get them to look at government and connect them. The current acting director has identified that there is a need and as I said, we've just made probably the single largest investment into the PPS since its creation. Part of that is to identify four identified positions and that's to really try to increase the diversity there. That is a direction that's been given to the current acting director, as well as the EDI officer who's there. We're certainly aware of it, we're certainly trying to address it.

One of the challenges, I would offer - and I've talked about this - currently the private sector is way more enticing. People are being enticed away from going into public prosecutions because they can make more money and the private sector is really being very aggressive to try to get people of a diverse background to go into their firms. We're ramping up to try to counter that.

SUZY HANSEN: I thank the minister for that. I'm going to move into domestic violence. The minister spoke about this in opening remarks and I was trying to write stuff down but I didn't catch it all. I am just going to ask the question: The Province has two domestic violence courts, one in Sydney and one in Halifax. How many cases did these courts hear in the last year?

BRAD JOHNS: It is really good when we bring staff because I'm writing notes to try to answer another question. I really am so thankful I have my deputy and director with me. One of the things I did want to highlight is - and I'll answer this question in a second - recently we did a visit to the African Nova Scotian Justice Institute - the acting director of PPS, as well as Chief Judge Borden and myself, the deputy, and a number of other members from the department all actually went down there and had a little bit of a meeting.

I don't know if the director really got the significance of it, but I think it was probably one of the first times that the Chief Judge, the head of PPS, the Minister of Justice, and the Deputy Minister of Justice were all in the same room talking directly with community. That hasn't happened in the past. We're really out in community. I'm really trying to connect with and work with community, so we're able to talk about some of these things.

In regard to the question you just asked, and I hope this answer is the right answer, in 2022-2023 there were 184 cases completed by Halifax domestic violence court, and 113 cases completed in Sydney.

SUZY HANSEN: Are these courts available to all Nova Scotians or are they just for those folks who are located in Sydney or in Halifax?

BRAD JOHNS: The two courts the member mentioned are specific to Halifax and Sydney, but we do have wellness courts across the province. There is a domestic violence aspect to those wellness courts, and we have those in Amherst, Bridgewater, and Truro. As recently as today, I signed off and asked staff to look at extending it even farther down towards the Digby-Yarmouth area, which currently doesn't have one of these wellness courts. The wellness courts take in a lot of different aspects; part of that includes domestic, sexual violence, and those are incorporated.

SUZY HANSEN: The minister answered my next question. I was going to ask if you are looking to expand, and here we have the answer. I am glad to hear there will be access available in many different parts of the province.

[9:15 p.m.]

I am pretty sure you are familiar with this: Other provinces have adopted what is called Clare's Law. This law allows people who may be at risk to find out if their current or former partner has a history of domestic violence, stalking, or sexual violence. Is the minister looking into establishing a similar law in Nova Scotia?

BRAD JOHNS: We haven't looked at that. It is something that we can take back to the department to consider. I don't know what the outcome will be, but we can certainly look at it for the member.

The other thing I want to reiterate because I know the member may have missed the first time, is that within all of government, everybody has a certain budget we must work with. I don't want to overstate but I certainly don't want to understate how significant the new bail courts will be on some of these things as well. It is going to have a huge impact on Jordan delays and on ensuring people aren't taken into remand. We are putting a lot of faith in that initiative. We have other initiatives we are hoping to do in future years that will be firsts for Nova Scotia as well. The wellness courts have been around for a while; it was time to try something else. We have other initiatives we are thinking about as well.

I am hesitant to talk about a lot of these things sometimes, because if they don't go or if - sometimes if you talk about something as a thought, you are committed to it, and then you are held to it. Sometimes we talk about ideas to try to think out of the box, to make better - we want to improve the justice system and access to that system within the province. We want to expedite it and try to meet everybody's needs. We look at a variety of - across different jurisdictions and how they are dealing with different things. I know we were talking about the wellness courts, but I do want to highlight the bail court this time around as well.

SUZY HANSEN: I am glad you mentioned that because there was a question I wanted to ask about the bail court. What is the budget for the bail court? Is it in this year's budget - this fiscal year - or is it over time?

BRAD JOHNS: In this year's budget, there is \$2 million assigned for the bail court. In 2025-2026 there is \$1.8 million ongoing. The forecast is to continue the \$1.8 million ongoing.

SUZY HANSEN: I am going to talk about the Desmond case. Up to and since the publication of the Desmond report in February, family members have continued to live their trauma in the same house. I know you spoke about that in your opening remarks. I am curious to know: Has the department been speaking with the family, and what has the department - or folks in the department - been doing to help the family get closure?

BRAD JOHNS: As I said previously - it is worth saying again - our thoughts are with the Desmond and Borden families. I certainly recognize, and everybody in Upper Big Tracadie, the effect it had on the families in that community. The bulk of the recommendations that came out of the fatality inquiry - a large percentage of those were recommendations that are applicable more to the federal government than to the provincial government. We are trying to incorporate the recommendations that are directly to the provincial government as an all-approach in conjunction with the recommendations from the Mass Casualty Commission.

I do know the member had discussed - regarding the family home and stuff - I do know the federal minister has made a commitment to look at this under Veterans Affairs. The Minister of Veterans Affairs did make a commitment to review this, so we will look to them and see. Purchase of the home would probably be more of a Veterans Affairs issue than a provincial issue. We certainly don't want to traumatize or affect either the Borden or the Desmond family any more than they have been. We are trying to work with our federal counterparts around some of this. I would note that I believe we are continuing to support the families through our Victim Services division as well.

