



Report of the Auditor General of Canada to the Northwest Territories Legislative Assembly—2015

Corrections in the Northwest Territories—
Department of Justice



Office of the Auditor General of Canada
Bureau du vérificateur général du Canada

OAG-BVG

Ce document est également publié en français.

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Cat. No. FA3-94/3-2015E-PDF
ISBN 978-1-100-25721-1





Auditor General of Canada
Vérificateur général du Canada

To the Honourable Speaker of the Northwest Territories Legislative Assembly:

I have the honour to transmit herewith my report on Corrections in the Northwest Territories — Department of Justice to the Northwest Territories Legislative Assembly in accordance with the provisions of section 41 of the *Northwest Territories Devolution Act*.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Ferguson'.

Michael Ferguson, CPA, CA
FCA (New Brunswick)

OTTAWA, 3 March 2015

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Introduction

Background

Role and mandate

1. Under the Minister of Justice, the Department of Justice is responsible for corrections services in the Northwest Territories, as outlined in the *Corrections Act* and the *Corrections Service Regulations*. Within the Department, the Corrections Service is responsible for probation, parole, aftercare, and adult institutional services. It is also responsible for the custodial detention of youth as well as their supervision in the community under the federal *Youth Criminal Justice Act* and territorial *Youth Justice Act*. Its mission is to manage offenders in the least restrictive manner possible, and to provide opportunities for their rehabilitation and reintegration through holistic and culturally relevant approaches for the common good of society.
2. There are four adult facilities and one youth facility in the territory: the North Slave Correctional Centre, the South Mackenzie Correctional Centre, the Fort Smith Correctional Complex (Male Unit), the Fort Smith Correctional Complex (Female Unit), and the North Slave Young Offender Facility (Exhibit 1). The territory's facilities house **inmates on remand** and those who have been sentenced to terms of incarceration shorter than two years, as well as some federal offenders who are serving longer terms of incarceration. The facilities also house some offenders from Nunavut due to overcrowding in facilities there.
3. According to the *Corrections Act*, the *Corrections Service Regulations*, and Corrections Service directives, the Department, through Corrections Service, is responsible for the administration of correctional facilities, including their safe, secure, and efficient operation. The Department is also responsible for developing and providing access to programs and services that assist inmates in their rehabilitation and reintegration. Under its Corrections Service directives, the Department is responsible for ensuring that mental health services are provided to inmates, just as they are to be provided to residents of the Northwest Territories, under the *Mental Health Act*.

Inmate on remand—A person who has been charged with an offence and ordered by the court to be detained in custody while awaiting a further court appearance.

Exhibit 1 The Northwest Territories' five correctional facilities vary in their security levels, purposes, and the number of inmates they can house

| Facility | Year of construction | Security level* | Purpose | Capacity (inmates) | Occupancy—2012–13 fiscal year (number of inmates) | | Occupancy—2013–14 fiscal year (number of inmates) | |
|---|---|--------------------|--|--------------------|---|------|---|------|
| Adult male facilities | | | | | | | | |
| North Slave Correctional Centre (Yellowknife) | 2004 (replaced the Yellowknife Correctional Centre) | Minimum to maximum | Holds higher-risk inmates who need additional security and the majority of remanded inmates | 148 | Average | Peak | Average | Peak |
| Fort Smith Correctional Complex—Male Unit (Fort Smith) | 1989 | Minimum to maximum | Holds inmates who have special needs, including those who may have brain injuries, fetal alcohol spectrum disorder, or other cognitive impairments | 21 | 13 | 19 | 14 | 18 |
| South Mackenzie Correctional Centre (Hay River) | 1979, with major renovations completed in 1988 | Minimum | Generally holds lower-risk inmates, many of whom are serving the end of their sentence | 56 | 30 | 44 | 37 | 47 |
| Adult female facility | | | | | | | | |
| Fort Smith Correctional Complex—Female Unit (Fort Smith) | 1960s, with partial renovations in the early 1990s | Minimum | Holds adult female inmates and is the only adult female facility in the territory | 20 | 8 | 14 | 8 | 13 |
| Youth facility | | | | | | | | |
| North Slave Young Offender Facility (Yellowknife) | 2002 | Minimum to maximum | With the closure of the Arctic Tern Young Offender Facility in 2011, this facility holds both male and female young offenders | 25 | 6 | 11 | 6 | 9 |
| * A correctional facility is intended to accommodate inmates who have particular security levels. This affects the design of the facility and determines the extent of control of inmates within the facility. Source: Department of Justice | | | | | | | | |

* A correctional facility is intended to accommodate inmates who have particular security levels. This affects the design of the facility and determines the extent of control of inmates within the facility.

Source: Department of Justice

Operating environment

4. Corrections is a significant issue in the Northwest Territories. According to Statistics Canada, the territory's crime rate in 2013 was the highest in the country. Department data shows there were 692 adult male admissions to correctional facilities in the 2013–14 fiscal year, including 653 at the North Slave Correctional Centre and 14 at the Fort Smith Correctional Complex (Male Unit). The figures include both remanded and sentenced admissions directly to facilities, excluding transfers between facilities.

5. In the 2013–14 fiscal year, approximately \$38 million was allocated to the Corrections Service. This represented about 32 percent of the Department's operations expenditures and included almost \$29 million for adult and youth facilities. In the 2013–14 fiscal year, the Department spent about \$14 million to operate the North Slave Correctional Centre and almost \$6 million to operate the Fort Smith Correctional Complex (male and female units). There are 267 funded positions in the Corrections Service, with about 100 funded positions at the North Slave facility and 21 at the Fort Smith male facility.

Current challenges

6. The Northwest Territories faces a variety of demographic and social realities that the Department acknowledges can contribute to higher crime rates. The Department points to a relatively young population, low educational attainment, and widespread misuse of drugs and alcohol, often related to the traumatic impact of residential schools. In this context, the Department of Justice faces several challenges, including managing a population where the majority of admissions are for violent offences, and for whom substance abuse, anger management, and mental health issues are significant concerns. In addition, according to the Department, many inmates are affected by fetal alcohol spectrum disorder, but few are medically diagnosed.

7. Across the territory, and particularly outside of Yellowknife, there are significant gaps in programs and services in communities, including for offenders. Therefore, it is especially important for inmates to get access to rehabilitation programs and services when they are in custody, to support their reintegration into the community and help decrease the likelihood of future contact with the criminal justice system. However, some inmates spend only a few months in custody, which poses challenges for the Department in adapting the type and frequency of programs and services to meet inmates' needs.

Focus of the audit

8. This audit focused on whether the Department of Justice was meeting its key responsibilities for inmates within the correctional system. We audited whether the Department of Justice
 - adequately managed inmates in compliance with key rehabilitation and reintegration requirements, and
 - adequately planned for and operated facilities to house inmates.
9. This audit is important because corrections is a significant issue in the Northwest Territories. The correctional system plays a critical role in protecting the public through the supervision of inmates in custody and the operation of correctional programs to assist in their rehabilitation.
10. We did not examine court services, sentencing decisions, community corrections, or community justice programs. We also did not audit inmate case management for youth or women in custody.
11. More details about the audit objectives, scope, approach, and criteria are in **About the Audit** at the end of this report.

Findings, Recommendations, and Responses

Inmate case management

Serious case management deficiencies limit the Department's efforts to rehabilitate inmates

Overall finding



12. Overall, we found that there are serious deficiencies in case management for inmates at the North Slave and Fort Smith (Male Unit) correctional facilities. These deficiencies limit the Department's efforts to rehabilitate inmates and prepare them for release back to the community. For those inmates with shorter sentences—who make up about half of the inmate population—the Department had not assessed the reasons for their criminal behaviour, nor had it assessed their literacy levels or intellectual functioning to develop plans for their rehabilitation. Without this information, the Department cannot assess whether the programs it offers meet the needs of inmates, in order to ensure that it is fulfilling its obligation to assist in their rehabilitation. For the half of the inmate population with longer sentences, while the Department identified rehabilitation programs to help address their criminal behaviour, it did not adequately deliver these programs. For example, some inmates identified as needing long-term, individual support to cope with alcohol or drug dependency only received weekly group Alcoholics Anonymous meetings. In other cases, inmates did not receive any programming, as it was not offered during their period of incarceration.

13. This is important because the Department has a responsibility under the *Corrections Act* to provide for the correction and treatment of offenders and protection of the community through the provision of programs and services to inmates. These serious deficiencies in case management mean that many inmates are returning to their communities without having received the support that may have assisted them in their rehabilitation and reintegration.

14. Our analysis supporting this finding presents what we examined and discusses

- case management assessments,
- case plans for inmates,
- access to rehabilitation programs,
- access to mental health services,
- monitoring inmates' progress,
- planning for inmates' release, and
- recent departmental efforts to improve case management.

Context

15. Case management is a process that includes gathering information about an inmate, assessing his needs and risks, creating a case plan that sets expectations for behavioural change, and reviewing the inmate's progress regularly. The correctional programs offered to inmates are intended to assist in their personal development and rehabilitation, and to help prepare them for successful reintegration into the community.

16. The case management process in Northwest Territories' facilities includes specific requirements related to

- assessment of inmates' needs and risks,
- development of case plans for inmates,
- inmates' access to rehabilitation programs and mental health services,
- monitoring of inmates' progress, and
- planning for inmates' release back into the community.

17. The case management requirements set out in the Corrections Service directives apply to all inmates serving a custodial sentence, regardless of their length of sentence.

18. The management of an inmate's case is required to begin upon admission to a facility. The Corrections Service directives require that a case management team work together to continually develop, implement, and evaluate a case management plan to guide rehabilitation efforts for each inmate serving a custodial sentence. Compliance with the requirements of the *Corrections Act* and directives is key to ensuring that inmates receive the maximum benefit from rehabilitation and

reintegration efforts tailored to their risks and needs before returning to their communities. It is therefore imperative that case management requirements are met for each inmate.

19. The Northwest Territories' violent crime rate is among the highest in the country. According to the Department's data, most criminal convictions of adult males were for violent crimes. Most of the inmate population is Aboriginal, and the average age of sentenced adult males is 31 years. Department data also indicates that alcohol and drug use are risk factors among inmates, and there are no substance abuse treatment centres currently operating in the Northwest Territories.

20. Because of these concerns, it is especially important for inmates to have access to the programs and services they need when in custody. Department officials informed us that in addition to accessing programs and services, efforts to assist inmates in their rehabilitation are also undertaken informally, as the day-to-day structure of a correctional facility environment and interactions with correctional staff offer valuable supports to some inmates.

21. We reviewed 48 inmate files from the North Slave Correctional Centre and the Fort Smith Correctional Complex (Male Unit). Most of these inmates were Aboriginal and most had committed offences involving alcohol or drugs. Almost all of these inmates had previous convictions, and over half were serving sentences for violent offences and had a long criminal history, with multiple prior incarcerations.

