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POUR TOUS

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Report on the Final Evaluation of the
Canada – New Brunswick Initiative
December 1st, 2003

Correctional Service of Canada
Performance Assurance Sector
Evaluation and Review Branch

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Executive summary

In the fall of 1996, the Solicitors General of Canada and New Brunswick mutually agreed to identify opportunities to increase collaboration and better integrate the federal and provincial correctional systems.

The vision for corrections in New Brunswick was “*an integrated seamless correctional system that focuses on contributing to public safety by differentiating service design and delivery based on the needs of the offenders, and each jurisdiction’s expertise and capacity to meet these needs*”. This vision formed the essence of a Memorandum of Understanding (MOU) and a companion Memorandum of Agreement (MOA), both of which were signed in April of 1998.

The primary objectives of the Canada-New Brunswick Initiative (CNBI) are to promote federal-provincial co-operation in order to increase public safety, enhance efficiencies in both correctional systems, and reduce the overall long-term costs of incarceration. By viewing offenders along a continuum of their potential for reintegration and the capacity to manage that potential, rather than viewing them as either a provincial or federal responsibility, it was expected that a broad range of efficiencies as well as improved public safety could be achieved.

This is the final evaluation of this five-year Initiative. Three annual and one comprehensive evaluations have been conducted to date. The purpose of this evaluation report is to assess the progress of the CNBI against the terms set out in the MOU. Specifically, the MOU states that:

This MOU will commence upon the date of signing and remains in effect for a period of five years. At the end of that period, Canada and N.B. will evaluate the progress of the understanding and determine interests for the future.¹

The MOU calls for the “[determining of] interests for the future”. That process has been split out of this evaluation and the analysis of those issues is presented in the report entitled: CNBI: A Working Paper² compiled jointly by the Federal/Provincial/Territorial Relations Branch of the CSC and the New Brunswick Department of Public Safety. This joint report will be submitted to the Treasury Board as a companion piece to the Final Evaluation so as to ensure that the reporting requirements (as outlined in Section 7.2 of the Evaluation Framework (1999)) are met. This evaluation report examines the previous evaluations for the purpose of providing an overall assessment of the Initiative’s progress against the terms of the MOU. To date, that progress has been substantial.

The Initiative has achieved many of the goals envisioned by the signatories. There is greater co-operation and understanding between the correctional services in the province, and other segments of the criminal justice system. Additionally, the Initiative has progressed well in relation to other goals such as:

¹ MOU, Section 6.0, Terms of Agreement.

² Correctional Service of Canada, F/P/T Relations Branch, Province of New Brunswick Department of Public Safety, CNBI: A Working Paper, December, 2003.

- Better programming for provincial offenders;
- More effective conditional release for provincial and federal offenders;
- Strengthened community infrastructure;
- Better crime prevention;
- Improved public safety; and
- Links with Government priorities.

Moreover, other benefits which have been identified include the ability to engage additional resources from provincially administered programs and services, thereby providing offenders with more comprehensive community programs and supports upon release. This includes housing, income support, job training and placement and mental health services. These additional supports and services have had an effect on the re-offending rate.

The CNBI represents an example of a “*modern relationship between the two levels of government*”, as envisioned in the Social Union Framework and more recently in the Treasury Board of Canada’s “Results for Canadians” Management Framework. The goal of “*organizing the services of the Government of Canada (and New Brunswick) around the needs of Canadians, rather than around those of bureaucracies*” has by in large, been achieved.

INTRODUCTION

The Canada-New Brunswick Initiative was formalised on April 15, 1998 when Canada and the Province of New Brunswick signed a Memorandum of Agreement (MOA)³ for shared correctional services. The federal Treasury Board Secretariat (TBS) approved this innovative Initiative for a five-year period. Under the Initiative, higher-risk offenders in the provincial system, including sex offenders serving sentences six months or more and all other high-risk offenders serving sentences of 12 months or more, are transferred to federal institutions in New Brunswick. In the federal system, these offenders have wider access to specialised programs developed to address their criminogenic factors (the underlying reasons for committing the crime(s)) and help return them to the community as law-abiding citizens. At the same time, the Province committed to investing the funds saved through the closure of a provincial institution (Island View - a forty-eight (48) bed facility) and the negotiated incremental cost of housing a portion of their population in federal institutions, into enhancing community-based programs for federal and provincial offenders and for crime prevention initiatives.

Also in April 1998, a Memorandum of Understanding (MOU)⁴ was signed which established the vision and principles to guide the administration of the Initiative. The MOU focuses on strengthening crime prevention and public safety by such initiatives as managing the appropriate diversion of offenders from the criminal justice system as well as the successful reintegration of offenders in the community. The MOU articulates a need for community involvement in the development and delivery of provincial correctional community programs based in part on regional needs. Overall, the Initiative recognises the strengths of both partners and aims to enhance co-operation to strengthen public safety.

Requirements for the periodic evaluation of the Initiative (during the five-year period that the Agreement is in effect) are included in the MOA. Specifically, the MOA stipulates that annual evaluations must occur after the first, second and third years of the Initiative, that a comprehensive evaluation must occur between the third and fourth year and that a final evaluation be conducted upon completion of the Initiative.⁵

Annual evaluations were conducted within the appropriate timeframes, as was the comprehensive evaluation. The purpose of the final evaluation is to examine the progress of the MOU. The task of determining the interests of both parties for future action as set out in the MOU, is addressed in the companion report: **CNBI: A Working Paper** prepared by the Federal/Provincial/Territorial Relations Branch of CSC and the New Brunswick Department of Public Safety.

The Agreement is currently running under a one year extension granted by the TBS and mutually agreed to by the Correctional Service Canada (CSC) and the New Brunswick provincial Department of Public Safety (DPS). The extension was granted in order to complete the final

³ Submitted as a companion piece to this report.

⁴ Submitted as a companion piece to this report.

⁵ MOA, Section 19, Evaluation Criteria.

evaluation and facilitate the decision-making process. In addition to the extension, an agreement was reached by all sides to allow for the transfer of provincial offenders to the Springhill medium-security institution, located in Nova Scotia. The TBS decision letter regarding the extension stated that: "The Commissioner of the Correctional Services Canada will submit the evaluation of the Canada-NB Initiative to the Treasury Board Secretariat by 31 October 2003."⁶

This final evaluation, is a composite of the annual and comprehensive evaluations. Companion reports were compiled by other Branches of CSC to address issues regarding the future of the Agreement, and a detailed study (conducted by the Performance Measurement Branch, CSC) of the recidivism rates of provincial offenders involved in the Initiative. These reports will be referenced but should be read separately in their entirety.

EVALUATION SUMMARIES

The lines of inquiry for the evaluations were established in the Evaluation Framework⁷. Objectives and Criteria were also established. As noted in the Framework, "the annual evaluations will focus on operational questions and measure compliance with the provisions of the MOA".⁸ The annual evaluations examined such issues as:

- The selection and transfer process;
- Accommodation and program delivery;
- Billing and financial issues;
- The Community Investment Strategy;
- Citizen engagement; and,
- The overall management of the Initiative.

During the development and implementation of the Initiative, concerns were raised by Treasury Board, the Correctional Service of Canada and New Brunswick regarding certain issues, such as legal challenges, the effects of incarcerating provincial offenders in federal institutions and the use of involuntary transfers. These issues were examined during the course of the evaluations and will be discussed in this evaluation.

First Annual Evaluation⁹

The primary focus of the first annual evaluation was to determine the extent to which the implementation of the Initiative met the requirements of the MOA and MOU, and to confirm that the requisite monitoring mechanisms were established for use in subsequent evaluations.

⁶ Treasury Board Decision # 830379.

⁷ This document was submitted to the TBS in 1999 in accordance with the terms of approval set out in the decision letter.

⁸ Performance Assurance Sector, Correctional Service of Canada, **Canada-New Brunswick Initiative, Evaluation Framework**, June 1999, p. 5.

⁹ Submitted as a companion piece to this report.

The First Annual Evaluation focussed on:

- the degree to which the transfer of provincial offenders enhances program opportunities;
- the development of the Community Investment Plan; and,
- the co-operation, co-ordination and integration of the activities of the two partners.

The evaluation team found that, overall, the activities identified by the MOA occurred as planned. During the first year of the Initiative, a total of 148 offenders were transferred under the authority of the Agreement. However, because of the turnover of offenders, the number incarcerated on any given day was less than the 125 that was originally anticipated.¹⁰ Overall transfer of offenders enhanced the opportunity for those receiving provincial sentences to participate in programs designed to address their criminogenic factors.

There were, however, some concerns with due process being both demonstrated and documented in four key areas: selection and assessment; informed consent; transfer to and return from federal jurisdiction; and venues for appeal. Although procedures and policies had been established, the evaluation team found that some of these processes required modification to more clearly demonstrate that due process was being respected. These issues and others mentioned below were addressed in action plans devised and implemented by the Joint Implementation Committee (JIC) (see Appendices for respective annual action plans).

The impact of co-locating federal and provincial offenders was also examined. At this juncture, there was no indication that either group was placed at undue risk. The evaluation team was, however, concerned that access to programs for federal offenders may be affected by housing provincial offenders as program prioritisation is based on parole eligibility dates. The concern was that provincial offenders would be given priority for programs due to their short sentences. Subsequent evaluations indicated that programming capacity was increased to accommodate the influx of provincial offenders thereby minimising the impact on federal offenders.

The Community Investment Plan (CIP) was developed, after consultation with provincial stakeholders and focus groups. This plan was presented at a JIC meeting, held on November 16, 1999.

The evaluation team also examined the ability of CSC and the Province to meet future reporting requirements. The team found that the tracking mechanisms were inadequate to track the costs and savings associated with the Initiative¹¹. There was also concern about the ability to measure the impact of the Initiative on areas such as recidivism, service availability and program access.

¹⁰ The Memorandum of Agreement specifies that the maximum number of offenders which can be accommodated in penitentiary at any given time is 125. The number of transfers did not reach the anticipated level, and the number of offenders incarcerated reached its maximum at approximately 75 to 80 offenders at any given time for the year under review.

¹¹ A joint working group was created to address this issue and a costing model that reflects the fixed and actual costs was approved in 2002.

Overall, the team found in the First Annual Evaluation that the Initiative has increased the co-operation, co-ordination, communication and integration of the two correctional services. As one interviewee commented "it is a good example of co-operative federalism, which responds to the specific needs of this province". During the course of the field visit, the evaluation team received many reports from staff of good practices and found that the majority of staff support the Initiative.