SUZY HANSEN: My question now, because you mentioned recommendations - and yes, the Mass Casualty Report had several recommendations, and of course now we have the Desmond Inquiry Report. I am curious to know: How many of those provincial recommendations are being implemented as we speak?

BRAD JOHNS: Government is committed to recommendations from both those reports. From the Mass Casualty Commission, there is a Progress Monitoring Committee that is ensuring government is held accountable to the recommendations. Our government has made the decision to do an all-of-government approach. Initially, it was basically all the recommendations were going to come to the Department of Justice, and DOJ was going to be responsible for implementing all of those. What quickly became apparent once we started reviewing the Mass Casualty Commission report was that it was much broader than just Department of Justice and the Department of Mental Health and Addictions. There were so many other departments that were impacted, so we made the decision to take an all-of-government approach, which we've been doing. We've seen a few things go forward in regard to mental health monies and commitments that have happened. As mentioned, our Victim Services continues to work.

In specific regard to the Desmond Fatality Inquiry, there were actually 25 recommendations that were meant to improve supports for Canadian veterans that didn't fall with us directly but to support access to health care for African Nova Scotians; to try to impact and strengthen the application for firearms usage; recommendations around intimate partner violence - we are working on all of those. Some of those we're checking off and some of those we haven't got to yet, but we're very committed to addressing them.

What I will say - and this is separate from what was said before - particularly to the Mass Casualty Commission, some of the recommendations are recommendations on society as a whole. Some of them aren't really recommendations that I think any government can actually directly impact. I think they're societal recommendations, but anything that falls within government and anything that falls within the purview of the provincial government, we've committed to doing.

SUZY HANSEN: I would be interested to know: How are we tracking our progress? How are we tracking across government with the all-of-government approach? What's working and what isn't? How are we implementing them directly within each department? I know, Minister, you probably can't answer this. You can speak for your own department, but I would be curious to know how that is working when we do a full all-of-government approach and yet there are still questions being asked about it specifically. That's something in the air and maybe when I get to speak to another minister I'll ask the same question.

My next question is about the Office of Equity and Anti-Racism Initiatives. It was moved under the umbrella of the Department of Justice and the budget estimate for that office remained consistent at around \$3.3 million. However, the number of FTEs has gone down from 16 as forecasted for 2023 to 11 for 2024-2025. I have two questions: Why has the number of FTEs in that office gone down? Can you possibly break down the \$3.3 million estimated for that office?

BRAD JOHNS: Staff are getting me a breakdown of the office for you. What I would suggest is that when OEA came to the Department of Justice, we do have the land commissioners who had previously been part of that and they've been removed out of that to kind of sit up on their own. I should have invited you.

I'm going to go on a tangent. I don't usually, but they're located up on Barrington Street in Tribe, and if you want to see a really wonderful facility and just really progressive and great - it's a wonderful atmosphere and everything. We're very lucky that as a province we're able to house our commissioners up there. It's a wonderful space and I'd encourage you to go up and check it out. It's up on Barrington Street and it's pretty cool.

There has been no reduction in the FTEs. They have just transferred over to the Department of Justice. Other than the land commissioners going up, there was actually an increase in the provincial Equity and Anti-Racism strategy. There was an increase in funding this year of \$1,185,000. I would offer too, Chair, if I could, that I think OEA is a great fit with the Department of Justice. It works well, particularly when you look at some of the other responsibilities that we have - whether it be through accessibility, human rights, it fits well.

One of the things that I've ensured and I've tried to say is that I think we have an Office of L'nu Affairs and we have an Office of African Nova Scotian Affairs, and we

don't want to duplicate that service because they have departments, but we want to make sure that they consider those departments in the overlap of those. It's worked really, really well. The 2SLGBTQIA+, that component of it, has fit really well with the Department of Justice.

[9:30 p.m.]

One of the things I've said in the past and one of the things I personally really value about the Department of Justice is the diversity and the open-mindedness. I know that often it may not seem it, but we're a pretty diverse and open-minded group at the Department of Justice, and OEA was a really great fit. They just fit really well with us. We're happy to have them. I'm really happy that they're there.

SUZY HANSEN: I'm glad to hear that. In the Public Prosecution Service, their new policy for fair treatment of African Nova Scotians - and we talked about the letter previously - makes commitments to mitigate overrepresentation of African Nova Scotians in the justice system. Naturally, the onus to start a fair and equitable process for people in the system begins with policing practices.

Is there any funding allocated in this year's budget to helping municipal police forces adopt and adhere to the policy? I think I came in at the tail end of a conversation with my colleague here about the funding for municipal policing. Would you mind reiterating that information for me?

BRAD JOHNS: For clarification, money in the budget specific to...

THE CHAIR: The honourable member for Halifax Needham.

SUZY HANSEN: For municipal police forces to adopt the policy of the Fair Treatment of African Nova Scotians policy?

BRAD JOHNS: While my deputy is looking for a number, what I would actually provide is that although we are not that specific, there are initiatives that are funded through the Wortley Report as well as EDI training across the province that the Province offers to municipalities and stuff. We assist with the RCMP ACE, which is their diversity program. We are engaged. I don't know if we have an actual number yet - no, I don't think so. The deputy is pointing out one of the other programs that we do work with is the Canadian Police Knowledge Network and that was under the minister's directive. We are engaged in that as well.

SUZY HANSEN: In Fall 2023, the Province committed to launching investigations by the first of its death review committees, originally planned for 2019. As a start, they were to be tasked with investigating the deaths of three incarcerated people and one child

in care. Have the terms of reference and committee members been finalized yet to get the investigation started?

