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Over the course of the semester I completed my practicum placement at Nova Scotia Legal Aid - HRM Duty Counsel Office. I worked at the Dartmouth provincial courthouse located at 277 Pleasant Street every Friday from approximately 9:00 am until 4:00 pm. I was under the direct supervision of managing lawyer Patricia Jones, but my days were often spent shadowing one of the full-time staff lawyers; Andrew Jamieson and Alex Baranowski, or articling clerk Faith Hwang. Nova Scotia Legal Aid is a free legal service that provides advice and representation for low-income individuals facing problems in the areas of criminal law, family law, and some other areas like Employment Insurance and Income Assistance. The Duty Counsel office is a division within Nova Scotia Legal Aid that resides in the court, offering brief advice and representation to clients with court appearances scheduled on that day. Duty Counsel does not offer full-time nor ongoing legal representation, and they generally do not help clients prepare for trial. Duty Counsel deals mostly with adjournments, bail, pleas, and sentencing, and can appear on behalf of clients in court for any of these matters. Duty Counsel representation also has no financial need requirement, unlike full-representation through Legal Aid, which means that they can encounter clients in all sorts of varying financial situations. The day-to-day activities at the Duty Counsel office are very different from what one might encounter at other divisions of Legal Aid.

During my first week, Patricia helped me get oriented with the layout of the court and introduced me to the other staff lawyers, the Crowns, the court support workers, the court clerks, the sheriffs, and the Judge. She insisted that maintaining good relationships with all of the other

court workers was key in a role like Duty Counsel. Patricia explained that so much of the legal process actually occurs outside of the courtroom. For example, many bail plans and sentencing recommendations are negotiated behind the scenes between the defense, the accused, and the Crown before being handed over to the Judge to make the final decision. Patricia told me that she mostly handles non-custody matters, which are individuals who have been released on bail pending trial or who have been ordered to serve their sentence in the community. These individuals are usually released on conditions, most commonly of which are; a condition to attend court as and when directed, to keep the peace and be of good behaviour, and not to consume alcohol, drugs, or other prohibited substances. Conditions vary based on the nature of the alleged offence, and get stricter as an individual breaches these conditions or commits subsequent offences. The flip side of non-custody is what many lawyers will colloquially refer to as “cells,” which are individuals who have recently been arrested and held in custody either on a new offence, or have breached a condition of their release order that resulted in an arrest. The main cells lawyers are Andrew and Alex, who I tended to work with a lot after I expressed to Patricia that I was more interested in cells than in non-custody.

The following weeks of my placement became relatively routine. I would meet with Alex or Andrew in the morning and they would give me a brief overview of the day and let me have a look at the docket. We would then go to cells and try to meet with everyone who had been detained the previous day or had been transported from jail to the courthouse either for a bail hearing, a plea, or a sentencing appearance. Andrew explained to me that working cells on a Friday was especially stressful, because anyone not released would have to remain in custody all weekend until the courts re-opened on Monday morning. This can raise issues when it comes to a client's right to appear in front of a judge within a reasonable time, and also for their right to have a bail hearing within a reasonable time. We would spend the majority of the late morning and early afternoon in negotiations with the Crown prosecutors, trying to come up with bail plans

or sentencing recommendations for the individuals currently in cells. These negotiations were relatively quick and painless when the assigned Crown was used to working cells, or was an experienced Crown who could empathize with defense counsel as well as the accused. We would occasionally run into situations where the assigned Crown was super punitive, or was just inexperienced and tended to delay the process which resulted in clients spending unnecessary time in jail. Negotiations would result in one of two possible outcomes: the Crown and defense agree, and the plan goes to the Judge for the final decision; or, there is no agreement, and the parties proceed either to a contested bail hearing or a sentencing hearing. Andrew and Alex highlighted that they try to avoid contested bail hearings because the accused only gets one chance to apply for bail, and there is no way to predict the outcome of a contested hearing. If a client loses at a bail hearing, they must remain in custody until all of their matters before the court have been resolved. They recommend that clients remain in jail until a feasible bail plan is worked out between the Crown and the defense as this gives them the best shot at getting out. During my eleven weeks with Legal Aid, I only witnessed one contested bail hearing.

