



# CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



## Correctional Service of Canada Binder for Parliamentary Committee Appearance Regarding an Incident in Quebec

**FEBRUARY 2020**



Correctional Service  
Canada

Service correctionnel  
Canada

Canada

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## 1. Opening Remarks

Mr. Chair, let me first express my deepest sympathies to the family and friends of Marylène Lévesque for the terrible tragedy that took place in Quebec on January 22.

In corrections, public safety is our top priority. This is our business. This situation is nothing short of a tragedy and not an outcome any of us wanted to see. We want answers as does everyone affected by this.

A joint Correctional Service of Canada and Parole Board of Canada investigation is underway. It will allow us to gather all of the facts, and look at the circumstances that led to this tragedy and determine so we can prevent this from happening again.

A criminal investigation is also underway by the Quebec police. I would like the committee to know that I will do my best to answer questions keeping in mind that these processes need to take their course for us to fully understand the details around what happened. This protects the integrity of the investigations so all facts can come to the surface and be properly examined by those responsible for these investigations.

The Board of Investigation has five members—two that are external, two from Correctional Service of Canada and one from the Parole Board of Canada.

All members are skilled and experienced, bringing various perspectives to this process. The two external members are experienced criminologists who have never been employed by either the Correctional Service of Canada nor the Parole Board of Canada. In the spirit of openness and transparency, these external members will co-chair the board.

Once the board concludes their investigation and provides their report, we will respond accordingly and are committed to making the results public.

While the investigation is underway, I have taken the following additional steps:

- I directed all Regional Deputy Commissioners and their management to review correctional plans and remind parole officers, managers and supervisors about the importance of sound case management practices and the importance of adhering to our policies, protocols and procedures.

- I met with the Quebec Chief of Police to cooperate and keep lines of communication open as our investigation and their criminal investigation are underway.
- I reached out and met with our regional employees, who are distraught by this incident, and need to continue doing important work supervising offenders in our communities.

I do not want to undermine the seriousness of what occurred here but would like to assure this Committee and Canadians that violent offences by offenders on day parole are incredibly rare.

In 2018-19 99.9 per cent of offenders successfully completed their day parole supervision period. The statistics are consistent for the year prior.

The CSC has the responsibility to prepare these offenders for life outside of prison as best as we possibly can. Day parole is part of a process of gradual, supervised release. This is far safer than releasing offenders straight from prison into the community, without monitoring or supervision of any kind.

In fact, research shows that a gradual, structured and supervised release is the best way to protect the public. Conditional releases, like day parole, contribute to public safety by facilitating the reintegration of offenders into our communities.

We have to remember that a conditional release of an offender does not mean the sentence is over. It means the offender is serving that part of their sentence in the community, under strict conditions.

I want to talk about CSC's role in the case management of offenders and community supervision.

Community monitoring and case management are key in supporting offenders as they transition back into our communities.

Following an independent decision by the Parole Board of Canada, CSC monitors the offender's behaviour and manages risk by delivering and coordinating interventions that support safe reintegration.

This can mean liaising with community resources, monitoring compliance with standard and special release conditions, and assisting and supporting the offender throughout the reintegration process. It takes a village and we rely on these community supports to ensure that we uphold our first and foremost priority, which is public safety.

Parole officers and those involved in community supervision follow clear procedures, policies and protocols – including adhering to the law – as we work to safely reintegrate offenders into the community. This is not a responsibility that we take lightly.

And I want to be clear and upfront that Correctional Service Canada does not support offenders soliciting sexual services.

Having been a parole officer myself, I know the work that goes into this role and I have full appreciation for the work that our staff do on the ground each and every day on the frontline. It is important work and our team has a direct impact on offenders and plays a critical role in public safety.

We, as an organization, are committed to being transparent, taking action and putting in place remedies that improve our service to Canadians.

While this terrible tragedy cannot be undone, we are absolutely committed to a full investigation and ways we can prevent such tragedies in the future.

I would once again like to express my sympathy to the family and friends of Marylène Levesque.

Thank you, Mr/Ms Chair.

## 2. Issue Notes

### 2.1. Community Supervision

Issue: Incidents involving offenders under community supervision have led to a public discussion regarding community supervision, which touches on the Correctional Service of Canada (CSC).

#### **Speaking Points:**

- One of CSC's strategic priorities is to ensure the safe transition to, and management of, eligible offenders in the community as measured, in part, by a reduction in the rate of violent re-offending by offenders in the community.
- Following an independent decision by the Parole Board of Canada, CSC monitors the offender's behaviour and manages risk by delivering and coordinating interventions that support safe reintegration.
- Research has demonstrated that a gradual, structured and supervised release process is an effective way to facilitate successful reintegration and contributing to public safety.
- Conditional releases, like day parole, contribute to the protection of society by facilitating the reintegration of the offender into society as a law-abiding citizen.
- This approach has been validated by statistics. In Fiscal year 2018-2019, 99.9 per cent of people completed their day parole without their release being revoked for a violent offence. Additionally, research indicates that the recidivism rate has been falling.