BRAD JOHNS: Once again, a new initiative that I felt was important was that when somebody is in custody, the Province is responsible for their care. When there was a death about a year ago - there were two deaths in custody - I felt it was important to expand committees to specifically be able to look at death in custody as well. Since that time, terms of reference have been drafted and exist now. It is headed up by the Nova Scotia Chief Medical Examiner, Dr. Matt Bowes. He chairs the committee. The committee is fully membered now, and I believe they have already had one meeting.

The membership of the committee is the Chair, the Chief Medical Examiner; a Crown attorney; an RCMP officer; a Mi'kmaw representative; an African Nova Scotian representative; a primary care physician; and a retired manager of Correctional Services. That's who makes up the committee. As I said, I know they have met once. I don't know what has come out of that. I am not involved on a day-to-day on that, but I think that was an important initiative, and we are glad we have done that.

THE CHAIR: The honourable member for Halifax Needham with six minutes.

SUZY HANSEN: A coalition of health and social justice organizations led by Wellness Within is currently promoting a month of action on human rights in custody. Their goal is to make clear that conditions of confinement are directly linked to deaths in custody. Following their month of action, the coalition will be looking to meet with the Premier, the Minister of Justice, and correctional directors to work towards the achievement of better conditions. Will the minister meet with this coalition?

BRAD JOHNS: I will commit to learning more about them. I'm not exaggerating when I say I probably am approached by four to five different groups every week who want to meet about something - some I am able to and some I am not able to. I will investigate it and see.

In direction to issues that we have been having in our Correctional Services, I did meet Monday with the union for the correctional officers. I did go over to the NSGEU. I met with Sandra Mullen, who is the president, and her vice president, Hugh Gillis - I joked when I went in. I said, "I bet you I am the first minister to ever actually walk into the building while he is sitting as a minister," because I don't know how many have ever been over there. Although it is not my role to bargain on behalf of the Province, I do believe it is important to have open and honest relationships and discussions with our partners. NSGEU and the correctional officers are part of our partnerships and part of our team. I did happen to go meet with them, and some of the topics you have raised here today were things we did raise - that were raised when we were discussing. We are trying to work toward some of those things.

My deputy has pointed out that some of these things also go to the Office of the Ombudsman. Some of these are to meet with the minister. Some of these are probably more appropriate there.

SUZY HANSEN: I'm glad to hear that, because adding to the question would have been we know that correctional officers and folks who are part of that union play a valuable role in the work that's going on, and so I'm glad to hear that the minister is at least having conversations with folks about what that looks like for them and is getting their input.

One thing that the coalition is calling for is greater transparency on how deaths in custody are reviewed and publicly reported. Has the minister considered making this process more transparent and findings more publicly available?

BRAD JOHNS: If I could - it's a real new process. I haven't even had a report submitted to me yet, so to surmise anything - I don't know yet. I believe there's a terms of reference - hang on. Staff did just clarify. I didn't want to commit, but yes, the terms of reference do say that they'll be made public.

SUZY HANSEN: The coalition would also like to see the deaths-in-custody review process made more rigorous and culturally appropriate. In particular, they are repeating their call to ensure that inquires into Indigenous deaths in custody, like those of Sarah Rose Denny and Peter Paul, are Indigenous-led and informed by community concerns and protocols. Right now, the Deaths-in-Custody Review Committee has only one Indigenous member and I'm just curious to know: Are we exploring those types of options, looking into ways to better serve the Mi'kmaw population by making the review committee, when necessary, Indigenous-led, if possible?

BRAD JOHNS: I think what I would offer is that in the initial committee we tried to include representation as broad as we could across society, and there is currently a First Nations seat there, as well as African Nova Scotian. We've just started the committee, so I'm not going to say no, but I do think there is representation there. We tried to make sure that we had a broad representation from numerous communities across the province, and I want to see how it's working. They haven't had a report to me yet, so it would be a little early to say. The other thing I think is I would certainly look toward the Chief Medical Examiner and recommendations that he may come forward as this process continues. There may be recommendations that he brings forward too.

I wouldn't want to have a committee that was so bogged down that they couldn't work, either, because as I said earlier, I view the Province as being responsible for these people. When somebody is in custody, they're the responsibility of the Province. The goal really is to not have death in custody. It does occur sometimes, unfortunately. The commitment - and I very seldom have said in the House, that government did . . . (interruption).

THE CHAIR: Order. That would conclude the round of questioning for the New Democratic Party. I'll move it back on to our Liberal colleagues.

The honourable member for Clare.

RONNIE LEBLANC: Thank you, Chair, and I want to thank the minister and the staff for giving me the opportunity to ask a few questions. My questions are around accountability or the perception, I guess, of accountability. Municipalities are responsible for policing and have in their budget substantial amounts to pay for policing. They're legislated, I guess, to have a Police Advisory Committee. My first question to the minister would be: Can he expand or talk a little bit about how the department views the role of the Police Advisory Committee and what exactly is the function of it?

[9:45 p.m.]

HON. BRAD JOHNS: I know the member is aware of the relationship between policing and how it works from his past time on council. It was of benefit to me. I was the first elected official to Chair the Halifax Regional Police Commission, and so I was aware of the roles they play.

I do think it is important to have commissions that are independent. Typically, they will have a member or two from the associated council who will sit on them. I think that it's important to be able to keep that liaison between council and the commissions. I also think it is important that the commissions operate somewhat independently of council so they can make recommendations, whether that is regarding service levels, budgetary requirements, or whatever. I do see them as playing a role. Typically, they have somebody on them who is community-assigned, so there is that opportunity to have community liaison there as well.

It is really a checks-and-balances thing. We do have just over 30 police boards throughout the province. There have been some challenges with a few. We became aware there were a couple of municipalities that didn't have any advisory boards, so we did contact them and suggest we would like to have them for some of the reasons we spoke about.

