THE BRITISH COLUMBIA YUKON HALFWAY HOUSE ASSOCIATION

763 Kingsway, Vancouver, British Columbia, V5V 3C2

Brian Lang
Director of Community Corrections
33344 King Road,
Abbotsford, BC V2S 6J5

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Re: A Roadmap to Strengthening Public Safety

Dear Brian,

This response outlines the comments noted by the membership of the BCYHHA on the Panel Report entitled "A Roadmap to Strengthening Public Safety." We acknowledge and appreciate the complex task faced by the Panel writing this report and wish to expand and comment on sections that specifically relate to our Association. We also request to participate as a member of the Transition Team within the Pacific Region relating to the implementation of certain recommendations.

The Association wishes to acknowledge exceptional leadership within Community Corrections within the Pacific Region. Over the past year several members have reported after attending National Conferences and Meetings how advanced the Pacific Community Corrections in relation to other regions throughout Canada. We premise this in advance of our comments.

The BCYHHA supports in principle four of the Panel's overarching recommendations. We support offender accountability, eliminating drugs from prison, offender employment and employability, and improving physical infrastructure. We have difficulty with eliminating statutory release and a move towards earned parole. Our comments reflect our support and highlight additional recommendations to the report. To assist in reviewing our recommendations we have responded to the recommendations that we strongly support and those that we deem to be in need of further reflection.

Specific Recommendations:

1. *The Panel recommends that a substantive section be added to the CCRA entitled "Offender Accountabilities" and that, at a minimum, it contain the following:*

Offenders, as part of their commitment to society to change their behaviour and in order to help protect society, must:
a) obey penitentiary rules as established by CSC;
b) respect the authority of staff at all times; and
c) actively participate in programs identified by CSC in their correctional plans (e.g., education, work, correctional programs).
We fully endorse these idealistic goals and encourage CSC to involve inmates in the review of institution rules, encourage communication from offenders on how these

mandates may be better achieved by inmates and mentor accountability, rights and responsibilities throughout CSC's practice.

2. *The Panel recommends that the following amendments be made to Section 4 of the CCRA: Note that the underlined text identifies the Panel's recommended changes.*

a) that the protection of society be the paramount consideration in the corrections process;

b) that the sentence be carried out with regard to all relevant available information, including the stated reasons and recommendations of the sentencing judge, any direction provided by the Criminal Code on conditions of confinement, other information from the trial or sentencing process, the release policies of, and any comments from, the National Parole Board, and information obtained from victims, offenders, and other members of the criminal justice system;

c) that the Service enhance its effectiveness and openness through the timely exchange of relevant information with other components of the criminal justice system, and through communication about its correctional policies and programs to offenders, victims, the public, and other members of the criminal justice system; Legislation has hindered the sharing of information along with bureaucracy. Formal memorandums of understanding or agreements need to be established within departments of CSC and criminal justice providers. Criminal Justice Providers also needs to be defined in the CCRA. Privacy Legislation and Accountability requirements have hindered operations and communications. We support this recommendation with our amendments.

d) that, in managing the offender populations in general and the individual offenders, in particular, the Service use appropriate measures that will ensure the protection of the public, staff members and offenders, and that are consistent with the management of the offender's correctional plan; What are appropriate measures to manage an offender's correctional plan? If we expect accountability further discussions between case management and offender must take place within the Institution. The greatest effort must be placed by CSC to establish relationships with inmates and ensure principles associated with integrated case management are maintained.

e) that offenders retain the basic rights and privileges of all members of society, except those rights and privileges that are necessarily removed or restricted as a consequence of the sentence, or that are required in order to encourage the offender to begin to and continue to engage in his or her correctional plan; This must be further defined. We encourage the CSC staff to mentor and be role models of accountability and responsibility for inmates at all levels of operations.

f) that the Service facilitate the involvement of members of the public in matters relating to the operations of the Service;

g) that correctional decisions be made in a forthright and fair manner, and that offenders have access to an effective grievance procedure;

h) that where possible, correctional policies, programs and practices respect

gender, ethnic, cultural and linguistic differences and be responsive to the special needs of women and Aboriginal peoples, the needs of offenders with special mental health requirements, and the needs of other groups of offenders with special requirements; Fully endorse this amendment.

i) that offenders be expected to actively participate in their correctional plans and in programs designed to promote their rehabilitation and safe reintegration; Fully endorse this agreement. CSC staff play a role in mentoring offenders to become engaged by building relationships with those they are supporting.

j) that offenders be obligated to obey penitentiary rules and to respect the authority and position of the staff, and any conditions governing their release to the community; and This must be reciprocated by all staff and contractors. The respect of authority must be an expectation that is achieved through relationship building rather than out of fear.

k) that staff members be properly selected and trained, and be given:

(i) appropriate career development opportunities,
(ii) good working conditions, including a workplace environment that is free of practices that undermine personal dignity, and
(iii) opportunities to participate in the development of correctional policies and programs.

3. The Panel recommends that, at each security level (minimum, medium and maximum), a basic level of rights should be defined. Orientation at intake or RRAC is an opportunity to further clarify this. Offenders rights are the same at all security levels. Opportunities or Privileges should be used as defining factors. Ie: unstructured time should increase as security level decreases. Opportunities to engage practical skill building should increase as security decreases. Inmate pay should increase as security decreases.

4. The Panel recommends that differing conditions of confinement should be dependent on an offender's engagement in his or her correctional plan and the offender's security level. We agree and disagree, security level must be determined by risk. We support the recommendation to establish distinct penitentiaries for different offenders. An example would be to turn Mission institution into a facility that specializes in programs, privileges and employment readiness. Matsqui Institution would have limited privileges and focus on motivating offenders to become program ready. Increasing security classification as a tool to motivate persons has been proven empirically not to work.

5. The Panel recommends that CSC should review the use of voluntary segregation to ensure that it is not being used by offenders to avoid participation in his or her correctional plan. Conditions within penitentiary must be reviewed to determine why segregation is a preferred option of confinement for some offenders and then change the existing conditions.

6. The Panel recommends that current disciplinary sanctions be reviewed and become more aligned with the severity of assaults and threatening behaviour, including the verbal abuse of correctional staff. Any disciplinary sanction must be specific to each act and individual. Reports to members from inmates on numerous occasions have highlighted them being sanctioned when the incident was provoked by staff. If disciplinary

action was taken against a staff person this was not shared with the inmate nor considered when they were sanctioned. There needs to be an equal balance of respect from inmates and staff.