Recommendations

22. Our recommendations in this area of examination appear at paragraphs 27, 31, 42, 48, 52, and 54.

Analysis to support this finding

23. **What we examined.** We examined whether the Department followed the required processes, as set out in the *Corrections Act* and Corrections Service directives, for the management of inmates' cases while incarcerated. We looked at the Department's case management practices in the North Slave and the Fort Smith (Male Unit) correctional facilities by examining the files of 48 male inmates who were serving a custodial sentence at these facilities between 1 April 2012 and 31 March 2014 (Exhibit 2).

24. **Case management assessments.** Under the *Corrections Act* and Corrections Service directives, inmates are to have access to correctional programs aimed at their rehabilitation. Completing a case management assessment for inmates is a key step in identifying the reasons for an inmate's criminal behaviour and the programs they need to reduce the likelihood of reoffending. We found that all of the inmates we examined with sentences of 120 days or more received case management assessments, although not all assessments were completed within the required 45-day timeframe.

Exhibit 2 Key case management requirements are not being met at the North Slave and Fort Smith (Male Unit) correctional facilities

| Case management requirements | | Results at North Slave Correctional Centre and Fort Smith Correctional Complex (Male Unit) | |
|--|---------------------------------|--|---|
| | | Inmates with sentences of less than 120 days (25 inmates) | Inmates with sentences of 120 days or more (23 inmates) |
| Conduct case management assessments (to identify reasons for criminal behaviour) | | 0% (0 of 25 files) | 100% (21 of 21 files ¹) 71% (15 of 21 files) were done on time |
| Develop a case plan | | 40% (10 of 25 files) | 86% (18 of 21 files ²) |
| Provide access to rehabilitation programs ³ | General rehabilitation programs | 36% (9 of 25 files) | 87% (20 of 23 files) |
| | Offence-specific programs | 0% (0 of 23 files ⁴) | 63% (12 of 19 files ⁵) |
| Provide access to mental health services (for inmates identified as requiring those services) ⁶ | | 71% (5 of 7 files) | |
| Monitor inmate's progress | | 0% (0 of 23 files ⁷) | 81% (17 of 21 files ⁸) |
| Create a plan for the inmate's release ⁹ | | 53% (9 of 17 files) | 86% (12 of 14 files) |
| ¹ Two inmates were transferred to another facility outside the scope of our audit. ² Two inmates were transferred to another facility outside the scope of our audit. ³ Results are based on number of inmates who took programs, according to the facilities' files. ⁴ Two inmates were transferred to another facility outside the scope of our audit. ⁵ Four inmates were transferred to another facility outside the scope of our audit. ⁶ In total, seven inmates requested or were recommended for mental health services. ⁷ Two inmates were transferred to another facility outside the scope of our audit. ⁸ Two inmates were transferred to another facility outside the scope of our audit. ⁹ At the time of file review, some inmates were still serving sentences or had been moved to other facilities outside of the audit scope prior to their release. | | | |

25. We found, however, that the Department did not conduct these assessments for inmates who have sentences of less than 120 days, despite the fact that these accounted for over half of the overall inmate population (Exhibit 3). This was confirmed in the files we reviewed, where we found that case management assessments were not conducted for any inmates with a sentence of less than 120 days. Moreover, inmates can spend months and, in some cases, more than a year in a facility on remand before receiving a sentence. This means that many of these inmates can spend extended periods of time in facilities without ever being assessed.

26. The Department's decision to assess only those inmates serving sentences of 120 days or more means that a significant number of inmates may be missing opportunities to access programs aimed specifically at their rehabilitation, which is one of the primary objectives of the *Corrections Act*.

Exhibit 3 Sentence lengths for adult male inmates in Northwest Territories' facilities in the 2013–14 fiscal year

| Sentence lengths | Total |
|--|------------|
| 1–119 days | 240 (53%) |
| 120 days or more | 212 (47%) |
| Total | 452 |
| Note: These departmental figures represent inmates sentenced to a period of incarceration across all Northwest Territories' facilities. Source: Department of Justice | |

27. **Recommendation.** The Department of Justice should ensure that inmates receive case management assessments, consistent with requirements of the Corrections Service directives, to identify their needs, risks, and the appropriate programs to assist in their rehabilitation. The Department should ensure that this information forms part of inmates' case management plans.

***The Department's response.** Agreed. The Department of Justice, Corrections Service incarcerates inmates for continuous sentences, intermittent sentences, and remanded periods of time. The Department begins an assessment process when an inmate arrives. Various assessments are used in the Corrections Service to assist in offender management, including use of the Inmate Security Assessment, Suicide Risk Assessment, medical clearance process, security rating process, case management meetings, counselling or psychologist sessions, assessments or interviews by a program delivery officer, and offence-specific assessment tools (for example, anger, violence, sex offender). By the fall of 2015, the Department will be conducting a review of all Corrections Service directives; this will include a review of inmate case management assessments to ensure that all assessments are properly reflected in the directives. The Department will be reviewing options regarding assessments and will expand its approach to ensure that all inmates, regardless of incarceration status (sentenced, remanded, intermittent), receive appropriate assessments. The Department will complete an initial review and analysis of options for assessments by fall 2015.*

28. **Case plans for inmates.** As part of inmate case management, the Corrections Service directives require that a case plan be developed for each inmate. Case plans are intended to set out the approach to addressing inmates' criminal behaviour and guide efforts to assist in their rehabilitation. However, we found that these plans had not been developed for many of the inmates we examined at the North Slave and Fort Smith (Male Unit) correctional facilities and that there were significant deficiencies in the case plans that were developed.

29. Also, case plans for those inmates with sentences of less than 120 days at these facilities were developed in the absence of any

assessment of the reasons for their criminal behaviour. We further found that all of these case plans were missing critical information required by the Corrections Service directives, such as the inmates' literacy levels, intellectual functioning, or judicial recommendations. These are all key considerations in developing effective case plans for inmates aimed at optimizing their access to rehabilitation programs while incarcerated.

30. While the Department has developed specific guidance and a template to assist case managers in developing case plans in accordance with requirements, we found that the template and guidance were not used in the facilities we examined. In failing to make full use of these tools, which are designed to assist case managers in gathering information to make decisions on programs for inmates, case managers are not directing inmates to programs that could benefit them most.

31. **Recommendation.** The Department of Justice should ensure that case plans to guide inmate rehabilitation are developed for inmates, as required by the Corrections Service directives and supporting guidance. The Department should ensure that each plan includes key information and recommendations to address an inmate's needs and includes a release plan to help prepare an inmate for return to the community. Progress against the case plans should be documented and monitored, and adjustments should be made as necessary.

The Department's response. Agreed. The Department of Justice, Corrections Service will ensure that case plans are developed for all inmates, as currently case plans are a requirement only for sentenced offenders. In November 2014, the Department revised the Case Management Process—Adult Directive. Case managers are required to complete case plans on all sentenced offenders. There is also a requirement to update these case plans, complete an offender profile on each inmate, create a release plan for each inmate prior to release, and complete a file closure summary upon the release of each inmate. The Department plans to build on existing processes for case management documentation to include remanded inmates and those serving intermittent sentences. This work will proceed in concert with work on case assessment tools and processes, with an initial examination of approaches to be completed by fall 2015.

32. **Access to rehabilitation programs.** The Corrections Act requires the Department to provide inmates with access to programs to assist in their rehabilitation. Both the North Slave and Fort Smith (Male Unit) correctional facilities offer two types of programs—general rehabilitation programs, which are available to all inmates (Exhibit 4), and offence-specific programs, which are intended to target factors contributing to an inmate's criminal behaviour (Exhibit 5). The Department offers these offence-specific programs only to inmates serving sentences of 120 days or more.

Exhibit 4 General rehabilitation programs available to inmates at the North Slave and Fort Smith (Male Unit) correctional facilities

| | Substance abuse | Education and skills development | Health and safety | Work and volunteering | Cultural and spiritual | Recreational |
|---|--|--|--|---|--|--|
| North Slave Correctional Centre | <ul style="list-style-type: none"> • Alcoholics Anonymous | <ul style="list-style-type: none"> • Classroom education • Life Skills Program • Reintegration Program | N/A | <ul style="list-style-type: none"> • Kitchen work | <ul style="list-style-type: none"> • Traditional counselling¹ • Chaplaincy • Healing Drum • Arts and crafts | <ul style="list-style-type: none"> • Gym facility |
| Fort Smith Correctional Complex (Male Unit) | <ul style="list-style-type: none"> • Alcoholics Anonymous • Matrix Program | <ul style="list-style-type: none"> • Career skills • Computer skills • Classroom education • Life Skills Program | <ul style="list-style-type: none"> • Self-Help Program • First Aid and CPR • Canoe safety | <ul style="list-style-type: none"> • Volunteer work • Work crew | <ul style="list-style-type: none"> • On-the-land activities • Traditional plant harvest (including summer gardening) • Cultural ceremonies (e.g., fire and smudge ceremonies) • Sharing circles • Tipi teachings • Traditional counselling • Religious services | |
| ¹ Traditional counselling was not offered past spring 2014, and the Traditional Counsellor position remained vacant as of September 2014. Source: Department of Justice | | | | | | |

Exhibit 5 Offence-specific programs available to inmates at the North Slave and Fort Smith (Male Unit) correctional facilities

| Program | Duration | Offerings in 2012–13 fiscal year | Offerings in 2013–14 fiscal year |
|--|-----------------------|---|----------------------------------|
| North Slave Correctional Centre | | | |
| Moderate Intensity National Substance Abuse Program | 5 to 6 weeks | 3 | 2 |
| Moderate Intensity National Sex Offender Program | 10 to 12 weeks | 2 | 1 |
| Moderate Intensity Family Violence Prevention Program | 5 to 13 weeks | 1 | 2 |
| Moderate Intensity Violence Prevention Program | 8 to 9 weeks | 1 | 2 |
| Fort Smith Correctional Complex (Male Unit) | | | |
| Sex offender programs (including the Moderate Intensity National Sex Offender Program) | 2 months to 12 months | No set program schedule— one-on-one programs | |
| Family violence programs | 2 weeks to 3 months | | |
| Anger management programs | 2 weeks to 1 month | | |
| Source: Department of Justice | | | |

33. We found that inmates did not have adequate access to rehabilitation programs at the North Slave or Fort Smith (Male Unit) correctional facilities.

34. While general rehabilitation programs were available to all inmates, we found that only 36 percent of inmates we examined with sentences of less than 120 days accessed these programs, which could involve as little as attending a single class, and none accessed offence-specific programs. In addition, in the absence of a case management assessment to identify the reason for their criminal behaviour, the Department did not know whether the programs these inmates were accessing were benefiting them or helping to address their criminal behaviour.

35. We found that 87 percent of inmates we examined with sentences of 120 days or more accessed general rehabilitation programs, but only 63 percent accessed offence-specific programs aimed at targeting specific criminal behaviour.