As I spoke about earlier, the Province is in the process of doing a provincial police review. It is going to be a thorough review of how we do policing and how we go forward. We have awarded Deloitte to do that. As we go forward, I don't want to surmise what comes out of that.

I have been hesitant to make any significant changes to the way the current structure is until we get some feedback from that process. As I said, I was approached by one or two municipalities that provided, under the legislation, what they needed to provide, but that was somewhat alternative to what would be a traditional police advisory board. We did

accept some of those requests. I did attend the last provincial Chiefs of Police meeting in Bridgewater, and there were several people there who were from police advisory boards across the province.

It was a great opportunity to have an open and honest chat. One of the things we heard was their desire for training and to work with the Province, so we have stepped up some of our training around them. What we have provided them and - part of that training talks about local priorities.

RONNIE LEBLANC: My understanding - and I will assume it's the same with all municipalities - is that the Department of Justice appoints somebody to the Police Advisory Board. My question would be: As a representative of the Department of Justice, what is that person's role there, and does the person report back to the department?

BRAD JOHNS: What I would say is I personally recognize that we are having a challenge. I know you haven't brought this up, but we are having a challenge trying to get our provincial reps on some of these boards, which I know is creating challenges for the boards in regard to quorum and stuff. As a department, we do go out and do advertising and try to encourage people to apply to these boards and commissions. In some areas, we have a lot more. In HRM, they have no problem getting anyone. That's why I said in some cases I've been contacted by different municipal units, and they've talked to me about some of the challenges they've had. We have granted exceptions to the way it's done to try to meet their needs.

Although there is a provincial representative on them, there's not direct feedback to the department currently. What I would say is that as we're going forward with our policing review, that would be something we anticipate would be coming out of that. It's not just what we utilize to provide policing - it's broader than that - so it will certainly take in police governance as well as how advisory boards and police commissions work.

RONNIE LEBLANC: The reason I raise that - and I am sure you're well aware that my constituency has had, for the last number of years, a lot of challenges around crime, I'd say, and significant issues. Like many smaller municipalities, it's a small detachment, so there's a lot of pressure on municipal councils to add members to try to get more coverage. As you know, municipal councils aren't experts in what staffing should look like and what's the best way to go about how many members you should have and what the rotations would look like. In a way, I'm bringing the questions that I'm hearing from the public and councillors around policing.

One thing that was raised by a number of councillors is the General Duty Police Resourcing Model study. I believe it's a study to look at the size of a municipality and figure out how many police officers would be needed. From my understanding, the department is maybe looking at doing those studies across the province. I don't know how

you're going to decide which municipalities are looked at first but just want to get your sense of what you're thinking around that.

BRAD JOHNS: As I said, it's part of that - we've hired the consultant Deloitte to go around and look at policing. Typically, in places like Clare, what we would do - I think you guys are RCMP, so typically we rely on the local department that works in conjunction with the town or the municipality and then if they need to increase that level, it comes up through them to each division, and then through to us to enter into that - if they fall into the RCMP Provincial Police Service Agreement or not. We work with the municipalities to try to accommodate.

We spoke about this a little bit earlier, but my concept with the comprehensive policing review is to not restrict what's looked at. As I've said before, I want to ensure that we have the best model that is providing the best safety, security, and service to the people of Nova Scotia while recognizing the challenges of costing and to make sure it is an affordable model too. I can't surmise what's going to come out of that because I don't know. As a former chair of the Halifax Board of Police Commissioners, I was in a unique position because they were an integrated force, so they had municipal policing as well as the RCMP. I do know there are strengths and weaknesses to different models. As we go forward with that review, we'll hope to hear some back on.

I did speak about this a little bit earlier - it's currently with our SiRT - Serious Incident Response Team. We have stepped out of the box, in a sense, and we have entered into an agreement with New Brunswick, where we currently have a Nova Scotia-New Brunswick SiRT. We are hoping there may be an opportunity to expand that to PEI so we would have a Maritime SiRT unit.

I'm not saying we're going, but what opportunities are there? Don't restrict any current models. Let's look at everything. Having said that, we spoke a little earlier about one of the challenges - sometimes things are outside of our control. We rely on a federal agency, in a sense, to provide for us as our provincial police force. If the terms or focus of that change federally, that impacts our province, so we rely somewhat on that too. I don't know if that got it all or not.

RONNIE LEBLANC: I think so. I am bringing the concerns of my community more than anything else. What happens is that small departments deal with day-to-day operations and a lot of mental health calls. When communities are suddenly faced with what I call major crime incidents - arsons and shootings - there is a point where the regular detachment can't keep up with the level of crime. At the same time, it is not necessarily that they need a bigger police force, but for a certain amount of time, they might be overwhelmed. I know, from speaking with the RCMP, they are quite confident that when they ask for support from the Department of Justice, they do get it.

It is not a matter of my saying you are not providing the resources necessary, but at the same time you have a community that is under a great deal of stress. I'm not even sure what answer I am looking for. The community is concerned and would like to see more results - maybe if I can say it like that - or at least some more communication around what is happening. Right now, we've had multiple major crime incidents. The RCMP, in fairness, are doing all they can, but it's just too big. I don't know at what point the Department of Justice would step in, look at a way to try to address that, or at least make the residents feel more comfortable.

BRAD JOHNS: In addition to the review of policing, we are in the process of doing a review of the police standards - kind of in conjunction with, kind of separate - where we are looking to update the policing standards to ensure there are effective and adequate services across the province as well as training. We are in the process of doing that, and I guess that is what I would offer.

[10:00 p.m.]