7. The Panel recommends that CSC must become more rigorous in its approach to drug interdiction by enhancing its control and management of the introduction and use of illicit substances. The scope of the panels comments are very limited. The panel highlights the root of substances entering prison are from family members visiting and objects being launched over the fence into the yard. We agree narcotics enter institutions this way, however, what is missed in this report is that the majority of narcotics smuggled into penitentiary are by contractors and staff. The culture of not policing our own must be addressed for narcotics to be controlled in penitentiary.

8. The Panel recommends that CSC's approach should:

a) entail the submission of an integrated request for resources supported by detailed performance targets, monitoring and an evaluation plan that requires a report on CSC's progress to the Minister, Public Safety, by no later than 2009-10;

b) incorporate a commitment to more stringent control measures (i.e., elimination of contact visits), supported by changes in legislation, if the results of the evaluation (see rec. (i)) does not support the expected progress; Visits to penitentiary must be supported to ensure an offender remains connected to the community and their family. By eliminating contact visits one discourages pro-social visitors from assisting offenders. Individuals should be assumed to be benefiting offenders until they have been proven otherwise. Eliminating contact visits for individuals suspected of bringing in narcotics or violating visitors conduct are understood. Essentially, do not paint all visitors with the same brush as the minority of those who are abusing this opportunity. The Panel heard from staff and union officials relating to drugs it is unfortunate they did not speak to inmates.

c) increase the number of drug dog detection teams in each penitentiary to ensure that a drug dog is available for every shift; Increasing static measures of security is important for an institution, however, they should be offset with dynamic security improvements. Addressing the underlying reasons why persons are using substances. By addressing underlying substance use issues the demand for narcotics will decrease in penitentiary.

d) involve the introduction of 'scheduled visits' so that more effective use of drug dogs can be made; Visits are currently scheduled, this implies any outside contractor visiting an institution must be scheduled. At the present time visiting an institution must be scheduled as if you are not registered as a guest one is denied entrance.

e) increase perimeter surveillance (vehicle patrol by Correctional Officers) and the re-introduction of tower surveillance, where appropriate, to counter the entry of drugs over perimeter fences; Increasing static security alone will not eliminate drugs from entering prison.

f) include a more thorough, non-intrusive search procedure at penitentiary entry points for all vehicles, individuals and their personal belongings; All persons, vehicles and items entering the penitentiary must be checked. Checks of all staff, contractors and visitors must be conducted without exception. The non-intrusive search procedure must be the same for all categories of persons and items entering penitentiary rather than specific to a particular group.

g) include the immediate limitation and/or elimination of the use of contact visits when there is reasonable proof that they pose a threat to the safety and security of the penitentiary; Do not oppose if reasonable proof is defined and when contact visits are denied an appeal process is established that involves CSC and an independent party.

h) include the purchase of new technologies, to detect the presence of drugs; (resources should be available for the ongoing maintenance and staff training); Funding should also be provided to increase dynamic aspects of operations ie: increased therapists and counsellors for offenders in penitentiary. The service must consider dynamic factors that build accountability and responsibility rather than make assumptions that all persons are not accountable and responsible.

i) enhance the policies and procedures related to the management of prescription drugs, urinalysis testing and the routine searches of offenders and their cells for illicit substances; Such measures are required in the operation of penitentiaries, however, how they are completed may be done in a consistently respectful way. If cell searches or urinalysis result in positive results then sanctions imposed should consider all factors associated with the breach and be discussed with the inmate. Procedures should reflect the purposes of accountability and responsibility.

j) work closely with local police forces and Crown Attorneys to develop a more proactive approach for criminal sanctions related to the seizure of drugs; Agree.

k) include an amendment to the Controlled Drugs and Substances Act to create an aggregating factor (or a separate offence) for the introduction or trafficking within a penitentiary in Canada of any controlled or designated substance with a mandatory minimum penalty consecutively to any existing sentence(s); Agree, this must be established for all persons including employees and contractors. Investigations must be conducted in accordance with the criminal code and the rule of law.

l) include the authority for CSC to prohibit individuals who are found guilty of such charges (highlighted in XI) from entering a federal penitentiary for a period of not less than 10 years; and Disagree. Not allowing family from visiting an inmate is not productive or conducive to motivating and assisting an offender improve their life. If visitors or inmates cannot be trusted due to past behaviour then visits should not permit personal contact.

m) include the development and implementation of a heightened public awareness campaign to communicate the repercussions of smuggling drugs into penitentiaries. Agree. All visitors must be briefed prior to entering a penitentiary. The rules of visits must also be shared with contractors and the general public.

9. The Panel recommends that CSC, as a priority, continue to strengthen its security intelligence framework for the collection, analysis and dissemination of information within federal corrections, police services and other criminal justice partners. Agree. Proactive conversations should also be held where applicable with individuals so they are aware they have been detected. It is challenging to know an offender has been under surveillance for weeks and has not be confronted with their behaviour. The opinion provided to other inmates is this individual is getting away rather than being questioned and as a result discouraging others from engaging in such behaviour.

10. The Panel recommends that a national database of all visitors should be created. Disagree. What is the purpose of this other than to deter persons from visiting penitentiary? By making entering a penitentiary more difficult it serves to keep pro-social persons from visiting. Engaging and encouraging pro-social persons to visit the penitentiary must be encouraged for offenders to maintain connections with the community upon release. If we expect employers to hire offenders on release and assist in release planning would adding their names to National database entice one to participate in assisting CSC attain success. The positive aspects of visits must be considered rather than staff perceiving them as only added responsibility. It may be useful to keep a database of persons who have been caught bringing contraband or breaching the rules of the penitentiary into a facility. However, we oppose a database for all visitors.

11. The Panel recommends that the Canada Labour Code be amended to require an offender to provide a blood sample for testing after an incident that could have placed the staff member's health at risk because of the transmission of bodily fluid. Universal precautions must be put in place in all matters. Discouraging offenders from engaging in such behaviour must be paramount and where discouraging such behaviour is not an option operational procedures should be established to ensure safety for inmates and staff. Greater awareness training on the transmission of infectious disease should be made available for staff and inmates. Access to psychological services must be readily available to staff and inmates who are impacted by such occurrences. We acknowledge the trauma associated with such incidents, however, knowing whether a person tested positive or negative upon entry to the CSC may not alleviate the harm caused by such incidents. If a person tested negative on entry that does not guarantee they have not acquired an infectious disease since being incarcerated. Also it should be noted some infectious diseases do not appear for up to 6 months after contact.