#### *If Pressed*

- Day parole is part of a process of gradual, supervised release. This is a safer approach than releasing offenders straight from prison at the end of their sentences without any kind of supervision or monitoring.
- Public safety is the main consideration in all parole decisions. These decisions are made independently by the Parole Board of Canada, based on established criteria that have been in place for many years.

## **Background - Community Supervision**

Research has demonstrated that a gradual, structured and supervised release process represents an effective means of facilitating successful reintegration and contributing to public safety. Various types of conditional (Temporary Absences, Work Release, Day Parole, Full Parole) and legislated release (Statutory Release) allow CSC to promote reintegration efforts where the risk to the community is manageable.

## **Community Supervision**

Community supervision involves the monitoring of the offender's behaviour and management of risk, delivering and coordinating interventions that support safe reintegration, liaising with community resources and collateral contacts, monitoring compliance with standard and special release conditions and assisting and supporting the offender throughout the reintegration process. The use of residential environments when required ensures that offenders have the necessary supervision and support for their reintegration.

All offenders on conditional release are supervised whether they live in the city or in remote parts of the country. Supervision is an ongoing activity that occurs throughout an offender's sentence. Assessment tools are used to ensure the offender can be safely managed.

## **2018 Fall Report of the Auditor General of Canada**

On November 20, 2018, the Office of the Auditor General (OAG) tabled the "2018 Fall Report of the Auditor General of Canada - Community Supervision". The audit found that CSC did not develop a long-term plan to respond to increased accommodation pressures; community parole officers did not always meet with offenders in accordance with CSC standards for supervising offenders in the community; CSC did not give parole officers all the information they needed to help offenders with their health needs; CSC often released offenders without a health card; and CSC did not include data on convictions recorded by other levels of government when calculating post-sentence outcomes.

CSC fully accepted all of the OAG's recommendations and work is underway to implement measures to address these important findings.

For instance, CSC is creating a national long-term community accommodation plan and has begun developing a comprehensive solution to better manage bed inventory and match offenders to community facilities including the management of wait lists. A responsibility was added to the District Directors to monitor on a monthly basis the compliance with the frequency of contact and the special conditions. The amended policy was promulgated on April 15, 2019. Clarifications were also provided on the frequency of contact requirements for offenders who reside in a Community-based-residential-facility.

CSC has also reinforced the need for and monitoring of documentation to be completed in cases where exceptions are warranted to the frequency of contact requirements.

## 2.2. Case Management Process

Issue: Parole Officers and other institutional staff manage offenders throughout their sentences. CSC has a rigorous case management system that begins at sentencing and continues in the institution and into the community.

### Speaking Points:

- Community monitoring and case management is key in supporting offenders as they transition back into our communities. This affords CSC the opportunity to take immediate actions to protect the public, when necessary.
- Parole officers and other institutional staff manage offenders throughout their sentences. This is called case management. It begins at sentencing and continues through the institution and into the community.
- The CSC is working to ensure appropriate allocation of resources and caseload distribution for Parole Officers. CSC is currently reviewing a number of options to address the caseload ratios concerns in Community Correctional Centres.
- The Community Parole Officer Resource Formula determines the national community parole officer salary funding requirements and subsequent allocation. The formula is based on CSC policy and legislative requirements and verified by a validation exercise ensuring equitable resource distribution across the country.
- As the resources are allocated on an annual basis, there may be times throughout the year where the workload outstrips the capacity of available resources. This is the nature of CSC operations and must be managed within allocations.
- CSC committed to an examination of the Institutional Parole Officer Workload to ensure that appropriate staff resources are allocated to provide a high level of excellence and efficient work in the management of offenders, work which was completed by Statistics Canada in July 2019 and shared in January 2020.
- We would like to work in collaboration with the unions to conduct focus groups consultations to review, provide input and validate the results of the survey.
- It truly takes a village: Community Parole Officers develop a network of community contacts to get information about an offender's progress. This network also provides the offender with support in their reintegration efforts.

### *If Pressed*

- Parole Officers are part of an offender's Case Management Team (CMT).
- The CMT determines the intervention strategy for an offender and develops a correctional plan to measure their progress towards their rehabilitation. Throughout an offender's sentence, the CMT conducts ongoing progress monitoring of programs, activities and behaviours.

## **Background - Case Management Process**

Parole officers (POs) and other institutional staff manage offenders throughout their sentences. This is called case management. It begins at sentencing and continues through the institution and into the community.

POs are part of an offender's CMT. The CMT determines the intervention strategy for an offender and develops a correctional plan to measure their progress towards their rehabilitation. Throughout an offender's sentence, the CMT conducts ongoing progress monitoring of programs, activities and behaviours.