36. We further found that these offence-specific programs were offered infrequently, and offerings often did not align with inmates' periods of incarceration. For example, in our review of files, we found 10 inmates at the North Slave facility who could not access offence-specific programs recommended for them because these programs were not available during their periods of incarceration, or the timelines of their sentence did not allow them to participate. We also found instances where inmates were

recommended for an offence-specific program, such as the National Substance Abuse Program, but could access only general rehabilitation programs, such as Alcoholics Anonymous, during that time.

37. Some inmates who have difficulty participating in group-based programming can be transferred to the Fort Smith Correctional Complex (Male Unit), which offers one-on-one programs for inmates who have limited cognitive functioning, fetal alcohol spectrum disorder, or other individual needs. However, this facility has a capacity to house only up to 21 inmates. Inmates can also be denied transfer to this facility if they are deemed to be too high risk.

38. The Department identified several factors that may limit inmates' access to programs, including these:

- limited numbers of staff to deliver offence-specific programs allow only one program to be offered at a time,
- the length of inmates' sentences might not align with program timelines, and
- inmates' risk or cognitive abilities might not allow them to participate in programs.

39. Although inmate participation in both general rehabilitation and offence-specific programs at both facilities is voluntary, there are many areas in which the Department can act to improve inmates' access to these programs. For example, we found that the Department did not have dedicated resources for rehabilitation programs, which means that programs were dependent on the availability of staff to deliver them. Nor did it have a strategy to guide the type and frequency of programs for inmates serving sentences of less than 120 days, despite the fact that these inmates accounted for over half of the inmate population.

40. In 2008, the Department undertook a review of its correctional programs, identifying significant deficiencies and making multiple recommendations for improvement. We found that the Department had undertaken some activities in response to the review, including the development of an inmate profile in 2014. However, many important recommendations remained unaddressed by the Department, including establishing dedicated resources for programs and assessing whether the programs offered to inmates are adequate and meet their needs.

41. At both the North Slave and Fort Smith (Male Unit) correctional facilities, we found that inmates had access to a range of cultural programs and activities (Exhibit 4). We also found that the Department had been operating wilderness camps as part of its approach to providing cultural programs, but concerns about the safety of inmates and quality of programming provided at these camps led to their closure in January 2013. At the time of our audit, the Department was seeking expressions of interest from potential providers to reopen these camps.

42. **Recommendation.** The Department of Justice should identify the needs and risks of its inmate population and assess its rehabilitation programs. It should also ensure that inmates have access to rehabilitation programs that reflect their needs and risks.

***The Department's response.** Agreed. The Department of Justice, Corrections Service will be conducting an initial review of its directives that guide program access and delivery to be completed by fall 2015. The Department will subsequently develop work plans to support the review of all programs. Some reviews will require collaboration with Correctional Service Canada with regard to the federal programs that are delivered in territorial facilities. Given the number of programs, these reviews will take place over the 2015–16 and 2016–17 fiscal years. The Department will be conducting a further analysis of the existing inmate profile, including inmates serving less than 120 days, paying closer attention to inmates' access to programming, supported through an assessment process. This analysis will be complete in the 2015–16 fiscal year. Information gathered through the program reviews as well as the inmate profile analysis will be used to inform future program development.*

43. **Access to mental health services.** We found that inmates had limited access to mental health services at the North Slave and Fort Smith (Male Unit) correctional facilities. In the files we reviewed, seven inmates had been identified as requiring mental health services, but two did not receive these services. Moreover, screening tools used by the Department during the inmate admission process were limited to identifying an inmate's suicide risk or urgent mental health concerns only.

44. We also found that staffing to provide mental health services to inmates was limited at both the North Slave and Fort Smith (Male Unit) correctional facilities. For example, the North Slave Correctional Centre had one psychologist to offer services to approximately 140 inmates, as well as offenders on probation. We were informed by correctional staff that inmates often waited between two and three months to see the psychologist. We further noted that the psychologist's position was unstaffed for an extended period during 2012, leaving inmates with access to services only one day per week.

45. The Fort Smith Correctional Complex (Male Unit) has a mandate to house higher-needs inmates such as those with fetal alcohol spectrum disorder or cognitive delays. However, inmates at this facility must access psychological, counselling, and nursing services remotely from staff at the South Mackenzie Correctional Centre in Hay River, or through community-based services.

46. In addition to the impact this approach has on inmates' access to mental health services at the Fort Smith Correctional Complex (Male Unit), correctional staff have raised concerns about how this arrangement affects their day-to-day responsibilities, including managing and distributing medication that many inmates at the facility require (further

details in our audit findings on staffing can be found in paragraphs 118 to 120).

47. These deficiencies in mental health services for inmates are significant. Individuals with mental health concerns are overrepresented in the wider correctional system. Failure to identify concerns and provide inmates with services to help address their mental health can have a significant effect on their rehabilitation.

48. **Recommendation.** The Department of Justice should review and, where required, increase its capacity to identify inmates' mental health concerns and ensure that inmates requiring mental health services are provided with access to sufficient counselling and psychological support.

***The Department's response.** Agreed. The Department of Justice, Corrections Service recognizes the needs of the Northwest Territories' inmate population in the area of mental health and will continue to develop and implement strategies to effectively meet the needs of inmates. Most staff members are currently trained in Mental Health First Aid (MHFA). In November 2014, the Department hosted an instructor session and added certified staff to its instructor pool. The Department plans to ensure that MHFA is a part of its annual training plan.*

The Department will continue discussions with the Department of Health and Social Services to collaborate on the sharing of information that will better address mental health concerns for inmates. In addition, by the fall of 2015, the Department will conduct a review of its capacity to address the mental health needs of inmates, which will include mental health services, counselling, and psychological support as part of program delivery. This is an initiative that will require an ongoing review and analysis of inmates' mental health needs and may require additional resources as the work progresses.

49. **Monitoring inmates' progress.** We found limited monitoring of inmates' progress against their case plans at both the North Slave and Fort Smith (Male Unit) correctional facilities, most notably for inmates serving shorter sentences (Exhibit 2). Documenting such progress is important because it provides information on inmates' rehabilitation and welfare throughout their period of incarceration and allows adjustments to be made as required. Our recommendation in this area of examination appears in paragraph 31.

50. **Planning for inmates' release.** We found gaps in the Department's processes for planning for inmates' release and transition back into the community (Exhibit 2). While the Corrections Service directives indicate the importance of such planning to an inmates' reintegration, they provide very little guidance on planning for inmates' release, and focus only on arranging for their transportation back to the place of residence or conviction and on providing inmates with appropriate clothing upon release.

51. Despite this, in over half of the cases we reviewed where inmates were released during the period under review, we found that case managers had made additional efforts to plan for inmates' release. These included helping inmates find accommodation, assisting them in finding employment opportunities, and identifying potential challenges to community reintegration. In the absence of sufficient guidance to support release planning for inmates, this means that the extent of release planning is dependent on the individual case manager working with the inmate. One of our recommendations in this area appears in paragraph 31.

52. **Recommendation.** The Department of Justice should examine the Corrections Service directives to ensure that case managers are provided with sufficient guidance for inmate release planning and to ensure that it is providing inmates with the support they need to help them reintegrate into the community.

***The Department's response.** Agreed. The Department of Justice, Corrections Service implemented a revised Case Management Process—Adult Directive in November 2014, which includes guidance for case managers in the area of inmate release planning and integrated case management.*

The Department will continue to ensure that improvements are made to overall quality in the completion of inmate release plans. This will include ongoing monitoring of the case management process, which includes assessment, case plans, program referrals, progress monitoring, and release planning. Revisions have been made to the integrated case management approach, which details communication and collaboration with various departments, community resources and support, including the Department of Health and Social Services, the Department of Education, Culture and Employment (Income Assistance), community organizations, Aboriginal groups, and families to assist inmates in successfully reintegrating into the community.

53. **Recent departmental efforts to improve case management.** In August 2014, the current Director of Corrections began developing a performance assurance framework aimed at ensuring that the Corrections Service is effectively meeting its mandate. One of the goals of the draft framework is to improve compliance in the areas of case management and programming.

54. **Recommendation.** The Department of Justice should ensure that it continues to develop and implement a performance assurance framework focused on improving compliance with case management requirements and improving inmates' access to rehabilitation programs.

***The Department's response.** Agreed. The Department of Justice will continue to develop and have a staged implementation of the Performance Assurance and Accountability Framework (PAAF) to ensure consistency*

for inmate case management and access to rehabilitation programs. The PAAF is being designed to strengthen the Department's capacity to provide oversight to facilities to ensure compliance and success. The key areas of PAAF include monitoring, reporting, compliance audits, investigations, analysis, measurement, and evaluation in the areas of facility management, case management, programs, and staff training. The PAAF structure includes operational security reviews, program audits, monitoring of procedures and protocols to address inmate surveillance, use of segregation, and searches. The Department is reviewing resources to determine how best to support the PAAF, as data collection tools (for example, the Corrections Offender Management System) may need to be modified or enhanced. Strong leadership and oversight of the PAAF is required for success. The Department anticipates that the PAAF components will be fully developed by the fall of 2015; however, complete implementation will be dependent upon outcomes of the resource review to be completed by January 2016. If it is determined that additional resources are required, the Department will request these resources in the 2016–17 budgeting process.

Facility management

Overall finding



55. Overall, we found that the Department of Justice has not adequately met key requirements for its management of correctional facilities. Although the Department has developed plans to meet current and future needs in facilities, which include replacing the Fort Smith Correctional Complex (Female Unit) in the 2017–18 fiscal year, it does not have sufficient measures in place to mitigate some significant safety and security concerns at this facility, where female inmates will continue to be housed in the meantime. Concerns include a lack of sufficient space for medical clearance of inmates and the housing of inmates in a facility with doors that do not lock.

56. We also found that the Department did not adequately monitor whether management at the North Slave and Fort Smith (Male Unit) facilities were complying with selected safety and security requirements in areas such as managing inmates in segregation, controlling contraband, and conducting fire and health inspections to ensure that facilities are safe. In many cases, we found that facility management did not follow requirements in these areas, which are intended to ensure that inmates are housed in a safe and secure environment. For example, some inmates were held in segregation without the required approvals by wardens. Furthermore, required daily and weekly reviews to determine whether it is appropriate for inmates to remain in segregation were not always done.

Context

57. The Corrections Service operates five correctional facilities, including four adult facilities and one facility for male and female youth. Built in 2004, the North Slave Correctional Centre replaced the Yellowknife Correctional Centre, which was built in 1966 and suffered from overcrowding and a lack of programs and recreational space. The North Slave Correctional Centre houses most of the adult male offenders in the territory. The adjoining North Slave Young Offender Facility, built in 2002, currently houses both male and female youth. The territory's other correctional facilities are older, with the male unit of the Fort Smith Correctional Complex dating to the late 1980s; the South Mackenzie Correctional Centre dating to the 1970s, notwithstanding renovations in the late 1980s; and the female unit of the Fort Smith Correctional Complex dating to the 1960s. At the time of our audit, the Department was planning for a new female facility in Fort Smith to be operational by the 2017–18 fiscal year.

