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File #392-2-90

Evaluation of Exchange of Service Agreements

*Evaluation Report
March 2012*

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Executive Summary

The evaluation of the Exchange of Service Agreements (ESAs) began in March 2011 as part of Correctional Service of Canada's (CSC) 2009-2014 Evaluation Plan (CSC, 2009). This report examined the 13 ESAs between CSC and the provinces' and territories' ministries of corrections. The evaluation strategy examined relevance and performance (including effectiveness, efficiency and economy) of the ESAs from a national perspective as per Treasury Board's *Policy on Evaluation* (TBS, 2009). ESAs, constituted 1.40% of CSC's direct program spending for the 2009-2010 fiscal year.

The responsibility for housing offenders sentenced to a term of incarceration is shared between the federal and the provincial and territorial governments.

The evaluation found that ESAs were relevant in that there was a continued need for the agreements. ESAs were consistent with CSC priorities and objectives, but also consistent with the mandates of the provinces and territories. As well, ESAs goals align with the federal government's roles and responsibilities.

The evaluation found that ESAs play an important role in Canadian offender management. ESAs were found to create and maintain collaboration between CSC and the provincial and territorial governments. Although collaboration has resulted from ESAs, information sharing between CSC and the provincial and territorial governments was highlighted as an area for possible improvement.

Regarding performance, the evaluation found that ESAs are effective, efficient and economical. In terms of effectiveness, ESAs were found to be effective in that they provide a seamless correctional system within Canada that supports other correctional and reintegration activities. Efficiency was found through the supervision of offenders closer to home communities, either in the community or in custody. Provincial and territorial offenders were able to participate in correctional programs while incarcerated in CSC, and federal offenders were able to participate in correctional programs in Newfoundland and Labrador. In terms of economy, ESAs were found to be cost-efficient and fair in that the costs invoiced by both parties (CSC and the provinces and territories) are a rate based on the actual costs incurred to accommodate offenders. These rates are established in the ESA and typically increase each year by a pre-determined amount agreed upon when the ESAs are signed.

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- RECOMMENDATION 3: CSC should ensure national and regional governance is clearly articulated to provide clarity regarding the roles and responsibilities of key positions. 33**

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List of Acronyms

CCC	Community Correctional Centre
CCRA	Corrections and Conditional Release Act
CCRR	Corrections and Conditional Release Regulations
CD	Commissioner's Directive
COP	Correctional Operations and Programs
CPO	Correctional Programs Officer
CRF	Community Residential Facility
CSC	Correctional Service Canada
ESAs	Exchange of Service Agreements
EXCOM	Executive Committee
FPS	Finger Print System
ICPM	Integrated Correctional Programs Model
IFMMS	Integrated Financial and Material Management System
MC	Memorandum to Cabinet
MAP	Management Action Plan
NCAOP	National Capital Accommodation and Operations Plan
NHQ	National Headquarters
OID	Offender Identification
OMS	Offender Management System
OPI	Office of Primary Interest
PAA	Program Activity Architecture
PS	Public Safety Canada
RADAR	Reports of Automated Data Applied to Reintegration
RMAF	Results-based Management Accountability Framework
SAS	Statistical Analysis Software
SD	Standard deviation
SPAC	Strategic Plan for Aboriginal Corrections
TB	Treasury Board
TBS	Treasury Board Secretariat
TOR	Terms of Reference

Introduction

Correctional Service of Canada's (CSC) 2009-2014 Evaluation Plan identified the Exchange of Service Agreements (ESAs) evaluation as a priority for 2010-11 thus preliminary planning on the project began in August 2010. The evaluation's process directly followed Treasury Board of Canada Secretariat's (TBS, 2009) *Policy on Evaluation*, by examining the continued relevance of the ESAs and their alignment with CSC and federal government priorities, roles and responsibilities, and the Agreements' performance (including effectiveness, efficiency, and economy). The results, provided below, will assist senior management with strategic policy and investment decisions regarding ESAs between CSC and the provinces and territories. This evaluation specifically addresses the ESAs between CSC and the provinces' and territories' ministries of corrections.

Background

ESAs are agreements between the federal (CSC) and provincial and territorial governments regarding the temporary detention, transfer and community supervision of offenders. These agreements detail the roles and responsibilities of each jurisdiction and include specific protocols regarding per diem rates, offender information sharing and invoicing to "ensure that the administration of justice is carried out in such a manner as to be cost-effective, the least disruptive to the offenders' lives, respectful of the offenders' legal rights, conducive to their reintegration as law-abiding citizens and supportive of their case management" (CCRA, 1992). ESAs are also sanctioned under Section 15, 16, and 29 of the CCRA and Sections 11 to 16 of the *Corrections and Conditional Release Regulations*. Each province and territory has incorporated interjurisdictional exchanged services into their correctional legislation. Table 1: Provincial and Territorial Corrections Acts Sections Related to ESAs. Table 1 specifies the reference to ESAs within each province and territory.

Table 1: Provincial and Territorial Corrections Acts Sections Related to ESAs¹

Section within Corrections Act	
British Columbia	Section 11(1)
Alberta	Sections 8 and 13
Saskatchewan	Sections 7(1) and 23(1)
Manitoba	Section 6
Ontario	Sections 8(1) and 8(4)
Québec	Section 35
New Brunswick	Section 3 and 4
Nova Scotia	Section 3
Prince Edward Island	Section 19
Newfoundland/Labrador	Section 10
Northwest Territories	Section 31
Yukon	Section 4
Nunavut	Section 31

Specifically, ESAs consist of three types of agreements:

- **A Transfer Agreement:** authorizes the placement of federal offenders in provincial or territorial facilities and/or provincial and territorial offenders in CSC institutions. Specifically, transfer agreements are intended to accommodate offenders closer to their home community; meet their cultural needs; provide protection and services for offenders who cannot be in the general correctional population; provide offenders access to specific programs and services; and, permit offenders to exercise their legal rights.
- **A Temporary Detention Agreement:** allows for the temporary custody of a federal offender in a provincial and territorial facility for specific reasons such as a warrant of suspension or a delayed reception at a CSC institution following sentencing.
- **A Community Correctional Services Agreement:** provides for the delivery to offenders of some or all community correctional services, both residential and non-residential, in that province or territory. (CSC, 2001a)

Each province and territory has an ESA with CSC although they are at differing stages. Of the thirteen ESAs, eight are signed, functioning agreements (Northwest Territories, Saskatchewan, Ontario, Nunavut, Newfoundland and Labrador, Yukon, Prince Edward Island and British Columbia), the Québec agreement does not have an end date although per diem rates are renewed annually, and four (Alberta, Manitoba, New Brunswick and Nova Scotia) are currently being renegotiated.

¹ The individual provincial and territorial Corrections Acts have been listed in the Reference section of this report.

CSC's Interjurisdictional Exchange of Service Agreements Guidelines specifically describe how ESAs are negotiated, terminated, renegotiated or amended, defines the content of all ESAs, and provides the processes regarding approval and implementation of all ESAs. Negotiating ESAs begins approximately one year before the expiration date. At the provincial and territorial level, the primary negotiator is frequently the Director of Correctional Services and, in some situations, the Director of Finance. As per the Guideline, CSC can create a steering committee and a working group to facilitate the negotiation of ESAs with provincial and territorial representatives.

ESA Activity Profile

A thorough analysis of CSC's Offender Management System (OMS) revealed that ESA activities are used for a variety of purposes. The following section provides a brief overview of ESA activities over the last five year period. A more detailed description of activities can be found in APPENDIX C.

The evaluation encompassed ESA activities in OMS occurring from fiscal years 2006-07 to 2010-11. It was found that Pacific and Ontario regions did not enter ESA data in OMS. However, as a result of a request made by the Evaluation team, the Pacific and Ontario regions provided retrospective data. Once the data was sorted and cleaned, because of various data quality issues encountered, as described in the limitations section, these numbers were reduced. Specifically, 31,407 ESA activities remained: 10% in Atlantic; 31% in Québec; 38% in Prairies; and 24%² in Pacific. In the case of the Ontario region, the extent of the data quality issues prevented performing any analyses on the data provided, thus they were not included in this report. These ESA activities were conducted in over 98 federal, provincial and territorial facilities.

The vast majority (98%) of ESA activities were associated with federal offenders being supervised by provincial and territorial correctional authorities, whereas ESA activities pertaining to provincial and territorial offenders under federal supervision represented 2%.