Second Annual Evaluation¹²

The second evaluation continued to examine the implementation of the Initiative and to follow up on the findings of the first evaluation. The Second Annual Evaluation focussed primarily on procedural issues. In general, the evaluation team found that the processes were working well and that most of the initial start-up issues were resolved. The report, based on eight major findings can be summarised as follows:

Finding 1:

Both the Memorandum of Agreement (MOA) and Memorandum of Understanding (MOU) specify the selection criteria for the transfer of provincial inmates to a federal institution. The first annual evaluation noted that, in practice, there was a lack of clarity as to who should be transferred. During the second year of the Initiative this issue continued to be of concern, particularly to CSC staff. However, the MOA and MOU are quite specific on the selection criteria and the issue appeared to be one of inmate management and has been resolved to the mutual satisfaction of both parties.

The evaluation team noted a significant increase in the number of Earliest Release Date (ERD) releases over the course of the first two years and a corresponding decrease in the number of NBI inmates on conditional release (a trend that would continue throughout the life of the Initiative). Anecdotal evidence suggested that the NBI inmates were choosing to stay incarcerated until their ERD in order to avoid supervision in the community until their warrant expiry. This issue was probed in subsequent evaluations with no definitive explanation emerging. On-going monitoring of the time required to process an offender from intake to institutional placement commenced in the second year of the Initiative. While the efficiency of the process improved, the ERD trend continued upward¹³.

Under the Initiative, a maximum of 125 provincial inmates can be accommodated in the federal system at any given time. CSC staff were initially concerned that the influx of such a large number of provincial inmates would adversely affect program waiting lists and federal inmate access to those programs. The evidence suggests that this has not happened and that there was sufficient program capacity to handle the influx.

¹² Submitted as a companion piece to this report.

¹³ See Graph 1 - **Release Types by Fiscal Year- 1998-2003**.

Finding 2:

The Transfer Review Committee continued to operate well and relies on technology to accommodate its decentralised composition. A formal roles and responsibilities document was signed off in September 2001 by the JIC.

The transfer process required some refinements so that the principles of "due process" were fully respected. Many staff and inmates believed that the transfer of a provincial inmate was automatic if he met the time requirements. The transfer decision documents have been amended to allow the inmate the opportunity to challenge the decision, however, there were some administrative gaps in ensuring the document was signed and placed on file.

A related issue was the return of provincial inmates to provincial custody. The MOA and MOU provide for the return of provincial inmates, however, the protocol for such a procedure was not finalised at the time of writing of the initial report. Issues arising from the evaluations were presented to the JIC and an action plan was drafted to address it. A Return Protocol is now in place (see Appendices - Second Annual Action Plan).

Finding 3:

In the planning phase of the Initiative, there was some concern by the participating parties that the co-location of federal and provincial inmates would unduly place both groups at risk. The evaluation team found no evidence of this. However, there was an increase in anti-social behaviour by provincial inmates. Disciplinary and possession of contraband charges for this group rose sharply during the first two years of the Initiative. As a result of this behaviour, CSC was increasingly faced with the question of when, and under what circumstances does a "provincial" inmate become a maximum-security inmate. The process appears quite clear when moving inmates from minimum to medium-security, but less so when considering the move from medium to maximum-security. (The Joint Implementation Committee addressed this issue in 2002 and the movement of provincial inmates from medium to maximum-security is now a routine process - when warranted.)

Finding 4:

The process of transmitting the court endorsements required refinement so that CSC Sentence Managers have the required documents to make an accurate sentence calculation. After a series of discussions a document transfer process was established to enable the timely movement of information. This system is currently working well.

Finding 5:

One of the critical components to the success of the Initiative was the development and implementation of the Community Investment Plan. The consultation phase has been completed and regional action plans have been developed to address the programming needs. In the second year of the Initiative, the Community Investment Plan was in its initial stages of implementation. Many programs were rationalised and combined so as to reduce duplication. The Province

engaged other departments to co-deliver programs in various areas not normally covered by correctional programming. However, it was difficult to determine which programs were new under the Community Investment Plan, which were cost-shared or co-delivered and which programs were carried over from the pre-Initiative period. A related issue that arose from this situation was that it was difficult to track the community programming costs.

As a bilingual province, New Brunswick requires French programs for its offender population. There were few programs for this segment of the population but there has been an increase in program offerings under the Initiative and more were under development.

Finding 6:

Generally speaking, there were some significant challenges in tracking the costs associated with the Initiative. Both Services worked on this issue to reach a consensus on the development of reliable financial data. A detailed analysis of the costs and impacts was left to the year three evaluation.

The success of the Initiative was dependent upon achieving the goals stated in the MOA. The MOA also provides for the possibility of termination before or at the conclusion of the Agreement. However, an exit strategy had not been developed by either party to deal with this possibility. (Exits strategies were submitted by both Services to the JIC for approval as part of this evaluation's action plan.)

Finding 7:

One of the goals of the Initiative is to increase the effectiveness of corrections in New Brunswick as a whole. This requires close co-operation between the two services and the other criminal justice agencies in the province. Technology is a key part of that co-operation and several joint initiatives have been implemented to facilitate a greater sharing of information. The NBI Web site is integral to the Initiative's efforts to share information. However, the Web site required modifications to make it more user-friendly and dedicated resources for its maintenance. The Web site suffered data degradation during the second year as a result of insufficient resources. (CSC has since dedicated resources to the Web site and modifications and upgrades have been undertaken.)

Third Annual Evaluation¹⁴

The focus of the Third Annual Evaluation was to assess the level of compliance with the MOA and to follow-up on the findings of the second evaluation. The Third Annual Evaluation focused on the overall success of the Initiative from the perspective of meeting operational issues and compliance with the provisions of the MOA that strive toward co-operation and "good corrections". The evaluation team found that processes generally work well, with a need for some minor fine-tuning (Finding 3). The external evaluation that followed the Third Annual

¹⁴ Submitted as a companion piece to this report.

Evaluation dealt with issues such as the effect on recidivism, incarceration rates, and the influence of the Initiative on overall good corrections.

This report was based on ten (10) major findings and one emerging finding that is not specific to the NBI but is endemic to corrections in general. These findings can be summarised as follows:

Finding 1:

The vision of the Initiative was to strengthen crime prevention and public safety by managing the appropriate diversion of offenders from incarceration, successfully reintegrating offenders into the community, and by increasing community involvement in correctional programming and support.

The Initiative was successful in facilitating "good corrections" within the Province. Staff and inmates felt the Initiative was worth continuing. There were many positive results including the efficient utilisation of institutional capacity, increased community investment and increased partnerships with other federal and provincial departments, as well as non-governmental agencies. This optimisation of resources increased the outputs of CSC programs and the Province's community network resulting in the improved delivery of programs to offenders.

Finding 2:

Earliest Release Date (ERD) releases remained high and continued to be of concern to staff. An observation was made during the second annual evaluation that inmates may be "opting" to stay to ERD to avoid supervision. Observations from the Third Annual Evaluation indicated that the high number of ERD releases were due to a variety of factors, and may not be primarily due to inmate choice.

For provincial offenders, the parole process is application driven. Due to their relatively short sentences (approximately 16 months) there are occasions where there is not enough time to complete a program and reduce risk sufficiently to effect a conditional release. The short sentences create time pressures that have been affected by the delays at the front end in getting offenders transferred and into programming. There are indications that these two issues (applications and time) are contributing to the high number of ERD releases. Additionally, some offenders are opting to remain incarcerated until their ERD in order to be released without supervision by CSC.

Finding 3:

The transfer protocol for CNBI cases was finalised in June 2001. This document formalises the process whereby provincial offenders may request to return to a provincial institution "to attend judicial proceedings; for long-term medical purposes; or with the concurrence of the Commissioner and the Provincial ADM, for any other reason".

CSC parole officers stated during their interviews that they have requested the return of provincial inmates to provincial custody. These requests are the result of behavioural issues and non-compliance with correctional plans on the part of the NBI offenders. Despite requests made by parole officers, no provincial inmates transferred out of the federal system. There appeared to be no clear process to facilitate a transfer of this nature, as the protocol document only covered inmate-generated requests. Given the difficulties associated with involuntarily transferring an inmate back to provincial custody, inmates see very few consequences to their actions. Inmate attitudes regarding transfer back to provincial custody reflect their belief that the system is ineffectual in this area. Inmates interviewed stated that irrespective of their actions, they will remain in a federal institution, have a guaranteed release date, paid work and enjoy considerably more privileges than in the provincial system.

Finding 4:

There continued to be a low level of awareness by CSC and provincial staff on the goals and objectives of the Initiative, as well as information on provincial services such as programming and services available to offenders.

The inmate handbook on the Initiative distributed to offenders in provincial jails did not adequately represent the purpose and processes of the Initiative. While it provided an overview of what to expect at a federal institution, information on the goals and objectives of the Initiative and information on the offender's right to the appeal process was absent. (A revised Handbook is now available.)

Finding 5:

Intake and needs assessments were highly regarded and accurately assessed the issues surrounding the case. As provincial offenders receive short sentences relative to federal offenders, it is important to quickly and accurately identify their needs in order that they be placed in the appropriate programs to assist in their reintegration. Results of the Third Annual Evaluation indicated that the modified assessment process within provincial jails was very effective. Staff at the receiving institutions were generally pleased with the high quality of the assessments they received, and rarely needed to rework the case to assign programming to the offender.

Finding 6:

There was a high proportion of provincial offenders placed in educational programs, in comparison to federal offenders. However, the educational assessment was not being completed in provincial jails but was, instead, being completed at the receiving institution. This could result in delaying the placement of the offender into an educational program.

The number of provincial offenders enrolling in educational programs decreased from 1999-00 to 2001-02, however, there was a significant increase in the number of offenders successfully completing educational programs. (CAAT testing has been implemented at the Saint John's Regional Correctional Centre where a teacher is available.)

Finding 7:

Mental health needs were not being adequately addressed at either the institutional or community level. Many staff interviewed at both provincial and federal sites expressed concern over the lack of mental health services available to offenders. Although this finding was not specific to NBI offenders, both provincial and federal staff identified it as an emerging issue that required monitoring.

The resources required to provide for these increasing needs were not sufficiently in place. Assessments prior to transfer were not being conducted. Institutional psychologists were primarily occupied with conducting assessments for federal offenders and little time for one-on-one counselling was allocated. In addition, the community infrastructure appeared to be insufficient. There were few health care staff, while there were increasing numbers of provincial offenders needing mental health interventions.

Finding 8:

The Community Investment Plan (CIP) programs were, for the most part, in operation. Services appeared to be expanded, including partnerships with other federal and provincial departments.