58. While the territory's facilities were not overcrowded at the time of our audit, they did face other challenges, including housing an inmate population that was predominantly serving sentences for violent crimes and suffering from mental health and cognitive issues. The Department has also indicated that staffing levels and turnover at facilities are issues of ongoing concern.

The Department has assessed current and future needs and developed plans to meet them

What we found

59. We found that the Department has assessed current and future needs in each of its facilities and has developed plans to meet those needs. These plans include construction of a new facility for women to address significant deficiencies in the current Fort Smith Correctional Complex (Female Unit).

60. Our analysis supporting this finding presents what we examined and discusses

- assessment of current and future facility needs, and
- plans to meet facility needs.

Why this finding matters

61. This finding matters because it is important for the Department to have the facilities it needs to accommodate inmates in a safe and secure environment, and in accordance with key obligations under the *Corrections Act*.

Recommendation

62. We made no recommendation in this area of examination.

Analysis to support this finding

63. **What we examined.** We examined whether the Department has assessed its current and future facility needs for accommodating inmates and whether the Department has developed adequate plans to meet those needs.

64. **Assessment of current and future facility needs.** We found that the Department has undertaken efforts to assess its current and future facility needs. The Department has determined that overcrowding is not currently an issue in its existing facilities, due in part to the construction of a new adult male facility in Yellowknife in 2004, and changes to youth criminal justice legislation resulting in a decline in the young offender population. Each of the Department's five facilities is also designed to house different types of inmates, with varying needs and security levels. For this reason, the Department has determined that current and future needs for housing male inmates and youth can be met within existing facilities. However, needs for housing female inmates cannot be addressed in the current Fort Smith Correctional Complex (Female Unit), due to serious safety and security concerns that warrant the construction of a new facility.

65. **Plans to meet facility needs.** The Department's plans for meeting its current needs include constructing a new women's facility to open in the 2017–18 fiscal year. Its plans for this new facility address the serious safety and security concerns in the existing facility, and include plans to construct a multi-purpose secure space, which can be used for medical isolation or segregation purposes, program space, and a medical screening office. Plans for the new facility also address fire safety requirements. The Department has also taken into account projected decreases in numbers of female inmates and has adjusted the design of the facility to account for this.

66. The Department's future plans also include construction of an additional pod at the North Slave Correctional Centre, in case overcrowding becomes an issue in the future, as this was part of the original facility design.

Some safety and security concerns at the Fort Smith Correctional Complex (Female Unit) have not been addressed

What we found

67. As we report, the Department's plans to address current and future needs include plans to construct a new women's correctional facility, as there are serious safety and security concerns in the existing Fort Smith Correctional Complex (Female Unit). Until the new facility is operational in the 2017–18 fiscal year, female inmates will continue to be housed in the current facility. We found, however, that the Department did not have sufficient mitigations in place to address some significant safety and security concerns in the current facility. We also found that the Department

does not monitor whether those mitigations in place to address deficiencies in the current facility are sufficient to ensure the safety and security of inmates and staff until the new facility becomes operational.

68. Our analysis supporting this finding presents what we examined and discusses

- plans to construct a new women's facility, and
- deficiencies in the current women's facility.

Why this finding matters

69. This finding matters because the current issues at the Fort Smith Correctional Complex (Female Unit) are significant, and compromise the safe and secure accommodation of female inmates and the Department's compliance with the *Corrections Act*. It is critical that the Department have assurance that actions to mitigate risks to female inmates and staff are adequate to ensure their safety and security until the new facility becomes operational.

Recommendation

70. Our recommendation relating to efficiency in reporting appears at paragraph 78.

Analysis to support this finding

71. **What we examined.** As part of our examination of whether the Department has assessed its current and future facility needs for accommodating inmates, we examined how it addressed the significant safety and security issues it identified in the current facility in order to ensure the safety and security of female inmates and staff until the new facility is operational. We did not undertake a technical assessment of the safety of the current women's facility.

72. **Plans to construct a new women's facility.** The Department identified several critical deficiencies with the Fort Smith Correctional Complex (Female Unit) in Fort Smith, which it characterized as issues that could potentially result in the loss of human life and that prevent the facility from meeting the requirements of a detention centre. It received approval to construct a new women's facility to open in the 2017–18 fiscal year, at an estimated cost of \$35 million.

73. **Deficiencies in the current women's facility.** The Department maintains that despite these deficiencies, the existing facility can be considered safe as long as certain mitigations are in place. We found, however, that the Department did not monitor the facility adequately or have adequate information to ensure that these risks are sufficiently mitigated and that inmates and staff are in fact safe. We also found that one of these key deficiencies—lack of sufficient space for medical clearance of inmates—had not been mitigated (Exhibit 6).

Exhibit 6 Deficiencies and mitigations identified by the Department of Justice for the Fort Smith Correctional Complex (Female Unit)

| Critical deficiencies | Departmental actions to address deficiencies |
|---|--|
| Non-compliance with <i>National Building Code of Canada</i> requirements for detention centres, which include non-combustible construction, fire separations, and a sprinkler system. | <ul style="list-style-type: none"> The existing facility was permitted to operate by the Office of the Fire Marshal as a residence under the <i>National Building Code of Canada</i>, which does not require non-combustible construction, fire separations, and a sprinkler system. The facility doors do not lock from the inside, in order to enable inmates to vacate the premises in the event of a fire. |
| Facility layout limits visual surveillance of inmates. | Cameras were installed in 2012, but blind spots remain, according to facility management. |
| High-risk inmates requiring enhanced security cannot be held at the facility. | High-risk inmates are sent to Royal Canadian Mounted Police cells, or to facilities in more southern parts of the country that can accommodate them. |
| The facility has no medical office or area to hold women until medically cleared. | No mitigation in place. |
| Source: Department of Justice | |

74. In its business case seeking funding for construction of a new women's facility, the Department identified the lack of an intake and medical clearance area as a serious deficiency and the point of greatest risk for inmates and staff, as inmates coming into the facility are kept in general population before medical clearance or assessment. We found that as of the end of our period of audit, there were no mitigations in place to address this risk. Rather, inmates awaiting medical clearance continue to be held in the general inmate population. Facility officials told us that inmates sometimes wait up to a week to obtain medical clearance. This is significant, as some inmates may have undiagnosed conditions requiring treatment and intervention.

75. Moreover, while the Department had put certain mitigations in place to ensure the safety of the facility, these mitigations are not consistent with the Department's security requirements. For example, remanded female inmates, all of whom are classified as maximum security under the Department's Corrections Service directives, are housed at this facility with doors that do not lock.

76. We also found that despite requirements under the *Corrections Service Regulations* for wardens to report monthly on the state of facilities, this reporting did not take place, and that headquarters had limited assurance that the required mitigations were in place to ensure the safety of the facility. We reviewed meeting minutes of the Corrections Service senior management team and found no evidence that these matters were discussed between headquarters and the facility.

77. Some of these are long-standing deficiencies that the Department has known about since 2000, when a technical assessment of the facility was last conducted. As the planned female facility in Fort Smith is not scheduled to open until the 2017–18 fiscal year, female inmates will continue to be held in a facility that, if not adequately managed, poses risks to their safe and secure accommodation as well as to the safety and security of staff.

78. **Recommendation.** The Department of Justice should

- undertake an immediate assessment of actions to mitigate risks resulting from each of the critical deficiencies in the current Fort Smith Correctional Complex (Female Unit), to ensure that all safety risks are sufficiently mitigated; and
- establish a regular monitoring regime and report on safety risks and efforts undertaken by facility management to mitigate these risks, to ensure the safety and security of inmates and staff until the new facility becomes operational.

***The Department's response.** Agreed. The Department of Justice, Corrections Service received prior notification from the Auditor General regarding this recommendation and has taken steps to ensure compliance in this area. In January 2015, a new Corrections Service directive was provided to wardens which details that inspections addressing safety requirements are to be carried out in accordance with standards found in legislation. The Department will be collaborating, on an ongoing basis, with the Department of Public Works and Services, the Office of the Fire Marshal, and the Fort Smith Health and Social Services Authority to ensure compliance.*

The Department has established a regular reporting process of information to Corrections Service headquarters regarding safety risks and facility management that will be tracked through the Performance Assurance and Accountability Framework (PAAF). The Department also has an Occupational Health and Safety Specialist position working with the warden of the Fort Smith Correctional Complex to ensure compliance in this area. The Department is currently working on the areas noted in Exhibit 6 about deficiencies related to the security camera blind spots (cost-benefit analysis) and medical clearance process at the Fort Smith Correctional Complex. The Department anticipates completion of both these pieces of work by the summer of 2015.

The Department's housing of inmates at North Slave and Fort Smith (Male Unit) correctional facilities presents risks to the security and safety of inmates and facility staff

What we found

79. We found that the Department's approach to housing inmates at the North Slave Correctional Centre and the Fort Smith Correctional Complex (Male Unit) presents risks to the security and safety of inmates and facility staff:

- The Department had adopted the practice of housing inmates of varying security levels together, including remanded and sentenced inmates, but had not developed guidance for staff in the form of directives or standing orders on how to mitigate the risks associated with this approach.
- The Department did not adequately monitor whether key requirements for inmates in segregation were followed.
- The Department did not adequately monitor whether facility management was controlling contraband.
- Facility management had not developed the required security plans or conducted the required formal security reviews of these facilities.

80. Our analysis supporting this finding presents what we examined and discusses

- security levels and remanded inmates,
- surveillance,
- placement of inmates in segregation,
- contraband, and
- security reviews and contingency planning.

Why this finding matters

81. This finding matters because the Department has a responsibility under the *Corrections Act* to provide for the safe custody of inmates in correctional facilities. It is also responsible for housing inmates according to security requirements designed to ensure the safety and security of inmates and staff. Given the nature of correctional facilities, inmates are in a vulnerable position and are reliant on the Department to comply with the policies and procedures that protect their safety and security.

Recommendations

82. Our recommendations in this area of examination appear at paragraphs 88, 99, and 100.

83. **What we examined.** We examined whether the Department of Justice has monitored compliance with selected security policies and procedures. We also examined whether selected security requirements were being complied with.

84. **Security levels and remanded inmates.** We found that inmates of all security levels are housed together at both facilities, regardless of whether they have a high or low security rating and regardless of whether they have been remanded or sentenced. In the 48 files we reviewed, we found that most inmates had undergone security assessments, but the results of these assessments were not used to guide inmates' placement within facilities. This means that inmates who had been sentenced for violent crimes were placed in the general population with inmates who had been convicted of lesser crimes, as well as with individuals on remand who had not been convicted of a crime.

85. The Department informed us that the practice of mixing inmates of varying security levels together, as well as mixing sentenced and remanded inmates, was intentional, and integral to its approach to inmate management. Officials also indicated that space constraints made the complete separation of these inmates impossible. The Department asserted that it mitigated the risks of housing these inmates together by employing the principle of dynamic supervision.