One of the things I did offer earlier is regarding recruitment. Throughout the Department of Justice - and in many places and organizations in the country - there is a recruitment challenge. The RCMP are certainly not immune to that. We see them trying to ramp up, as well, so they can get people to go into cadets, up to the depot, and get through. There are some challenges with vacancies and trying to encourage people to go into the profession, but a lot of it will have to do with the policing review and the standards review.

When it comes to serious violent crime, one of the issues we do have involves guns, gangs, and organized crime. We do get some funding from the feds for that. Several municipalities recently - I don't remember who asked for what, but I just signed off on a whole bunch of things today for some programs to allow that funding to funnel through to some of the local departments. Once we have the standards and the police review done, then we will have a new framework we can work around with some of these issues.

RONNIE LEBLANC: I realize my questions sometimes are a bit vague, but I try not to get into the details of what's going on. It goes back to 2020 when we had the fisheries crisis in our area, and we had hundreds - literally hundreds - of RCMP officers from Yarmouth and Digby-Clare try to quell the violence. At the same time, I think the community believed that, with all these RCMP officers, there would be a significant change going forward in terms of - I don't know if I want to call it organized crime, but serious crime. The question I get asked most often is: "Once these RCMP officers left the region, it seemed there was no accountability - everybody is asking, what happened? What was the result of that?"

The other comment I often get is: "I assume it is the federal government that paid for that." That's why I am asking. Where is the line, especially when it comes to fisheries,

elver fisheries, and those things? Where is the line between where the province steps in and where the feds step in, if that makes any sense?

BRAD JOHNS: As minister, I am following what is going on down there - the firebombings and other issues. I am aware of what is happening there.

Of course, back in 2020, with that particular issue, under the Provincial Police Service Agreement, if there is a significant incident that's happening, the Province does have - it's called Article 9 - we have the ability to contact the feds and request additional support. We did that at that time.

Typically, if the Province requests additional resources, we're pretty much on the hook for it. It may fall under the Provincial Police Service Agreement, the 70/30 split, but it depends. Typically, that's when there's a significant - I believe in 2020, the feds kind of sent some people as well as us. That was what was there at the time.

I guess what I would suggest is that, if policing seems to be - members come to me all the time, and I am very cognizant of the role that councils play. I use the authority of the office very lightly. I don't believe in trying to tread on councils. I do believe in the responsibly elected officials. They have a role to play and the municipalities have a role to play.

What I would suggest is that if the municipality that is in an agreement with the service provider, the RCMP, were not able to address some of those things, if the RCMP was to contact each division - their head - or if the municipalities were to contact me, then I would forward that to each division to see if there was a way to deal with those concerns. Typically, because there are sometimes costs associated - typically, councils are a little bit leery to do that right away. We don't want to see - our primary goal is we want to ensure that we have safe communities. We do want to work with councils. I don't want to overstep a council, if that's fair.

Of course, some of it, in regard to the lobster fisheries and stuff - that falls under DFO. There was actually another opportunity, another avenue to get some support, because it fell under DFO versus - RCMP on land, DFO on the water. We are - I'm keeping an eye on what's going on there. I see what's there. If you're feeling uncomfortable and want some direction off this process, you and I can sit down and I'll make some suggestions.

RONNIE LEBLANC: I want to thank the minister for his comments. The reason I'm here asking questions is because a lot - when I say a lot of residents are calling councillors or are in my office, there's a general anxiety in the community. I appreciate that the minister is willing to have a discussion, because it is an issue that doesn't seem to be getting better at all. I think that's an area where if something could be done for the residents, I'd really like to deal with that.

If my colleague is ready, I'll pass it off to my colleague.

BRAD JOHNS: Just before the member retires, I did mention to the deputy minister to see if we can contact Clare and follow up on the discussions we're having today. I hear what you're saying. We'll follow up directly.

THE SPEAKER: The honourable member for Annapolis.

CARMAN KERR: How much time, Chair?

THE SPEAKER: Thirty-four minutes and 34 seconds.

CARMAN KERR: Great. Hello, Minister. Thank you for being here and thank you to your staff. Pardon me, I might read a bit from - this is a letter I just received last night, maybe, or today, from the Town of Middleton:

Dear Minister Johns:

Town of Middleton and the Municipality of the County of Annapolis recently underwent a policing review under the direction of the Nova Scotia RCMP "H" Division. . .The results of the . . .GDPRM showed that crime has increased over the past several years and continues to rise. In addition, the review highlighted the ability for our officers to do proactive policing was non-existent in 2022 with the current frontline policing model of 14 general duty positions. It was evident from the review that more general duty officers are needed in the Annapolis County district.

If you excuse me, I might read one more paragraph:

To improve on these policing conditions and to ensure Annapolis County is provided with an effective and efficient policing service, the Town of Middleton will be budgeting an additional \$214,592 for an increase of one additional general duty officer effective April 1st.

So coming around the corner:

This is also conditional upon the Municipality of the County of Annapolis approving their proportionate share of three additional officers. This will enable four new officers to serve Annapolis County immediately.

They're looking for your approval for the addition of four new policing positions in Annapolis County, effective April 1st. I am asking the minister if he will approve that.

THE CHAIR: I ask the member when he's done with the document if he could table it, please.

The honourable Minister of Justice.

HON. BRAD JOHNS: We did receive that correspondence. I think it was only dated this week. (Laughs) Respectfully, what I would suggest - we'll review it now that we've got it, because we just got it. I'm not 100 per cent sure. I just want to check something quickly. I'll just reserve and say we'll review the letter and I'll let you know.

CARMAN KERR: I certainly can appreciate us both receiving the letter, but I did want to flag it with the minister. They did mention that April 1st date. A lot happens between now and then. I just wanted to make sure they were looked at.