An issue was raised by the evaluation team during the second annual evaluation concerning the difficulty of determining which new programs have been introduced or continued during the review of the 2001-2002 CIP. The information provided did not delineate between programs pre-dating the Initiative, and programs implemented as a result of the additional funding resulting from the CIP making it difficult to establish what impact the CIP had on community programs. Data was required which detailed programs and funding levels prior to the Initiative and the enhanced programs and new programs resulting from the Initiative. A related issue was that the provincial programming and finance sectors appeared to use different accounting processes for financial reporting on the CIP that resulted in discrepancies.

The data collection methods for assessing programs improved since the inception of the Initiative. Records on participation levels of both federal and provincial offenders were now tracked. However, there was a need for further refinement in this area.

Finding 9:

There were indications of increased capacity for provincial programming in the community, both new programming and French language programming to accommodate federal and provincial offenders. However, this improved capacity did not translate into higher referrals or program participation. Feedback during the interviews indicated that CSC employees were under-utilising community based programs due to systemic issues such as program accreditation issues, program type, capacity, scheduling and limited CSC staff awareness of program availability.

Finding 10:

French programming capacity and frequency increased in both the institution and the community. The issue of French programming was raised during the second annual evaluation, resulting in a recommendation that the availability of French language programming be examined to ensure sufficient capacity to meet offender needs. Indications from the third annual evaluation were that there was an effort to increase accessibility to French programming, including the pilot of a Continuous Entry Sex Offender Program at the Regional Treatment Centre (RTC).

Finding 11:

Co-operation between the two services increased dramatically. During the course of the third annual evaluation, one of the resounding comments heard repeatedly was the increased trust, synergy and collaboration between federal and provincial officials as a result of the Initiative.

Comprehensive Evaluation¹⁵

As per the MOA¹⁶, an external contractor undertook an evaluation between the third and fourth year of the Initiative. The evaluation included components which:

1. provide assurance that the transfer procedures and conditions followed the requirements and the process specified in the Memorandum of Agreement;
2. examined the accommodation/confinement of offenders by federal corrections and determined the cost of such services as well as the method of payment;
3. determined the experience and cost effectiveness of the transport of offenders between provincial and federal facilities; and
4. provided assurances that there was access to a greater range of community programs for provincial offenders as well as federal offenders conditionally released to the community.

In addition, the comprehensive evaluation examined the experience of the management and implementation of the Initiative. Evaluation questions included the following:

1. Is this Initiative compatible with the concept of "good corrections"?
2. What are the costs and benefits accruing to the primary stakeholders: the Government of Canada; the New Brunswick Department of Public Safety; the Community and the offenders?
3. What is the impact of this Initiative on public safety and recidivism?

¹⁵ Submitted as a companion piece to this report.

¹⁶ MOA, Section C.

The report was completed April 30, 2002 and can be summarised as follows:

A. The Exchange of Services in Relation To Programming

1. The Concept of Providing Programming for Provincial Offenders through the Federal System

There was complete agreement among respondents on the positive value of making federal programming more readily available for provincial offenders, at the earliest possible stage of incarceration.

2. The Implementation of Programming Utilisation

Overall, there was substantial satisfaction in the institutions with the assessments and other procedures that move provincial offenders to the institutions for programming. These assessments were seen as accurate and timely overall, though the evaluators gained a sense that there was room for improvement in the timeliness of communication from institutional staff to the community.

3. Uptake of Programming in the Federal Institutions

The great majority of provincial offenders participated in and completed programming, thus reflecting the success of this aspect of the Canada/New Brunswick Initiative. However, it is documented in the internal evaluations that there has been less than full uptake of institutional programming by provincial offenders. Many respondents felt that there was not a close enough screening for motivation for programming before the offender arrives.

This was considered to be problematic. However, there was a sense that this was less the case currently and that the offenders processed were now more likely to be amenable to programme participation.

4. The Transition to the Community

There were two aspects of the transition by provincial offenders to the community – the preparation by parole officers in the institutions and the processing of the offender by the community-based parole officers. The transition to the community appeared to work well, with considerable co-operation between CSC institutional and community parole, and between the federal and provincial counterparts.

The one area seen as requiring more attention was the uneven awareness in the institutions of the provincial policy change that allowed provincial offenders to access income assistance immediately upon release.

B. The Implementation of the Community Investment Plan (CIP)

There were two issues addressed in relation to the CIP. One was whether the CIP was implemented as planned. The other was the degree to which it meets the goal of extending the reach of good corrections into the community through rehabilitative programming funded under the CIP.

1. The Extent of CIP Implementation: Financial Investment, Programming Range, and Program Administration

In fiscal year 2001-2002, the CIP was fully implemented. The budget was further increased to \$750,000 and the total expenditure was \$755,000. The DPS documents indicated that the provincial CIP expenditure for 2001-2002 of \$755,000 was expected to lever approximately \$1,000,000 of additional funding¹⁷. This represents a positive leverage ratio of 1 to 1.3 or 134%. From this perspective, the total projected expenditure in CIP programs and services for fiscal 2001-2002 was \$1,766,000.

The programming range was considerable, in terms of the geographical allocation, types of programming, and methods of delivery. The latter included accredited CSC programming designed for community delivery (with staff trained by and at the expense of the CSC), on-call therapist services in rural areas, and programming support for women and families with a history or potential for conflict with the law.

The administration of programming was seen as highly responsive, flexible and timely in the great majority of cases. However, the community service providers wanted a more formalised contracting process. They greatly appreciated the positive, trusting, and respectful manner with which they and their provincial funders operated. However, they felt that a more formal approach to the entire contracting process – from expressions of interest and requests for proposal on – would be more prudent in the long run for all concerned. It would ensure that the field is always open for new entrants and strengthen accountability for the community-based element of the Initiative as a whole.

2. Perspectives of Respondents on the CIP

As for the CIP fulfilling its anticipated role, there was a substantial increase in the confidence of CSC management and staff that this key element of the Initiative indeed took place as it envisioned. In that the province administers the program, these respondents have tended to have more of an awareness of its progress, so there was now more comparable knowledge and confidence from both partners.

Even though the CIP generally was viewed as an important resource for addressing the needs of offenders in the community (and to some degree youth, women, etc.), there remained service gaps. These included: female offenders, mentally ill, addicted, subject to childhood physical and sexual abuse, having a “multiple-diagnosis,” severely marginalized because of a combination of socio-psychological and economic factors, cognitively and developmentally impaired. There

¹⁷ This additional funding came in the form of cost sharing with other agencies and federal or provincial departments. No money was directly transferred to the DPS to provide programs or services.

was also a need for group treatment in rural areas for sex offenders and for more French-language programming.

C. Costs and Benefits of the Initiative

Indicators of costs and benefits highlight financial factors, but there were other indicators as well, including the costs and benefits of fulfilling the expectations of the program sponsors, the program users/clients and the public.

1. Costs and Benefits of the Initiative: Results of the Financial Analysis

The analysis of cost-benefit led to the following main findings:

The current per diem rate for provincial offenders paid to the CSC does not meet full costs incurred by the CSC. However, it is anticipated that if the Initiative continued, this per diem rate for the Agreement would increase. If the Agreement were adjusted in the future so that DPS payments cover the incremental cost of housing provincial offenders in federal institutions, then CSC would benefit from:

- a direct reduction in costs associated with housing CNB offenders; and
- an increase in the benefits to CSC and federal offenders equalling the value of the savings from merged services plus the value of CIP funded community programming used by federal offenders.

Similarly, the results of a cost-benefits assessment into the future for DPS would show that:

- an increase in benefits to DPS equalling to the value of the savings from merged services plus the value of CIP programming represented by levered monies.

Areas of cost avoidance that may result from the Initiative in the future include: reduction in duplicated services, potential long-term reduction in costs due to reduction in recidivism from increased access to institutional and community-based programming, increased capacity to partner and to lever funding for community-based programming.

2. Respondents' Views on Financial Costs and Benefits of the Initiative

Interview data indicated the financial benefits of the Initiative significantly outweigh the costs. The financial benefits include: cost reductions by the province due to a facility closure; greatly enriched community-based programming for federal and provincial offenders while at the same time significantly reducing duplication of such programming; and an increased capacity to provide prevention and other support services for youth and families.

D. Program Participation and Release Data

Profile of Offenders in Study Population: The transfers who were released during the period of interest are on average 33 years of age with eight previous convictions and are serving a total

sentence of about 16 months. About half were released on parole and half at their Early Release Date (ERD). A little more than one-third (35%) were convicted of a property crime with the remainder spread among sex (19%), drug (16%), assault (15%) and other (e.g. motor vehicle related, fraud) (15%) offences. A large majority of the transfers (80%) were rated as medium or highly motivated to participate in programming with an equally large majority identified as having a medium or high need for programming.

Type of Release: Within the evaluation time frame (first three years of the Initiative), 177 transfers were released on day or full parole and 198 at their early release date (ERD). Transfers who were released on parole tend to have shorter sentences and been convicted of a drug or related offence. Those paroled also have larger proportions of high ratings for motivation and reintegration potential levels and low ratings for need and risk levels. Parole releases also are more likely to have been assessed for minimum-security level ratings. Larger than expected proportions of those convicted of sex offences and assaults were released at the ERD than conditionally released.

Program Participation: Almost all of the CNBI transfers (94%) took part in at least some type of programming, with each participating transfer attending an average of three different programs. Eighty-six percent participated in criminogenic programming and 89% in non-criminogenic (education, trades). There was little difference in program participation between ERD and conditionally released transfers, both exhibited high rates of program participation.

The overall completion rates were somewhat lower for ERD transfers (68%) versus the completion rates of conditionally released (78%) transfers.

Special analysis of sex offenders (75 identified from OMS):

Profile: Sex offenders are more likely than the other transfers to be older, have fewer previous convictions and are serving a shorter sentence. Larger proportions than would be statistically expected of sex offenders were rated at a low risk level and minimum-security level.

Programming: Fifty-six of the 73 (77%) sex offender transfers who participated in any kind of programming participated in sex offender programming. All 56 sex offender transfers who participated in programming successfully completed at least one sex offender program. Almost three-quarters (74%) of program participation by sex offender had a successful/paroled outcome.

E. The Impact of the Initiative on Cross-Jurisdictional Collaboration

All indications were that the Canada/New Brunswick Initiative has had a substantial positive impact upon federal/provincial relations and has increased communication and collaboration between the two major partners and the municipalities and service providers as well. While the terms of reference for the evaluation directed attention to the effects on federal/provincial relations, the positive responses of the community service providers on their own relations with the province and the federal government, and the leveraging of funds can itself be seen as a positive outcome in terms of extended co-operation and collaboration beyond the federal/provincial partners themselves.