The ESA activities were found to be conducted for various purposes. A high proportion of ESA activities occurred for detention/transfers/transportation of newly sentenced offenders on

² The total percentage is greater than 100 due to rounding.

waiver status³ and for temporary detention (i.e., the ESA jurisdiction is temporarily responsible for the supervision of the offender). Approximately 6% of ESA activities were used for permanent detention (i.e., where an offender's sentence is entirely carried out in the ESA jurisdiction) of offenders in either provincial and territorial or federal institutions. Other less prominent reasons for ESA activities included offenders on remand, offenders undergoing psychological assessments, supervision of offenders in the community on day parole, full parole and statutory release, offenders in the community returning to custody, and Lieutenant Governor Warrants. An extensive list of ESA activity purposes is provided in Appendix D.

ESAs activities are typically short-term. Over 90% of ESA activities were 30 days or less, with the average activity length lasting approximately 16 days. The number of ESA activities per offender varied. On average, offenders participated in between one and two ESA activities.

In conclusion, ESAs are used for a variety of reasons, most of which are administrative. The majority of activities are for short-term detention.

Overview of Offender and Sentence Profiles

The majority of offenders participating in ESAs were men (over 90%). Approximately two-thirds of offenders were Caucasian and approximately one-fifth of offenders were Aboriginal. The vast majority (over 90%) of sentences during which an ESA activity occurred were determinate and over half of sentences involved a Schedule 1⁴ offence.

The vast majority of ESA activities (over 95%; $n = 17,805$) were associated with offenders presenting medium to high levels of need, as well as medium to high levels of risk (over 88%; $n = 16,558$). The data on offender ratings for overall need, risk, motivation and reintegration levels were unavailable for 45% ($n = 10,716$) of ESA activities for OMS and 26% ($n = 1,938$) for Pacific. Again, for OMS data, the majority (95%, $n = 10,117$) of offenders did not yet have a classification level because they were in the first 30 days of their sentence. A

³ Waiver status refers to newly sentenced federal offenders. Following the sentencing decision, the offender has a certain number of days to sign a waiver form to be transferred to a federal institution. In the meantime, offenders are detained in a provincial facility under the ESA.

⁴ Offence schedules are defined under the CCRA (1992). Schedule I offences are those of a violent nature, including crimes against a person and sexual offences. Schedule II offences include drug offences. Full text of the CCRA is available at <http://laws.justice.gc.ca/en/C-44.6/FullText.html>.

complete profile of risk, need, motivation, and reintegration potential levels among offenders having participated in ESA activities is provided in Appendices E and F.

Governance Structure

CSC's Intergovernmental Relations Division within the Executive Secretariat provides the functional support and guidance for ESAs. At the regional level, ESAs are typically coordinated by the Regional Administrators, Planning and Policy (RAPP) who provide advice and guidance regarding the implementation of the ESAs and the regional comptroller, who is responsible for the administration of the billing protocols and processes. Overall responsibility at the regional level lies with the Regional Deputy Commissioners.

When searching for a complete list of the RAPP's roles and responsibilities regarding ESAs, it was found that each RAPP had a different position description with differing responsibilities regarding ESAs. CSC is currently undergoing a review of all position descriptions which may clarify the RAPP's roles and responsibilities regarding ESAs and provide consistency between the regions.

At the provincial and territorial level, ESAs are negotiated and managed by the Director, Correctional Services (this title may vary depending on the jurisdiction) and the Director of Finance within the correctional portfolio.

CSC's *Interjurisdictional Exchange of Service Agreements: Guidelines 541* (CSC, 2001b) characterizes the negotiation process and upon mutual agreement by CSC and the provincial and territorial negotiation teams, the final document is signed by the Minister of Public Safety and forwarded to the provincial and territorial Minister responsible for corrections for approval and signature.

Evaluation Strategy

The evaluation strategy explored the issues of relevance and performance (including effectiveness, efficiency and economy) of the ESAs in accordance with TB's *Policy on Evaluation*. The evaluation questions, performance indicators, and data sources are listed in Appendix A.

The objectives and outcomes of CSC's ESAs with the provinces and territories were examined to provide guidance for future strategic policy and resource decisions regarding partnerships with the provinces and territories. Lessons learned and the identification of best practices sought through the evaluation process could be utilized to develop and improve future interjurisdictional agreements (Marquis, Ly, & May, 2011). A list of the best practices identified through the key informant interviews are contained in Appendix H.

Methodology

The evaluation used multiple lines of evidence including qualitative and quantitative data to address the evaluation questions. Lines of evidence included the following:

Document and Literature Review

The documents collected and analyzed for this evaluation included: Agreements, the CCRA, the CCRR and Commissioner's Directives and guidelines; CSC's Report on Plans and Priorities, Program Activity Architecture, Internal Audit reports, random samples of provincial and territorial invoices to CSC, CSC and other federal government documents, and previous ESA evaluation reports. These documents were used to support the findings and recommendations in this report.

Key Informant Interviews

Interviews with key informants were conducted in June, July and September 2011 providing a qualitative view of the impact and success of the ESAs. A total of 28 interviews were conducted with CSC staff (68%, $n = 19$) and with provincial and territorial representatives (32%, $n = 9$). CSC staff included Regional Deputy Commissioners, Director Generals, Regional Finance Comptrollers, Directors, Regional Chiefs Budget and Financial Analysis, and RAPPs. Provincial and territorial representatives consisted of Assistant Deputy Ministers, Directors and Managers.

Database Analysis

Financial information from CSC's Corporate Services Integrated Financial and Material Management System (IFMMS) database provided the ESAs' financial details and actual

expenditures between 2006-2007 and 2010-2011. Data reports regarding bed usage by the National Capital Accommodation and Operations Plan (NCAOP) and the Reports of Automated Data Applied to Reintegration (RADAR) databases were collected. Finally, offender-specific data were extracted and analyzed from CSC's Offender Management System (OMS).

OMS data was used for this study and included all recorded ESA activities that occurred from April 1, 2006 to March 31, 2011. The data for ESA activities in the Atlantic, Québec and Prairies regions were extracted from the 2010-2011 OMS yearly snapshot. Pacific and Ontario regions did not enter their data into OMS. Ontario had data quality issues that will be elaborated on in the limitations that precluded their use for the evaluation.

The final sample included 23,916 ESA activities for the three regions in OMS and 7,491 ESA activities for the Pacific region. It is important to note that one offender may have contributed to more than one ESA activity in the sample period and may also have accounted for more than one sentence. Due to the greater limitations found in the Pacific data and in an attempt to maintain the remaining reliability of the Atlantic, Québec, and Prairies regional OMS data, this region was kept in a separate data set and reported individually. The data was used to perform a descriptive analysis of ESA activities.

Limitations

Two significant limitations were encountered during the analysis of ESAs: an outdated logic model and the condition of the OMS data.

Logic Model

Logic models were developed individually and as needed for each agreement and included unrealistic outcomes for ESAs as a whole. For the purpose of this evaluation, a new logic model was developed that more clearly captured the expected ESA activities and outcomes at a collective level. Although there are several activities within the ESAs that could directly be linked to long-term correctional outcomes, the majority of ESA activities are of a logistical or administrative purpose, and, as such, cannot be expected to contribute to decreased recidivism. The revised logic model is provided in Appendix B.

OMS Data Relating to ESA Administration

Significant roadblocks were encountered with the OMS data pertaining to ESA activities. While performing the data extraction from OMS, it was made apparent that two of the five CSC regions did not enter their ESA data into OMS, namely, the Ontario and Pacific regions. To ensure that these regions were captured in this evaluation, they were asked to complete a spreadsheet listing all ESA activities that occurred in their region from fiscal year 2006-07 to 2010-11. In the Pacific, the document was created with a pre-existing offender tracking system specific to that region. This data was entered by CSC staff into OMS once the offender was accommodated into the CSC institution where they were to serve their sentence. For the Ontario region, there was no tracking mechanism used to collect data on ESA activities and the spreadsheet was completed by manually entering data directly from the offender records. Therefore, the data used for the Ontario and Pacific regions was of a secondary nature.

Additional data quality and reliability issues surfaced. Specifically, the data obtained through OMS and from the Pacific region contained errors pertaining to ESA facilities that were inactive at the time of the ESA activity, ESA activities for federal offenders occurring in federal institutions and ESA activities for provincial offenders occurring in provincial facilities. A few occurrences also presented problems in terms of incorrect or missing end dates for the ESA activities. These occurrences were identified and excluded from the sample, which had repercussions on the representativeness of the data. As a result of the data entry errors described, roughly 10% of the cases were deleted. These challenges should be taken into consideration when examining the data contained in this report.