As is the practice for every offender who is granted parole, the CMT completes a comprehensive period of pre-release planning before the offender is returned to the community. They work with partners to put in place community supervision plans outlining measures required for reintegration into the community.

Community Parole Officers develop a network of community contacts to get accurate information about each offender's progress. This network also provides the offender with support in their reintegration efforts. This information helps form a basis for sound assessments of an offender's risk level.

The CMT includes:

- parole officer (institutional or community)
- correctional officer II or primary worker (COII/PW)
- manager, assessment and interventions (male institutions)
- manager, intensive supervision strategies (women's institutions)
- community correctional centre manager (community)
- parole officer supervisor (community)

CMTs can also include:

- Psychologists
- Correctional Officers
- Primary Workers
- Correctional Program Officer
- Elders, Teachers
- Mental Health staff
- Social Workers
- other partners

### 2.3. Process for Parole Officers in Quebec

Issue: Quebec has agreements in place related to community supervision functions.

#### Speaking Points:

- CSC has agreements in place with third parties in the Quebec region to provide some offenders with community supervision services on behalf of the Correctional Service of Canada.
- These third parties operate Community Residential Facilities (CRFs). The contractors who wish to operate such CRFs must be accredited by CSC and Quebec provincial partners.
- This provides close community supervision of offenders while CSC provides oversight, checks and balances and quality control.
- While CSC Parole Officers do not directly supervise offenders under this system, CSC meets with community partners who are supervising CSC offenders on a regular basis to monitor offenders' progress and ensure conditions are being met.
- The team discusses proposed changes to offenders' case management. All changes must be discussed and approved by CSC PO Supervisors before being submitted to the Parole Board of Canada for consideration.
- Decisions regarding placement of offenders in a CRF with direct supervision are based on the location and availability.
- CSC maintains the power to issue lawful decisions regarding the management of offenders such as maintaining the sole authority to issue suspension warrants for offenders who are under direct supervision.
- The entire Case Management Team, including community partners, CSC parole liaisons and supervisors, work together to ensure the offender is being safely managed in the community.

#### *If Pressed*

- Although some community supervision partners in Quebec are not employed directly by CSC, they must hold the same qualifications as those hired by CSC and adhere to our policies, laws and protocols.
- They must hold an undergraduate degree in a recognized university or college in a field that focuses on understanding and assessing human behavior.

## **Background - Process for Parole Officers in Quebec**

CSC has agreements in place with third parties in the Quebec region to provide certain offenders with community supervision. These third parties supervise offenders who are under direct supervision; community supervision wherein the staff of the relevant third party supervise offenders in the community.

While CSC POs do not directly supervise offenders under this system, CSC POs meet with third party staff who are supervising CSC offenders on a regular basis to monitor offenders' progress and ensure conditions are being met. The team discusses proposed changes to offenders' case management. All changes must be discussed and approved by CSC PO Supervisors before being submitted to the Parole Board of Canada for consideration.

The transition from incarceration to freedom can be difficult and offenders have a better chance of success if they receive supervision, opportunities, training and support within the community. We use effective tools and strategies to closely manage and supervise the offenders who are in the community in accordance with offender risk and need profiles ensuring the appropriate level of intervention matches the potential risk level. To put simply, higher-risk offenders require more contact with Parole Officers than lower risk offenders.

In addition to regular face-to-face contact, our staff use additional case management techniques like monitoring program participation and progress as well as engaging the offender's network to obtain information on their correctional progress. It takes a village and the CSC works with a number of external partners and volunteers who support an offender's successful reintegration into the community as law-abiding citizen.

## **Third Party Community Residential Facilities**

These third parties operate Community Residential Facilities (CRFs). Entities who wish to operate such CRFs must be accredited by CSC and Quebec provincial partners.

Decisions regarding whether or not offenders will reside in a CRF that features direct supervision are based on the location wherein an offender is to reside and availability. For example, an offender may be accepted to reside in an area where CSC does not operate any community-based facilities. In such instances, an offender may reside in a CRF which features direct supervision. This system has been in place since the 1980s. Prior to the incident in Quebec City, there have never been any noted safety concerns arising from this system.

## **Third Party Community Residential Facility POs**

The POs at these CRFs are not employed directly by CSC. However, they must hold the same qualifications as POs hired by CSC (i.e., they must hold an undergraduate degree in a recognized university or college in a field that focuses on understanding and assessing human behaviour).

Additionally, CSC maintains the power to issue lawful decisions regarding the management of offenders. For example, CSC maintains the sole authority to issue suspension warrants for offenders who are under direct supervision.

## **2.4. CSC Role in Training for Parole Officers**

Issue: How CSC trains Parole Officers.