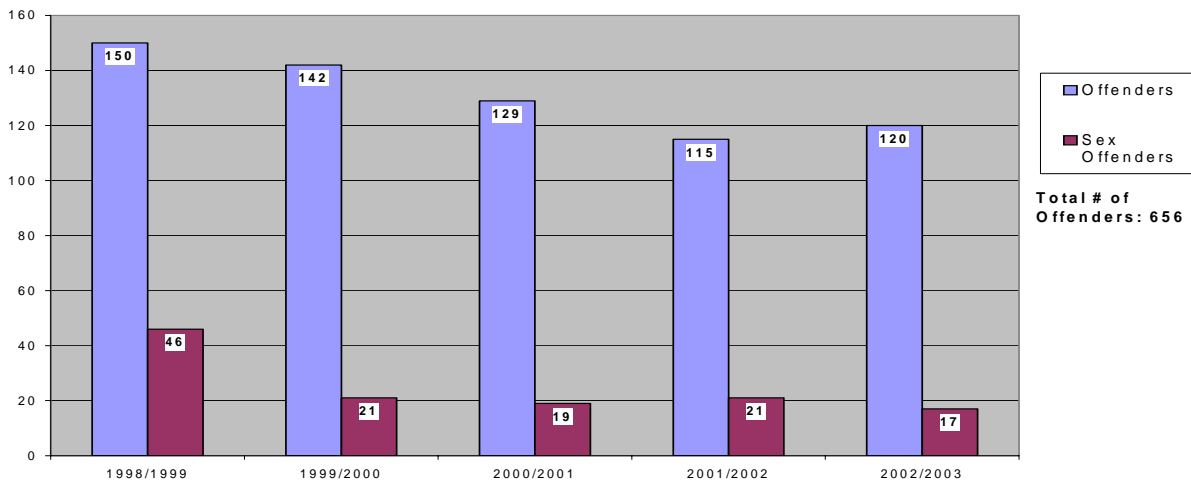
EVALUATIONS SYNOPSIS

Cumulatively, the four evaluations of the CNBI indicate that the Initiative is functioning well and that there are tangible measurable results for both offenders and Canadians. The Evaluation Framework set out the objectives for the evaluations and the means for assessing the efficiency, effectiveness and impact of the Initiative. Over the course of the Initiative, four evaluations have been conducted and can be summarised as follows against the global evaluation objectives:

Objective 1

To review and assess the extent to which the transfer and accommodation of provincial offenders in federal facilities has contributed to the enhancement of program opportunities for provincial offenders and strengthened the correctional services in New Brunswick.

Graph 2
Canada New Brunswick Initiative Admissions
(Actual numbers of offenders transferred)



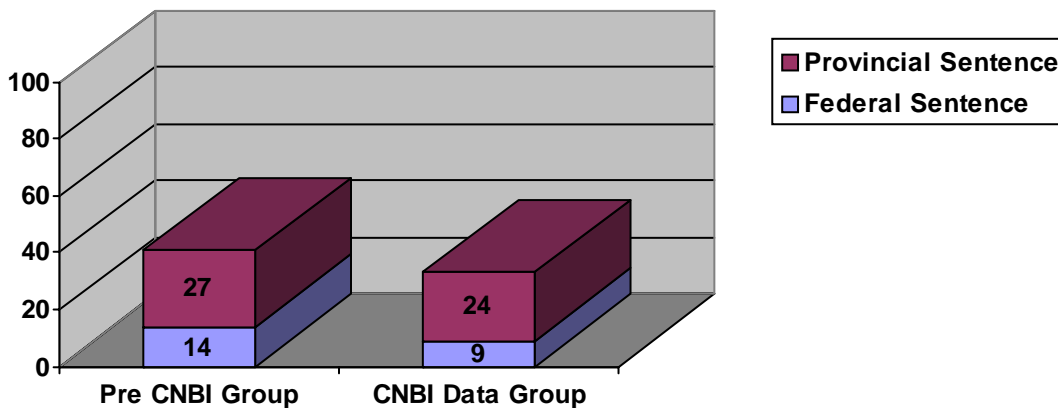
All four evaluations concluded that the Initiative developed well vis-à-vis its procedural aspects. The time to process and place provincial inmates in federal institutions was streamlined¹⁸ over the years and is now working very effectively (needs identification at intake) and efficiently (37-59 days from sentencing to placement). The sentencing and placement process has resulted in greater co-operation between the courts, police departments and the correctional services in New Brunswick. The co-operative work has fostered a greater understanding and appreciation of the challenges and good work in which each of the partners is engaged. Program uptake by provincial offenders has remained at a consistently high level throughout the life of the Initiative

¹⁸ See Tables 1 & 2: **Timeline Comparison (Days), Dorchester Penitentiary and Westmorland Institution, June 2003**

(83% average participation rate)¹⁹. Once a provincial offender is transferred to federal custody, he becomes, for all intents and purposes, a federal inmate with all the same rights, privileges and discipline as his federal counterparts. The only operational distinction made is that there are parole officers whose caseloads are made up almost exclusively of provincial offenders. In the day to day operations, provincial offenders are assigned to work, programs, and housing in the same manner as federal offenders. There is full integration of the two populations. All four evaluations concluded that provincial offenders do not face undue levels of harm by being co-located with federal offenders (given the nature of institutions, some level of harm is expected). To date, there have been no legal challenges by provincial offenders to their placement in a federal institution. A significant number of provincial offenders interviewed for the various evaluations stated that there were more program and work opportunities for them in the federal institutions. Generally speaking, they found the federal system to be a more conducive environment for them to address their criminogenic needs than the provincial system.

The Initiative has demonstrated tangible results in regards to the larger objective of increasing public safety. The research work conducted by the Performance Measurement branch used pre and post-Initiative data provided by the Province. This longer longitudinal study (timeframe - 1995-2003) concluded that there was a twenty percent (20%) drop in the reconviction rate (resulting in either a provincial or federal term) for provincial offenders participating in the Initiative (see Graph 6). The reconviction rate for sexual offenders over the same timeframe has increased slightly (from 1 - 2 %) but the absolute number of offenders remains very low (<2).

Graph 6
Reconviction Rates Within 2 Years of Release
For All Provincial Offenders²⁰



¹⁹ See Graphs 3-5: **Correctional Results, Institutional Program Participation**, June 2003.

²⁰ The data sets were matched in terms of the conditions of the MOU, namely, provincial offenders serving 6 months or more for sexual offences and all others serving 12 months or more.

Type of Reconviction	Pre CNBI Data Set n = 346	Post CNBI Data Set N = 247
Federal	14%	9%
Provincial	27%	24%
Total	41%	33%

NOTES:

- Pre CNBI data set = 1995-1998, CNBI data set = 1998-2001,
- A proportion of the offenders who receive a provincial sentence do not receive a period of incarceration. These cases receive fines or suspended sentences. The proportions were 7 % of the Pre-CNBI Group and 3 % of the post CNBI group.

The three annual and comprehensive evaluations indicate that the combination of institutional and community programming is having a moderately positive effect on provincial offenders. When the recidivism data is examined in conjunction with the sentencing patterns in New Brunswick (Graph 5), there is evidence to suggest that public safety has been increased²¹.

Objective 2:

To review the extent to which the savings realised and other provincial investments in the community have strengthened community support for both federal and provincial offenders through:

A community infrastructure that supports the release of both provincial and federal offenders; corrections-related crime prevention programs; and, Citizen involvement in determining the needs of offenders and program delivery.

The savings realised by the Province have been well invested in the community. This investment has allowed for the expansion of programs and services available to all offenders (women and youth included) in New Brunswick and has facilitated the opening of other services, through co-operative ventures, with other federal and provincial departments in the province. As noted in the comprehensive evaluation, the Province, through its investment in the community has accessed an additional one million dollars worth of programs and services from other agencies and departments. In conjunction with the programming available to offenders in the federal institutions, the expanded program and service offerings create a continuity of care that increases the chances of the provincial offenders to successfully reintegrate into the community.

Provincially, New Brunswick is divided into five community and correctional service regions. During the initial consultation phase on the Community Investment Plan (CIP), local meetings were held with community stakeholders and service providers to identify the regional needs vis-à-vis programming. While there is some commonality between the regional plans, the plans are reflective of the distinct regional needs, which vary linguistically as well as urban to rural settings. One of the crime prevention measures taken by the Province in regard to the CIP was (is) the inclusion of services for women and youth-at-risk in the CIP deliberations. The

²¹ The reader should be aware of the different methodologies used in arriving at the numbers presented. It must be noted that all of the reports highlight a decline in their respective rates.

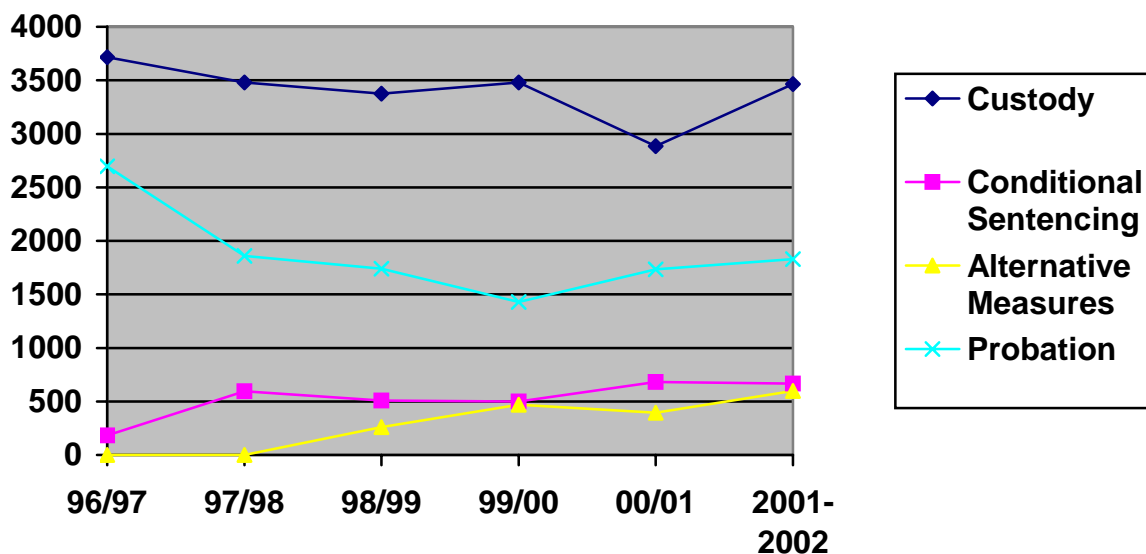
MOA/MOU speak to the transfer of male provincial offenders, however, both these documents refer to programming simply for offenders (provincial and federal) in New Brunswick. As part of its crime-prevention strategy, the province took an inclusive view of the term offenders. The targeting of all groups for programs and services is in keeping with the goal of increasing public safety in New Brunswick.