Just a quick quote of the same letter from Annapolis County, same date:

They've approved an additional budget allocation of \$882,000 for three additional general duty officers effective April 1st, conditional upon the Town of Middleton approving theirs for one officer, and they're also requesting your approval for four new policing positions in Annapolis County effective April 1st.

Again, they would like to see the minister approve that as soon as he is able to. No question there, just more of a comment. I'll table those in a bit.

If I could read my own writing: Has the minister or department budgeted any funding for municipalities, villages, or towns to help with this dramatic jump in their policing requirements?

BRAD JOHNS: First time so far this afternoon. I'm sorry, could you repeat the very last sentence?

CARMAN KERR: No problem. Has the department - this is the requirement as per the review. They've asked for the approval. I'm sure that will come in timely. The question remains: These villages, towns, and municipalities are struggling to pay these bills, as I think the minister can appreciate. Has the department thought about or budgeted any funding to help these units add these additional resources?

BRAD JOHNS: I think the department recognizes some of the pressures, particularly areas serviced by the RCMP - some of the recent financial pressures that some municipalities are under. That is something being looked at as we do the police review, so

that is something that is being considered. As I said before, affordability is one of those pillars of things that we're looking for, to try to ensure that we can provide an affordable option to municipalities and towns.

[10:15 p.m.]

The DOJ does not have anything to offset those costs directly. I do believe - and I'd have to check - but I do believe there might be something through Municipal Affairs that offsets something, but I'd have to confirm and get back to the member on that.

The other additional thing - and I'm not quite sure I get this right - I believe that, in your case, the town pays 100 per cent through the Provincial Police Service Agreement. They pay for the police, right? If they are requesting - and I need to confirm this - I believe they are requesting the officer. If they are willing to pay for the officer, it's just a matter of linking everything together, right?

CARMAN KERR: No, they definitely respect the review. They gladly welcome the new officers, and they would gladly welcome \$1.1 million to offset that cost. I'll just leave that with the minister.

The minister mentioned recruitment, so certainly I want to do my part, as MLA in Annapolis. Is the minister able to work with the department, with me, or with another unit on a recruitment-type fair or campaign in rural regions? How would I be able to bring recruitment efforts - a fair, a job fair, or something like that - to Annapolis?

BRAD JOHNS: If the member is interested in doing something with that, we can certainly liaise between each division of the RCMP and see if we can put it together to organize something like that and to see if they are receptive.

CARMAN KERR: That's excellent. Thank you. We have a Seniors' Safety Coordinator - who is excellent - in Annapolis. Her name is Sharon Elliott. I hope she doesn't mind me sharing her name. In this room, she was awarded the Queen Elizabeth II's Platinum Jubilee Medal. She is a saint. She is the first Seniors' Safety Coordinator in the province. She was the original pilot program, so she's got nearly 20 years experience.

I guess what I want to know from the minister is: What is the relationship with that Seniors' Safety position? My understanding is that it's unique in that it has a component of RCMP, whereas other Seniors' Safety Coordinators or programs may not. I wonder if the minister doesn't mind clarifying that relationship.

BRAD JOHNS: I knew there was something, because it's unique. I think that position is now funded by the Ministry of Health and Wellness. They're not funded through DOJ anymore. They're funded by Health.

CARMAN KERR: That must be very recent. But maybe someone could follow up and let me know more about that relationship. Thank you.

I wonder if the minister could comment, or the department give me more information, on overtime budgets for Annapolis County through the RCMP. Is that something the minister or the department would be able to access? The overtime budget for detachments in Annapolis County: Bridgetown, Middleton, and beyond.

BRAD JOHNS: We're just taking a minute to get those numbers. It's kind of unique: We sit here to do Budget, and everybody talks about everything about Budget, and you're asking about numbers now. We're just grabbing those for you. We'll just be a moment. If the member has anything else? Staff are looking that up, and we can continue.

CARMAN KERR: Thank you. I appreciate staff looking into that. My second question on officers in Annapolis: Can the minister comment on how many are off on medical leave?

BRAD JOHNS: So, twofold - and we're trying to get specific numbers for you - but overall, the vacancy rate, I think, is 22 per cent across the province. Yes. We're trying to get a specific number for you. On the earlier question: we do not bill municipalities' police by RCMP for overtime directly. Does that answer that question?

CARMAN KERR: I appreciate that answer, and if the staff isn't able to provide it tonight, I'm fine if you could forward it on later. Did you want me to ask another - can I ask another question? Yes. I'm looking for the full complement of officers in Annapolis County at those detachments, if that's possible as well.

BRAD JOHNS: Nineteen officers in Annapolis. One hard vacancy, one off sick, two on graduated return to work. Total vacancy rate: 16 per cent.

CARMAN KERR: I appreciate that answer. Thank you. My last question: does the minister want to join me for my Middleton Neighbourhood Watch meeting? I'm the guest speaker on next Tuesday, I believe. If the answer's yes, great, we'll go for a beer later, and if it's no, any advice or things I can impart with that group?

I'm certainly aware of the increase in crime. We're dealing with a lot of different situations in the Middleton area, and up and down Annapolis County. I'll take any help I can get from the minister and the department on what kind of information I can share with the community, and that would be great.

BRAD JOHNS: If the House isn't sitting next Tuesday, I'd be willing to go down. My dad needs me to bring the car home anyhow, so I can pop down and see you. I'm not opposed to going out and meeting with groups. My only concern ever is that I don't want them to think that I'm going to be able to do something. As I said earlier, I have a lot of

respect for local councils and the authority in the role that they play, and I don't ever want a council or a municipality to feel that I'm overstepping, or to lay out hope on something I can't do. But if the House isn't sitting, I'll certainly go down.