12. The Panel recommends that the current voluntary testing of offenders at entry into the system for infectious diseases be made mandatory. Disagree. Universal precautions must be put in place in all matters. Inmates should be encouraged to participate in voluntary testing for full physical checkups for their well being this would include testing for infectious diseases. This is part of accountability and responsibility. Forcing one to engage will not lead to the overall goal of accountability and responsibility in offenders. In addition privacy relating to health care matters must be treated the same as they are in the community as confidential information.

13. The Panel recommends that, in order to allow sufficient time for the integration of work, education and correctional programming, and the introduction of structured leisure time, the length of the regular or active day should be lengthened from eight hours to twelve hours, allowing offenders to be actively engaged in meaningful activities. Agree.

14. The Panel recommends that recreation be a meaningful use of the offender's time with a direct link to the offender's correctional plan. Agree.

15. The Panel recommends that CSC pay more attention to the attainment of higher educational levels and development of work skills and training to provide the offender with increased opportunities for employment in the community. Agree, reviews should be conducted on how work skills and training is currently being provided. Increasing the use of modules and computer courses (software) may increase the opportunities for training within institutions.

16. In order to ensure offenders participate and successfully complete programs recommended in their correctional plans, the Panel recommends that CSC:

a) shorten the period of intake assessment and consider opportunities to start correctional programming (behavioural and motivation-focused) during intake assessment, particularly for offenders with short sentences of four years or less; Agree.

b) shorten the time before offenders start their first program. CSC should look to other correctional jurisdictions who have managed to shorten yet improve intake assessments; Agree.

c) change its program methodology to allow for the introduction of 'program modules' that facilitate offenders starting a program; Agree.

d) introduce a series of meaningful incentives and consequences to encourage offenders to participate in their correctional plans; Agree.

e) undertake a review of programs delivered in penitentiaries and the community in order to determine the right balance between the two; Agree.

f) consider community capacity to deliver programs, including: Agree.

(i) the delivery of maintenance programs by contracted and trained program deliverers in communities where CSC cannot provide direct interventions, Agree.

(ii) the use of trained volunteers to provide support to particular offender groups, offenders who require intensive mental health interventions in a halfway house setting; This is already in practice in the majority of community residential facilities. Volunteers must be adequately supported and trained to ensure they understand and provide meaningful intensive mental health interventions. Volunteers must not be viewed solely as an economic solution.

g) undertake a review of the competencies (knowledge and skills) required by its staff to better manage the needs of the changing offender profile with respect to program delivery; and Agree.

h) consider introducing a multidisciplinary team approach to reinforce programming results in both the penitentiaries and the community. Agree.

17. The Panel recommends that, every three years, all programs be evaluated to ensure they meet recognized standards. Agree. It is important to ensure consistency in programs so that they do not become viewed as constantly changing reducing their credibility.

18. The Panel recommends that CSC review the reasons for the low offender participation rates in its adult basic education programs and identify new methodologies to motivate and support offenders in attaining education certificates by the end of their conditional release periods. Agree. Encouragement must be provided to persons with low levels of literacy and education otherwise employment will always be difficult to achieve.

19. The Panel also recommends that these educational programs be reviewed and integrated with initiatives that are being undertaken to provide employability and

employment skills for offenders. Agree, education be elevated in priority of correctional plan.

20. The Panel recommends that the financial and correctional benefits of CORCAN operating as a Special Operating Agency should be evaluated in order to ensure that it properly reflects CORCAN's role in the new correctional model. Agree.

21. The Panel recommends that the results of the review be used to reconstruct CORCAN's Business Plan so that it better responds to the job and training needs of the changing offender population over the next five years. Agree.

22. The Panel recommends that the revised CORCAN Business Plan should also include approaches to working with federal/provincial government departments and agencies, particularly with Human Resources and Social Development Canada (HRSDC), Service Canada as well as private sector training/counselling facilitators. Agree.

23. The Panel recommends CORCAN must pay particular attention to:

a) integrating employability/employment initiatives and correctional and educational programs within a re-structured work day, and Agree.

b) focusing on preparing offenders to be skills-ready (vocational/ apprenticeship) for national and local labour market opportunities. Agree.

24. The Panel also recommends that the CORCAN support the job and skill needs of offenders on conditional release in the community and that CSC/CORCAN:

a) identify approaches to strengthen release planning, by 'bridging' the offender to an available job in the community by ensuring the offender's job-readiness status is effectively matched to community support initiatives; Employment is important factor in release planning and should not be considered the only factor. Some offenders are released and are unable to seek employment due to age, disability or illness. Other factors that must be considered are how to accommodate physical disabilities, partner with non-traditional service providers to compliment our service.

b) ensure that opportunities for transitional employment for offenders have been identified and linked with the responsibilities of community correctional centres and halfway houses, and Agree, discussions must occur relating to priorities of attending programs or establishing and maintaining employment. Clients in the community have been informed to rebalance their employment commitments to adjust to program schedules. Priorities must be made clear for clients, parole staff and community residential facilities.

c) ensure that CSC has developed relationships with employers, to provide a seamless transition of pre-screened offenders from the penitentiary to immediate employment. Agree, community partners who provide support to employers have been effective. Establishing employment for offenders on release is most successful when supports relating to Human Resources and Recruitment are supported by CSC or community partners.

25. The Panel recommends that CSC/CORCAN focus on building formal relationships with employers to expand the employment opportunities for offenders. The Panel recommends the following specific priorities in this area:

a) CSC redevelop its Aboriginal Employment Strategy focusing on building economic opportunities for Aboriginal community-based enterprises that support concrete employment opportunities for Aboriginal people; Agree.

b) CSC and CORCAN work with a Provincial Building and Construction Trades Council or another similar entity to create a pilot project that creates a pre-apprenticeship and/or apprenticeship program for offenders that leads directly to employment on release; Agree.

c) the Panel recommends that CSC and CORCAN work with the Saskatchewan Construction Association in establishing apprenticeship opportunities for young Aboriginals and opportunities that could be provided specifically to Aboriginal offenders; Agree, Pilot should be expanded into all penitentiaries.

d) after evaluation of the above noted pilot and building on best practices, forge other such partnerships in other regions; and Agree

e) CSC re-positions the recommendations identified above with respect to reassessing the National Employment Strategy for Women Offenders. Agree.

