



Objectives

To determine whether the Department of Justice and Public Safety was:

- providing and adequately managing appropriate rehabilitation programming intended to meet the needs of adult offenders in custody and assist them with their successful reintegration into the community; and,
- whether the department had adequate processes to manage adult offenders in the community, while also supporting public safety and offenders' successful community reintegration.



Audit Period: January 2017 through December 2019.



Why this Audit is Important

The appropriate rehabilitation and supervision of offenders in custody, and those serving sentences in the community, is a crucial part of protecting the public. Adult custody and community corrections programs play a significant role in this effort. Gaps in legislation, policy, and procedures may create situations where offenders receive inappropriate rehabilitation, which may result in an increased risk to reoffend. Similarly, offenders serving community sentences without adequate supervision are at risk of not complying with their court ordered conditions and possibly repeating criminal behaviours.



Conclusions

The Department of Justice and Public Safety was inadequate in its efforts to appropriately and consistently manage adult offenders in custody and in community arrangements. The department did not provide adequate rehabilitation programming, with outdated adult custody policies and incomplete risk assessments. Probation officers did not always supervise offenders in accordance with established supervision standards, nor did they always monitor offenders' compliance with the conditions outlined in their court orders. Probation officers also did not always properly enforce compliance with probation and conditional sentence order conditions when breaches occurred. These deficiencies may have increased the risk to public safety and diminished offenders' probability of successful community reintegration.



Summary of Recommendations for the Department of Justice and Public Safety

The department should:

- complete the work necessary for the government to enact the 2011 Correctional Services Act;
- ensure that all adult custody and community corrections policies are complete, current, reflect best practice, communicated, and monitored regarding the rehabilitation and management of offenders;
- ensure classification and probation officers have current, adequate training in all aspects of managing adult offenders, including the establishment of formal information transfer processes to improve correctional services;
- ensure that rehabilitation programming is available and accessible to all offenders;
- ensure that release planning is available and accessible to all offenders in custody, and
- ensure that probation officers are supervising offenders in the community in accordance with established standards and are monitoring and enforcing compliance with court ordered conditions.



What We Found

Policy

Although modernized legislation was assented in 2011, the department has not ensured that timely passing of the Act and its regulations; as a result, the department continues to operate under outdated legislation from the 1970's. We found that Adult Custody polices on rehabilitation programming and reintegration were incomplete, inadequate, and outdated, and for the majority of the criteria we assessed, no policies existed to guide adult custody at all. There were also significant gaps in Community Correction's policies for managing adult offenders in the community, and some policies lacked critical elements found in other Canadian jurisdictions.

Case Management

Case management processes were not always adhered to for both offenders in custody or those serving community sentences. For example, offender risk assessments often did not exist, and when they did, were often incomplete, inaccurate, or untimely. When offender risk assessments did not exist, the proper development of meaningful case management plans became impossible. When the assessments were completed, only 18 per cent of our adult custody sample, 23 per cent of our probation sample, and 25 per cent of our conditional sentence sample had relevant rehabilitation programming recommended for them.

Rehabilitation Programming

Classification officers did not follow department directives regarding how often they should have been meeting with offenders to monitor their rehabilitation progress. Furthermore, both classification and probation officers did not consistently document monitoring information and had minimal training in case management processes. We found that comprehensive quality assurance processes for risk assessments and case management plans - or overall policy compliance - was lacking.

The department did not have a formalized process to ensure that it had the appropriate types and availability of rehabilitation programming to meet the needs of current and future offenders. They also had no formalized process that ensured offenders in custody, and those serving sentences in the community, had access to relevant programming. The department did not monitor, evaluate, or report on their overall effectiveness for managing rehabilitation programming and had no established process that would enable them to do so. As a result, they had no way of knowing if they were rehabilitating and/or adequately managing offenders in the community.

Release Planning & Court Conditions Monitoring

The department had no formalized release planning processes for offenders in custody. They did not always discuss release planning with offenders and had no formalized process for when an offender would transition from custody to probation. We also found that probation officers did not always supervise offenders in accordance with established standards. Probation officers also did not consistently monitor compliance with offenders' court ordered conditions, or properly enforce compliance when breaches occurred.



After reading this report, you may want to ask the following questions of government:

1. Why is it taking government so long to enact modernized legislation?
2. What specific actions will government take to improve case management processes, rehabilitation programming, and release planning in the adult custody program?
3. How will the findings of this audit impact the delivery of community corrections?