In tandem with the CNBI, the Province implemented a series of other initiatives to increase public safety and reduce the number of individuals entering the criminal justice system. Since 1996, the Department of Public Safety has implemented a new correctional philosophy in which incarceration is not the first option but the last resort. The three-year Plan titled “*Achieving a Balance*” entrenched into the provincial correctional system the move from incarceration towards enhanced community based corrections. It emphasises the social re-integration of the offender with the correctional system as a key player in the process through and the development and expansion of community-based services and the closure of jails.

Additionally, a number of national legislative and policy changes were initiated that influenced the philosophy that custody should only be used after all community services and programs have been exhausted or the safety of the public is a concern. These included:

- Shifting from incarceration to a community focus: C- 37, YOA;
- Sentencing principles: C- 41- Sentencing Reforms, including introducing Conditional Sentencing and Adult Alternative Measures;
- Increasing the role of victims in the criminal justice system: C- 79, Victim Amendments.

Graph 7
 Provincial Sentencing Patterns
 1996-2002



Objective 3:

To review and assess the extent to which the joint initiatives have resulted in better co-operation, co-ordination and integration of correctional services.

After the First Annual evaluation, all the subsequent evaluations found that the level of co-operation and co-ordination between the correctional services has increased dramatically. Joint initiatives in program rationalisation, program offerings and scheduling, document transfer, risk assessment training and technology transfers, have been extensively documented in the evaluations of the Initiative and have greatly increased the ability of the correctional services in New Brunswick to meet the needs of offenders. Less tangibly, but nonetheless important, is the mutual understanding and respect that has been fostered between the two services through their interactions under the auspices of this Initiative. Whereas, the two correctional services operated largely independent of each other before the initiative, since its inception most, if not all, correctional issues are dealt with in a co-operative manner. This has been a slow but steady process. As one provincial administrator noted: "it is now difficult to find a meeting on corrections where both services are not at the table". This is an excellent example of the type of co-operative federalism envisioned under the Social Union Framework Agreement.

The Governance Structure (as detailed in the MOU) has served the Initiative well. The Joint Implementation Committee (JIC) is the forum in which the contentious issues and many of the details of the operation of the Initiative have been worked out. The JIC meets on a quarterly basis. Comprised of senior and regional managers from both correctional services, the JIC has been instrumental in providing direction and resolution to some problematic issues (e.g. the costing model and programming). It has also been the prime forum for fostering the increased collegiality and co-operation between the two services that now characterises the workings of the Initiative.

The JIC is accountable to the Steering Committee, which is co-chaired by the Commissioner of the CSC and the provincial Deputy Minister - Public Safety. The Steering Committee meets on a bi-annual basis and provides direction on the larger policy issues facing the Initiative. This governance structure has ensured that the Initiative was able to successfully make the transition from start-up to full implementation and that the principles of the MOA and MOU were adhered to in the operation of the Initiative. While the governance structure provided a firm framework for the implementation and monitoring of the Initiative, the senior managers involved allowed for a significant amount of flexibility on the part of those doing the day-to-day work (e.g. the transfer of documents to and from the federal system and the transfer and placement of provincial offenders in maximum-security). This flexibility facilitated some creative solutions to the inevitable issues that an Initiative of this size faces (staff training, inmate awareness, and technological compatibility) and also created opportunities for increased interaction and co-operation between the two correctional services.

Objective 4

To review and assess the extent to which the Canada - New Brunswick Initiative is a model for future, similar partnerships.

The Comprehensive Evaluation conducted in 2002 addressed this issue and concluded that the Initiative could be a model for future, similar partnerships if certain conditions were met. Prime amongst those conditions²² is the need for philosophical compatibility on correctional issues. More specifically, a province or territory seeking to enter into a similar partnership must share the CSCs focus on risk management and the reintegration of offenders back into the community. This type of partnership is not workable if the approaches to corrections are divergent.

The Canada-New Brunswick Initiative is innovative in the breadth of its integration and co-operation between the correctional services in New Brunswick. The integration of programs and services offered to both federal and provincial offenders significantly changes the correctional landscape in New Brunswick. Despite this profound change, a retrospective media scan (1998-2003) revealed that there has been very little public interest in the Initiative. Over the course of the Initiative only a handful of stories (5) were written. Of these, two were positive and the other three neutral in their reporting. Anecdotal evidence from discussions during the course of the comprehensive evaluation and bi-lateral discussions (DPS), with judges and crown attorneys in the province indicate that the Initiative is working well and is beneficial to both offenders and other Canadians through increased public safety.

Other Issues

The decision letter by the Treasury Board and the Evaluation Framework outlined several other areas to be monitored during the course of the evaluations. They are as follows:

Reasons for waivers and postponements

- This is not an issue with the provincial population as parole applications are offender driven. In the few instances noted by the evaluation teams over the years, all waivers and postponements have been due to the desire to complete a program.

Concordance rate between provincial offender program needs and programs

- No official "rate" was established to measure this area. However, the Third Annual and Comprehensive evaluations concluded that the modified intake assessment process produces a high quality Correctional Plan for provincial offenders which accurately reflects their programming needs and is rarely modified by the institutional Parole Officer.

²² CS-Resors, **Comprehensive Evaluation of the Canada-New Brunswick Initiative**, March 31, 2002, p. vii-viii.

Transfer conditions meet the established timeframes

- As with the concordance rate, an "official" timeframe was never established. The issue of time to transfer has been scrutinised by the JIC and the process has been streamlined over the years. The process is now quite efficient.²³

Involuntary Transfers

- All four evaluations found only a handful of involuntary transfers. Each of these was the result of an appeal by the offender to the Assistant Deputy Minister - Department of Public Safety over their transfer to a federal facility. The MOA details the transfer process and specifies that the provincial ADM is the final decision-maker.²⁴ In all cases, the offender was transferred.

Legal challenges to transfer and placement

- Over the course of the Initiative's initial five years, no legal challenges were brought forth at either the provincial or federal level.

Billing and Payment data

- This issue was examined extensively in the first and second annual evaluations. The billing and payment process was deemed to be functioning as anticipated and a costing model to more accurately reflect the incremental and fixed costs of accommodating provincial offenders was jointly designed and implemented in the fourth year of the Initiative.

²³ See Tables 1 & 2, **Timeline Comparison - Dorchester and Westmorland Institutions.**

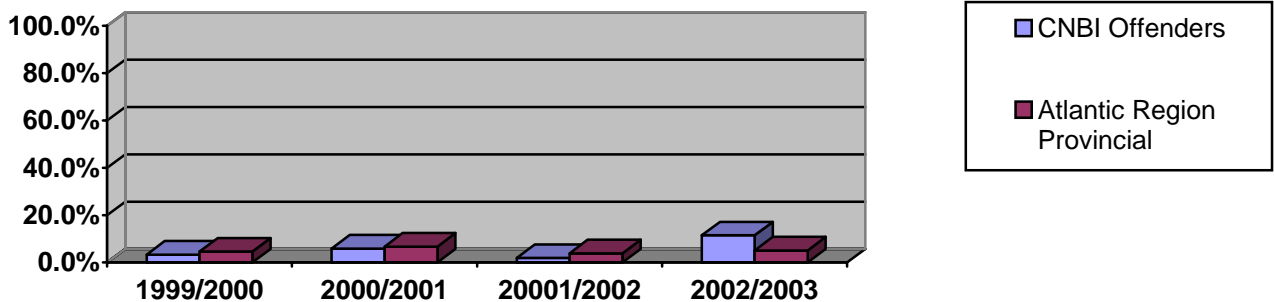
²⁴ MOA, Appendix A, Section D - Transfer Process.

Rates of revocation for Provincial offenders

➤ The rates are as follows:

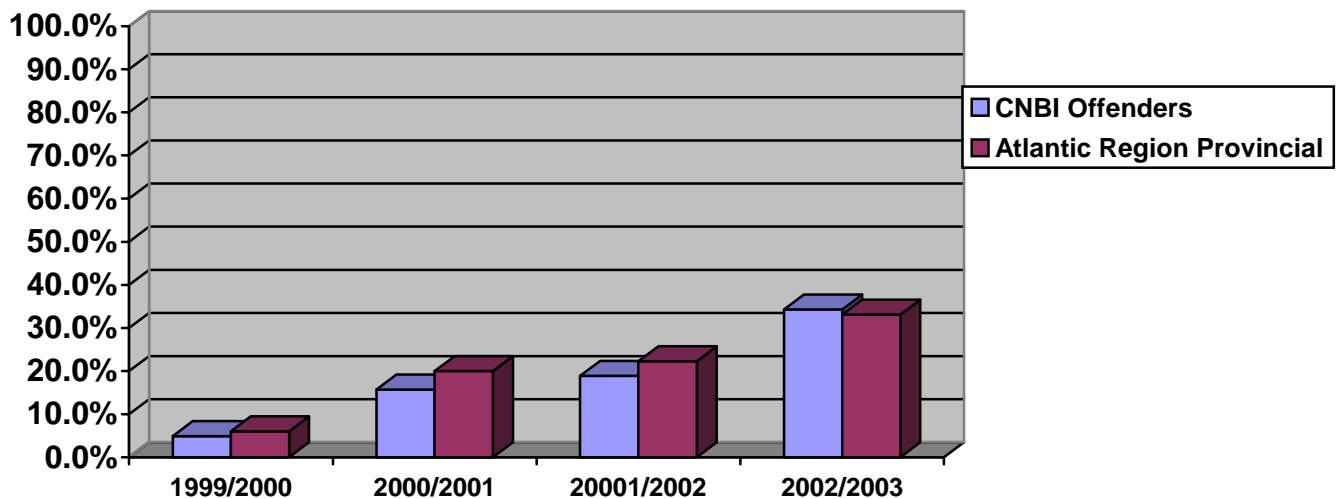
Graph 8

Rates of Revocation - With Offence



Graph 9

Rates of Revocation - Without Offence



The rates of revocation²⁵ with offence have risen moderately over the duration of the Initiative and are in keeping with the trend in the other Atlantic Provinces. This is an unexpected finding that will require further examination by CSC and DPS. Although one might expect recidivism

²⁵ Note: The revocation rate was calculated by using the number of offenders released on a conditional release (day or full parole) and reached their Warrant Expiry Date (WED) in that Fiscal Year. The important distinction is the grouping by fiscal year.

numbers to mirror this effect, they have actually either decreased or remained relatively constant over the same time frame. This can be attributed, in part, to the definition of recidivism and revocation used in the data runs. Recidivism (in the graph presented in the previous section) is defined as an offender returning to an institution two years or more from release (conditional or otherwise) and having reached their Warrant Expiry Date. The offender is returned to custody on a new sentence. By contrast, revocation is defined as an offender returning to an institution while out on conditional release and being re-admitted to an institution without completing the original sentence.