86. This principle calls for regular interaction between inmates and correctional officers in order to monitor inmate behaviour and ensure their safety. We found that while this principle was discussed in training for new correctional officers, it was not reflected in the Department's Corrections Service directives or standing orders, which outline the policies and procedures to be followed in the operation of facilities. This means that correctional officers lacked formal guidance on the day-to-day requirements of dynamic supervision. In addition, as we later report, the Department and facilities did not adequately track what training correctional staff members had received, and as such, did not have the assurance that all staff had received the required training.

87. While the Corrections Service directives do not prohibit the housing of inmates of varying security levels together, including remanded and sentenced inmates, some concerns have been raised about this approach. While not specific to the Northwest Territories, the Office of the Correctional Investigator has described the mixing of sentenced and remanded inmates as poor correctional practice. The Department's own data also indicated that the number of violent incidents was on the rise at the North Slave Correctional Centre. The Department has attributed this in part to significant growth in the number of inmates who have southern gang affiliations and inmates with mental health concerns. These factors mean that it is especially important for the Department to monitor inmates closely to ensure their safety and security, as well as the safety and security of staff.

88. **Recommendation.** The Department of Justice should

- develop guidance on dynamic supervision for all correctional staff; and
- actively and systematically monitor risks associated with housing inmates of varying security levels together, including remanded and sentenced inmates, to assess whether it is ensuring inmates' safety and security under the *Corrections Act*.

***The Department's response.** Agreed. A dynamic supervision method underpins facility design, programming, training, and everyday interactions between inmates and staff. The Department of Justice will examine its training programs to determine how best to offer ongoing support to staff on the principles of dynamic supervision. This will augment the training already provided to new staff through the Corrections Northern Recruitment Training Program. A review of the Corrections Service directives security chapter is scheduled to be conducted by the fall of 2015. This will include examining how to better incorporate dynamic supervision.*

The Department will be conducting a review of the Inmate Security Assessment and Security Rating Process directives. Research of applicable legislation and other jurisdictions' approaches to inmate classification and housing will be completed to ensure the most appropriate method of assessing the security level of inmates is being applied to those incarcerated in Northwest Territories' facilities. The Department anticipates this review to be completed by the winter of 2015. A work plan for the 2015–16 fiscal year and subsequent implementation plan will be developed based on the findings of the review.

89. **Surveillance.** To ensure a safe and secure environment, the Corrections Service has established procedures for inmate surveillance, including procedures related to inmates in segregation. We randomly selected five days each in the 2012–13 and 2013–14 fiscal years and reviewed surveillance logs of inmates in both the general population and segregation units of the North Slave and Fort Smith (Male Unit) correctional facilities. We found that correctional staff members had performed counts for inmates in general population but had not observed inmates in segregation every 30 minutes, as required.

90. **Placement of inmates in segregation.** According to the Corrections Service directives, inmates may be placed in segregation as a last resort, if they present a security or safety risk to themselves or to others. They may also be placed in segregation for disciplinary purposes. We also examined segregation placements in the 48 inmate files we reviewed, and found that the Department did not adequately monitor whether key requirements for inmates in segregation were being followed.

91. In these 48 inmate files, there were 18 inmates who had been placed in **disciplinary or administrative segregation** at least once during the 2012–13 and 2013–14 fiscal years. Most of these placements occurred at the North Slave Correctional Centre. Our review found that key requirements for segregation placement had not been met for these 18 inmates (Exhibit 7). For example, inmates in segregation for longer than a week are to have a weekly review to determine whether they should remain in segregation. We found that weekly reviews were not consistently done for most of the segregation placements we examined. This included five placements ranging between 14 days and 66 days.

Exhibit 7 Facility management at the North Slave and Fort Smith correctional facilities did not consistently follow requirements for the placement of inmates in segregation

| Key requirements for segregation | Requirements met (Yes/No) ¹ | |
|---|---|---|
| | Administrative segregation (20 placements) | Disciplinary segregation (18 placements) |
| Justification for use of segregation | No (justification for 12 of 20 placements) | Yes (justification for 18 of 18 placements) |
| Authorization by the warden or designate | No (authorization for 1 of 20 placements) | Yes (authorization for 17 of 18 placements) |
| Review of segregation placement every 24 hours | No (0 of 15 placements reviewed) ² | Not applicable |
| Weekly review of segregation placement ³ | No (2 of 4 placements reviewed) | No (1 of 3 placements reviewed) |
| Inmate observed by staff every 30 minutes ⁴ | No (inmates were observed every 30 minutes on 5 of the 52 days we reviewed) | No (inmates were observed every 30 minutes on 1 of the 53 days we reviewed) |
| ¹ We reviewed 38 segregation placements for 18 inmates. ² Five segregation placements were for less than 24 hours. ³ Seven individual segregation placements were longer than one week. ⁴ For each segregation placement, we reviewed observations on inmates for their first day in segregation, their last day, and at the mid-point of their placement. | | |

Disciplinary segregation—Disciplinary segregation is used when an offender has been found guilty of an offence against the offender Code of Conduct. Disciplinary segregation is ordered by the Disciplinary Board for a period of up to 15 days. Offenders in disciplinary segregation lose some privileges (for example, visiting, television), but some rights cannot be lost (for example, legal counsel, one hour of exercise per day).

Administrative segregation—Administrative segregation is used to temporarily keep an offender out of the general population. The placement is not as a result of a finding from the Disciplinary Board, but rather a case management decision reflecting security concerns. An offender can request to be placed in administrative segregation. Only the manager of the facility can make the decision to place an offender in administrative segregation.

92. According to the Corrections Service directives, inmates should not be held in disciplinary segregation for longer than 15 days. We found no cases within our sample where they had been held for longer.

93. Spending time in segregation entails risks for inmates. During the period under audit, we found that the North Slave Correctional Centre was not keeping adequate records of inmates in segregation. Without the proper oversight of compliance with Corrections Service directives related to inmates in segregation, facility management does not have assurance that inmates are being managed safely and in accordance with the directives and standing orders.

94. **Contraband.** Contraband is an ongoing challenge at correctional facilities generally, including at both the North Slave and Fort Smith (Male Unit) correctional facilities. Over the 2012–13 and 2013–14 fiscal years, there were 251 contraband incidents at the North Slave Correctional Centre, averaging 10 incidents per month, and 30 at the Fort Smith Correctional Complex (Male Unit), averaging 1 incident per month. Contraband can take various forms—from weapons and intoxicants to minor items, such as unauthorized food. We found that the Department did not adequately monitor whether facility management was controlling contraband at either of these facilities. The Department also identified the absence of a perimeter fence at the North Slave Correctional Centre as a contributing factor to the entry of some forms of contraband into the facility, as members of the public are able to pass and throw items onto the facility's grounds.

95. As a means of controlling contraband, the Corrections Service directives and standing orders require that correctional officers undertake searches of inmates and visitors, as well as searches of cells and common areas within facilities. Documentation from both facilities indicates that searches of inmates and visitors were not consistently performed as required by the directives, and that contraband was entering or being kept in facilities as a result. Our review of randomly selected facility search logs also showed that searches of cells and common areas were not undertaken at the required daily frequency at either the North Slave or Fort Smith (Male Unit) correctional facilities.

96. However, we did find that staff members at both facilities were making other efforts to minimize the flow of some forms of contraband. These efforts included monitoring visitors and suspending those visitors who have been involved in bringing contraband into facilities, and monitoring high-risk inmates who have known links to contraband.

97. Although the Department has information on the number of contraband-related incidents, it had not analyzed related trends, such as the types of contraband or how it enters or is obtained in facilities. Without this information, the Department is not fully informed about where to focus its efforts in addressing contraband challenges or the full impact of its presence in facilities.

98. For example, possessing contraband is grounds for loss of the monthly remission earned by inmates. This means that inmates found with contraband can spend additional time in facilities. Furthermore, the presence of some forms of contraband in facilities can hamper the Department's efforts to support inmates in addressing addictions. In the absence of any analysis, the Department does not know the extent to which such incidents are occurring, the resulting costs, or the effect on inmates.

99. **Recommendation.** The Department of Justice should analyze trends related to contraband, including the types of contraband and how it enters the facilities.

***The Department's response.** Agreed. The Department of Justice, Corrections Service will conduct an analysis of trends related to contraband, including types and ways of entering its facilities. All Corrections Service directives and facility standing orders pertaining to contraband will be reviewed by the fall of 2015, contraband severity and types will be clearly defined, and a tracking process for contraband will be developed, implemented, and managed within each facility.*

The Department is currently reviewing the Corrections Act (for the Northwest Territories) and will examine whether changes are required to legislation in relation to contraband. This review of the Corrections Act is ongoing, with expected completion in the 2016–17 fiscal year.

100. **Recommendation.** The Department of Justice should exercise oversight of facility management to ensure compliance with its policies, directives, and operating procedures for inmate surveillance and segregation, searches of inmates and visitors, and searches of cells and common areas.

***The Department's response.** Agreed. The Department of Justice, Corrections Service is committed to enhancing oversight of facility management through the Performance Assurance and Accountability Framework (PAAF), further described in response to paragraph 54. The PAAF will support improved quality assurance. This will be achieved through the review of Corrections Service directives, facility standing orders, operational reviews, audits of programs, annual monitoring of procedures, and protocols to address inmate surveillance, use of segregation, and searches. In October 2014, the Department initiated ongoing operational reviews, facilitated through the PAAF. Information gathered from these operational reviews will form the basis for any changes to Corrections Service directives. The PAAF also provides for the oversight of facility management and through its review and audit processes ensures compliance with policy and directives.*

101. **Security reviews and contingency planning.** We found that facility management had not developed the required security plans for the North Slave or Fort Smith (Male Unit) correctional facilities, or conducted

the required formal security reviews of either facility. These plans and reviews are intended to assess and maintain the security of facilities. We found that contingency planning procedures were included in the Corrections Service directives and in the standing orders for both facilities. Department officials informed us of their intent to review and practise contingency plans to ensure that correctional staff are aware of their roles and responsibilities in crisis situations.

The Department has not ensured that some key safety requirements are followed at the North Slave and Fort Smith (Male Unit) correctional facilities

What we found

102. We found that the Department had not ensured that key safety requirements, such as conducting required fire and health inspections, or conducting regular emergency evacuation drills, were being met in facilities. Our review found that these inspections and drills had not occurred at either the North Slave Correctional Centre or the Fort Smith Correctional Complex (Male Unit).

103. Our analysis supporting this finding presents what we examined and discusses

- inspections and quarterly emergency evacuation drills, and
- reporting on safety in facilities.

Why this finding matters

104. This finding matters because inmates have limited freedom of movement, and their safety within correctional facilities is largely dependent on efforts undertaken by facility staff to make sure that their surroundings comply with necessary requirements. If staff members are not carrying out required emergency evacuation drills and ensuring that required fire and health inspections are conducted, their safety and well-being, as well as the safety and well-being of inmates, may be at risk.