Outside of the previously discussed routine happenings, we would sometimes run into difficult situations that required more intensive discussions and plans in order to best advise the clients. For example, one major problem in the justice system is the overrepresentation of individuals with mental health struggles. These individuals would often come into preliminary contact with the law for a low-level offence, but would remain stuck in the system due to their unique circumstances not being accounted for. Andrew explained that there is a double-edged sword that duty counsel faces when deciding how to proceed with these individuals; on the one hand, if they recommend that these clients undergo a mental health or fitness assessment, they may be found unwell and ordered to spend the rest of their lives hospitalized. Alternatively, if counsel chooses not to refer clients for mental health assessments, these individuals are then forced to undergo legal processes that are not designed to account for their unique circumstances,

and that do not have their best interests in mind. Another common situation was the over policing of non-white individuals, specifically the neighbourhoods of North and East Preston, where we would see individuals come in for extremely low-level offences often accompanied by major discrepancies in the corresponding police reports. As Andrew explained, these individuals were more likely to be released on heavier restrictions (and therefore more likely to breach) and less likely overall to receive bail. Despite the fact that there are constitutional provisions and case law standards designed to prevent racist practices, racism is still prevalent in the justice system. The final situation I want to highlight, which was also the most common that we encountered, are the vast majority of individuals with addictions who enter the justice system. Drug and alcohol addiction are extremely prevalent within the legal system, and many of the individuals who suffer from addiction are ordered to adhere to restrictions that are unfeasible, which forces them into an endless loop of unresolved legal matters. For example, we would often see an individual come in for a low-level offence, perhaps a theft, where drug addiction was a driving factor in the offence. This individual would then be released on bail with a condition not to consume any prohibited substances. This condition does not take into consideration the realities of drug addiction, and as a result, many individuals will breach their release orders and be thrown back in jail. They now have two charges before the court, and are released on stricter conditions than before. These individuals have no practical means of resolving their legal matters until they first receive help for their addiction, which means that they are stuck in the legal system, depleting the court's time and resources, when the actual issues at hand could be better addressed outside the system. This placement showed me that the judicial system still has major work to do in caring for individuals whose unique circumstances and identities place them at a disadvantage when facing the law.

During one of my last weeks with Legal Aid, I was invited to accompany Patricia to a meeting of the council of the Nova Scotia Barristers' Society. The Nova Scotia Barristers'

Society is responsible for regulating the legal profession and maintaining public interest in the practice of law by upholding the values of trust, accountability, transparency, and respect.

Council meets once every six to eight weeks, and is composed of twenty-one elected legal professionals and five appointed public representatives. The first half of the meeting was mostly dedicated to highlighting initiatives that the society wished to put forth in the upcoming year, many of which were focused on improving accountability and prioritizing strategies that centered on diversity, equity, and inclusion. The second half of the meeting was devoted to a lengthy discussion on the budget, and how it may be best utilized to uphold the Society's core values. The Council has the difficult task of striking a balance between prioritizing these values while also keeping the member and client fees at a minimum to avoid obscuring access to justice and equality under the law. While I will admit that the meeting was very jargon heavy and somewhat uneventful in comparison to actually being in court, it was extremely interesting to see how the legal profession was regulated behind the scenes. I learned all sorts about how lawyers are managed, and got to hear differing perspectives from representatives of major law firms, small law firms, and members of the public at large. I also got to hear first-hand what issues and policies people were most concerned about, and what the Society was proposing to address them. I am very grateful to Patricia and to all of the other Barristers' Society council members for allowing me to sit in on this meeting. I think it was hugely informative and will surely come in handy during my time in law school and even further into my legal career.

One thing I want to make extremely clear about this placement is that it can be very difficult at times. You are encountering clients who are having the worst time of their lives; individuals who are struggling with addiction, who have extreme mental health problems, who have been unfairly apprehended based on race, sexual orientation, or economic status. You might have to advocate for clients who have allegedly committed violent offences like assault and robbery. You might be exposed to cases of intimate partner violence, of violence against

children, or of sexual violence. Clients might be harsh with you. They might break down in front of you. They might threaten you. These are the realities of working within the justice system. However, the vast majority of clients are just upset and confused, trying to get advice on how to navigate the difficulties of the legal system. Also, there are plenty of security guards and safety measures in place that you are extremely unlikely to face any sort of physical danger. You have to enter this placement with an open mind, and you have to remind yourself that what is just a normal day for you might be the lowest point of someone's life. This placement can be taxing at times, but in my opinion, it is so worth it. Encountering the darker realities of the justice system puts you in the best position to advocate for change.

I thoroughly enjoyed my time at Nova Scotia Legal Aid - HRM Duty Counsel Office. I would highly recommend this placement for anyone who is interested in the law and planning to attend law school. It would also be beneficial to anyone concerned with advancing social justice or looking at the effects of mental health problems and drug addiction within the justice system. It allowed me to get some very practical, first-hand knowledge of how the legal system operates, and enabled me to learn experientially rather than just theoretically. I am exceedingly grateful to Dr. Denike, Patricia Jones, and anyone else who helped to develop this program and this placement. This is an amazing opportunity for any student at Dalhousie University to gain practical experience in a field they are interested in.

PS: The Dartmouth courthouse is really difficult to locate. Once you arrive at the big, grey, windowless building, just try to follow someone who is dressed fancy and is walking with purpose. This method worked for me.