26. The Panel, overall, endorses the recommendations contained in the report "Moving Forward with Women's Corrections." Agree.

27. The Panel recommends that a strong functional role for the Senior Deputy Commissioner, Women, be maintained. Agree.

28. The Panel endorses the approach used for women with mental health issues and was impressed by the Structured Living Environment (SLE) and recommends that the model should be considered for adaptation to men's corrections. Agree.

29. The Panel recognizes the importance of an independent review of the status of Women's Corrections in Canada and recommends that the recommendations of the Glube Report should form the basis of a formal review in five years. Agree.

30. The Panel recommends that employment be the first priority in supporting Aboriginal offenders in returning to the community. Disagree, employment is an important factor that must be considered, however, risk management must remain the first priority with employment be a factor to be considered.

31. The Panel recommends that, as the second-largest federal public service employer of Aboriginal people, CSC should:

a) enhance recruitment, retention and development of Aboriginal staff, particularly in correctional officer, parole officer and management positions in CSC penitentiaries and in communities where Aboriginal representation is high; Agree.

b) ensure that Aboriginal staff can demonstrate their knowledge and awareness of the particular challenges facing Aboriginal people on reserve and in

Aboriginal urban communities; and Agree.

c) promote awareness and understanding of Aboriginal life among non-Aboriginal employees, and provide them with the tools and training to work more effectively with Aboriginal people and communities. Agree.

32. The Panel recommends that CSC make resources available to respond to the specific needs of Aboriginal offender populations, such as further investment in correctional programming tailored specifically to their needs. Agree.

33. The Panel recommends that CSC achieve a balance between correctional and healing interventions, and ensure that programming emphasis be placed on managing drug and alcohol problems, managing anger, and using conflict resolution. Agree.

34. The Panel also recommends that CSC ensure it can measure the results of these programs effectively, so that it can demonstrate to Aboriginal communities that Aboriginal offenders have addressed their problems and can rejoin their Communities. Agree.

35. The Panel recommends that employment be CSC's first priority in supporting Aboriginal offenders' return to their communities. The Panel recognizes the importance of other program interventions to address the behavioural and skills deficits of Aboriginal offenders, but recommends that CSC achieve a better balance in providing these programs. Recommendation is very similar to 30, employment is an important factor that must be considered, however, risk management must remain the first priority with employment be a factor to be considered.

36. The Panel recommends that CSC review its approach to mental health assessments of Aboriginals at intake and ensure effective screening techniques are in place. Agree.

37. The Panel recommends that the number of Aboriginal Community Development Officers should be increased to work with Aboriginal communities and support local Aboriginal offender employment. Agree.

38. The Panel recommends that Pathways Units be expanded in CSC penitentiaries to meet the requirements of Aboriginal offenders where warranted, and that these "Pathways Units" have a job-readiness components. Agree.

39. The Panel recommends that CSC continue to work with Aboriginal communities and First Nations, Métis and Inuit organizations, with the primary objective of securing employment for offenders returning to their communities. Agree.

40. The Panel recommends that CSC review the organizational structure and functions of its Healing Lodges in order to ensure that it can attract qualified Aboriginal staff. Agree.

41. The Panel recommends that CSC review its funding structure to ensure it can fully respond to the operational requirements of Healing Lodges. Agree.

42. The Panel recommends that CSC add job-readiness responsibilities for Healing Lodges in the context of the recommendations on employability and employment. Agree.

43. The Panel recommends that CSC seek resources to support and expand Aboriginal halfway houses, particularly with respect to support Aboriginal offenders in seeking employment. Agree.

44. The Panel recommends that CSC continue to advance its collaboration with the territorial authorities in addressing the unique needs of offenders, particularly Inuit offenders, returning to northern communities. Agree.

45. The Panel recommends that the unique needs of ethnocultural offender populations be considered wherever applicable in the Panel's full slate of recommendations. Agree.

46. The Panel recommends that CSC continue to work with ethnocultural communities to ensure every means and resource is used to respond better to the needs of an increasingly diversified offender population. Agree.

47. The Panel recommends that the 'bridge funding' approved by Treasury Board for CSC's Mental Health Strategy be provided permanently to CSC so that they can implement and maintain its mental health initiatives and meet legislative obligations. Agree.

48. The Panel recommends the delivery of mental health services is identified as a critical factor in the Government's public safety agenda in order to blend CSC initiatives with federal and national initiatives. Agree.

49. The Panel recommends that Health Canada formally recognize the importance addressing the mental health problems of offenders and strongly encourages the newly established Mental Health Commission to include mentally ill offenders as one of its priorities. Agree.

50. The Panel therefore recommends that a comprehensive and recognized mental health assessment system be incorporated into the intake assessment process, so that a treatment strategy that is fully integrated with programming can be developed. Agree, at all Institutions.

51. The Panel recommends increasing the use of contracted and volunteer service providers and the resources required to support their work in assisting offenders under conditional release in the community. Agree, acknowledgement that services must be supported appropriately to ensure contracted and volunteer services are adequately trained and supervised. The value of these services must be viewed by the service as more than economic alternatives.

52. The Panel strongly supports the concept of the Structured Living Environment (SLE) for women offenders and recommends extending this approach to the treatment of men offenders. Agree, this environment has proven very successful for women offenders and is fully supported for male offenders. This philosophical shift in working with men is very exciting.

53. The Panel recommends that particular attention should be given to the impact of the effects of Fetal Alcohol Spectrum Disorder (FASD), particularly for Aboriginal offenders. Agree, review of current correctional practice should be reviewed through this lens. In addition many offenders who are undiagnosed display attributes of FASD.

54. The Panel recommends that, because of the variety of 'models' that have been implemented by each of CSC's regions, CSC should conduct a review of its Regional Psychiatric and Treatment Facilities to ensure the most effective and accredited structures and approaches are in place to meet regional needs for the treatment of acute mental health and special needs cases. Agree.