Recommendation

105. Our recommendation in this area of examination appears at paragraph 110.

Analysis to support this finding

106. **What we examined.** We examined the Department's monitoring of whether required fire and health inspections were being carried out in facilities, and whether these inspections were carried out. We also examined whether facility management addressed recommendations made in these inspections or other safety reports. Further, we examined the Department's monitoring of whether facility management was complying with requirements to conduct required emergency evacuation drills, and whether facility management had carried out these drills.

107. Inspections and quarterly emergency evacuation drills.

Under the Corrections Service directives, it is the responsibility of facility management to ensure that annual fire and health inspections are conducted by relevant authorities, such as the Office of the Fire Marshal. These inspections are intended to identify and control fire, safety, and health hazards. The directives also require that emergency evacuation drills, for incidents such as fires, be conducted at least once every three months. We found that these key safety requirements were not met at either the North Slave or Fort Smith (Male Unit) correctional facilities (Exhibit 8).

Exhibit 8 Key safety requirements were not met at either the North Slave or Fort Smith (Male Unit) correctional facilities

| Key security and safety requirements | Requirements met (Yes/No) at North Slave Correctional Centre | | Requirements met (Yes/No) at Fort Smith Correctional Complex (Male Unit) | |
|---------------------------------------|--|-----------------------------------|--|----------------------------------|
| | 2012–13 fiscal year | 2013–14 fiscal year | 2012–13 fiscal year | 2013–14 fiscal year |
| Quarterly emergency evacuation drills | No (0 of 4 drills conducted) | No (1 of 4 drills conducted) | No (1 of 4 drills conducted) | No (1 of 4 drills conducted) |
| Annual fire inspections | No (0 of 1 inspection conducted) | No (0 of 1 inspection conducted) | No (0 of 1 inspection conducted) | No (0 of 1 inspection conducted) |
| Annual health inspections | Yes (1 of 1 inspection conducted) | Yes (1 of 1 inspection conducted) | No (0 of 1 inspection conducted) | No (0 of 1 inspection conducted) |
| Source: Department of Justice | | | | |

108. Facility management could not sufficiently explain why few drills had been conducted, or why the required inspections had not taken place. We further confirmed with the Office of the Fire Marshal that facility management had not requested the required fire inspections. This is significant, because there is a risk that inmates and staff may be residing and working in facilities that do not comply with code requirements and may be compromising their health and safety.

109. Due to the serious nature of our findings, we sent a letter to the Deputy Minister of Justice in September 2014. We did this to raise concerns that required immediate attention, about conducting fire inspections and emergency evacuation drills, and to provide the Department with an early opportunity to take the necessary actions to ensure that its obligations were properly addressed. The Department responded, acknowledging the importance of the situation and setting out the actions it plans to implement to correct the deficiencies. These actions include ensuring that annual fire and health inspections are performed and conducting fire drills at the required frequency.

110. **Recommendation.** The Department of Justice should ensure that fire inspections are conducted annually and that emergency evacuation drills are conducted quarterly, as required. It should document these inspections and drills and take any corrective actions necessary.

***The Department's response.** Agreed. The Department of Justice, Corrections Service received prior notification from the Auditor General regarding this recommendation and took immediate steps to ensure compliance in this area. A revised Corrections Service directive was implemented in October 2014 and all facilities have reported that the necessary updates to standing orders have been completed and that a reporting procedure will be followed. An operational review was conducted at all facilities in October 2014. All facilities are currently in compliance and are following the monthly and annual inspection requirements. The Department's Occupational Health and Safety Specialist is working with the facilities to ensure monthly compliance. The Performance Assurance and Accountability Framework has identified the areas of inspections and emergency evacuation drills for an annual audit to be completed at the end of each calendar year. The Department will continue to monitor this with the first yearly audit to be completed by December 2015.*

111. **Reporting on safety in facilities.** We found that the Corrections Service directives do not require facilities to report to the Director of Corrections on their safety activities. For this reason, facilities did not report information to headquarters on fire and health inspections, on issues identified as a result of those inspections, or on emergency evacuation drills. Officials told us that this information was provided on an ad hoc basis when specifically requested from a facility. As a result, while the Director is responsible for the safe and secure housing of inmates and the safety of staff working in facilities, he or she does not have information on whether safety requirements are being met.

112. The Department has recently hired a health and safety specialist, who informed us of the Department's intent to implement a safety management system. According to the Department, this system will include safety audits to verify compliance with policies and corrective action plans to ensure that risks and issues identified in audits, inspections, and investigations are being addressed. Officials told us that the safety management system is scheduled for implementation by 31 March 2015.

The Department is not adequately managing its staffing of the North Slave and Fort Smith (Male Unit) correctional facilities

What we found

113. We found that the Department was not adequately managing its staffing of the North Slave and Fort Smith (Male Unit) correctional facilities. We found that it had not sufficiently assessed its staffing needs and that its staffing approach did not meet operational needs

at these facilities. We also found that the Department had not monitored or managed use of overtime in either of these facilities and had not ensured that correctional staff members receive the training required to carry out their duties.

114. Our analysis supporting this finding presents what we examined and discusses

- staffing,
- overtime, and
- training.

Why this finding matters

115. This finding matters because having the right number and types of trained correctional staff is critical to ensuring that inmates and staff remain safe and secure, and that inmates have access to the services they need in support of their rehabilitation. Having the right numbers and types of staff is also critical to ensuring that the Department controls its overtime expenditures, thereby allowing it to focus resources on the most pressing areas.

Recommendations

116. Our recommendations in this area of examination appear at paragraphs 121, 129, and 132.

Analysis to support this finding

117. **What we examined.** We examined whether the Department had identified the required number and types of staff for the North Slave and Fort Smith (Male Unit) correctional facilities, and whether it addressed any identified gaps in staffing. We also examined whether the Department had assessed overtime usage and taken steps to address any unacceptable overtime usage. We further examined whether the Department tracks whether correctional staff have received the required training.

118. **Staffing.** We found that the Department had not sufficiently identified its staffing needs in facilities and that its approach to staffing in facilities did not meet operational needs. While the Department had identified the numbers and types of staff required at both the North Slave and Fort Smith (Male Unit) correctional facilities, we found that very little analysis had been conducted to support the Department's staffing approach. We also found significant gaps in the staffing approach that affect the operations of each facility, including the security and safety of inmates and staff, and inmates' access to services.

119. For example, the Department's staffing approach for the Fort Smith Correctional Complex (Male Unit), which is intended to house higher-need inmates such as those with fetal alcohol spectrum disorder or cognitive delays, does not identify the need for a nurse, counsellor, or psychologist. These services must be accessed in the community or

remotely from the correctional facility in Hay River. Facility officials told us that the need for nursing staff is particularly acute, as many inmates have mental health needs requiring complicated medication regimes and monitoring.

120. Some staff members at the North Slave Correctional Centre also told us of their concerns that gaps in the staffing approach affect the safety and security of both inmates and staff. For example, the staffing approach requires the intake area to be staffed with a single officer. Officials told us that there were sometimes up to eight or nine inmates per day in the intake area, and that there had been incidents in which inmates had become violent with each other without the intake officer's knowledge, in which case the officer could not intervene. Officials also expressed concern with the approach to having a single correctional officer assigned to the unit for inmates who have cognitive disabilities and mental health concerns. We found examples of incidents where the officer needed assistance when these inmates became violent.

121. **Recommendation.** The Department of Justice should evaluate its current staffing approach for correctional facilities to ensure that it has the number and types of staff needed to meet its core obligations under the *Corrections Act*.

***The Department's response.** Agreed. In the 2010–11 fiscal year, the Department of Justice conducted a review of correctional officer positions within correctional facilities, which assisted in obtaining additional resources and the funding of previously unfunded positions. To build upon the review in the 2010–11 fiscal year, a further review began in the fall of 2014, which included scheduling, overtime, and attendance at the North Slave Correctional Centre.*

The Department continues to face challenges in staffing its operations 24 hours a day, 7 days a week, and as a result, it will be reviewing corrections staffing models to further optimize resources. The Department has determined that a more in-depth review and analysis of position needs is required. A staffing model framework needs to be developed for all aspects of the obligations in the Corrections Act (for the Northwest Territories). The Department anticipates that a work plan to support this examination will be developed by the spring of 2015. This work plan will include links to the corrections human resource plan, where appropriate, and include engagement with the Department of Human Resources.

122. **Overtime.** The Department recognizes rising overtime usage and costs in its facilities as an issue requiring its attention. Department officials cited a number of contributing factors, including provisions in the collective agreement, inadequate staffing, training, and leave. The issue is compounded by the need to staff correctional facilities 24 hours a day, 7 days a week, to ensure the safety and security of inmates and staff. Operating expenditures in the 2013–14 fiscal year were about \$14 million at the North Slave Correctional Centre and almost \$6 million at the

Fort Smith Correctional Complex, of which overtime for front-line staff accounted for approximately 11 percent and 3 percent, respectively.

123. We found that the Department had not adequately monitored or managed overtime use in its facilities. While it recognized increasing overtime costs as an issue, the Department had not established acceptable levels of overtime in the correctional context and had not undertaken any specific analysis of its use, causes, or effects.

124. We analyzed the Department's overtime usage at both the North Slave and Fort Smith (Male Unit) correctional facilities for the 2012–13 and 2013–14 fiscal years. We found that most front-line staff at both facilities worked some overtime, but that the amount of overtime varied among staff.

125. Most notably, overtime costs at the North Slave facility had risen from about \$950,000 in the 2012–13 fiscal year to \$1.5 million in the 2013–14 fiscal year, a 59 percent increase. We found that in the 2013–14 fiscal year, approximately one third of staff worked more than 200 overtime hours, including 11 staff who worked between 530 and 860 overtime hours. This also resulted in a 50 percent or more increase in earnings for seven front-line employees during that time, up from a single employee in the previous year.

126. We noted that overtime costs had increased at the North Slave facility, despite the fact that in 2010 the Department requested and received \$1.2 million to fund 12 correctional officer positions to reduce overtime at the facility. The Department filled all of these positions, yet overtime costs at the facility continued to rise.

127. The Department also received \$720,000 for seven new positions at the Fort Smith Correctional Complex (Male Unit). In contrast to the North Slave Correctional Centre, our review of overtime at the Fort Smith Correctional Complex (Male Unit) showed that it had decreased by approximately 8 percent between the 2012–13 and 2013–14 fiscal years. Over half of the staff worked minimal or no overtime, while approximately 44 percent worked between 100 and 300 overtime hours. Overtime at the facility resulted in a 56 percent increase in earnings for one front-line employee.

128. Department officials informed us that in September 2014, the Department was undertaking some analysis of overtime at the North Slave Correctional Centre to determine causes, cost drivers, and strategies for tracking and reducing overtime use. This is important, as the Department's data indicates that overtime use was growing at the facility, and the Department should be aware of the effects this has on sick leave, absenteeism, staff fatigue, productivity, and morale. Officials also indicated that high overtime costs have affected operations—for example, by decreasing the resources available for other areas, such as training and facility supplies.