The data provided by the Ontario region was excluded from the evaluation as a result of the data quality issues already noted. For example, a number of ESA activities could not be associated to an offender such as missing FPS number.

Following the identification of the challenges related to the OMS data, a review of CSC's policies was undertaken. It was found that there are no national policies or procedures that regulate the entering of data into OMS regarding ESA activities. It should be noted, however, that staff in the Ontario Region had a training package describing the procedures required to enter ESA activities for offenders into OMS. Consequently, the lack of national guidelines is an issue, due to potential disparity, not only between, but also within regions, in understanding ESA activities and data.

Regarding the OMS data, other issues were made apparent in regards to the data categories within this ESA field. For instance, the ESA status list provided in OMS (e.g., serving offender, transfer, return to province or territory, psychological assessment, temporary detention, UAL, remand, waiver status) did not provide any explanation of the meaning of each type of status, nor did these status categories appear to be mutually exclusive.

RECOMMENDATION 1: To ensure Exchange of Service Agreements offender data is collected in a uniform and efficient manner, national guidelines should be developed for data management and entry to be followed by all CSC staff responsible for data entry related to ESAs in the Offender Management System (OMS).

Key Findings

Evaluation Objective: Continued Relevance

Expected outcomes: There is a continued need for Exchange of Service Agreements, that the Agreements' goals and objectives are consistent with CSC's priorities and objectives; and, there is alignment with federal government's roles and responsibilities.

FINDING 1: *There is a continued need for Exchange of Service Agreements between CSC and the provinces and territories to ensure Canada's offender population is seamlessly accommodated.*

The responsibility for housing offenders sentenced to a term of incarceration is shared between the federal and the provincial and territorial governments. CSC is responsible for offenders sentenced to two or more years which is approximately 9% of all sentenced inmates entering correctional facilities in Canada (Office of the Parliamentary Budget Officer, 2010). The majority of custodial sentences are the responsibility of the provinces and territories. Provincial and territorial correctional services are responsible for offenders who receive custodial sentences of less than two years and for accommodating persons charged with offences who have been remanded to custody while awaiting trial (Statistics Canada, 1998).

The dual responsibility for sentenced and remanded offenders presents challenges for managing the offender population in terms of accommodation, planning and programming.⁵ Therefore, to effectively administer corrections in Canada, consultations and partnerships between federal, provincial and territorial representatives throughout the criminal justice system are necessary (CSC, 2003). As previously described, an ESA between federal and provincial and territorial correctional departments provides for the required sharing of activities to transfer offenders between locations, temporarily accommodate offenders after initial sentencing or upon suspension, supervise offenders in remote communities, and other activities to ensure a seamless and collaborative correctional system between the different jurisdictions. The majority of these activities are to facilitate the movement of offenders between jurisdictions for a variety of administrative functions and demonstrates where federal, provincial and territorial partners work together in the interest of public safety.

ESAs provide the administrative authority that supports offenders to be supervised closer to their home community, which enhances their reintegration potential by maintaining community relationships. This effective reintegration component was emphasized in the federal government's Independent Review on Federal Corrections (CSC, 2007) which conducted an extensive assessment of CSC's priorities and operations. The Panel recommended that CSC should establish an integrated management approach for federal and territorial offenders through the use of ESAs in northern communities so offenders could be maintained closer to home (CSC, 2007).

Furthermore, overcrowding at correctional institutions and facilities continues to demand the attention of the Heads of Corrections.⁶ Statistically, the provincial and territorial offender remand population increased by more than 80% from 2000-01 to 2008-09 (Public Safety Canada, 2011). This increase can be attributed to the higher number of annual admissions and longer time spent in remand (Porter and Calverley, 2011). Federally, the offender population during the same time period has increased by 9%. These increases present a serious overcrowding challenge for CSC institutions and provincial and territorial correctional facilities.

⁵ Challenges include violent offenders posing a risk to other offenders in an institution, addressing an offender's special needs (including medical and mental health) and emergency management issues.

⁶ Heads of Corrections are the senior executives responsible for correctional services in the provinces and territories. They meet biannually to discuss issues regarding offender management. CSC's Commissioner participates in these meetings and presents the federal correctional point of view.

To address overcrowding, CSC has begun to increase bed capacity by adding more than 2,700 beds in men's and women's institutions across Canada (Marquis, Ly & May, 2011). It is anticipated that CSC will soon be in a better position to provide accommodations for the rising offender population. Overcrowding pressures in provincial and territorial facilities are an issue for all provinces and territories as well. For example, New Brunswick had a 30% increase in their remanded population (Government of New Brunswick, 2009), Ontario's Ministry of Community Safety and Correctional Services stated they were managing capacity pressures through an ongoing operational capacity review and infrastructure initiatives (Government of Ontario, 2010) and Saskatchewan is facing continued overcrowding pressures in adult provincial correctional centers (Government of Saskatchewan, 2009).

Overcrowding will have a significant effect on all three components of the ESAs. Transfers, temporary detentions and providing community correctional services can only occur when there is a bed and/or place available to accommodate the offender. As the offender population increases, the availability of beds and/or places narrows making the exchange of services between jurisdictions increasingly difficult to accommodate given the existing population pressures. There will be a continued need to have ESAs however, there may be a more limited ability to meet this need.

FINDING 2: Exchange of Service Agreements are consistent with CSC priorities and objectives and the mandates of the provinces and territories.

The Agreements' primary objective is to develop an integrated, seamless correctional process in conjunction with the provinces and territories that contributes to public safety (Marquis, Ly, & May, 2011). Specifically, ESAs provide the means for the reciprocal exchange of offender services (transportation, temporary detention and community services) between jurisdictions so as to:

- permit flexibility in the provision of services and programs and, accordingly, to improve efficiency and effectiveness;
- ensure the most advantageous use of available correctional facilities by each jurisdiction;
- provide access to correctional programs;
- provide an appropriate level of security and protection;

- effectively respond to the particular needs of any offender, for example, proximity to home, community or cultural milieu; and
- facilitate the reintegration of offenders as law-abiding citizens.⁷

ESAs incorporate CSC's strategic priority: safe transition to and management of eligible offenders in the community. Through the cooperation of the provincial and territorial correctional services, ESAs provide the means for offenders to be supervised and attend programs closer to their home community which enhances their reintegration potential.

At the same time, ESAs strengthen CSC's strategic priority to develop and maintain "productive relationships with increasingly diverse partners, stakeholders and others involved in public safety" (CSC, 2011b) by collaborating with provinces and territories to meet offenders' needs. Components of ESAs are reviewed annually, thereby keeping communications open between CSC and the provinces and territories. Moreover, previous evaluations have established that ESAs' goals and objectives are consistent with CSC's priorities (CSC, 2008).

ESAs are also consistent with the correctional mission statements and/or mandates for each of the provinces and territories which all include a commitment to promoting law-abiding behaviour and safe, efficient offender management.

FINDING 3: Exchange of Service Agreements goals and objectives align with the federal governments roles and responsibilities.

The 2008 Throne Speech noted that "Canadians look to governments to ensure that the justice system is working effectively and that Canadians are safe. Our government will take tough action against crime and work with partners to improve the administration of justice. More broadly, Canada's criminal justice system will be made more efficient" (Government of Canada, 2008). ESAs articulate the mechanism for CSC and the provinces and territories to collectively address correctional issues.

ESAs provide a formal structure to support meeting the needs of offenders regardless of the location of their home community, allowing for a smooth transition from one jurisdiction to another. The provincial and territorial governments are responsible for the administration of justice including pre-trial detention and prosecution. The CCRA (1992) outlines the roles and

⁷ Source: Office of Primary Interest, May 2011.

responsibilities of CSC to offenders while in custody and under supervision. ESAs support CSC in effectively responding to the particular needs of any offender in CSC's custody with the cooperation of the provinces and territories in accordance with CSC standards.

Evaluation Objective: Program Performance

Expected outcomes: Offenders have been transferred to and from federal, provincial and territorial custody; ESAs have resulted in offenders being supervised in locations closer to home; ESAs have resulted in access to correctional programming; and, ESAs have impacted information sharing and collaboration between CSC and provincial and territorial

Evaluation Objective: Efficiency

FINDING 4: *Although CSC staff and provincial and territorial partners were familiar with ESA activities, protocols and procedures, issues regarding implementation and timing were identified.*

ESA activities, protocols and procedures are specifically identified in each of the agreements. To determine the efficiency of ESAs, CSC and provincial and territorial staff were asked to comment on their familiarity with the activities, protocols and procedures.