### **Speaking Points:**

- CSC takes the training of its entire staff seriously.
- CSC parole officers go through a rigorous training that involves two phases for a total of 170.5 hours of training.
- All new Parole Officers must successfully complete the Parole Officer Induction Training. This includes 58 hours of online training as well as 15 days of in-class training.
- This program has been carefully calibrated to allow aspiring Parole Officers to gain the necessary skills and competencies to carry out this important job. This training also includes practical applications to guide learning.
- Every year, all POs must attend the Parole Officer Continuous Development training. This is a 5-day annual mandatory training where POs further develop their knowledge and skills pertaining to case management assessment and intervention activities related to their duties.
- The components of this course vary from year to year dependant on trends, legislation, policy, and needs. For example, this past year training included topics such as Policy, Suspensions, Release Conditions, Parole Board of Canada Sessions, Indigenous Intergenerational Trauma and Its Impact on Indigenous Offender Rehabilitation and Release Conditions and Release Issues.

## **Background - CSC Role in Training for Parole Officers**

Before starting their job, parole officers go through a rigorous training that involves two phases for a total of 170.5 hours of training. They must hold an undergraduate degree in a recognized university or college in a field that focuses on understanding and assessing human behaviour.

### **Parole Officer Induction Training**

Phase one, the Parole Officer Induction Training (POIT), is a 58-hour online training that covers theory and topics such as CSC and the law and mental health. At the end of the POIT module, candidates must be able to demonstrate a sound knowledge of the case management process and be able to apply relevant laws, policies and procedures related to the duties of the PO position. An exam is administered and the individual must successfully pass the exam prior to attending phase two.

Phase two is a three-week in-class training that includes an important practical component on how to supervise and manage a caseload of multiple offenders. During this portion of the training candidates review an offender's case, conduct mock-up interviews and risk assessments, learn how to work and collaborate with the CMT, the community and other sources such as family and co-workers of the offender.

Once the second phase is completed, a learning plan is developed for the parole officer. This plan includes areas where the parole officer demonstrated strong knowledge and also identifies areas where further development could be beneficial for the employee.

### **Parole Officer Continuous Development Training**

Every year, all POs must attend the Parole Officer Continuous Development Training. This is a five-day annual mandatory training where POs further develop their knowledge and skills pertaining to case management assessment and intervention activities related to their duties.

The components of this course vary from year to year dependent on trends, legislation, policy and needs. For example this past year training included topics such as Policy, Suspensions, Release Conditions, Parole Board of Canada Sessions, Indigenous Intergenerational Trauma and Its Impact on Indigenous Offender Rehabilitation and Release Conditions and Release Issues.

## 2.5. Board of Investigation Process

Issue: Board of Investigation composition and process.

### **Speaking Points:**

- A joint CSC / Parole Board of Canada board of investigation has been convened to examine the circumstances that led to this tragic event.
- This type of investigation will review the circumstances around the incident and present recommendations, if needed, to help prevent similar incidents from happening again.
- Any recommendations will be studied by both the CSC and the Parole Board of Canada, and will be implemented accordingly.
- The CSC is committed to sharing the results of the investigation as well as any corrective measures that will be implemented, as required.
- The CSC is responsible for conducting investigations under a variety of circumstances, especially when the presumed perpetrator of a murder is a federal offender.
- The board of investigation consists of five members, including two external members. All board members have the knowledge, skills and experience required to conduct this type of investigation.

### *If Pressed:*

- While the investigation is underway, we are completing a review of community supervision strategies and have reinforced the practices and policies around the case management of offenders with parole officers as well as their supervisors and managers.
- The two external members are criminologists who have never worked for either the CSC or the Parole Board of Canada. They will co-chair the board of investigation.
- The board also includes two members of CSC and one from the Parole Board of Canada.
- The results of this investigation will be made public once possible, taking into consideration the timeframe of the criminal investigation currently being conducted by local police.
- In 2018-19 99.9% of offenders on day parole completed their supervision period without being convicted of a new violent offence. The statistics were consistent the year prior.

## **Background - Board of Investigation Process**

When an incident occurs in an institution or in the community, the Commissioner, the Director General, Incident Investigations Branch, the Institutional Head, or District Director may convene an investigation.

The objectives of investigating an incident are to:

- Assess and report on all the circumstances surrounding the incident;
- Provide information to CSC so that, if required, actions can be taken to prevent similar incidents;
- Learn about and share best practices; and
- Make findings and recommendations where required.

## **Levels of Investigations**

An investigation is convened when an inmate dies or suffers a serious bodily injury. Several factors are considered when determining what level of investigation is convened (i.e., Tier I, Tier II, Local, File Review), namely the degree of violence, injuries sustained, offender profile(s), public interest, impact on the organization's capacity to deliver programs and frequency or recurrence of similar incidents at specific sites.

## **Investigation Board Members**

Boards of Investigation are composed of members with the appropriate training, language, ethnic profiles and expertise relevant to the incident. Members of the community are required for any investigation involving non-natural deaths convened by the Commissioner; these members have never been employed by CSC and are experts in relevant areas (e.g., former police chiefs, university professors, lawyers, psychologists, nurses and others).