55. The Panel recommends that the Review consider the overriding management principle that treatment and operational requirements should take place in the context of a "penitentiary within a hospital setting rather than a hospital within a penitentiary setting" so that a strategy and business case supporting the development of these facilities over the next five years can be developed. Agree, we fully support this ideology. Supervision and security should be a secondary consideration to rehabilitation within facilities. We are very encouraged with the Panel's opinion of a penitentiary within a hospital setting! In addition it is our opinion this will improve recruitment and retention of staff Healthcare personnel.

56. The Panel recommends that CSC consult with other correctional jurisdictions on their 'best practices' related to the assessment and treatment of offenders in mental health treatment centres. Agree.

57. The Panel recommends that CSC work with federal, provincial and territorial correctional and health officials to identify ways to introduce and/or expand exchange of service agreements to provide mental health support in communities to both federal and provincial offenders after the end of their sentences. Agree, the Minister of Public Safety seek assistance from fellow Department Ministers in Health and Education.

58. The Panel recommends that CSC be provided with the funding to keep its professional mental health staff current with new developments in assessment and treatment, and provide for the training of correctional staff to effectively interact with and supervise offenders with mental health problems. Agree.

59. The Panel recommends that community reintegration planning, for offenders serving a fixed sentence, start at admission to ensure that focus is placed on programming, education, employment, and mental health treatment. Agree, discussions should occur with all offenders including those serving life sentences in relation to eligibility dates and receive an understanding of what is expected if they are to apply for day or full parole.

60. The Panel recommends that the CCRA be amended to replace statutory release and accelerated parole review with earned parole. Disagree, recommend further consultation with the BCYHHA and CSC staff regarding this change. Our experience with accelerated parole reviews has been too many individuals are being released without addressing their correctional plans while in the Institution. With the changing offender population this strategy is not effective. While we support discontinuing accelerate parole we cannot support eliminating statutory release. Currently many offenders are released on Statutory Release due to being unable to make progress on their correctional plan. The turnover in Institution Parole Officers, wait lists for programs or being screened out of programs has made addressing correctional plans difficult

for offenders. Statutory Release also provides support and structure for offenders on release as they benefit by having a Parole Officer assist them in their transition. Community Residential Facilities also are available to those who receive a residency condition from the National Parole Board. Eliminating Statutory Release will remove the support offered by a parole office and community residential facility. Section 810 of the criminal code provides for additional conditions of supervision, however, supervision is provided by Provincial Probation and support services of community residential facilities along with programs are extremely limited. Many are speculating the judiciary will impose sentences with Long Term Supervision Orders attached to ensure the offenders receive support on release from incarceration. This could result in an even greater challenge for the CSC as sentences of incarceration could be shorter with longer community supervision. A recommendation that was not considered by the panel would be to review and modify the current detention criteria in the CCRA. We would be pleased to further discuss our concerns relating to eliminating statutory release and hope further consultation will occur prior to changes being implemented. Releasing offenders without measures of support and assistance on their warrant expiry date is not in the interest of communities and contradicts public safety.

61. The Panel recommends that the CCRA be amended to reflect that the protection of society is the paramount consideration in the determination of conditional release (CCRA. S. 101(a)) and that (d) the National Parole Board makes the determination consistent with the offender's correctional plan and an individual risks/needs assessment, consistent with the protection of society. This recommendation requires further discussion. Protection of the public is and must be a priority for CSC. Making this a paramount consideration is problematic as this has not been defined. How low of risk is considered paramount in the determination of conditional release? If it is likely that a person is at risk of committing a property offence should they be held and not be considered for conditional release. It appears persons who are recidivist property crime offenders would be eliminated from conditional release. Further clarification of protection of society is required.

62. The Panel recommends that a full review of the conditional release process be undertaken in order to effectively link day parole and full parole with the objectives of the earned parole approach and the principles of gradual release. The review should also focus on the impact of releasing directly from penitentiaries offenders who reach their warrant expiry dates, when they are no longer under the supervision of CSC. It is not in the interest of public safety to release offenders from penitentiary without support and structure. Section 810 of the criminal code provides for supervision and reporting but this is very different from support. Conditional Release has been empirically proven to reduce reoffending. It cannot be denied that those persons released on statutory release have greater rates of recidivism that those who have earned parole. However, when comparing those released on statutory release with offenders released on Warrant Expiry Date the statistics represent greater success with Statutory Release.

63. The Panel recommends that a review be conducted on how community-based interventions should be retooled to meet changing requirements for supervision and service delivery (i.e., employment). Agree, constant quality improvement must continuously be provided. The BCYHHA recommend CSC work with their partners to identify changing needs and develop plans to address changing populations rather than community partners guess what CSC is searching for and miss the mark. Strategic planning with service providers to address changing conditions would be a good practice.

64. The Panel recommends that the NPB shall review cases annually each year after

parole eligibility dates have passed. Disagree, one year reviews are too long. The NPB may encourage an offender to participate in a single program that may take three months to complete within the Institution. It is unreasonable and harmful in relation to motivating inmates with the goal of making them accountable and responsible to restrict the offender in custody for an additional 9 months. With the changing offender population immediate consequences and rewards must be available to ensure progress is not impeded.

65. CSC should notify local Crown Prosecutors about offenders who have been denied parole and will be detained to warrant expiry for non-compliance with their correctional plan, to allow for consideration of issuing a Section 810 application at the time of warrant expiry. Agree, where applicable public safety must be ensured. Section 810 applications should be viewed by case management as a failure. Every effort must be provided to motivate an offender with the aspiration that on re-entry to the community they will be a contributing member. For those who reach warrant expiry reviews should be made to determine what innovative interventions could have benefited the offender while incarcerated. CSC should also be open to receiving feedback from the offender on how to improve. This should be continuous throughout the period of incarceration and not only at time of transfer or release. Section 810 orders must not be utilized as a fall back orders to poor corrections.

66. The Panel recommends that a more comprehensive community release plan be developed that

a) measures the achievements attained by the offender against the requirements identified in the penitentiary correctional plan, as the basis for the development of a community correctional plan; Agree, support asset based reinforcement.

b) clearly links conditional release conditions, imposed by NPB, with accommodation, supervision and programming interventions and employment initiatives; Agree.

c) details the responsibilities and accountabilities of the offender to achieve reintegration objectives; and Agree.

d) sets terms and conditions for formal reviews of progress to the end of the offender's sentence. Agrees, establish benchmarks with the offender, community residential facility, support team and parole officer.