Specifically, key informants were asked how familiar they were with the different types of ESA activities. Most respondents indicated they were familiar with the different types of ESA activities (96%, $n = 25$). The majority of respondents also indicated that they were familiar with ESA protocols and procedures (85%, $n = 23$). When asked if they found the ESA protocols and procedures adequate, 89% ($n = 16$) indicated that ESA protocols and procedures were somewhat to very adequate.

While the majority of respondents stated that ESA protocols and procedures were adequate, some CSC and provincial and territorial representatives (9%, $n = 2$) indicated there were issues regarding the application and/or administration of ESAs that could be improved. Others (18%, $n = 4$) stated that more protocols and procedures were needed as there are currently no guidelines.

In a related question, respondents were asked if there were any additional protocols and procedures that they would like to see implemented. One of the most common responses, (22%, $n = 4$) was the need for processes surrounding the sharing of information, including the creation

of a handbook with checklists, schedules and deadlines. Some respondents noted that ESAs were time consuming, both in terms of the frequency of the ESA expiry dates (most ESAs will expire every five years which was stated as being too often) and in terms of the complexity of the approval process (i.e. ESAs continue for an extended period of time without a signed agreement; taking months to acquire necessary signatures). Other respondents suggested protocols regarding financial aspects such as implementation of automatic billing and per diem rates.

For example, the ESA between CSC and Ontario took a very long time to renew. The previous ESA expired in 1990 and the current agreement was not signed until 2010, representing a 20-year lapse between agreements. There were several attempts made during this time to negotiate a new ESA, and one of the main roadblocks was a change in provincial government and Ministers, which in turn, resulted in administrative challenges. CSC and Ontario continued to operate (between 1990 and 2010) as if the Agreement was still in place respecting the terms and conditions of the expired agreement, with Ontario continuing to participate in the bi-annual Heads of Corrections meetings. In April 2010, the Canada-Ontario ESA was signed by both Ministers. This Agreement may be extended by mutual agreement for two further terms of five years each.

Supervision in Home Communities

FINDING 5: There is support for supervision of CSC offenders in their home communities through ESAs.

Included in each of the thirteen ESAs is the possibility that ESAs could support the capacity to enhance the reintegration of offenders by supervising offenders in locations closer to their family, community/cultural milieu, and provide access to appropriate programming. These objectives are clearly noted in the Interjurisdictional Exchange of Service Agreements Guidelines as well, emphasizing the importance of “keeping offenders closer to their home community, in recognition of the value of family and community relationships” and “meeting the cultural needs of individuals and minority groups” (CSC, 2001b). This includes transfer to remote and/or home communities and can be for either community supervision or custodial supervision.

Each ESA has a provision of community supervision in remote or home communities. For federal offenders, this would be where CSC does not have parole offices but where there are provincial or territorial probation offices. Offenders may benefit from being supervised closer to home, with the support of community members and/or family to assist in their reintegration.

Respondents were asked to rate the importance of ESAs providing CSC offenders with an opportunity to be released to home communities which otherwise would not exist. The majority of respondents who answered the question indicated that this was important (96%; $n = 22$).

Furthermore, when asked to explain the importance of ESAs in providing CSC offenders the opportunity to be released to home communities, the most widely cited explanation (54%, $n = 13$) was that it provided this opportunity for offenders from the North. Specifically, ESAs present an opportunity for offenders from the Newfoundland and Labrador, Northwest Territories, Nunavut, and Yukon to return to their home community.

The evaluation team tried to determine if federal offenders, though the use of ESAs, were being supervised in the community by provincial and territorial probation offices to permit them to live closer to their families and home communities where CSC does not have parole offices. This analysis indicated that for the federal offenders who were conditionally released when the ESA took place, the location of these ESAs was a provincial correctional facility, either indicating that the offenders were suspended or revoked on the starting date of the ESA, or that the facility was wrongly entered. In other words, data quality issues with OMS prevented a comprehensive analysis of federal offenders being supervised in communities closer to home in provincial and territorial probation offices.

The evaluation team tried to determine if federal offenders, though the use of ESAs, were being supervised in the community by provincial and territorial probation offices to permit them to live closer to their families and home communities where CSC does not have parole offices. This analysis indicated that for the federal offenders who were conditionally released when the ESA took place, the location of these ESAs was a provincial correctional facility, possibly indicating that they were not being supervised in the community but were rather being detained in a provincial/territorial correctional facility during the time of the ESA. In other words, data quality issues with OMS prevented a comprehensive analysis of federal offenders being supervised in communities closer to home in provincial and territorial probation offices.

However, an excellent example of community supervision in a remote community is an exchange occurring in Whitehorse, Yukon managed by the Pacific region. CSC's ESA with the Yukon provides funding for a Parole Officer who supervises federal offenders at the Yukon Adult Probation Office in Whitehorse. The Parole Officer's main role is to provide release planning, partnership development, and supervise federal offenders once they are released into the community of Whitehorse. Having the Parole Officer in the local community allows federal offenders to be supervised in their remote and/or home community. This is also an excellent example of how CSC has responded to the Independent Review on Federal Corrections (CSC, 2007) recommendation for enhanced offender management in northern communities so offenders could be closer to home.

Custodial supervision is a unique challenge for CSC in Newfoundland and Labrador because there are no CSC penitentiaries. As a result, CSC transfers federal offenders from Newfoundland and Labrador to provincial custody so that they may remain closer to home. Approximately 5% of ESA activities occurred in Newfoundland and Labrador ($n = 1,238$). Further, approximately 124 federal offenders were found to be on ESA status and taking correctional programming in Newfoundland and Labrador.

FINDING 6: *Although rare, provincial and territorial offenders who are being transferred to CSC institutions participate in programming, with the majority of ESA offenders successfully completing their programs.*

All thirteen of the current ESAs include provisions for programming to be offered to offenders who have been transferred interjurisdictionally. Therefore, both provincial and territorial offenders who are transferred into federal custody, and federal offenders who are transferred into provincial and territorial custody, have the opportunity to participate in programming from the receiving jurisdiction.

An analysis of CSC national correctional programs was performed on provincial and territorial offenders in federal custody as well as for federal offenders in provincial and territorial institutions. A national correctional program was assigned and undertaken during the ESA activity periods in approximately one percent ($n = 248$) of ESAs. The majority of offenders had a single program assignment (68%, $n = 168$). However, 19% ($n = 46$) had two program assignments and 14% ($n = 34$) had three or more. Of these 248 offenders who received a

correctional program through an ESA, exactly half ($n = 124$) were federal offenders in provincial custody, and the other half ($n = 124$) were provincial/territorial offenders receiving a correctional program at CSC. The majority of ESA program activities were for offenders who were in permanent detention (99% of provincial/territorial offenders, and 95% of federal offenders), whereas the rest were for offenders in temporary detention (1% of provincial/territorial offenders, and 5% of federal offenders).

Provincial and Territorial Offenders Taking Correctional Programs at CSC

The vast majority (99%) of provincial and territorial offenders that were assigned to a correctional program at CSC were permanently detained by CSC through an ESA. Out of all the provincial and territorial offenders on an ESA for permanent detention ($n = 464$), 27% received a correctional program. It is unclear the reason why the offenders were on an ESA for permanent detention with CSC, but access to correctional programs is an often cited reason for sending provincial/territorial offenders to CSC. Therefore, the fact that only one-quarter of provincial/territorial offenders on permanently detained at CSC were assigned a correctional program may be indicative of issues related to getting offenders into correctional programs. However, only those offenders who received a program had been identified as needing a program, whereas the remaining three-quarters had no assignment to a program. Future evaluation may want to explore the issues around why provincial and territorial offenders on permanent detention not receiving correctional programs. Without further details on the reasons why provincial/territorial offenders were on an ESA for permanent detention at CSC, this remains unclear.

A total of 124 provincial and territorial offenders have taken correctional programs while in CSC custody under ESA status, representing 133 program assignments. Substance abuse programs had the most program assignments (61%, $n = 81$), followed by sex offender prevention programs (17%, $n = 22$), living skills programs (11%, $n = 15$), and family violence prevention programs (9%, $n = 12$).

In all cases, program assignments resulted in a program start. The majority of programs commenced were successfully completed across all program categories. Table 2 provides further details on program status for each PAA program category.