ISSUES FOR FUTURE ACTION

Each of the previous four evaluations has identified issues, both operational and philosophical, which required action on the part of both parties. In large measure, the operational issues have been worked out to the mutual satisfaction of both Services. The "corrective" action taken is outlined in the action plans for each of the evaluations (attached as appendices). There remain, however, three areas that need to be addressed if the Agreement continues past its current extension period. They are Program Accreditation, Funding Issues and Women Offenders.

Program Accreditation

As a result of a CSC commitment stemming from a response to an Auditor General's report, CSC will only recommend offenders to accredited programs. This is problematic in relation to provincial programming, as some Community Investment Plan programs cannot satisfy all of the standards of international accreditation. As a result, some federal offenders are not being referred to programs that could be advantageous to their reintegration.

Although much of the provincially contracted programs and services strive to emulate the accreditation standards, it is challenging in small jurisdictions as well as in rural and remote areas of larger jurisdictions to satisfy these rigid standards.

Through the Community Investment Plan as well as through the menu of core criminogenic programs, the province is able to provide a wide array of gender; linguistic and aboriginal based programs and services throughout the province. The Province engages reputable community based service agencies that also provide a range of other complimentary "wrap around" services and supports to their clients. The attainment of the formal "accreditation standards" as an essential criteria for these community based programs before federal offenders can access them, in many cases may equate to the difference between providing them with programs and services in rural areas or not.

It is in the interest of both parties to explore the possibility of recognizing certain provincially sponsored programs as interventions that may not be accredited but that are nonetheless important to the process of reintegration for federal offenders.

Funding issues

An issue to be addressed in future discussions that of funding. In August 2002, both the Department of Public Safety and Correctional Service of Canada via the JIC, approved an incremental per diem costing model by which the per diem for 2003-04 was agreed upon. The per diem rate was subsequently increased to \$54.07 from \$33.56. The costing model tracks the actual fixed and incremental costs of maintaining provincial offenders in federal custody.

During the course of the past several JIC meetings, the Department of Public Safety has raised the possibility that in the absence of an additional budget allocation from the Province's Board of Management, it may have to reduce the level of investment in the CIP to offset the increase in the incremental per diem rate. Both organisations recognise that a reduction in CIP funding would adversely affect both provincial and federal offenders who access these programs and services. This issue and others, including the potential repatriation of provincial offenders to provincial custody, (and the attendant new capital and operating costs), if the Agreement is not renewed or re-negotiated are more fully addressed in the previously cited CNBI: A Working Paper report.²⁶

Women Offenders

While the MOU and MOA speak directly to the transfer of adult male offender, very early on in the life of the Initiative the Province adopted an inclusive interpretation of the term "offenders" to include women and youth. The CIP has invested money in programs and services for both groups. The inclusion of women in any subsequent Agreement would address many of the 'small population' issues New Brunswick finds when developing and providing institutional programs for its female population. CSC and DPS may want to explore the possibility of drafting an Agreement to enable provincial women to be transferred to Nova Institution.

²⁶ Correctional Services of Canada, F/P/T Relations Branch, CNBI: A Working Paper, December 2003.

CONCLUSION

The Canada-New Brunswick Initiative is an example of the type of co-operative federalism envisioned by the Social Union Framework Agreement. While the CNBI pre-dates the Social Union Framework Agreement, the signatories nonetheless set out to streamline corrections, reduce the reconviction rate primarily for provincial offenders, and improve public safety in New Brunswick through a co-operative process. Over the course of the initial five years of the Initiative, four evaluations have been conducted to assess its progress in a variety of operational and administrative areas. The initial start-up challenges were quickly resolved and the Initiative has fostered greater co-operation and respect between the two correctional services. Joint meetings at every level are now commonplace. Program and service availability for all offenders (including women and youth) in New Brunswick has been improved. In addition to the four previous evaluations conducted by the Evaluation and Review Branch of CSC, the recidivism and "issues" papers produced by the CSC and DPS (and submitted as companion pieces to this report), corroborate the fact that the Initiative has had the desired effect on the correctional system, offenders and public safety. All of the indices have moved in a positive manner. The increased level of integration and co-operation between the two Services has created a myriad of benefits to offenders, the Services and Canadians.

APPENDICES

First Annual Evaluation Findings:

Finding 1:

- The selection and assessment procedures are not consistent with the due process set out in the Memorandum of Agreement.

Finding 2:

- The transfer notification process does not ensure that offenders will be provided with adequate information to contest the transfer.

Finding 3:

- The return of transfer offenders process does not ensure that requests to return to provincial custody will be reviewed in a timely manner.

Finding 4:

- The transfer of provincial offenders has enhanced opportunities for provincial offenders to participate in programs designed to address criminogenic needs and risks.

Finding 5:

- The co-location of federal and provincial offenders does not appear to have placed either group at risk.

Finding 6:

- A Community Investment Plan has been developed.

Finding 7:

- There are no adequate mechanisms to track the costs and savings associated with the Initiative.

Finding 8:

- The Initiative has resulted in increased co-operation and co-ordination between the Correctional Service of Canada and New Brunswick Community and Correctional Services.

First Annual Evaluation Action Plan

Findings	Action Plan	Completion Notes	Time frame	OPI
1. Consider whether it is possible to implement more timely response for admission of transfers from Provincial System to Dorchester	Being assessed under the C/NBI timeliness process and through addressing the ERD releases. Report on the ERD to be completed and shared with JIC. Review timeline bi yearly.	ERD committee met Sept. 11 & Nov. 25 reviewed timeline /process and recognized situation with medium security beds. Timeline also reviewed at process meeting Nov. 19 with focus on processing and transferring C/NBI as quickly as possible. Timeline reviewed Feb. 2003, note overall process time is reduced for both institutions.	December 2002 Ongoing	<i>DPS and CSC</i>
2. Clarify for Dorchester Institutional staff the provincial policy on offender access to income assistance upon release, so that two institutions facilitate these procedures equally, as appropriate	E-mail with attachment of policy forwarded to all Federal Institutions within the Region, April 2002. Policy applies to all NB offenders. Will also be included in the training package, which is being prepared.	Shared information electronically to all Institutions April 2002. Presentation given by DPS at the Joint Process Meeting on Nov. 19th clarifying process etc.	Completed	<i>CSC and DPS</i>
3. Continue the effects to document the financial costs and benefits of all aspects of the Initiative, for internal accountability and management but also in preparation for the summative evaluation or	CSC and DPS need to agree on costing methodology.	At JIC meeting October 4 Costing methodology was agreed upon	December 2002	<i>DPS and CSC</i>

Findings	Action Plan	Completion Notes	Time frame	OPI
other types of reporting ; i.e. Treasury Board				
4 Development of a means of record-keeping that allows for distinguishing the various service users (federal, NBO, other "at Risk" target groups, etc.) for any given funded community-based service or activity.	DPS will develop a means to record users of any funded community based service or activity.	RD's agreed on standardized data requirements. To be shared with CSC at the next programmer's meeting - May 2003		<i>DPS</i>
5. An extensive review of the ERD situation including the rational, role, and impact.	As per Finding # 1	Updated report submitted at JIC - March 21/03	Completed - March 2003	
6. Appears to ambiguity about the ultimate goal of the Initiative as it relates to the criteria for placement of provincial offenders in the federal facilities as NBO's.	Position papers to be completed and shared between DPS and CSC by May 2002.	Position Papers were shared. Also presented and discussed at the JIC Meeting June 6, 2002. DPS and CSC concur on the interpretation of the MOA/MOU Information shared with DPS and CSC staff at the Process meeting.	Completed - June 2002 Completed - Nov. 19th 2002.	CSC and DPS
7. The per diem rate for NBOs paid to CSC does not meet full costs incurred by CSC		DPS and CSC have agreed upon a costing model.	December 17 2002	

Findings	Action Plan	Completion Notes	Time frame	OPI
8. It will be of interest to follow though on issue of recidivism in the summative evaluation when numbers may support more detailed analysis	Initiate a recidivism study for inclusion in the final evaluation. Updated status to be presented at JIC- March 21, 2003 by NHQ Performance Assurance.	Raw data has been submitted for analysis. Joint Meeting held January 2003.	September 2003	CSC NHQ Performance Assurance, CSC Atl. and DPS
9. Community Service Providers would like to see a more formalized contracting process.	DPS develop a more formalized contracting process. Being reviewed by Supply and Services and DPS for April 2003		Feb. 2003	DPS
10. Need for the description and Compilation of Cost Avoidance	DPS will complete a draft report on the benefits of all aspects of the Initiative and then consult with CSC for input.	Draft being developed Dec. 2002 Draft report on cost avoidance/benefits to be presented at JIC March 21 2003.	Final - Jan 2003	DPS and CSC
11. More effort to inform the wider community	Develop Communication Action Plan	Draft plan completed Oct 31. 2002. Presented at JIC in Dec. 2002. Draft pamphlet to be presented at JIC March 21/03. Draft Multi use background paper under review.	June 2003	DPS and CSC

Second Annual Evaluation Findings:

Finding 1

- There is a need for the development of a common approach for the management of those NBI inmates who refuse all rehabilitative and programming opportunities and make a deliberate choice to serve their sentence without availing themselves of the varied opportunities in the federal institutions.

Finding 2

- Some of the outstanding issues raised by the first annual evaluation relating to the transfer process have not been fully resolved.

Finding 3

- The co-location of federal and provincial offenders does not appear to have placed either group at risk. However, NBI inmates are increasingly engaging in anti-social behaviour in the institutions resulting in an increased number of charges.

Finding 4

- Although there is a Memorandum of Understanding in place between Canada and New Brunswick to ensure that court transcripts are sent to the Intake Assessment Unit (IAU) at Springhill Institution (N.S.) for federal offenders, the arrangement does not appear to consistently apply to NBI offenders.

Finding 5

- The Community Investment Plan has been developed and was approved in March 2000. The CIP commits the Province to investing \$698,400 annually on community programming. However, the plans do not indicate how much has been spent or which agencies have contributed them.