67. The Panel recommends a full review of the capacity and capability of community residential facilities; in particular the current lack of community accommodation alternatives available for women offenders, as well as CCRA S. 81/84 agreements with Aboriginal communities. Agree, greater alternatives must be explored for women, aboriginal persons and persons with mental health issues. Exploring alternatives and improvements within existing community residential facilities should be considered by CSC to benefit all offenders.

68. The Panel recommends that additional attention should be given to

a) strengthening CSC's guidelines to include more extensive community consultation when selecting locations of both community correctional facilities and parole offices; and Agree, however, strategies must be established to ensure facilities are attained and that offices are not opened. Rather than focussing on receiving permission CSC should focus on what it will provide to the community and ensure that like any

other business it complies with all by-laws, zoning and regulations. CSC must become proactive and focus on telling their positive stories rather than reacting to public attacks or having to explain results. More good news stories are required, it is hard to believe with all the talk of corrections that only 35,900 persons are incarcerated or being supervised by CSC in the community.

b) ensuring requests to Public Works for site acquisition include full consideration of amendments to municipal bylaws that provide for 'no go zones' that will protect potential vulnerable communities or areas. Disagree. Ho does one define a no go zone? This provision is unattainable and may only be managed on an individual basis. No go zones have been effective in working with clients who have received restraining orders so they may be breached. No go zones provide for false hope and future failures that cannot be controlled. Governments need to look at service density and how much a community may manage. Services should not be concentrated in one small area and all communities should be encouraged to develop services not prevent them from being established. Land use for social services is a political and social issue in need of addressing.

69. The Panel recommends that current community case management processes be reviewed to identify how a better balance can be achieved among the many responsibilities of community parole officers, in particular, to identify process efficiencies and ensure that the benefits of dynamic supervision are maintained. Agree, at present too much time is spent on reporting requirements in the community rather than focussing on building relationships and dynamic security. The BCYHHA has noted parole officers greatest concern with investigations and ensuring their reports are submitted on time rather than on the attainment of goals of those they are supervising. Accountability frameworks are important and should not be abandoned, however, they must not be considered unto themselves. Improving dynamic supervision will result in many improvements to the outcomes of the CSC and involvement with the community.

70. The Panel recommends that CSC review its community program base and the resources required to support the implementation of maintenance programming. Particular attention should be given to the development and availability of community programs for women and Aboriginal offenders. Agree.

71. The Panel recommends that CSC update the Community Strategy for Women and enhance transition services in the areas of supervision, accommodation and intervention, including the consideration of initiatives supporting employment and employability for women on conditional release. Agree.

72. The Panel recommends that CSC include a rationale for the community correctional liaison officers in the business case that it prepares on the management of security intelligence. Agree.

73. The Panel is particularly concerned about safety and security in the community and recommends that

a) where supervision strategies warrant a home visit and the profile of the offender creates a cause for concern, either a second parole officer or a police officer be tasked to accompany the parole officer and that such a decision be taken with the parole officer's supervisor with the critical factor

for decision being the safety of the parole officer; Agree, the BCYHHA has found it ironic CSC has not considered safety provisions for their contractors or volunteers.

b) an evaluation of the results of the CSC pilot project on electronic monitoring consider amendments to the Corrections and Conditional Release Act to expressly permit the use of electronic monitoring as a condition of release, and expand the scope and term of the Canadian Criminal Code Section 810 orders that specifically authorize electronic monitoring and residency restrictions; and This is major shift in operations and should be explored with partners. EMP has been utilized in the past and the greatest challenge in our experience was the lack of dynamic supervision. Building relationships and providing support is essential to an offenders success. If EMP is utilized as a supervisory tool only then success will be minimal. If it is utilized as a least restrictive option and support is provided this will be a great opportunity.

c) consideration be given to amending section 137 of the CCRA to allow police services to arrest without warrant under conditions similar to those that now exist in Section 495 (2) of the Canadian Criminal Code. The BCYHHA would like to discuss this further. Through further integration of services between the CSC and the Police an offender violating a condition of release may be suspended and arrested if warrants are issued. If an offender is detained

74. The Panel recommends that CSC consider in its business case supporting the enhancement of its security intelligence initiatives the creation of community security intelligence officers and the strengthening of community correctional liaison officers to enhance the sharing of information among CSC and its partners in the criminal justice system at the municipal, provincial and national levels. Agree.

75. The Panel recommends that CSC complete its review of the use of electronic monitoring and consider initiatives that have been undertaken in other correctional jurisdictions to determine what 'best practices' could be tailored to CSC requirements. Results should be incorporated into policy proposals outlining advantages and disadvantages and resource impacts and recommending future options for this technology. Agree, CSC should utilize provisions of constant quality improvement. CSC may also wish to explore international models of accreditation similar to the process implemented by Youth Custody Centres in British Columbia and by some of their community partners.

76. The Panel recommends that CSC continue to invest in and enhance the capacity and involvement of its community partners to provide support services and assistance to offenders as active community involvement is the key to maintaining community safety. Agree, Pacific Community Corrections has been extremely helpful in addressing training of staff, focusing on establishing partnerships with community service providers and exploring alternative options of service delivery.

77. The Panel recommends that CSC enhances its programs of public education programs in the community and becomes more proactive and purposeful in communicating with Canadians or community capacity may slowly erode. Agree, the BCYHHA encourages CSC to become more proactive in their approach with the community. In recent years the Pacific Region Community Corrections has made efforts in improving in this area by hosting

and participating in community forums. Nationally, CSC has provided funding for community forums this has greatly assisted community organizations in educating the community on issues relating to criminal justice. All criminal justice system service providers must speak about the positive aspects of our work. The BCYHHA is committed to assisting CSC get out the positive messages of our work.

78. The Panel recommends that the judicial system to make greater use of Section 743.6 of the Canadian Criminal Code and, in the cases where offenders on conditional release reoffend, that this section of the Code be used aggressively and that subsequent sentences be ordered to be served consecutively not concurrently. Agree.