Table 2: Program Status for Provincial and Territorial Offenders in CSC by PAA Program Category among ESA Activity Periods

	Assignments		Starts		Non-completions		Successful Completions	
	N	% ^a	N	% ^b	N	% ^c	N	% ^d
Violence Prevention	1	1%	1	100%	0	0%	1	100%
Sexual Offender	22	17%	22	100%	2	9%	20	91%
Substance Abuse	81	61%	81	100%	10	12%	71	88%
Family Violence Prevention	12	9%	12	100%	5	42%	7	58%
Living Skill	15	11%	15	100%	3	20%	12	80%
Community Correctional Programs	2	2%	2	100%	0	0%	2	100%
Total	133		133		20		113	

Source: OMS

a - Percentage for the number of program assignments by PAA categories was calculated based on the total number of ESA program assignments ($n = 133$). The total percentage is greater than 100 due to rounding.

b - Percentage for the number of program starts was calculated based on the number of program assignments.

c - Percentage for the number of program non-completion was calculated based on the number of program starts. Non-completion includes program drop-outs, program stop due to population management, and unsuccessful program completion.

d - Percentage for the number of successful program completion was calculated based on the number of program starts.

Federal Offenders Taking Correctional Programs in a Provincial/Territorial Institution

The 124 federal offenders taking correctional programs while under ESA status resulted in 157 program assignments. The federal offenders receiving a correctional program in a provincial location under an ESA occurred exclusively in Newfoundland and Labrador.

Substance abuse programs had the most program assignments (64%, $n = 100$), followed by community programs (24%, $n = 37$), violence prevention programs (5%, $n = 8$), and living skills programs (3%, $n = 4$). Similar to provincial and territorial offenders, all program assignments resulted in a program start and the majority were successfully completed across all program categories. CSC does not have penitentiaries in Newfoundland and Labrador and as such, the ESA provides offenders an opportunity to have a custodial supervision closer to home. Table 3 provides further details on program status for each PAA program category.

Table 3: Program Status for Federal Offenders in a Provincial⁸ institution by PAA Program Category among ESA Activity Periods

	Assignments		Starts		Non-completions		Successful Completions	
	N	% ^a	N	% ^b	N	% ^c	N	% ^d
Violence Prevention	8	5%	8	100%	0	0%	8	100%
Substance Abuse	100	64%	100	100%	12	12%	88	88%
Family Violence Prevention	4	3%	4	100%	0	0%	4	100%
Living Skill	8	5%	8	100%	0	0%	8	100%
Community Correctional Programs	37	24%	37	100%	3	8%	34	92%
Total	157		157		15		142	

Source: OMS

a - Percentage for the number of program assignments by PAA categories was calculated based on the total number of assignments (n = 157). The total percentage is greater than 100 due to rounding.

b - Percentage for the number of program starts was calculated based on the number of program assignments.

c - Percentage for the number of program non-completion was calculated based on the number of program starts. Non-completion includes program drop-outs, program stop due to population management, and unsuccessful program completion.

d - Percentage for the number of successful program completion was calculated based on the number of program starts.

FINDING 7: ESAs have positively impacted information sharing between CSC and the provincial and territorial governments, however, opportunities for improvement have been identified.

CSC and provincial and territorial representatives were asked to rate the extent to which information is shared between CSC and provincial and territories. Overall, all CSC respondents noted that a ‘moderate’ to an ‘extensive’ amount of information was shared with the provinces and territories (100%; *n* = 13). Similarly, the majority of provincial and territorial respondents (77%; *n* = 7) indicated that there was information shared although 22% (*n* = 2) noted that ‘no’ information was shared.

Information sharing activities between one particular province and CSC has been identified as deteriorating. For example, under the Canada-New Brunswick Initiative (CNBI), New Brunswick used a joint website hosted by CSC, had regular quarterly joint Management

⁸ Federal offenders receiving programming were held exclusively in Newfoundland and Labrador.

Committee Meetings,⁹ and an electronic interface between the province's Client Information System and CSC's OMS. The New Brunswick Department of Public Safety (NBDPS) and CSC also jointly hosted numerous community focus groups, arranged by NBDPS. Presently, none of these information exchange mechanisms exist.

In particular, New Brunswick identified their former joint electronic interface shared with CSC as an example of best practices¹⁰ for information sharing. The system permitted two-way information sharing of relevant demographic, criminal history and case management information. Unfortunately, the joint interface was dismantled when upgrades were made to CSC's OMS which required New Brunswick to upgrade their computer systems to continue the interface. New Brunswick declined to upgrade their system and the joint interface was dismantled. Three CSC representatives also identified an interface between CSC and the provinces and territories as a best practice. Some of the other best practices noted by CSC staff members included collaborating between CSC and the provinces and territories through training opportunities and developing contact between provinces and territories and the lowest level possible at CSC.

Further, provincial and territorial respondents also shared some best practices for information sharing, including the sharing of offender information electronically rather than by hard copies, having a liaison intelligence officer, prioritizing information sharing on parole and probation, and having monthly meetings between parole supervisors and CSC to share information.

RECOMMENDATION 2: CSC should examine offender information sharing practices with the provinces and territories to identify ways to enhance these procedures. If possible, national practices or policies should be established between CSC and the provinces and territories to provide a standardized approach.

Collaboration

FINDING 8: The majority of CSC, provincial and territorial respondents indicated that ESAs have created and maintained collaboration.

⁹ Joint Management Committees included the Assistant Deputy Minister of Community and Correctional Services, the Deputy Commissioner, Atlantic Region and NHQ's Intergovernmental Relations Division and other officials.

¹⁰ For more best practices, refer to Appendix H Overview of ESAs Best Practices as Reported by Key Informant Interviewees.

The relationship between CSC and the provinces and territories is fundamental to achieving the ESAs' primary objective "to develop an integrated, seamless correctional process in conjunction with the provinces and territories that contributes to public safety" (Marquis, Ly & May, 2011, p.7). Through collaboration, CSC and the provinces and territories address the challenges of providing institutional and community correctional services to offenders. Previous evaluations have reported an increase in coordination between the two organizations and have also rated the "cooperation between the two governments as good to excellent" (CSC, 2008 p.26). While the evaluation of the Agreement between CSC and New Brunswick indicated that positive collaboration existed (CSC, 2008), the practice of transferring sex offenders to CSC no longer exists resulting in less collaboration¹¹ now between the province of New Brunswick and CSC when compared to 2008.

Key informants from CSC and the provinces and territories were asked to comment on the extent to which ESAs created and maintained collaboration between CSC and the provinces and territories. The response was the same for both CSC and provincial and territorial respondents: 88% indicated that ESAs have created and maintained collaboration ($n = 14$ and $n = 7$ respectively). However, 12% of respondents indicated that 'no collaboration' was created and maintained through ESA processes ($n = 2$ CSC respondents and $n = 1$ provincial/territorial respondent).

Key informants were also asked to share best practices regarding collaboration. Respondents suggested enhancing communication and having more face-to-face meetings between peer groups would benefit ESAs. The provision of training to provincial and territorial staff was another stated best practice by both CSC and provincial and territorial representatives.

At the senior executive level, collaboration has been fostered through the development of the Heads of Corrections Forum (HOC). This Forum consists of provincial and territorial representatives, typically the Assistant Deputy Ministers and Directors responsible for corrections, as well as CSC's Commissioner and members of CSC's Executive Committee. The HOC meetings are co-chaired by CSC's Commissioner and the lead for the Provincial and Territorial Heads of Corrections and are held twice per year (Intergovernmental Relations

¹¹ When the previous Correctional Services Co-ordination Agreement was replaced by the current ESA, New Brunswick was unable to send offenders to CSC due to a change in the ESA costing structure for New Brunswick offenders entering federal custody.

Division, 2011). The HOC has a number of sub-committees or working groups which consist of representatives at the operational level.

National Direction

FINDING 9: With respect to ESAs, CSC ' s internal collaboration between the Regions and National Headquarters can be improved.

The current process for negotiating ESAs articulates that the Intergovernmental Relations Directorate provides leadership for the ESA process (Marquis, Ly & May, 2011). CSC has established guidelines (CSC, 2001b) which focus on the negotiation, internal and external approval, implementation and management processes. However, the guidelines do not operationalize these procedures resulting in regional inconsistency regarding the interpretations of the guidelines and an increase in the length of time required to complete these processes. This was particularly evident regarding the negotiation process.

The Interjurisdictional Exchange of Service Agreements Guidelines state that CSC's Director of Intergovernmental Relations chairs the CSC ESA negotiation working group. According to interview data, CSC senior management is not typically present during ESA negotiations and the provinces and territories have expressed frustration with the lack of decision-making power at the hands of the CSC representatives who negotiate with them.