## **Results**

In Fiscal Year 2018-2019, CSC convened 122 Boards of Investigation – Tier I (32), Tier II (34), Local (51) and File Review (5).

Of the different incident types that were investigated in these BOIs, the largest proportion were for inmate assaults (27%) or attempted suicide (15%), followed by overdose interrupted (8%), new charges in the community (7%), escapes (6%) and death by suicide (6%).

## 2.6. CSC Programming

Issue: CSC offers a suite of programs to federal offenders to encourage positive correctional outcomes, which contributes to public safety.

### **Speaking Points:**

- CSC offers a wide range of correctional programs to offenders in institutions and the community. These programs are designed to target a wide range of criminal offending.
- In 2017, the Service implemented the Integrated Correctional Program Model nationally. This model uses an innovative approach designed to enhance program efficiencies, program effectiveness and public safety results.
- These correctional programs are empirically based structured interventions grounded in social psychological research on “what works”. These programs contribute to reduce re-offending by targeting factors that are known to be directly related to criminal behavior.
- Research has demonstrated that correctional programs can significantly contribute to the safe reintegration of offenders by reducing the risk of recidivism upon release. In fact, recent research by the Service has demonstrated that the recidivism rate has been falling since the 1990s.

## **Background - CSC Programming**

CSC provides correctional programs of differing intensity levels (moderate and high). Research demonstrates that matching program intensity to the level of risk enhances program effectiveness.

## **Integrated Correctional Program Model**

The Integrated Correctional Program Model (ICPM) is an approach designed to enhance program efficiencies, program effectiveness and public safety results. The ICPM enhances offenders' understanding of the interaction among their multiple risk factors, as well as their understanding of how the same skills can be used to effectively manage their risk.

The ICPM's efficiency was evaluated in fiscal year 2011-2012 and an external research study on the program's effectiveness was completed in fiscal year 2012-2013. This study showed promising results. Overall, ICPM was found to be more efficient than and at least as effective as CSC's traditional cadre of correctional programs. Additionally, an analysis of program effectiveness across specific regions that had implemented the new ICPM over the traditional program model was performed by CSC and has revealed that over time, ICPM shows substantial improvement with respect to recidivism reduction for both male Indigenous and non-Indigenous offenders.

## **Women Offender Correctional Programming**

CSC is mandated by the *Corrections and Conditional Release Act* (CCRA), to provide correctional programs to respect gender, ethnicity, cultural and linguistic differences. Women offenders have unique needs and considerations that impact their response to correctional programs. As such, CSC offers correctional programs that are holistic, women-centred and designed to specifically address the needs of women offenders. The overall goal of these programs is to assist women offenders to prepare for, build and enhance their ability to live a balanced and crime-free lifestyle after their release.

## **Indigenous Offender Programming**

While it should be noted that CSC's correctional programs are available for all offenders, the CCRA requires CSC to provide programs to address the needs of Indigenous offenders. Indigenous correctional programs represent the integration of effective correctional program principles and traditional Indigenous healing approaches. These programs represent a significant advancement to Indigenous social and cultural interventions. Indigenous correctional program facilitators, Elders, spirituality and ceremony are integral to program design and delivery. CSC's Indigenous programs include the Aboriginal ICPM (multi-target and sex offenders), the Inuit Integrated Correctional Program, including a sex offender component, and the Aboriginal Women Correctional Programs.

## 2.7. Transfers

Issue: How transfers of offenders to lower security levels work.

### Speaking Points:

- CSC regularly assesses the risks presented by all offenders to ensure that they are placed at the appropriate security level.
- The safety and security of institutions, as well as that of offenders, staff and the public are paramount when making these decisions.
- CSC's system of risk management, needs analysis and intervention coupled with the gradual and structured release of offenders is the cornerstone of the federal correctional system.
- Transfers allow offenders to have access to programs that may not be available at their current institution and for offenders to be housed in an environment that is consistent with their safety and security needs.
- An offender's security level is based on an assessment of the three factors outlined in CSC regulations: how the offender will adjust to the institution, the risk of escape and the risk to public safety. Only those offenders presenting a low risk in all three of those categories are placed in minimum-security institutions.

### *If Pressed:*

- CSC approaches overrides with the utmost caution. They are used when professional opinion concludes that a relevant risk assessment tool did not adequately weigh certain risk factors.
- CSC reviews an offender's security classification prior to making a recommendation for any decisions, including transfers, temporary absences, work releases and parole.
- All offenders entering federal custody undergo a full assessment and referral process to identify their program and security needs.
- Only those offenders who are assessed as having a low risk to public safety are placed in minimum-security institutions. These assessments are done through statistically validated tools as well as the professional judgement of correctional staff.

## Background - Transfers

CSC is responsible for minimizing the risk offenders present. Since different offenders require different degrees of control, CSC operates institutions at essentially three levels of security: maximum, medium and minimum. Upon entering the federal correctional system, offenders are assessed and placed in the most appropriate institution and security level that will contribute to their timely preparation for safe reintegration.