Finding 6

- It is difficult to track many of the costs and savings associated with the initiative

Finding 7

- Although efforts are underway to modify and improve some aspects of those information systems related to the initiative, many performance indicators are no longer being collected.

Finding 8

- As the Initiative progresses, operational details are being resolved.

Second Annual Evaluation Action Plan

Recommendations	Action Plan	Completion Notes	Time frames	OPI
1. That the "Notice of Final Decision" form be revised to change the signature block to properly reflect the title of the officer who is accountable for signing that form. In addition, all changes to the offender transfer forms should be communicated to all staff who are responsible for completing those forms to ensure that the forms are appropriately filled out.	Change the form as requested Notify all pertinent staff of the change Implement the form	The signature block and title have been changed in accordance with the recommendation.	Completed March 1, 2001	ADM Department of Public Safety
2. That a mechanism be put in place to ensure that the completed "Final Decision for Transfer" form is part of the file accompanying the provincial offender to a federal institution	Notice of Final Decision to Transfer will be forwarded to all CSC Parole Officers who are involved in the process	The Programmers at SJRCC and MDC are now responsible for forwarding this Notice to the appropriate Parole Officer for their file.	Completed March 8, 2001	ADM Department of Public Safety
3. That NBI offenders be considered for and transferred to a maximum-security institution if their behaviour warrants, regardless of their "provincial" status.	Based on Security Classifications - CRS Same Criteria used as Federal Offenders Review incidents - # per inmate & type & over rides of CRS	Utilising same criteria as per Federal Offenders	Completed May 2001	Joint Implementation Committee/Warden of Dorchester
4. That a Memorandum of Understanding be put in place to ensure that CSC Sentence Managers receive the court transcripts for all offenders committed to a CSC Institution under the New Brunswick Initiative.	Public Safety negotiate with Department of Justice to have information shared with CSC. CSC to review this simultaneously with the 5 yr review of the Information Sharing Agreement	Clarified need for court endorsements and not court transcripts. Ongoing discussions. Next meeting Nov. 7th 2001. Dept Justice agreed to share court endorsements with Prov. programmers who will include	Implement process Jan 2002. Completed	Provincial ADM, Department of Public Safety & Deputy Commissioner, Atlantic Region, Department of Justice

Recommendations	Action Plan	Completion Notes	Time frames	OPI
	(Policy and Planning)	them in the package forwarded to CSC		
5. That the availability of French language programming be examined to ensure sufficient capacity to meet offender needs.	CSC and Province develop a working group to review and make recommendations to JIC.	Working group met on June 18, 2001. Recognised limited programs offered, felt interventions for this group were being addressed.	Completed June 18, 2001	ADM, Department of Public Safety, & Deputy Commissioner, Atlantic Region
6. That the program funding from the Community Investment Plan be separated out and recorded (apart from funding from other sources) to determine exactly what program components are funded through the Initiative.	DPS has attempted to provide material requested but it requires more detail and explanations. DPS will be presenting this at the JIC meeting - Sept. 28	Presented at the JIC - Sept. 28th	Completed	Joint Implementation Committee
7. That the CSC and the Province clarify the accreditation expectations for those community programs that may be attended by federal offenders.	CSC and Province develop a working group to review and make recommendations to JIC.	Met June 18 th . Next meeting August 29 - 30 postponed. Meeting occurred October 15-16 where accreditation /evaluation framework were clarified. Clarification of program mandate for PNB/CSC was also accomplished.	Completed	ADM, Department of Public Safety & Deputy Commissioner, Atlantic Region
8. That a consensus on cost tracking be reached between the CSC and the Province.	Attempts have been made to track costs though is difficult. CSC will try and develop a method to identify specific costs, which are directly related to C/NBI.	Financial System is not built to track cost by client. Therefore detailed tracking is difficult. CSC met May 10th and decision to provide a financial cost, utilising a blended cost process was	Present at the JIC, September 28, 2001 CSC methodology was accepted. Completed	CSC, NHQ, Performance Assurance, ADM Department of Public Safety

Recommendations	Action Plan	Completion Notes	Time frames	OPI
		made. At the JIC Dec 19th 2001, DPS indicated they were revisiting the financial submission and will contact RD Finance with questions prior to end of Jan 2002. DPS is planning to meet Sept. 19th to discuss their approach and share at the JIC		
9. That an exit strategy be developed to cover the contingency of the Agreement not being renewed after five years.	CSC and PNB prepare "Contingency Plans". CSC and DPS will independently develop plans and then meet to collectively agree on the contents of each plan and jointly present the plan at the next JIC meeting in September 2001.	Draft reports completed. CSC Strategy accepted DPS Strategy requires additional assessment DPS - presented final plan at JIC Dec. 19th 2001	CSC - Completed DPS - Completed	ADM, Department of Public Safety & Deputy Commissioner, Atlantic Region
10. That the New Brunswick Initiative site be designed as proposed and converted to run using NBI identifier logic that takes both sentences and terms into consideration	CSC Atlantic had dedicated a resource to redesign the C/NBI web site and to work with NHQ to ensure all data, at all levels is extracted using the same methodology and definitions, taking into consideration both sentences and term.	NHQ will forward updated information every two weeks to RHQ	Completed - March 2001	Joint Implementation Committee

Third Annual Evaluation Findings:

Finding 1

- Overall, the Initiative appears to be a success, reflecting "good corrections". Both anecdotal and statistical evidence indicates that the Initiative is achieving its intended goals.

Finding 2

- ERD releases remain high and continue to be a concern to staff. Inmates appear to be "opting" to stay to ERD to avoid supervision upon release.

Finding 3

- The Return of Offenders protocol has been finalised after wide consultation. This addressed the concern that the previous process was not timely or flexible enough to facilitate efficient transfers back to provincial custody.

Finding 4

- Staff and inmate awareness on the Initiative and its goals need to be improved. The inmate handbook on the Initiative distributed in the provincial jails does not fully explain the purpose and processes of the Initiative.

Finding 5

- Intake and needs assessments are highly regarded and accurately reflect the issues of the case.

Finding 6

- Evidence suggests that a high number of NBI offenders are being placed in the school or having education identified as a target need. Educational assessments are not being completed in the provincial jails prior to transfer.

Finding 7

- Mental health needs are a significant, emerging factor not originally identified by the Agreement. Overall, mental health needs are not being fully addressed at either the institutional or community level. This is an area that impacts directly on both federal and provincial offenders, and requires further monitoring and examination.

Finding 8

- The Community Investment Plan (CIP) programs are, for the most part, in operation. Services appear to be expanded, including the involvement of other federal and provincial departments.

Finding 9

- Capacity for provincial community programming appears to be in place but may be under-utilised by CSC. A Provincial Program Administrator (PA) function has been identified.

Finding 10

- French programming capacity and frequency have increased in both the institution and the community.

Third Annual Evaluation Action Plan

Recommendations	Action Plan	Completion Notes	Time frames	OPI
1. That a parole application and information regarding conditional release be included in the checklist used to prepare NBI offenders for transfer to a federal institution with the intent of encouraging application of conditional release by the inmate.		Completed in March 2002. The parole application and information have been added to the check list	March, 2002	Joint Implementation Committee
2. That the timeliness of the intake, transfer, program assignment and commencement be examined and the process be streamlined to facilitate more inmates being eligible for conditional release.	JIC reviewed the timelines and the joint process meeting discussed this on February 14, 2002 and agreed to look for ways of improving the process. This review is ongoing and will be reviewed every 6 months.	ERD Meeting held September 11, 2002 , CSC, DPS, NBP Update meeting completed Nov 25, 2002 Action items reviewed and report to be presented at Dec 2002 JIC meeting. Final Report to be presented at Mar 2003 JIC meeting.	Ongoing	Joint Implementation Committee
3. That the JIC examine the terms of transfer as defined by the Agreement and provide clear direction on the criteria to be used in assessing the suitability of a provincial offender for transfer to and maintenance in a federal institution.	DPS and CSC are preparing position papers. Resolution is expected to be reached in May.	Completed Position papers shared and discussed at JIC Meeting June 2002. Clarification will be part of renewal process.	May, 2002	Joint Implementation Committee

Recommendations	Action Plan	Completion Notes	Time frames	OPI
4. That a training package be developed and distributed to all federal and provincial employees involved in the Initiative. That a formal process be established for workshops and updates, including a mechanism to facilitate presentations by provincial service delivery agencies.	DPS and CSC, training departments, Jim Black and John Oxner will develop the training packages and submit proposed process and time frames for implementation.	Meeting between DPS and CSC Training staff held October 31. CSC completed draft – out for consultation Total draft package to be developed for May/03	November, 2002	CSC Training DPS Training
5. That the province's inmate handbook be revised to include information on the goals, objectives and transfer process and appeal process of the Initiative.	DPS will revise and forward to CSC for review.	At translation/incorporated soon for francophone offenders May 2003	August, 2002	Joint Implementation Committee
6. Explore the feasibility of including the CAAT, or any accredited educational assessment tool, in the modified intake assessment process be examined.	DPS has reviewed. CAAT might be able to be completed at SJRCC as an educational teacher is on staff. Moncton Detention may not have the resources to complete. DPS will explore further.	A three-month pilot in the Saint John Regional Correctional Centre Completed February 2003 Decision was to continue completion of the CAAT. Pilot Report presented at JIC	Completed March 2003	Joint Implementation Committee
7. That CSC and the Province examine the initial mental health needs screening process and the feasibility of conducting selective psychological assessments for inmates considered for transfer under the Initiative.	DPS/CSC meet with the Psychologists who provide a service at SJRCC and Moncton Detention to explore further.	A meeting has been held with DPS/CSC and NB Mental Health, Nov 12, 02. A meeting between psychologists	Completed Feb 2003 December, 2002	Joint Implementation Committee Meeting

Recommendations	Action Plan	Completion Notes	Time frames	OPI
		was held Feb 18, 2003 resulting in further consultation. Minutes available		
8. That Department of Public Safety examines its Mental Health services to facilitate a continuity of care and services from the institution to the community.	DPS officials will consult with the Institutional and Community reps. And with CSC.	In the Nov 12 meeting of CSC/DPS and Mental Health, it was decided that Staff from the institution would make an appointment at the appropriate Mental Health Centre (Intake Worker) about 2 months prior to an inmate's release from the institution. A meeting was held on June 10th between CSC/DPS and Regional Mental Health representatives - protocol parameters agreed upon, draft being developed, Sept. 2003.	December 2002	Provincial Director of Programs
9. That the funding allocated as a result of the CIP be recorded separately form programs which pre-date the initiative to enable an		Completed	March 2002	ADM Department of Public Safety