The Interjurisdictional Exchange of Service Agreements Guidelines also defines the roles and responsibilities of both the federal and the provincial and territorial levels of government. However, the roles and responsibilities of the participants involved in the negotiating working group and steering committees, as stated in the Interjurisdictional Exchange of Service Agreements Guidelines, are not well defined. Most respondents indicated that their roles were clear (89%, $n = 17$ of CSC staff and 100%, $n = 9$ of provincial and territorial staff). The Interjurisdictional Exchange of Service Agreements Guidelines describe monitoring and reporting responsibilities as well as operational considerations regarding the ESAs' specific objectives but does not clearly distinguish the roles and responsibilities of National and Regional Headquarters' representatives.

RECOMMENDATION 3: CSC should ensure national and regional governance is clearly articulated to provide clarity regarding the roles and responsibilities of key positions.

Evaluation Objective: Effectiveness

FINDING 10: *ESAs are effective in providing a seamless correctional system within Canada that supports other correctional and reintegration activities.*

The evaluation team tried to compare incidents occurring during an ESA activity to the incidents of the overall federal population to provide results on the security of offenders on ESA status. However, these incident comparisons could not be made.¹²

When looking specifically at escapes from custody, it was reported in the DPRs for the fiscal years 2008-09 and 2009-10, that there were approximately 2 escapes from an institution per 1000 Offender-Person-Years (OPY). Although this rate is not statistically comparable to the raw incident data that is available for ESA activities, it is interesting to note that for all 23,916 ESA activities that occurred from 2006-07 to 2010-11 in the three regions of Atlantic, Québec and Prairies, there was one reported incident of escape from an institution. No definitive conclusions can be drawn from this comparison because there are many aspects of safety and security, and escapes are only one aspect.

ESAs, as previously discussed, provide an administrative function to allow the transport and detention of offenders between jurisdictions. The vast majority (over 95%) of ESA activities are for 30 days or less and involve transporting offenders between locations, while allowing other reintegration activities to occur in both jurisdictions. As such, ESAs are effective at providing a seamless correctional system in Canada that supports other correctional and reintegration activities.

Evaluation Objective: Economy

According to the TB Policy on Evaluation, economy is the assessment of resource utilization in relation to the production of outputs and progress toward expected outcomes.

¹² Although ESA activity incidents were found, the rates could not be calculated for the purpose of the evaluation. For institutional incidents, due to data quality issues, ESA activity length was missing or unreliable in a subset of the sample which would have been required to compare incidents. CSC reports incidents in the Department Performance Report (DPR) in 100 Offender-Person-Years (OPY). This rate is not comparable to the raw incident data that is available for ESAs. For community incidents, the incident was often what prompted the ESA (i.e. the federal offender was involved in an incident that resulted in a suspension and stay in a provincial/territorial remand facility).

Expected Outcomes: Overall cost savings resulting from reductions in institutional costs in relation to investments.
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As an administrative process, ESAs provide the vehicle for payments to be made when offenders are transferred from one jurisdiction to another. The total annual resource allocation value of these agreements in 2009-2010 amounted to \$26,554,966. The ESAs, therefore, constituted 1.40%¹³ of CSC's direct program spending for the 2009-2010 fiscal year.

Due to the operational nature of ESAs, the focus of the economy analysis is primarily cost-efficiency. The principle function of ESAs is to transfer offenders between the different correctional jurisdictions of Canada, and as such, do not have the long-term effectiveness outcome measures to support a cost-effectiveness analysis.

Per Diem Rates

FINDING 11: ESAs are cost-efficient and fair in that the costs invoiced by both parties (CSC and the provinces and territories) are a rate based on the actual costs incurred by each party.

CSC invoices the provinces and territories for offenders involved in ESA activities in CSC institutions based on the annual cost of maintaining an offender (COMO). The COMO is determined by calculating the costs associated with the operation of institutions by security level. Operational costs include all expenditures incurred at the institutional level (excluding capital) as well as a portion of expenditures at the National and Regional Headquarters which are directly attributable to the maintenance of and offender. The COMO is adjusted annually. CSC experiences neither funding gains nor losses as the result of ESA activities.

CSC also averages all ESA provincial and territorial per diem rates and includes the ESA COMO as part of their overall financial reporting structure. CSC's COMO for male and female offenders and the ESA COMO rate between 2006-07 and 2009-10 are listed in Table 4.

¹³ The formula used to determine this percentage is total cost of initiative divided by CSC's total actual spending minus the total actual spending for internal services or $\$26,554,966 / (\$2,265,100,000 - \$368,970,000) = 1.40\%$.

Table 4: CSC's Annual Cost of Maintaining an Offender

Security Level	2006-07	2007-08	2008-09	2009-10
Male				
Maximum	\$121,294	\$135,870	\$147,135	\$150,808
Medium	\$80,545	\$87,498	\$93,782	\$98,219
Minimum	\$83,297	\$89,377	\$93,492	\$95,038
Female	\$166,830	\$182,506	\$203,061	\$211,093
ESAs	77,428	77,762	87,866	89,800

Source: Correctional Service of Canada, 2009-10

The provinces and territories invoice CSC for federal offenders participating in ESA activities based on an annually determined per diem rate. The Interjurisdictional Exchange of Service Agreements Guidelines allows for provinces and territories, as part of the ESA negotiations, to select an appropriate structure for payment when federal offenders are in their care.

The per diem rates are derived from the actual costs incurred by the provinces and territories from the previous fiscal year in accordance with their ESAs' schedule of costs. In the first quarter of each fiscal year, per diem rates are approved at the regional level and submitted, through the Regional Deputy Commissioner approved Regional Capital, Accommodation and Operations Plan, to NHQ Corporate Services for inclusion in CSC's National Capital, Accommodation and Operations Plan.

Dependent on the province, the per diems rates can increase annually commensurate with the Consumer Price Index for costs included in the ESAs' Chart of Accounts and the specific arrangements are determined in each agreement.

Table 5 and Table 6 represent the per diem rates for each province and territory accommodating federal offenders between fiscal years 2008/2009 and 2010/2011. The cost of accommodating a female offender is higher due to the smaller number of female offenders and the related higher cost to provide equitable programs and services (CSC, 2011c).

Table 5: Daily Per Diem Rates for CSC Male Offenders in Provincial/Territorial Facilities

	2008/2009	2009/2010	2010/2011
	\$	\$	\$
British Columbia	\$159.42	\$166.21	\$156.51
Alberta	\$150.00 (TD)	\$159.42 (TD)	\$164.70 (TD)
Saskatchewan	\$150.00	\$152.39	\$156.36 (TD)
Manitoba	\$149.14 (TD)	\$153.00 (TD)	\$155.17 (TD)
Ontario	\$185.00	\$185.00	\$185.00
Québec	\$213.70	\$217.30	\$229.27
New Brunswick	\$142.16 (T)	\$138.00	\$138.44
Nova Scotia	\$186.30	\$186.30	\$215.71
Prince Edward Island	\$196.00	\$183.00	\$187.24
Newfoundland/Labrador	\$197.27	\$193.00	\$196.23
Northwest Territories	\$185.02	\$286.00	\$286.00
Yukon	\$315.00	\$315.00	\$260.42
Nunavut	\$249.10	\$249.10	\$240.00
For comparison*			--**
CSC Maximum Security	\$403.11	\$413.17	
CSC Medium Security	\$256.94	\$269.09	
CSC Minimum Security	\$256.14	\$260.38	

Source: NCAOP

Note: (T) = Transfer / (TD) = Temporary Detention

* Obtained by dividing the annual Cost of Maintaining an Offender (COMO) on ESA (see Table 10) and dividing by 365.

** The annual COMO for 2010/2011 was not available at the time of writing.

Table 6: Daily Per Diem Rates for CSC Female Offenders in Provincial and Territorial Facilities

	2008/2009	2009/2010	2010/2011
	\$	\$	\$
British Columbia	\$201.00	\$196.10	\$178.30
Alberta	\$150.00	\$159.42	\$164.70
Saskatchewan	\$150.00	\$152.39	\$156.36
Manitoba	\$149.14	\$153.00	\$155.17
Ontario	\$185.00	\$185.00	\$185.00
Québec	\$238.13	\$242.20	258.01
New Brunswick	\$162.48	\$131.00 (T)	\$138.44
		\$118.00 (TD)	
Nova Scotia	\$186.30	\$186.30	\$215.71
Prince Edward Island	\$196.00	\$183.00	\$187.24
Newfoundland/Labrador	\$197.27	\$193.00	\$196.23
Northwest Territories	\$185.02	\$286.00	\$286.00
Yukon	\$315.00	\$315.00	\$260.42
Nunavut	\$0	\$0	\$0
For comparison*			--**
CSC Women	\$556.33	\$578.34	

Source: NCAOP

Note: (T) = Transfer / (TD) = Temporary Detention

* Obtained by dividing the annual Cost of Maintaining an Offender (COMO) on ESA (see Table 10) and dividing by 365.