As offenders progress through the correctional system to lower security levels and earn more freedom of movement, the programs and activities are tailored to more closely reflect the conditions the offender is likely to encounter once released into the community. A transfer to lower security allows the inmate to experience responsibilities to prepare for reintegration into the community. CSC regularly assesses the risks presented by all offenders to ensure that they are placed at the appropriate security level. The safety and security of staff and offenders are paramount when making decisions about inmate accommodation.

## Overrides

The calculation of the Custody Rating Scale (CRS) is a recommendation and can be overridden in conjunction with professional judgement. An override means that there might be a disagreement between the CRS and the outcome of an Offender Security Level decision. The burden of responsibility falls on the Parole Officer to identify the factors used to support the override. Overrides must be approached with caution.

## Eligibility for Transfers to Healing Lodges

As is the case for all transfers, CSC thoroughly assesses an offender's risk to public safety before a decision is made to transfer an offender to a healing lodge. The safety and security of staff and offenders are paramount when making decisions about inmate accommodation.

There are a number of Commissioner's Directives and Guidelines related to transferring offenders, such as [Commissioner's Directive \(CD\) 710-2, Transfer of Inmates](#). Non-Indigenous offenders are allowed to live in a healing lodge if they choose to follow Indigenous programming and spirituality. Non-Indigenous offenders do not need to self-identify as Indigenous.

## Recent Changes to CSC's Transfer Policies

In November 2018, CSC revised the policies governing the transfer of offenders (including transfers to healing lodges). These changes were developed following a September 26, 2018 request from the Minister of Public Safety to CSC to review the transfer policies surrounding a high profile transfer to a healing lodge.

These changes include: (1) The role of the Deputy Commissioner for Women was strengthened in decision-making for healing lodge transfers; (2) factors such as the length of an inmate's sentence were included as considerations; and (3) the need to engage Indigenous communities in this decision-making process was reaffirmed.

## 2.8. Work Releases

Issue: How the work release process works.

### Speaking Points:

- Research has demonstrated that a gradual, structured and supervised release process represents an effective means of facilitating successful reintegration and contributing to public safety.
- A work release is a structured program of release, established for a specified period of time, involving work or community service outside of the institution.
- This type of program is authorized by the institutional head and is supervised by a staff member or other authorized person or organization.
- An offender's Case Management Team (CMT) works closely together to assess applications for work releases. This team also consults with registered victims and this consultation is taken into consideration by the institutional head, when making their decision.

### *If Pressed:*

- Before the beginning of a work release, the destination police agency is notified. The decision maker—the institutional head—will impose any conditions considered necessary to manage risk and protect society.
- Work releases can be completed with a variety of entities. For example, some institutions have established partnerships with non-profit community organizations such as Habitat for Humanity, where offenders volunteer for the organizations.
- Other work releases can be completed with private companies in the community where offenders receive an hourly wage. These allow offenders to gain employable skills which can be used to gain and maintain employment upon release.

## **Background - Work Releases**

CSC promotes safe reintegration of offenders through risk assessment, community supervision, appropriate accommodation and effective correctional programs and interventions.

A work release is a structured program of release, established for a specified period of time, involving work or community service outside of the institutions. This type of program is authorized by the institutional head and is supervised by a staff member or other authorized person or organizations.

## **Work Release Eligibility**

To be eligible for a work release, an offender must be eligible for an unescorted temporary absence. The *Criminal Code* and the *Corrections and Conditional Release Act* have specific requirements for absences with or without escort for persons who have been sentenced to imprisonment for life without eligibility for parole for a specified number of years.

As per Commissioner's Directive 710-7 - Work Releases, work releases may be granted to offenders eligible for unescorted temporary absences if the institutional head assesses that:

- The inmate will not, by reoffending, present an undue risk to society during the work release;
- It is desirable for the inmate to participate in a structured program of work or community service in the community;
- The inmate's behavior while under sentence does not preclude authorizing the work release; and
- A structured plan for the work release has been prepared and is linked with the Correctional Plan.

## **Victim Concerns**

An offender's CMT works closely together to assess their application for work release. The CMT also consults with registered victims and this consultation is taken into consideration by the institutional head when they make their decision.

## **Work Release Examples**

Examples of work releases include: trades, agriculture, grounds keeping/landscaping, special event set up/take down, Indigenous-focused, work camp vocational training and certification programs, service industry, office work and community service.

## 2.9. Internal Communications

Issue: It is important to express the Service's continued support of its staff and their important work.