129. **Recommendation.** The Department of Justice should determine an acceptable level of overtime for its facilities, and establish a mechanism to regularly monitor overtime usage in correctional facilities. It should also use the information it gathers to better manage overtime to help achieve acceptable overtime levels.

***The Department's response.** Agreed. The Department of Justice, Corrections Service will continue to examine approaches to effectively manage overtime for its facilities. There are significant challenges in managing overtime given the many provisions of the collective agreement and the nature of corrections operations, which are 24 hours a day, 7 days a week. The Department will have a more focused management of overtime by establishing overtime review committees to monitor and manage the use of overtime in each facility. In November 2014, the North Slave Correctional Centre implemented an overtime review committee and is reporting monthly to headquarters. The facility is monitoring the attendance management policy, schedule patterns, overtime, absenteeism, and the relief staff program and making adjustments as required, including intervention in individual situations and providing training and support to managers and employees.*

The Department is currently examining options for a more appropriate shift scheduling system to assist with reporting management and trend analysis. This review, and further collaboration with human resources as well as departmental information technology support staff, will continue through the spring and summer of 2015. Included in this review will be an examination of resources to support system implementation or changes.

130. **Training.** We found that the Department did not ensure that correctional staff members received the required training to carry out their roles and responsibilities. Training for correctional staff is provided by both the Department and individual facilities. While the Department has a budget for headquarters to provide training to correctional staff, the facilities themselves do not have training budgets. Facility officials told us that providing training therefore depends on achieving cost savings in other facility operations. This leads to inequities in the types and frequency of training available to correctional staff.

131. We found that the Department and facilities did not adequately track what training correctional staff members had received. Officials were unable to tell us whether the gaps in the tracking data indicated that staff had not received the training, or that it simply had not been recorded properly. This is significant, as it is important for staff working in correctional facilities to have the skills required to ensure the safe and secure custody of inmates. Without these skills, they run the risk of not knowing how to react in situations that could affect their safety and security and that of inmates.

132. **Recommendation.** The Department of Justice should develop and use an effective tracking system to ensure that all correctional staff members receive the required training.

***The Department's response.** Agreed. The Department of Justice, Corrections Service has a well-developed pool of correctional instructors and a dedicated training position within corrections headquarters. To further enhance the area of training and tracking, the Department will be collaborating with Human Resources to determine the best approach for a training tracking system. This system must engage employees and managers to ensure that mandatory training needs are being met. It is anticipated that implementation of a training tracking system is feasible by the spring of 2016.*

The Department is committed to the creation of a staff training, learning, and development framework. The framework will focus on providing leadership and mentoring initiatives that support a solid foundation for the future of the Corrections Service. Initial consideration of this framework has identified a need to examine resources for training. This examination will be undertaken over the remainder of the 2014–15 fiscal year. If there is a need for additional resources, the Department will include a request in the 2016–17 business planning process. The Department anticipates an extended period of time to fully implement a complete training framework.

Conclusion

133. We concluded that the Department of Justice has not met its key responsibilities for inmates within the correctional system. We concluded that the Department of Justice adequately planned for its facilities. However, we concluded that the Department did not adequately operate facilities to house inmates and did not adequately manage inmates in compliance with key rehabilitation and reintegration requirements.

About the Audit

The Office of the Auditor General's responsibility was to conduct an independent examination of Northwest Territories' Department of Justice (Corrections Service) to provide objective information, advice, and assurance to assist the Legislative Assembly in its scrutiny of the government's management of resources and programs.

All of the audit work in this report was conducted in accordance with the standards for assurance engagements set out by the Chartered Professional Accountants of Canada (CPA) in the CPA Canada Handbook—Assurance. While the Office adopts these standards as the minimum requirement for our audits, we also draw upon the standards and practices of other disciplines.

As part of our regular audit process, we obtained management's confirmation that the findings reported in this report are factually based.

Objectives

The objective of this audit was to determine whether the Department of Justice has met key responsibilities for inmates within the corrections system.

As part of our audit, we looked at whether the Department of Justice

- adequately managed inmates in compliance with key rehabilitation and reintegration requirements, and
- adequately planned for and operated facilities to house inmates.

Scope and approach

The audit focused on the Corrections Service within the Department of Justice, as this branch is responsible for implementing the *Corrections Act*. The audit focused on two aspects of correctional services: the management of selected facilities and the management of inmates within these selected facilities.

Our audit included interviews with senior officials, managers, and correctional staff from the Department, and with key stakeholders in the area of corrections. We also met with wardens, deputy wardens, managers, correctional officers, and other correctional staff at the North Slave Correctional Centre and the Fort Smith Correctional Complex (Male Unit). Furthermore, we reviewed and analyzed documentation provided by the Department and facilities.

To assess whether the Department has adequately managed inmates in compliance with the *Corrections Act* and selected key policies and procedures related to the management of inmates, we selected and tested a random sample of 48 male inmates who were serving sentences at the North Slave Correctional Centre or the Fort Smith Correctional Complex between 1 April 2012 and 31 March 2014. We selected the North Slave Correctional Centre because it is the largest facility in the territory, and houses most of its inmates, and the Fort Smith Correctional Complex (Male Unit) because of its mandate to provide services to inmates who have higher needs. The key policies and procedures we examined included case management requirements that relate to the rehabilitation and reintegration of inmates.

To assess whether the Department of Justice adequately plans for and operates facilities to house inmates, we looked at the Department's planning for all of its facilities, including male, female, and youth facilities.

Criteria

| Criteria | Sources |
|--|--|
| To determine whether the Department of Justice met key responsibilities for inmates within the correctional system, we used the following criteria: | |
| The Department of Justice develops plans to identify and address current and future facility needs for inmates. | <ul style="list-style-type: none"> • <i>Corrections Act</i> • Government of the Northwest Territories Corporate Capital Planning Process, 2013 • Project Management Body of Knowledge, Project Management Institute, 2008 |
| The Department of Justice monitors whether key requirements for the security of inmates and staff within its facilities are met. | <ul style="list-style-type: none"> • <i>Corrections Act</i> • <i>Corrections Service Regulations</i> • Corrections Service directives |
| The Department of Justice <ul style="list-style-type: none"> • ensures that it has staff to fill key responsibilities within facilities; • monitors and manages overtime usage within facilities; and • ensures that staff receive key training. | <ul style="list-style-type: none"> • <i>Corrections Act</i> • Corrections Service directives |
| The Department of Justice ensures that fire and health inspections are carried out by authorities, recommendations for improvements are followed up on and addressed, and fire/evacuation drills are conducted as required. | <ul style="list-style-type: none"> • <i>Corrections Act</i> • <i>Corrections Service Regulations</i> • Corrections Service directives |
| The Department of Justice manages its inmates consistent with its policies and procedures by <ul style="list-style-type: none"> • identifying their needs and risks, and • providing them with access to programs and services to address their needs and risks. | <ul style="list-style-type: none"> • <i>Corrections Act</i> • Corrections Service directives |

Management reviewed and accepted the suitability of the criteria used in the audit.

Period covered by the audit

The audit covered the period between 1 April 2012 and 1 September 2014. Audit work for this report was completed on 10 November 2014.

Audit team

Assistant Auditor General: Ronnie Campbell

Principal: Glenn Wheeler

Lead Auditor: Erin Jellinek

Laurinda Cheng

Daphné Lamontagne

Bridget O'Grady

List of Recommendations

The following is a list of recommendations found in the report. The number in front of the recommendation indicates the paragraph where it appears in the report. The numbers in parentheses indicate the paragraphs where the topic is discussed.

| Recommendation | Response |
|---|--|
| Inmate case management | |
| <p>27. The Department of Justice should ensure that inmates receive case management assessments, consistent with requirements of the Corrections Service directives, to identify their needs, risks, and the appropriate programs to assist in their rehabilitation. The Department should ensure that this information forms part of inmates' case management plans. (12–26)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service incarcerates inmates for continuous sentences, intermittent sentences, and remanded periods of time. The Department begins an assessment process when an inmate arrives. Various assessments are used in the Corrections Service to assist in offender management, including use of the Inmate Security Assessment, Suicide Risk Assessment, medical clearance process, security rating process, case management meetings, counselling or psychologist sessions, assessments or interviews by a program delivery officer, and offence-specific assessment tools (for example, anger, violence, sex offender). By the fall of 2015, the Department will be conducting a review of all Corrections Service directives; this will include a review of inmate case management assessments to ensure that all assessments are properly reflected in the directives. The Department will be reviewing options regarding assessments and will expand its approach to ensure that all inmates, regardless of incarceration status (sentenced, remanded, intermittent), receive appropriate assessments. The Department will complete an initial review and analysis of options for assessments by fall 2015.</p> |
| <p>31. The Department of Justice should ensure that case plans to guide inmate rehabilitation are developed for inmates, as required by the Corrections Service directives and supporting guidance. The Department should ensure that each plan includes key information and recommendations to address an inmate's needs and includes a release plan to help prepare an inmate for return to the community. Progress against the case plans should be documented and monitored, and adjustments should be made as necessary. (28–30)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service will ensure that case plans are developed for all inmates, as currently case plans are a requirement only for sentenced offenders. In November 2014, the Department revised the Case Management Process—Adult Directive. Case managers are required to complete case plans on all sentenced offenders. There is also a requirement to update these case plans, complete an offender profile on each inmate, create a release plan for each inmate prior to release, and complete a file closure summary upon the release of each inmate. The Department plans to build on existing processes for case management documentation to include remanded inmates and those serving intermittent sentences. This work will proceed in concert with work on case assessment tools and processes, with an initial examination of approaches to be completed by fall 2015.</p> |

| Recommendation | Response |
|--|--|
| <p>42. The Department of Justice should identify the needs and risks of its inmate population and assess its rehabilitation programs. It should also ensure that inmates have access to rehabilitation programs that reflect their needs and risks. (32–41)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service will be conducting an initial review of its directives that guide program access and delivery to be completed by fall 2015. The Department will subsequently develop work plans to support the review of all programs. Some reviews will require collaboration with Correctional Service Canada with regard to the federal programs that are delivered in territorial facilities. Given the number of programs, these reviews will take place over the 2015–16 and 2016–17 fiscal years. The Department will be conducting a further analysis of the existing inmate profile, including inmates serving less than 120 days, paying closer attention to inmates' access to programming, supported through an assessment process. This analysis will be complete in the 2015–16 fiscal year. Information gathered through the program reviews as well as the inmate profile analysis will be used to inform future program development.</p> |
| <p>48. The Department of Justice should review and, where required, increase its capacity to identify inmates' mental health concerns and ensure that inmates requiring mental health services are provided with access to sufficient counselling and psychological support. (43–47)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service recognizes the needs of the Northwest Territories' inmate population in the area of mental health and will continue to develop and implement strategies to effectively meet the needs of inmates. Most staff members are currently trained in Mental Health First Aid (MHFA). In November 2014, the Department hosted an instructor session and added certified staff to its instructor pool. The Department plans to ensure that MHFA is a part of its annual training plan.</p> <p>The Department will continue discussions with the Department of Health and Social Services to collaborate on the sharing of information that will better address mental health concerns for inmates. In addition, by the fall of 2015, the Department will conduct a review of its capacity to address the mental health needs of inmates, which will include mental health services, counselling, and psychological support as part of program delivery. This is an initiative that will require an ongoing review and analysis of inmates' mental health needs and may require additional resources as the work progresses.</p> |
| <p>52. The Department of Justice should examine the Corrections Service directives to ensure that case managers are provided with sufficient guidance for inmate release planning and to ensure that it is providing inmates with the support they need to help them reintegrate into the community. (49–51)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service implemented a revised Case Management Process—Adult Directive in November 2014, which includes guidance for case managers in the area of inmate release planning and integrated case management.</p> <p>The Department will continue to ensure that improvements are made to overall quality in the completion of inmate release plans. This will include ongoing monitoring of the case management process, which includes assessment, case plans, program referrals, progress monitoring, and release planning. Revisions have been made to the integrated case management approach, which details communication and collaboration with various departments, community resources and support, including the Department of Health and Social Services, the Department of Education, Culture and Employment (Income Assistance), community organizations, Aboriginal groups, and families to assist inmates in successfully reintegrating into the community.</p> |