79. The Panel recommends that, in the case of repeated reoffending by offenders, consideration be given to amending the Canadian Criminal Code to further elongate the period prior to parole eligibility. Disagree, in all likelihood the offender will not be granted parole on their eligibility date if they have not made substantial progress against their correctional plan and provide great insight into their offending. Sentences imposed by the judiciary for re-offending tend to result in longer sentences. If sentences are made longer for repeat offenders then parole eligibility will be extended.

80. The Panel recommends that CSC continue ongoing consultation with victims and victim communities and supports the creation of a Victims Advisory Committee, as well as continuing to collaborate with federal partners. Agree.

81. The Panel recommends that a strategy be developed, in conjunction with the Aboriginal Policy Branch, Public Safety, the Federal Ombudsman for Victims of Crime, and Aboriginal organizations, to reach out to Aboriginal victims to ensure their information needs are identified and addressed. Agree.

82. The Panel recommends that CSC ensures that it continuously reviews the progress being made with victim's services to ensure full implementation is achieved in a timely manner. Agree.

83. The Panel recommends that the Corrections and Conditional Release Act be amended to share information with registered victims on the progress of offenders in addressing their correctional plan and the incidents of penitentiary discipline on an annual basis at a minimum. Agree, this option should be provided to victims so there is a choice whether they wish to access this information. If a victim declines this request CSC should make the provision available to the victim at the victims request in the future.

84. The Panel recommends that CSC's operational policy, in the context of Section 27(3)(a) of the Corrections and Conditional Release Act, and as applied to victims of crime, be reviewed to ensure that victims are aware of these provisions, that procedures are in place to determine potential risk, and that these provisions are being applied as and when appropriate. Agree.

85. The Panel recommends that, given the creation of the Office of the Federal Ombudsman for Victims of Crime, the provision of services to victims be reviewed holistically to ensure that resources are maximized and possible duplication of services avoided and gaps in service eliminated. Agree.

86. The Panel recommends that CSC heighten the awareness of available victim services by working with its provincial and territorial counterparts, i.e., Crown Attorneys, in order to allow for an improved exchange of information about victim services. Agree, strategies should be developed by CSC with the Federal Ombudsman for Victims of Crime whereby assistance working with provincial and territorial counterparts should there be resistance.

87. CSC must focus on being a knowledge-based organization through the development and training of all staff to meet the unique skill requirements of their jobs and the management requirements associated with the risk and needs of a changing offender population. This should occur in the context of Public Service Renewal and in accordance with industry standards. Agree, CSC at the Institution level seems to be extremely negative and over rely on static procedures. The overarching goals of CSC need to demonstrated by all staff at all levels. Accountability and Responsibility are best learned through modeling and mentoring. Evidence has shown a positive relationship is a key to motivating clients. To make behavioural changes and accept encouragement or open up to someone a trusting relationship must be established. This will also increase staff safety as has been apparent with the lack of incidents with motivated staff.

88. The Panel recommends that particular emphasis, be placed on horizontal career development, by allowing, through flexible classification and staffing processes (in accordance with the Public Service Modernization Act), the deployment of professional staff between and among penitentiaries, the community and regional and national offices. The goal should be to provide strong, effective and consistent leadership that focuses on resolving issues at the lowest level of management. Require additional information, if this refers to allowing staff to make decisions that directly reflect the operations of their position then we support this measure.

89. The Panel recommends that CSC review its current strategies for recruitment and retention of all staff, while focusing on ensuring

a) appropriate cultural representation, particularly representation of Aboriginal People, including Elders, Aboriginal Liaison Officers in penitentiaries and the community, and staff in women's penitentiaries, in the context of the recommendations of Glube; Agree.

b) professionals to support mental health delivery programs and treatment in CSC penitentiaries, regional mental health facilities (including dedicated correctional officers) and the community; Agree.

c) the creation of an integrated security intelligence function; and Agree.

d) program and case management staff that can effectively respond to operational requirements posed by the introduction of 'earned parole'; staff to respond to the development of an enhanced and integrated employability/employment model. Disagree, the BCYHHA does not support the elimination of Statutory Release. We support early program intervention for all offenders including lifers to motivate them to address the social factors that resulted in their offending as early as possible.

90. The Panel recommends that CSC review the operational requirements associated with the management of proposed structured populations and consider

approaches to build inter-disciplinary teams—correctional officers, parole officers, mental health professionals, program and employment specialists, interfaith staff—to maximize the participation of offenders in their correctional plans and prepare them for gradual transition to an offence-free reintegration in the community. Agree, we recommend that community service providers also be introduced into this planning as early as possible. Supporting individuals on release from prison who have complex challenges is very difficult if a relationship has not been previously established. The present condition of release from Institutions is fully reaction based. This process must become proactive and CSC must consider supporting their community partners to participate in release planning of offenders within the institution. Consistency in staffing within the institutions must also be addressed. It is not uncommon for an inmate to have six Institutional Parole Officers in the duration of 12 months. This contradicts relationship building and does not instil confidence in inmates, CSC colleagues, community partners and the community.

91. The Panel recommends that CSC have the appropriate level of funding to ensure its human resource function can provide timely and effective services to the organization, particularly at the penitentiary levels. Agree, retention and recruitment of staff is essential for all aspects of CSC's operation. The BCYHHA recommends these principles be shared with their contractors to ensure the quality of services are maintained.

92. The Panel supports the collaborative approach and the requirement for adequate resources to support initiatives that are being taken by CSC management and the Unions to resolve frontline issues, consistent with the Public Service Modernization Act and the Public Service Labour Relations Act. Agree, management must be encouraged to address matters relating to problematic staff and contractors who do not deliver on the mandate of the service. Problematic staff and contractors must be given the opportunity to address their behaviour and if they are unable to adapt encouraged voluntarily or not to depart the service. If the service is going to expect offenders to be accountable and responsible then these attributes must begin with staff and contractors. We need to role model what we are teaching in programs at all levels of service delivery.

93. The Panel recommends that CSC consider a governance structure that 'flattens' the management structure in order to create more integrated functional support structures, nationally, strengthen decision-making at the frontline, and respond to the full set of recommendations proposed by the Panel. Require additional information, if this refers to allowing staff to make decisions that directly reflect the operations of their position then we support this measure. Very similar recommendation to 88, require more information on the initiative and how it relates to human resources and governance.