CARMAN KERR: You ask, and therefore you receive. Is that what they say? I do know the minister has some family in my riding. I'm happy to host you. Thank you for your time tonight, thank you to staff for being here, and I'll hand it over to my colleague.

THE CHAIR: The honourable member for Cole Harbour.

HON. TONY INCE: Thank you, Minister, for taking the time to answer these questions. My first question is going to be dealing with the Office of Equity and Anti-Racism. My question to you is this: Can you give us an update or share with us the partners and community groups that you have worked with over the past year?

THE CHAIR: Just for reference, we're going until about 10:54 p.m.

The honourable Minister of Justice.

HON. BRAD JOHNS: The honourable Minister of Justice's bladder may not be going until 10:54 p.m.

I do want to ask for a quick clarification, if I could. Through you to the member, are you asking which community groups personally as minister I've been to, or which community groups as OEA we've been working with?

TONY INCE: I was referring principally to the office and the work that they are doing.

BRAD JOHNS: If the member's okay - I know he was sitting here when some of the other members were up. We're going to get the answer. We can wait, or you can keep going. I don't want to waste your time, right? So, if you have some other questions, as soon as we get the answer, I can let you know.

TONY INCE: My next question is related to that. My question is: What work has been done to identify and address systemic racism and inequity in government regarding policy, legislation, programs, and services through the Office of Equity and Anti-Racism?

BRAD JOHNS: One of the key requirements of the Act was to have a strategy up and running, which they did, by July 31, 2023. The all-government strategy was released July 6th, and we do have a copy of their one-year report, which we can get a copy of. It highlights everything they have been doing and specifically whom they have been meeting with.

[10:30 p.m.]

Right now, we are on to a second stage where we are engaging with the 2SLGBTQIA+ community to try to work on a strategy with the rainbow community. I don't know if that helps. That's the focus where we are at right now - to try to get that report too.

TONY INCE: Another question is I have is: Within the Office of Equity and Anti-Racism, you are also tasked with dealing with disabilities and the people who have those challenges. I would like to ask: Is there any real plan to be more inclusive with that? What I mean by that is when we talk about accessibility and disabilities, we're talking about physically getting into buildings and so on. If we are being more inclusive, then we would be looking at including, dealing with, and addressing the needs of the individuals in our society who have intellectual disabilities.

Is there any plan to incorporate or look at addressing that?

BRAD JOHNS: We have several departments and offices that fall under the Department of Justice, such as the Human Rights Commission, Accessibility, and Office of Equity and Anti-Racism. The accessibility issues you're talking about don't fall directly under OEA; they'd fall more under the Accessibility Directorate. We are in the process of doing an accessibility standards review, which is to try to ensure we have an accessible Nova Scotia for all by 2030.

They've identified six key pillars, or six key standard areas: built environment, education, employment, delivery of goods and services, public transportation and infrastructure, and information and communication. We've committed to taking on a few every year and trying to move them forward. We're anticipating the built environment standard will start to be enacted this year, 2024. Then we're moving on to look at the other standards as well. I don't know if that gets to the question the member has.

Under Accessibility, Executive Director Dawn Stegen reviews all these with us. What I would suggest is that they look at visible and invisible disabilities. They do consider all that in these standards as they're moving forward and reviewing this. Similarly to OEA, Accessibility also brings forward an annual report that touches on the things they've been doing. We can ensure the member has that report too.

TONY INCE: Today I received an email about the Office of the Police Complaints Commissioner. I'm sure you did as well. If not, I can make sure you can get a copy. There was a paragraph in that e-mail that addressed an issue. I'm going to read it to you right now.

It stated that they believed "the Office of Equity and Anti-Racism is in violation of Section 4.1 of the Dismantling Hate and Racism Act." In that violation it highlights "the

goals and the principles of the office have failed to coordinate with the Office of the Police Complaints Commissioner to implement conditions and initiatives and to coordinate equity and anti-racism actions and policy programs”- now I’m having a problem reading my own writing - “to enable meaningful conversations with marginalized communities.”

Was I clear with that? I can re-read it.

This e-mail stated that the office “is in violation of Section 4.1 of the Dismantling Hate and Racism Act. In terms of the goals and principles of the office to coordinate with the Office of Police and Complaints Commissioners to implement initiatives and coordinate equity and anti-racism actions, policies, and programs to enable meaningful conversations with marginalized communities.”

In essence, this statement is hinting that there is no communication with those community groups to address. I wonder if the minister might be able to explain or talk about that.

BRAD JOHNS: I guess in my own defense, I’ve actually been prepping all day to be here, so I personally haven’t checked my email at all today because I was prepping to be here tonight. I can certainly look at that and get back to you.

What I’d offer is that there are people who sometimes don’t feel that government works the way they want government to work. I’m not speaking specifically to this. If you want to forward it to me, we can certainly look at it. If it just came in today, I don’t really have an answer. I’d have to look into it.

I will say that oftentimes people feel that because something didn’t go their specific way, they have an issue with government, they have an issue with policing, they have an issue with whatever it may be. We certainly take all those concerns that come forward to the department with the utmost seriousness. If there’s something that comes forward and it’s justifiable, we work on it.

As I said before, I think that the Department of Justice is probably one of the most diverse offices. We pride ourselves on working with community, alongside community. If there are concerns like that, if somebody forwards it, we look at it. Every email that comes into the department is reviewed and looked at. We typically provide a written response.

If there’s legitimacy, we address it. Sometimes it’s the way somebody may feel - we do evaluate and look at everything, so I can take a look at this later and get back to the member offside.