| Recommendation | Response |
|---|--|
| <p>54. The Department of Justice should ensure that it continues to develop and implement a performance assurance framework focused on improving compliance with case management requirements and improving inmates' access to rehabilitation programs. (53)</p> | <p>The Department's response. Agreed. The Department of Justice will continue to develop and have a staged implementation of the Performance Assurance and Accountability Framework (PAAF) to ensure consistency for inmate case management and access to rehabilitation programs. The PAAF is being designed to strengthen the Department's capacity to provide oversight to facilities to ensure compliance and success. The key areas of PAAF include monitoring, reporting, compliance audits, investigations, analysis, measurement, and evaluation in the areas of facility management, case management, programs, and staff training. The PAAF structure includes operational security reviews, program audits, monitoring of procedures and protocols to address inmate surveillance, use of segregation, and searches. The Department is reviewing resources to determine how best to support the PAAF, as data collection tools (for example, the Corrections Offender Management System) may need to be modified or enhanced. Strong leadership and oversight of the PAAF is required for success. The Department anticipates that the PAAF components will be fully developed by the fall of 2015; however, complete implementation will be dependent upon outcomes of the resource review to be completed by January 2016. If it is determined that additional resources are required, the Department will request these resources in the 2016–17 budgeting process.</p> |
| <p>Facility management</p> <p>78. The Department of Justice should</p> <ul style="list-style-type: none"> • undertake an immediate assessment of actions to mitigate risks resulting from each of the critical deficiencies in the current Fort Smith Correctional Complex (Female Unit), to ensure that all safety risks are sufficiently mitigated; and • establish a regular monitoring regime and report on safety risks and efforts undertaken by facility management to mitigate these risks, to ensure the safety and security of inmates and staff until the new facility becomes operational. (67–77) | <p>The Department's response. Agreed. The Department of Justice, Corrections Service received prior notification from the Auditor General regarding this recommendation and has taken steps to ensure compliance in this area. In January 2015, a new Corrections Service directive was provided to wardens which details that inspections addressing safety requirements are to be carried out in accordance with standards found in legislation. The Department will be collaborating, on an ongoing basis, with the Department of Public Works and Services, the Office of the Fire Marshal, and the Fort Smith Health and Social Services Authority to ensure compliance.</p> <p>The Department has established a regular reporting process of information to Corrections Service headquarters regarding safety risks and facility management that will be tracked through the Performance Assurance and Accountability Framework (PAAF). The Department also has an Occupational Health and Safety Specialist position working with the warden of the Fort Smith Correctional Complex to ensure compliance in this area. The Department is currently working on the areas noted in Exhibit 6 about deficiencies related to the security camera blind spots (cost-benefit analysis) and medical clearance process at the Fort Smith Correctional Complex. The Department anticipates completion of both these pieces of work by the summer of 2015.</p> |

| Recommendation | Response |
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| <p>88. The Department of Justice should</p> <ul style="list-style-type: none"> • develop guidance on dynamic supervision for all correctional staff; and • actively and systematically monitor risks associated with housing inmates of varying security levels together, including remanded and sentenced inmates, to assess whether it is ensuring inmates' safety and security under the <i>Corrections Act</i>. (79–87) | <p>The Department's response. Agreed. A dynamic supervision method underpins facility design, programming, training, and everyday interactions between inmates and staff. The Department of Justice will examine its training programs to determine how best to offer ongoing support to staff on the principles of dynamic supervision. This will augment the training already provided to new staff through the Corrections Northern Recruitment Training Program. A review of the Corrections Service directives security chapter is scheduled to be conducted by the fall of 2015. This will include examining how to better incorporate dynamic supervision.</p> <p>The Department will be conducting a review of the Inmate Security Assessment and Security Rating Process directives. Research of applicable legislation and other jurisdictions' approaches to inmate classification and housing will be completed to ensure the most appropriate method of assessing the security level of inmates is being applied to those incarcerated in Northwest Territories' facilities. The Department anticipates this review to be completed by the winter of 2015. A work plan for the 2015–16 fiscal year and subsequent implementation plan will be developed based on the findings of the review.</p> |
| <p>99. The Department of Justice should analyze trends related to contraband, including the types of contraband and how it enters the facilities. (89–98)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service will conduct an analysis of trends related to contraband, including types and ways of entering its facilities. All Corrections Service directives and facility standing orders pertaining to contraband will be reviewed by the fall of 2015, contraband severity and types will be clearly defined, and a tracking process for contraband will be developed, implemented, and managed within each facility.</p> <p>The Department is currently reviewing the <i>Corrections Act</i> (for the Northwest Territories) and will examine whether changes are required to legislation in relation to contraband. This review of the <i>Corrections Act</i> is ongoing, with expected completion in the 2016–17 fiscal year.</p> |
| <p>100. The Department of Justice should exercise oversight of facility management to ensure compliance with its policies, directives, and operating procedures for inmate surveillance and segregation, searches of inmates and visitors, and searches of cells and common areas. (89–98)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service is committed to enhancing oversight of facility management through the Performance Assurance and Accountability Framework (PAAF), further described in response to paragraph 54. The PAAF will support improved quality assurance. This will be achieved through the review of Corrections Service directives, facility standing orders, operational reviews, audits of programs, annual monitoring of procedures, and protocols to address inmate surveillance, use of segregation, and searches. In October 2014, the Department initiated ongoing operational reviews, facilitated through the PAAF. Information gathered from these operational reviews will form the basis for any changes to Corrections Service directives. The PAAF also provides for the oversight of facility management and through its review and audit processes ensures compliance with policy and directives.</p> |

| Recommendation | Response |
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| <p>110. The Department of Justice should ensure that fire inspections are conducted annually and that emergency evacuation drills are conducted quarterly, as required. It should document these inspections and drills and take any corrective actions necessary. (102–109)</p> | <p>The Department’s response. Agreed. The Department of Justice, Corrections Service received prior notification from the Auditor General regarding this recommendation and took immediate steps to ensure compliance in this area. A revised Corrections Service directive was implemented in October 2014 and all facilities have reported that the necessary updates to standing orders have been completed and that a reporting procedure will be followed. An operational review was conducted at all facilities in October 2014. All facilities are currently in compliance and are following the monthly and annual inspection requirements. The Department’s Occupational Health and Safety Specialist is working with the facilities to ensure monthly compliance. The Performance Assurance and Accountability Framework has identified the areas of inspections and emergency evacuation drills for an annual audit to be completed at the end of each calendar year. The Department will continue to monitor this with the first yearly audit to be completed by December 2015.</p> |
| <p>121. The Department of Justice should evaluate its current staffing approach for correctional facilities to ensure that it has the number and types of staff needed to meet its core obligations under the <i>Corrections Act</i>. (113–120)</p> | <p>The Department’s response. Agreed. In the 2010–11 fiscal year, the Department of Justice conducted a review of correctional officer positions within correctional facilities, which assisted in obtaining additional resources and the funding of previously unfunded positions. To build upon the review in the 2010–11 fiscal year, a further review began in the fall of 2014, which included scheduling, overtime, and attendance at the North Slave Correctional Centre.</p> <p>The Department continues to face challenges in staffing its operations 24 hours a day, 7 days a week, and as a result, it will be reviewing corrections staffing models to further optimize resources. The Department has determined that a more in-depth review and analysis of position needs is required. A staffing model framework needs to be developed for all aspects of the obligations in the <i>Corrections Act</i> (for the Northwest Territories). The Department anticipates that a work plan to support this examination will be developed by the spring of 2015. This work plan will include links to the corrections human resource plan, where appropriate, and include engagement with the Department of Human Resources.</p> |

| Recommendation | Response |
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| <p>129. The Department of Justice should determine an acceptable level of overtime for its facilities, and establish a mechanism to regularly monitor overtime usage in correctional facilities. It should also use the information it gathers to better manage overtime to help achieve acceptable overtime levels. (122–128)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service will continue to examine approaches to effectively manage overtime for its facilities. There are significant challenges in managing overtime given the many provisions of the collective agreement and the nature of corrections operations, which are 24 hours a day, 7 days a week. The Department will have a more focused management of overtime by establishing overtime review committees to monitor and manage the use of overtime in each facility. In November 2014, the North Slave Correctional Centre implemented an overtime review committee and is reporting monthly to headquarters. The facility is monitoring the attendance management policy, schedule patterns, overtime, absenteeism, and the relief staff program and making adjustments as required, including intervention in individual situations and providing training and support to managers and employees.</p> <p>The Department is currently examining options for a more appropriate shift scheduling system to assist with reporting management and trend analysis. This review, and further collaboration with human resources as well as departmental information technology support staff, will continue through the spring and summer of 2015. Included in this review will be an examination of resources to support system implementation or changes.</p> |
| <p>132. The Department of Justice should develop and use an effective tracking system to ensure that all correctional staff members receive the required training. (130–131)</p> | <p>The Department's response. Agreed. The Department of Justice, Corrections Service has a well-developed pool of correctional instructors and a dedicated training position within corrections headquarters. To further enhance the area of training and tracking, the Department will be collaborating with Human Resources to determine the best approach for a training tracking system. This system must engage employees and managers to ensure that mandatory training needs are being met. It is anticipated that implementation of a training tracking system is feasible by the spring of 2016.</p> <p>The Department is committed to the creation of a staff training, learning, and development framework. The framework will focus on providing leadership and mentoring initiatives that support a solid foundation for the future of the Corrections Service. Initial consideration of this framework has identified a need to examine resources for training. This examination will be undertaken over the remainder of the 2014–15 fiscal year. If there is a need for additional resources, the Department will include a request in the 2016–17 business planning process. The Department anticipates an extended period of time to fully implement a complete training framework.</p> |