### Speaking Points:

- This is a difficult time for us at CSC—the media attention and public scrutiny over these past weeks has been heavy and critical of our work.
- There appears to be a lack of understanding among the public of our role and that of the Parole Board of Canada. That has led to a lack of understanding regarding the efforts we make to safely reintegrate offenders into society.
- I do not want to undermine the seriousness of what occurred here but would like to assure this Committee and Canadians that violent offences by offenders on day parole are incredibly rare.
- In 2018-19 99.9% of offenders successfully completed their day parole supervision period. The statistics are consistent for the year prior.
- Having been a parole officer myself, I know the work that goes into this role and I have full appreciation for the work that our staff do on the ground, each and every day.
- Out of respect for everyone involved, including our employees directly involved in this, it is critical that we respect the process and not jump to conclusions. We need to let due process take its course; the integrity of the investigations depend on it.

### *If Pressed:*

- Once the investigation is complete, I will be in a better position to talk about the facts and what happens next.
- I believe the best way to uphold our organizations' reputation is to ensure that we are transparent, are open to learning and self-reflection and that we ensure that our processes, policies, laws are all followed.

## 2.10. USJE Press Release

Issue: The Union of Safety and Justice Employees has recently issued a press release, alleging other cases similar to this one, budget and case load issues.

### Speaking Points – General:

- CSC is concerned about the allegations made by the union. We have asked the union to provide concrete information to substantiate the allegations outlined in their press release.
- We have a duty to conduct an investigation under a variety of circumstances, including when the presumed perpetrator of a murder is a federal offender.
- Let us be clear: CSC does not support offenders soliciting sexual services. We are concerned by these allegations and take this very seriously.
- The Regional Deputy Commissioners have been directed to complete a review of community supervision strategies and to reinforce the practices and policies around the case management of offenders with parole officers as well as their supervisors and managers.

### Speaking Points - Budget:

- The average cost of maintaining an offender in a federal institution is much higher than supervising an offender in the community because:
  - Of the infrastructure that must be maintained.
  - Institutional security expenditures include static security posts staffed on a 24-hour basis, 7 days a week, 365 days a year.
  - In the institution, CSC provides a variety of essential services to offenders that are not incurred by CSC when an offender is under supervision in the community, such as health care, food, etc.
- The 6% of our expenditures for Community is reasonable and enough to support our community activities based on the fact that:
  - Once an offender is released into the community, CSC is no longer responsible to provide Health Services as the provincial health care system provides essential services.
  - Prior to release into the community the majority of Correctional Interventions and Programming are completed (CSC offers maintenance programming in the community).

- CSC has been increasing its community resources over the past four years in line with population growth that has been observed.

**Speaking Points - Case Load:**

- The ratio is currently one parole officer for every 13 offenders in the CCC. CSC is currently reviewing a number of options with USJE to address the caseload ratio concerns in CCCs.
- The Community Parole Officer Resource Formula (CPORF) is used to allocate community parole officer resources to each Region. The formula calculates the time parole officers require to complete certain tasks as per policy and legislation and provides an estimate of resources that are required.
- Work is underway to assess the gap, if any, between the numbers of FTEs allocated and the fluctuations in work requirements year-over-year.

## **Background**

On February 10, 2020, the Union of Safety and Justice Employees (USJE) issued a press release on the incident in Quebec. In the news release, the union explained that it cannot comment on specific cases, but accused CSC of allowing offenders residing in the community in the past to visit massage parlors.

USJE also outlined other points of contention regarding the federal correctional system, including:

- Criticizing the 2014 decision of CSC to eliminate the Community Corrections Liaison Officer (CCLO) program;
- Accusing the Service of releasing an increasing number of offenders in to the community, despite limited resources for parole officers;
- Questioning the effectiveness of rehabilitative programs for offenders; and
- A perceived lack of mental health supports for community-based CSC staff members.

The USJE then argued that said issues could be mitigated by reinstating the CCLO program; reducing the caseloads for parole officers; conducting an external analysis of rehabilitative programs; and increasing funding and support for community staff and mental health services for community staff.

## **Case Load**

The Union of Safety and Justice Employees (USJE) is calling on the government to immediately reduce parole officer caseloads in the Correctional Community Centres. Which house the highest risk and highest need offenders from a ratio of 1:13 to 1:8 so there is less risk to the public. They have also asked to reduce parole officer caseloads in federal prisons from 30 to under 25 to ensure that there is sufficient oversight of inmates.

## **Budget**

The Union of Safety and Justice Employees (USJE) believes that more than 6% of CSC's budget should be allocated to community supervision, given that over 40% of offenders are supervised in the community.

## **2.10. Workplace Wellness**

**Issue:** On February 18, 2020, the Auditor General of Canada is expected to table before Parliament an audit on Canada Border Services Agency's and Correctional Service Canada's efforts to promote and maintain respectful workplaces.

### **Speaking Points:**

- The Correctional Service of Canada has reviewed the audit and its recommendations, agrees with the findings, and has already begun taking steps to implement changes to enhance the workplace.
- Every employee deserves to work in a healthy environment free from harassment, discrimination and workplace violence.
- We have already begun taking action by implementing a national, comprehensive and integrated workplace wellness strategy to continue promoting a work environment where employees are treated with respect, dignity and fairness – and one where violence is addressed.
- In addition, we are reviewing guidelines and tools on harassment and workplace violence and ensuring all levels of the organization are aware of these resources.