TONY INCE: Minister, the first couple of questions I’ve asked were leading towards this particular statement in that I’m really curious as to the work that has been done in the office over the past year. I don’t recall - forgive me if there was - but I don’t

recall seeing any updates or reports on the office over the past year. Given that we have this Dismantling Racism and Hate Act, to me it would seem that it would be really important and prudent for the office and your department to really give us some information and feedback on how this is all working.

If we are doing our due diligence, then I would suggest that we would have . . .

THE CHAIR: Order. My apologies, that reaches the one-hour time.

Minister, how much time do you need for your closing remarks? There is about 10 minutes remaining - is that okay?

It's our NDP colleague's turn. The honourable member for Halifax Needham.

[10:45 p.m.]

SUZY HANSEN: Don't worry, I will ask just one question and then you can follow with your statement there, minister.

Last month the Nova Scotia Supreme Court declared ongoing lockdowns at the Central Nova Correctional Facility to be illegal. What action is this government taking to respond to this? What action is this government taking to ensure that unlawful lockdowns that harm those in custody do not happen?

BRAD JOHNS: I can't get into specifics, because I do know some things are currently before the courts. What I will say is that, unfortunately, in correctional facilities sometimes lockdowns are required. We certainly recognize that we don't want long-time lockdowns. As I've said before, there have been staff shortages of staff recruitment. I don't know if the member was here or not earlier, but on Monday we put out a class of 33. There's a current class of 45 that I actually went and visited on Monday, and we have a second group of 45 who are ready to come through.

We're really trying - through reach-out, job fairs - to recruit people to come on as correctional officers. Sometimes staff shortages - if somebody is off sick, or a couple of people call in one night, we could end up being sick. As I said earlier, I did meet on Monday with the union, and we're trying to work through these collaboratively to try to address some of these issues.

What I will say is that I think there will probably always, at some point in time, for a variety of reasons, be lockdowns in correctional facilities. It's to try to ensure that they're short-term, not long-term, lockdowns. There's a variety of reasons. Just to reiterate, I am working with the union to try to find some of the things that we can try to address: the staff shortages, if we can either through recruitment or other issues try to ensure that we have adequate staffing. We don't have lockdowns, typically.

SUZY HANSEN: Thank you, Minister, for your time. I appreciate the long sitting and the time that your staff have been here and, as well, the staff in your department. I know that they do a lot of great work, and hopefully we can continue this conversation outside of this room. I appreciate all the work that's being done. Thank you again, and you can take the final minutes.

THE CHAIR: We have about six minutes left. Will that be enough time for closing remarks? Would you be six minutes?

BRAD JOHNS: I'll be quick. Does anybody have any other questions?

THE CHAIR: The honourable member for Cumberland North.

ELIZABETH SMITH-MCCROSSIN: I'd love to ask a question. Elections Nova Scotia falls under the minister's purview, and as an Independent, I have written to Elections Nova Scotia with my concerns around discrimination with the Act. Right now, even though it doesn't clearly state that if you're an Independent MLA you can't have an EDA or you can't issue tax receipts, Elections Nova Scotia is interpreting it that way. I have had legal counsel look at it and advise me that they do feel it is discriminatory, because other things in the Elections Act do apply to an Independent, but for some reason an EDA and writing tax receipts do not. I'm wondering if that's something the minister or someone in the department would be willing to take a closer look at so that all MLAs are treated equally within Nova Scotia.

HON. BRAD JOHNS: Yes. I will say I have the utmost respect for Dorothy Rice. I think she's very non-partisan - just an observation. I think she treats everybody very fairly, and we're lucky to have somebody who views that. We can certainly ask for clarification - I have no problem with that - and look into it.

What I did want to say, just before I do my resolution, is I do want to thank all the members that were here today. As in previous years, I do feel that this is - I don't know how the other departments go, but I really appreciate the fact that we have the opportunity to talk a little bit more casually than we do in the House. I appreciate the current members that are here, as well as the other ones - typically, it's more of an exchange of information than adversarial, and I really appreciate that. Hopefully we'll be able to do the same thing next year, this being the third.

With that, I'd like to read the following resolution on Estimates for the fiscal year April 1, 2024 - March 31, 2025.

Resolution E13 - Resolved, that a sum not exceeding \$468,687,000 be granted to the Lieutenant Governor to defray expenses in respect to the Department of Justice, pursuant to the Estimate.

Resolution E20 - Resolved, that a sum not exceeding \$1,281,000 be granted to the Lieutenant Governor to defray expenses in respect to the Freedom of Information and Protection of Privacy Review Office, pursuant to the Estimate.

Resolution E22 - Resolved, that a sum not exceeding \$3,044,000 be granted to the Lieutenant Governor to defray expenses in respect to the Human Rights Commission, pursuant to the Estimate.

Resolution E25 - Resolved, that a sum not exceeding \$444,000 be granted to the Lieutenant Governor to defray expenses in respect to the Nova Scotia Police Complaints Commissioner, pursuant to the Estimate.

Resolution E33 - Resolved, that a sum not exceeding \$32,075,000 be granted to the Lieutenant Governor to defray expenses in respect to the Public Prosecution Service, pursuant to the Estimate.

I would so move.

THE CHAIR: Shall the resolutions stand?

The resolutions stand.

Consideration for Estimates today are complete. The subcommittee will resume consideration when the House resolves itself into the Committee of the Whole House on Supply. I would ask everyone to please return to their seats in the Legislative Chamber. The Committee of the Whole House must rise to report before the House concludes for the day.

We stand adjourned.

[The committee adjourned at 10:53 p.m.]