94. The Panel recommends that CSC ensures a quality assurance process is in place to monitor compliance with CSC policies. Agree, however, we must ensure we do not take people away from their role in providing service to offenders by being tied to computers or reporting processes. CSC is in the people business and not all information to ensure positive service is recorded quantitatively and qualitative reviews should be increased. Fear is an inhibitor not a motivator. Fear of investigation or not meeting reporting requirements have become primary objectives with the success of the offender secondary. This must be balanced.

95. The Panel recommends that federal and provincial partners in the criminal justice system work together to develop a comprehensive integrated reporting system that effectively measures reoffending by offenders and clearly communicates this information to Canadians. Agree.

96. CSC should strengthen its performance measures and look to other correctional jurisdictions to improve its capability to develop 'targets for results'. Agree.

97. The Panel recommends that CSC strengthen its performance measurement in the areas of offender employability and the elimination of drugs from penitentiaries. Agree, this is a huge philosophical shift for the service. The BCYHHA fully support this recommendation and look forward to contributing to a proactive motivated service that instils responsibility and accountability in offenders and staff in the Institution. Working with colleagues with a "can do" attitude rather than a "can not" attitude will truly be refreshing. Community Corrections in the Pacific Region have been very successful developing staff to be solution focused, goal oriented and inspired by their work. The result has been great work with offenders and increased safety to the community. CSC measurement must focus on what is going right as opposed to the present state of what is going wrong. These accomplishments then need to be marketed to the public.

98. The Panel recommends that CSC pursue undertaking capital and operating investments in a new type of regional, penitentiary complex that responds to the cost-efficiency and operational-effectiveness deficits of its current physical infrastructure. As outlined in the report many facilities in Canada are in need of replacement. The regional complex model appears to be a useful strategy for staffing, health care, segregation, security, programming and establishing new facilities. By building on existing properties CSC reduces the challenge of zoning and winning over communities. New buildings shoul have staff input into the layout of the environment, as different inmate needs require specific design for behavioural change and safety.

99. The Panel recommends that CSC develop a 'project development proposal' for consideration which takes into account the recommendations of Deloitte's October 4, 2007 Independent Review of the cost estimate for the construction and operation of a new corrections facility which was commissioned by the Panel. No Comment.

100. The Panel recommends that in the interim, CSC institute clear criteria to minimize authorization of retrofit projects. No Comment.

101. The Panel recommends that any review of changes to CSC's physical infrastructure consider the impact of building new correctional facilities in different regional locales or correctional complexes, financing these new capital expenses in a new way, and decommissioning facilities that have long served their usefulness. Agree

102. The Panel suggests that CSC look at other correctional jurisdictions to determine the operational and related cost-effective benefits of building new correctional facilities in different regional locales or correctional complexes. Agree

103. The Panel recommends that CSC review standards used in the purchase of outside medical services in each of its regions. No Comment.

104. The Panel recommends that the government take into consideration the importance of ensuring that both federal and national initiatives related to health care reflect the responsibilities and accountabilities of CSC. The Panel suggests that the Government examine how health care costs are funded for federal offenders and either consider providing a direct allocation out of Health Canada,

or continue consideration of these core costs in the determination of CSC budgetary allocations. Agree

105. The Panel recommends that the two-year bridge funding provided by Treasury Board to CSC for the period of 2007–09 be extended as part of CSC's normal operating allocations. Agree, the bridge funding has provided for added services to address the changing offender population specifically, women, aboriginal persons, persons with mental illness and persons with complex needs.

106. The Panel recommends that CSC clearly establish criteria to define offender grievances that are considered frivolous and vexatious and review its Offender Redress System to ensure that procedures are introduced at the 'first level' of the grievance process to address these grievances in the context of CSC policy. Agree, we believe by changing the culture some of these grievances will be removed with staff exploring the underlying causes of the grievance. This will lead to greater accountability and responsibility in the inmate population.

107. The Panel recommends that consideration be given to amend the CCRA to clearly define the initial security level and duration of placement of offenders convicted of first and second degree murder and the reasons for placement. Disagree, security level for any offender must be defined by the risk they pose. It is unreasonable of an expectation to place someone who is medium risk in a maximum security facility due to their offence. This is simplistic and places offenders and staff at risk. CSC must manage sentences and operate their facilities rather than being prescribed placements by criminal code offences.

108. Offenders convicted of first and second degree murder should be managed differently from offenders with short sentences. In light of the impacts of the amendment, CSC should use the results of intake assessment and the offender's correctional plan to manage the offender's sentence in a comprehensive manner until subsequent decision points related to the reassessment of the progress the offender has made in following the correctional plan. All offenders need to be encouraged to improve themselves while under sentence. This recommendation almost reads as neglect for lifers. Some individual's risk may never be manageable in the community and their security level will represent this. Regardless, motivating them to be accountable and responsible remains in the best interest of the offender, CSC Staff and the community.

109. The Panel recommends that, as part of its contribution to ongoing and effective criminal investigations, that CSC be supportive of any action that considers taking DNA samples from federal offenders in CSC penitentiaries, especially from sexual and dangerous offenders. Where prescribed by law DNA samples are to registered with the National DNA data bank. We support this recommendation.

We fully support the Minister of Public Safety undergoing a National Review by an independent Panel of Citizens on the services provided by the Correctional Service of Canada. Unfortunately, the process of consultation was too brief to truly provide a reflective opinion of the vast operations of the CSC. Our Association also struggled with the limited access and input we had to the Panel. When our representative had the opportunity to attend the Pacific Region meeting, it was more of a briefing than dialogue. We were left with the premise that the decisions relating to the report had been drafted and input from stakeholders was more of a formality.

To summarize our observations we endorse offenders taking greater accountability and responsibility for themselves, the elimination of drugs from prison, better employment and employability programs and improved physical infrastructure. We do not support the elimination of statutory release.

We view this report as an opportunity to progress the CSC towards a model of enhanced support and care for offenders to promote rehabilitation. It is apparent the existing operations are not adequate to address the needs of our vulnerable populations including women, aboriginal persons, those with mental health needs and the changing offender population.

We encourage CSC to improve operations by focusing on building relationships and fostering accountability and responsibility in all aspects of operations. Mentorship, role modeling and motivation must become staff's primary objective to ensure offenders become accountable and responsible.

We look forward to participating in future discussions and working together with CSC to ensure safer communities for all Citizens and Visitors to Canada.

Respectfully,
The British Columbia Yukon Halfway House Association

Tim Veresh
Chair