** The annual COMO for 2010/2011 was not available at the time of writing.

Conclusions

ESAs perform a necessary function within Canada because the correctional system is separated between two jurisdictions, wherein the provinces and territories are responsible for offenders serving sentences of less than two years, and CSC is responsible for sentence of two years or more. This interjurisdictional separation requires administrative agreements to allow offenders to be transferred to and from jurisdictions for various reasons.

ESAs were found to be effective in providing provincial and territorial offenders access to correctional programs and allowing offenders to be supervised closer to home.

ESAs provided information sharing opportunities, however improvements were suggested by key informants. As well, collaboration was created and maintained between CSC and the provinces and territories. A summary of best practices suggested by key informants can be found in Appendix J.

The current and the anticipated future population pressures on federal, provincial and territorial corrections will require all parties to focus continued efforts to find innovative approaches to work together to manage offenders in Canadian custody.

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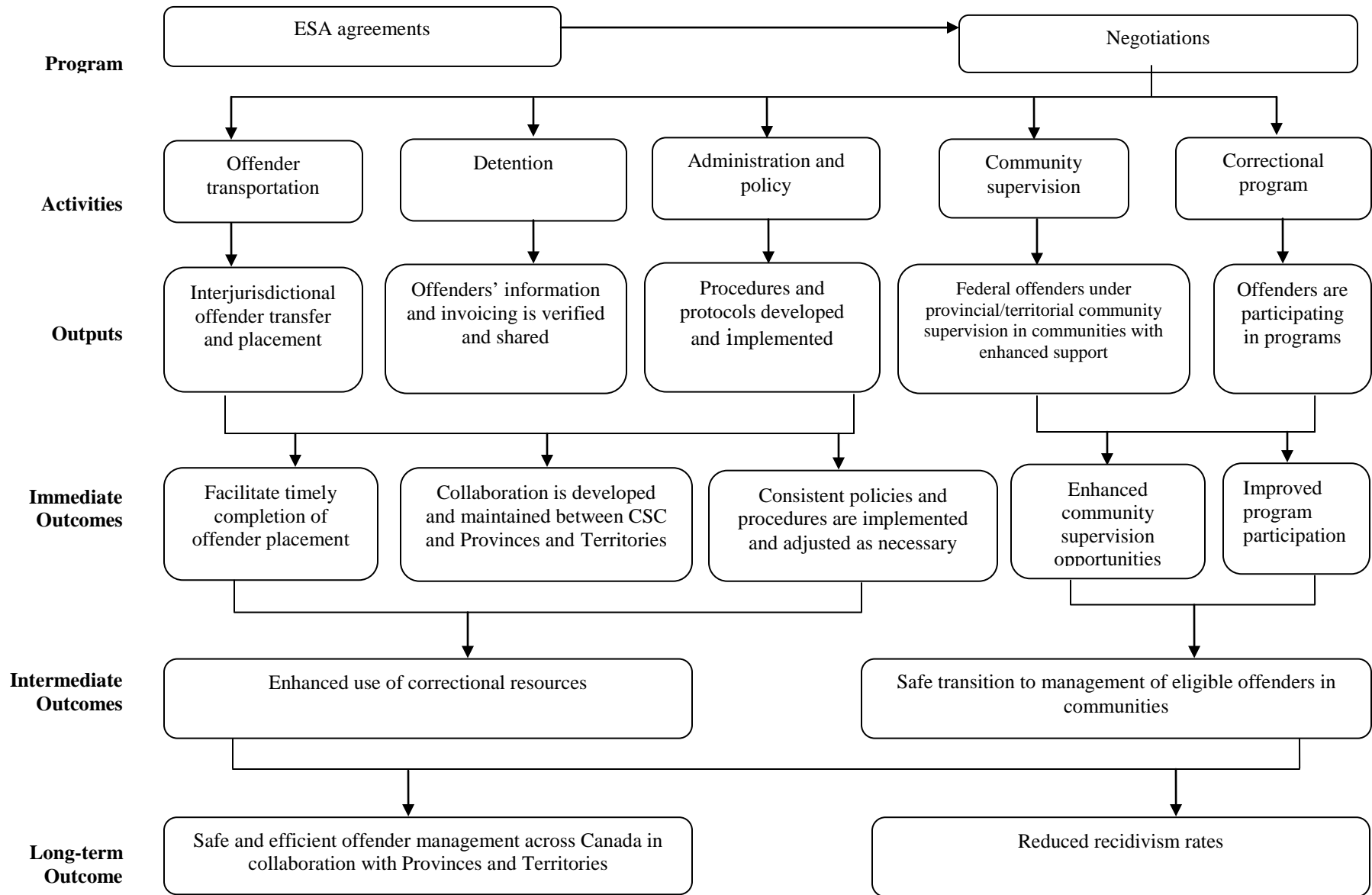
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APPENDIX A : Evaluation Matrix

Question	Indicator	Method/Source
RELEVANCE: An assessment of the extent to which ESAs continue to address a demonstrable need, align with government priorities, and link with federal government roles and responsibilities.		
1. Is there a continued need for the exchange of services between the federal government and provincial and territorial governments?	Current and estimated number of national CSC offenders and institutional capacity Current and estimated number of provincial and territorial offenders and institutional capacity Stakeholder perceptions of the needs and rationale for ESAs	Document review (agreements; previous evaluations; business case) Database review (OMS) Interviews and/or questionnaires with stakeholders
2. To what extent are the ESAs' goals and objectives consistent with CSC's priorities and objectives?	CSC vision, mission and priorities Provincial correctional ministries' vision, mission and priorities Perceptions of stakeholders that ESAs' and CSC's goals and objectives are consistent	Document review (agreements; previous evaluations; CSC mission statements; corporate priorities; and, provincial correctional ministry's mission and priorities) Interviews and/or questionnaires with stakeholders
3. How do the ESAs' goals align with the federal government's roles and responsibilities?	Roles and responsibilities as defined in the ESA Federal government roles and responsibilities Perceptions of stakeholders that roles and responsibilities were understood	Document review (agreements; previous evaluations; and, federal government priorities) Interviews and/or questionnaires with stakeholders
PERFORMANCE: An assessment of the effectiveness, efficiency and economy of the ESA relating to the achievement of expected outputs and outcomes as well as resource utilization.		
Efficiency		
4. To what extent have offenders been transferred to and from federal and provincial custody and to remote communities?	Number, type, profile and reason for federal offender transfers to provincial and territorial custody Number, type, profile and reason for provincial offender transfers to federal custody Number of community released federal and provincial offenders into remote communities Perceptions of stakeholders regarding transfers to and from federal custody	Document review (agreements and previous evaluations, reviews, and audits) Database review (OMS) Interviews and/or questionnaires with stakeholders
5. To what extent have ESAs resulted in access to correctional programming (institutional and community) for provincial and federal offenders?	Number and percentage of provincial offenders participating in or completed institutional and community correctional programs Perceptions of stakeholders concerning access to institutional and community correctional programming	Document review (previous evaluations, reviews, and audits) Database review (OMS) Interviews and/or questionnaires with stakeholders
6. How have ESAs impacted information sharing and	Frequency of contacts between CSC and the provincial and territorial governments	Document review (agreements and previous evaluations,

Question	Indicator	Method/Source
collaboration between CSC and the provincial and territorial governments?	Evidence of federal-provincial collaboration on joint initiatives Stakeholder's perception of information sharing and collaboration	reviews, and audits) Interviews and/or questionnaires with stakeholders
7. Is there an alternative means to manage the needs of CSC offenders?	Stakeholders' perceptions of alternative service deliver	Interview and/or questionnaires with stakeholders
Effectiveness		
8. Has CSC maintained its ability to ensure effective custody and supervision of federal offenders in provincial and territorial institutions and under provincial and territorial community supervision?	Incidents of UAL in provincial and territorial institutions and while under community supervision	Database review (OMS)
9. To what extent have the needs of offenders been met through the ESA activities?	Number, type, profile and reason for federal offender transfers to provincial and territorial custody Number, type, profile and reason for provincial offender transfers to federal custody Perceptions of stakeholders that offenders' needs are being met	Database review (OMS) Interviews and/or questionnaires with stakeholders
Economy		
10. Are the ESAs operating in a cost-efficient manner?	Budgeted and actual costs for CSC and provinces and territories Stakeholder perception that ESAs are cost efficient	Database review (IFMMS) Interviews and/or questionnaires with stakeholders
11. Have there been overall cost savings as a result of the ESAs?	Comparison of costs of supervising offenders in federal institutions and provincial facilities at various security levels Perceptions of stakeholders related to ESA costs	Database review (IFMMS and OMS) Document review (Public Safety Canada reports) Cost of maintaining offender rates Interviews and/or questionnaires with stakeholders

APPENDIX B: Logic Model



APPENDIX C: ESA Activity Profile

A thorough analysis of CSC's Offender Management System (OMS) revealed that ESA activities are used for a variety of purposes and involve offenders presenting diverse demographic and sentence characteristics. The following section provides a brief overview of the use of ESA activities over the last five year period, as well as a profile of the participants.