## Background

The audit examined three aspects of workplace conduct: harassment, discrimination, and workplace violence by co-workers and supervisors at the Canadian Border Services Agency and the Correctional Service of Canada (CSC). The Audit focused on whether the organizations promoted and maintained a respectful workplace, free of these types of conduct. It concluded that both organizations did not do enough to address problems in these three areas. The audit's summarized its findings into these subjects:

- insufficient action to identify and address risks;
- employee concerns about respect in the workplace;
- Informal methods [of conflict resolution] are not always communicated;
- initial assessments [of complaints] are not always done; and
- actions to re-establish working relationships after a complaint are not always aimed at the entire workplace.

## Implementation of Recommendations

Since the completion of the audit, CSC begun implementing the recommendations by:

- Reviewing guidelines and tools on harassment and workplace violence and working to ensure employees at all levels of the organization are aware of these resources.
- Strengthening compliance monitoring of harassment, discrimination, and workplace violence complaints by standardizing our documented assessments.
- Implementing an Ethical Risk Assessment initiative that will assist workplaces in identifying ethical risks and their impacts, and implement effective mitigation strategies.

In addition, CSC has undertaken other initiatives to ensure a healthy work environment for all. These include:

- Launch of the second year of the Respectful Workplace Campaign;
- Organization of focus groups across the country where over 300 employees participated in open discussions and identified staff needs regarding mental health, civility, respect, misconduct and organizational culture; and
- Creation of an engagement and feedback form that was shared with leaders at all levels, encouraging them to have honest and open discussions with their employees on the importance of creating a healthy and respectful work environment.

## CSC Approach to a Positive Workspace

In February 2018, CSC launched the Respectful Workplace Campaign. This Campaign involves various initiatives including awareness, promotion and the creation of vehicles to disclose inappropriate behavior. More specifically, CSC has implemented:

- Confidential tip line and a generic email address to provide employees with options to report concerns relating to workplace misconduct;
- Increase in resources to support the Harassment Prevention Coordinators; and

- Two courses on respectful workplace and violence in the workplaces which are now a part of the National Training Standards for all employees.

CSC supports staff wellness and resilience through programs and resources, such as the Employee Assistance Program; the Critical Incident Stress Management Program; and the Suicide and Self-Injury Intervention training.

Every executive, manager and supervisor continues to be expected to meet commitments on the management of workplace issues as part of their performance agreements. Robust language regarding the management of harassment, intimidation and bullying was included in the 2018-2019 performance agreements for executives, supervisors and managers.

In March 2019, CSC shared its first Workplace Climate and Employee Wellbeing Annual Report. This report includes data to establish a clear reference point for assessing work place challenges and wellness. It also serves to identify areas where CSC will make further efforts, so all employees have a healthy, respectful workplace.

### **2019 Public Service Employee Survey (PSES)**

According to the CSC's 2019 PSES results, the following improvements were noted from the previous year's results:

- 26% of respondents indicated that they have been victim of harassment on the job in the past 12 months, which is a six percent decrease from 32% in 2018.
- 69% of respondents indicated that they are satisfied with the quality of supervision they receive, which is a seven percent increase from 62% in 2018.
- 47% of respondents indicated that they are satisfied with how interpersonal issues are resolved in their work unit, which is a six percent increase from 41% in 2018.
- 40% of respondents indicated that they feel they can initiate a formal recourse process without fear of reprisal, which is a three percent increase from 37% in 2018.
- 71% of respondents indicated that their immediate supervisor seems to care about them as a person, which is a five percent increase from 66% in 2018.

### **Harassment Policy**

The Treasury Board Policy on Harassment in the Workplace is the key reinforcer of the values of integrity and trust that are the foundation of a sound organization. The ultimate responsibility and authority for this policy rests with the Deputy Head and his or her authorized representative(s).

CSC is committed to providing a workplace that is free of harassment and discriminatory behaviour. Harassment in whatever form is prohibited.

When allegations of harassment arise, the primary goal is to resolve the issue(s) in the most informal way feasible, with the least disruption possible for the parties involved and the work environment. While the seriousness of harassment allegations calls for access to a careful and rigorous process from the outset, it is consistent with such a process that many cases may, upon closer exploration and with the consent of all parties, be effectively dealt with through informal resolution processes.

### **Disciplinary Action**

CSC does not tolerate failure by staff to abide by the rules of professional conduct and code of discipline that are outlined in Commissioner's Directive 060 – Code of Discipline. All allegations of staff misconduct are thoroughly investigated by CSC and disciplinary measures may be taken, where appropriate, in accordance with the Government of Canada's Guidelines for Discipline and the Service's Instrument of Delegation of Authorities in the area of Human Resource Management. The provisions of the *Privacy Act* prevent the disclosure of the specific names and positions of the employees involved.