Throughout fiscal years 2006-07 to 2010-11, a total of 26,631 ESA offender activities were recorded in OMS for the regions of Atlantic, Québec, and Prairies. Pacific and Ontario regions did not enter ESA data in OMS. However, as a result of a request made by the Evaluation team, the Pacific and Ontario regions provided retrospective data indicating that there had been respectively 8,134 and 10,628 ESA activities in those regions. Unfortunately, due to the various data quality issues encountered, as described in the limitations section, these numbers were reduced once the data was sorted and cleaned. Specifically, 23,916 ESA activities remained for the Atlantic, Québec, and Prairies OMS data, namely 3,123 (13%) in Atlantic, 9,701 (41%) in Québec, and 11,092 (46%) in Prairies. Furthermore, the Pacific region counted 7,491 ESA activities. In the case of the Ontario region, the extent of the data quality issues prevented performing any analyses on the data provided, thus they were not included in this report.

These ESA activities were conducted in over 98 federal, provincial and territorial facilities, 74 of which were for the three regions captured by the OMS data and 24 from the Pacific region.

The majority of ESA activities were associated with federal offenders being supervised by provincial and territorial correctional authorities (98%, $n = 23,391$ for OMS regions [Atlantic, Québec and Prairies] and 100% for Pacific), whereas ESA activities pertaining to provincial and territorial offenders under federal supervision represented 2% ($n = 483$) of occurrences for OMS regions and none for the Pacific region.

The ESA activities were found to be conducted for various purposes. A high proportion of ESA activities recorded in the Atlantic, Québec and Prairies regions occurred for temporary detention (51%, $n = 12,114$) or for detention of newly sentenced offenders on waiver status¹⁴ (43%, $n = 10,237$). Only 6% ($n = 1,345$) of ESA activities were used for permanent detention of

¹⁴ Waiver status refers to newly sentenced federal offenders. Following the sentencing decision, the offender has a certain number of days to sign a waiver form to be transferred to a federal institution. In the meantime, offenders are detained in a provincial facility under the ESA.

offenders in either provincial and territorial or federal institutions. This specific ESA activity, however, represented 96% ($n = 464$) of the ESA activities involving provincial offenders. Other less prominent reasons for ESA activities included offenders on remand, offenders undergoing psychological assessments, supervision of offenders in the community on day parole, full parole and statutory release, offenders in the community returning to custody, and Lieutenant Governor Warrants. The ESA activities recorded in the Pacific region also listed multiple purposes; the most common being offender transfers/transportation (46%, $n = 3,508$), temporary detention of offenders on waiver status (27%, $n = 2,007$) and pre-trial detention (14%, $n = 1,057$). An extensive list of ESA activity purposes is provided in Appendix D.

Overall, the number of days allotted for each ESA activity in OMS ranged from 1 to 993, but over 90% ($n = 21,361$) of ESA activities had a duration of 30 days or less. ESA activities for the Pacific region varied from 1 to 568 days in length, but again, the majority (96%, $n = 7,208$) were 30 days or less. On average, each ESA activity lasted for 16 days for the Atlantic, Québec, and Prairies OMS data and 10 days for the Pacific data.¹⁵

¹⁵ This information was not calculated for the Pacific region due to data reliability issues.

APPENDIX D: Purposes for ESA Activities from FY 2006-07 to 2010-11

	<i>N</i>	%
Temporary detention	12,114	50.65
Waiver Status	10,237	42.80
Serving inmate	1,345	5.62
Psychological assessment	106	0.44
Day parole	40	0.17
Remand	37	0.15
LGW	13	0.05
Full parole	7	0.03
Statutory Release	5	0.02
Unlawfully at large (UAL)	5	0.02
Caution	4	0.02
Return to provincial custody	1	0
Day parole CRC	1	0
Warrant expiry	1	0

Source: OMS (2011)

APPENDIX E: Risk, Need, Motivation and Reintegration Potential of Offenders Associated to ESA Activities (Atlantic, Québec, and Prairies Regional OMS Data) for Federal and Provincial and Territorial Offenders

	Low		Medium		High	
	N	%	N	%	N	%
Risk	1549	12%	6525	49%	5128	39%
Need	717	5%	4992	38%	7494	57%
Motivation	2414	18%	7591	58%	3195	24%
Reintegration Potential	3872	29%	6670	51%	2658	20%

Source: OMS (2011)

APPENDIX F: Risk, Need, Motivation and Reintegration Potential of Offenders Associated to ESA Activities (Pacific Data) for Federal and Provincial and Territorial Offenders

	Low		Medium		High	
	N	%	N	%	N	%
Risk	512	9%	2220	40%	2821	51%
Need	234	4%	1773	32%	3546	64%
Motivation	847	15%	3317	60%	1385	25%
Reintegration Potential	1926	35%	2729	50%	874	16%

Source: OMS (2011)

APPENDIX G: Institutional Incidents Having Occurred during ESA Activities from FY 2006-07 to 2010-11

Institutional Incidents		
	N	%
Protective custody request	25	26%
Disciplinary problems	17	18%
Other incidents	13	14%
Intelligence	10	11%
Possession of contraband	9	9%
Possession unauthorized item	5	5%
Offender arrested	2	2%
Assault on inmate	3	3%
Assault on staff	3	3%
Inmate fight	2	2%
Threat staff	2	2%
Receive/transport contraband	1	1%
Exceptional search	1	1%
Under the influence	1	1%
Damage to government property	1	1%
Total Institutional Incidents	95	100

Source: OMS (2011)

APPENDIX H: Overview of ESA Best Practices as Reported by Key Informant Interviewees

	Best practices - Implemented	Areas for improvement
Collaboration (between CSC and Provinces and Territories)	<ul style="list-style-type: none"> ➤ Collaboration has been established at the senior executive level through the development of the Heads of Corrections Forum (HOC) ➤ Creation of HOC sub-committees or working groups which consist of representatives at the operational level 	<ul style="list-style-type: none"> ➤ Enhancing communication through face-to-face meetings between peer groups ➤ Providing training to provincial and territorial staff members
Collaboration (between the Regions and NHQ)	<ul style="list-style-type: none"> ➤ Development of Guidelines 541 (2001) which focused on the negotiation, internal and external approval, implementation and management processes 	<ul style="list-style-type: none"> ➤ Clearly articulate roles and responsibilities in either a national guideline or job descriptions, to ascertain the regional government's responsibility for ESA management ➤ Update the ESA policy to ensure that ESAs are implemented nationally and develop a communications strategy to deliver the updates throughout CSC and to the provinces and territories
Information Sharing	<ul style="list-style-type: none"> ➤ Connecting CSC and the provinces and territories through training opportunities 	<ul style="list-style-type: none"> ➤ Implementation of a joint electronic interface between CSC and Provinces/Territories ➤ Implementation of monthly meetings between parole supervisors and CSC to share information ➤ Developing contact between provinces and territories and the lowest level possible at CSC ➤ Sharing of offender information electronically rather than by hard copies ➤ Having a liaison intelligence officer ➤ Prioritizing information sharing on parole and probation

OMS Data Entry	<ul style="list-style-type: none"> ➤ Creation of an OMS data screen to collect relevant information on ESA activities 	<ul style="list-style-type: none"> ➤ Development of guidelines or a manual on OMS data entry for ESA activities ➤ Development and implementation of OMS training specific to ESA data entry for all CSC staff responsible for ESA OMS data entry
Protocols and Procedures	<ul style="list-style-type: none"> ➤ Identification of protocols and procedures specifically in each of the agreements 	<ul style="list-style-type: none"> ➤ Creation of a handbook with checklists, schedules and deadlines