Recommendations	Action Plan	Completion Notes	Time frames	OPI
assessment of the impact of the additional funding on new programs, and enhanced programs.				
10. That the provincial program and finance sectors establish a consistent method of recording and reporting financial information related to the CIP. In addition, identification of additional mechanisms to track qualitative measures should be established and implemented for programs under the CIP.	Financial Services of DPS will address this issue.	Completed : December 2003 To be presented at joint meetings	May 2002	ADM - Dept. of Public Safety
11. That CSC and the Province strengthen the working relationship between the Provincial Regional Program Administrators and Federal District Program Coordinators and continue to improve the program referral process so as to increase the availability and utilisation of all community programs.	RD's and DD's will continue to discuss this issue and strengthen their working relationship.	RDs/DDs identified appropriate staff for co-ordination of a meeting in Jan/Feb /03 RDs identified the appropriate staff as being Regional Directors themselves.	Ongoing	CSC-RACP, Provincial Director of Programs, Provincial RDs
12. That the Department of Public Safety re-assesses the program offerings under the Community Investment Plan to ensure that they are still relevant and required in the five regions.	RD's have been challenged to complete and consult with the DD's of CSC and other stakeholders.	RD met with groups to reaffirm priorities. A joint meeting completed November 13, 02, RD/DD developing action plan (Dec10) to consult community to ensure the	Completed March 2003 October, 2002	JIC

Recommendations	Action Plan	Completion Notes	Time frames	OPI
		meeting of needs. Refer to progress report March 2003 for detail reports Focus groups completed except for Saint John Region (scheduled Mar/April 2003) Program priorities to be presented at March JIC meeting.		

Comprehensive Evaluation Action Plan

Findings	Action Plan	Completion Notes	Time frames	OPI
1. Consider whether it is possible to implement more timely response for admission of transfers from Provincial System to Dorchester	<p>Being assessed under the C/NBI timeliness process and through addressing the ERD releases.</p> <p>Report on the ERD to be completed and shared with JIC.</p> <p>Review timeline bi yearly.</p>	<p>ERD committee met Sept. 11 & Nov. 25 reviewed timeline /process and recognised situation with medium security beds.</p> <p>Timeline also reviewed at process meeting Nov. 19 with focus on processing and transferring C/NBI as quickly as possible.</p> <p>Timeline reviewed Feb. 2003, note overall process time is reduced for both institutions.</p>	<p>December 2002</p> <p>Ongoing</p>	<i>DPS and CSC</i>
2. Clarify for Dorchester Institutional staff the provincial policy on offender access to income assistance upon release, so that two institutions facilitate these procedures equally, as appropriate	<p>E-mail with attachment of policy forwarded to all Federal Institutions within the Region, April 2002. Policy applies to all NB offenders. Will also be included in the training package, which is being prepared.</p>	<p>Shared information electronically to all Institutions April 2002. Presentation given by DPS at the Joint Process Meeting on Nov. 19th clarifying process etc.</p>	Completed	<i>CSC and DPS</i>
3. Continue the effects to document the financial costs and benefits of all aspects of the Initiative, for internal	<p>CSC and DPS need to agree on costing methodology.</p>	<p>At JIC meeting October 4 Costing methodology</p>	December 2002	<i>DPS and CSC</i>

Findings	Action Plan	Completion Notes	Time frames	OPI
accountability and management but also in preparation for the summative evaluation or other types of reporting ; i.e. Treasury Board		was agreed upon		
4 Development of a means of record-keeping that allows for distinguishing the various service users (federal, NBO, other "at Risk" target groups, etc.) for any given funded community-based service or activity.	DPS will develop a means to record users of any funded community based service or activity.	RD's agreed on standardised data requirements. To be shared with CSC at the next programmer's meeting - May 2003	.	<i>DPS</i>
5. An extensive review of the ERD situation including the rational, role, and impact.	As per Finding # 1	Updated report submitted at JIC -March 21/03	Completed - March 2003	
6. Appears to ambiguity about the ultimate goal of the Initiative as it relates to the criteria for placement of provincial offenders in the federal facilities as NBO's.	Position papers to be completed and shared between DPS and CSC by May 2002.	Position Papers were shared. Also presented and discussed at the JIC Meeting June 6, 2002. DPS and CSC concur on the interpretation of the MOA/MOU Information shared with DPS and CSC staff at the Process meeting.	Completed - June 2002 Completed - Nov. 19th 2002.	CSC and DPS
7. The per diem rate for NBOs paid to CSC does not meet full costs incurred by CSC		DPS and CSC have agreed upon a costing model.	December 17 2002	
8. It will be of interest to follow though on issue of recidivism in the summative evaluation when numbers may support more detailed analysis	Initiate a recidivism study for inclusion in the final evaluation. Updated status to be presented at JIC- March 21, 2003 by NHQ	Raw data has been submitted for analysis. Joint Meeting held January 2003.	September 2003	CSC NHQ Performance Assurance, CSC Atl. and DPS

Findings	Action Plan	Completion Notes	Time frames	OPI
	Performance Assurance.			
9. Community Service Providers would like to see a more formalised contracting process.	DPS develop a more formalised contracting process. Being reviewed by Supply and Services and DPS for April 2003		Feb. 2003	DPS
10. Need for the description and Compilation of Cost Avoidance	DPS will complete a draft report on the benefits of all aspects of the Initiative and then consult with CSC for input.	Draft being developed Dec. 2002 Draft report on cost avoidance/benefits to be presented at JIC March 21 2003.	Final - Jan 2003	DPS and CSC
11. More effort to inform the wider community	Develop Communication Action Plan	Draft plan completed Oct 31. 2002. Presented at JIC in Dec. 2002. Draft pamphlet to be presented at JIC March 21/03. Draft Multi use background paper under review.	June 2003	DPS and CSC

REVISED - 2003-03-17

Table 1

Timeline Comparison (Days)
Dorchester Penitentiary

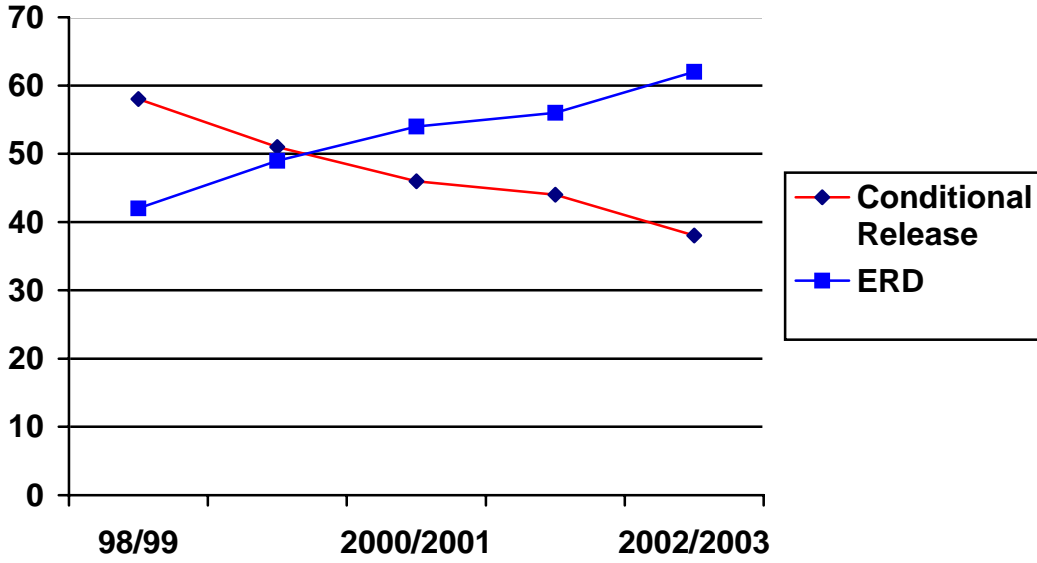
Year	Average Sentence Length	Full Parole Eligibility (FPE)	Time to Process	ESA to Program Start	ESA to Program Start	ESA to Program Start
				Sex Offender	Substance Abuse	Recourse and Reasoning
2000-01	500	167	65	24	32	52
2001-02	531	177	77	67	42	42
2002-03	488	163	59	40	31	43

Table 2

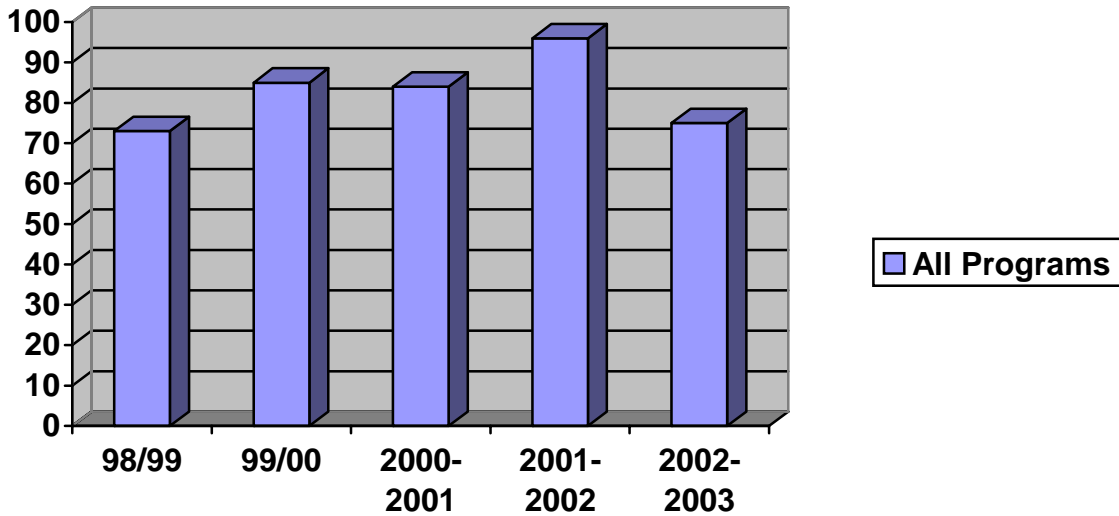
Timeline Comparison (Days)
Westmorland Institution

Year	Average Sentence Length	Full Parole Eligibility (FPE)	Time to Process	ESA to Program Start	ESA to Program Start	ESA to Program Start
				Sex Offender	Substance Abuse	Recourse and Reasoning
2000-01	477	159	50	86	50	29
2001-02	496	165	57	115	54	26
2002-03	464	155	41	55	45	43

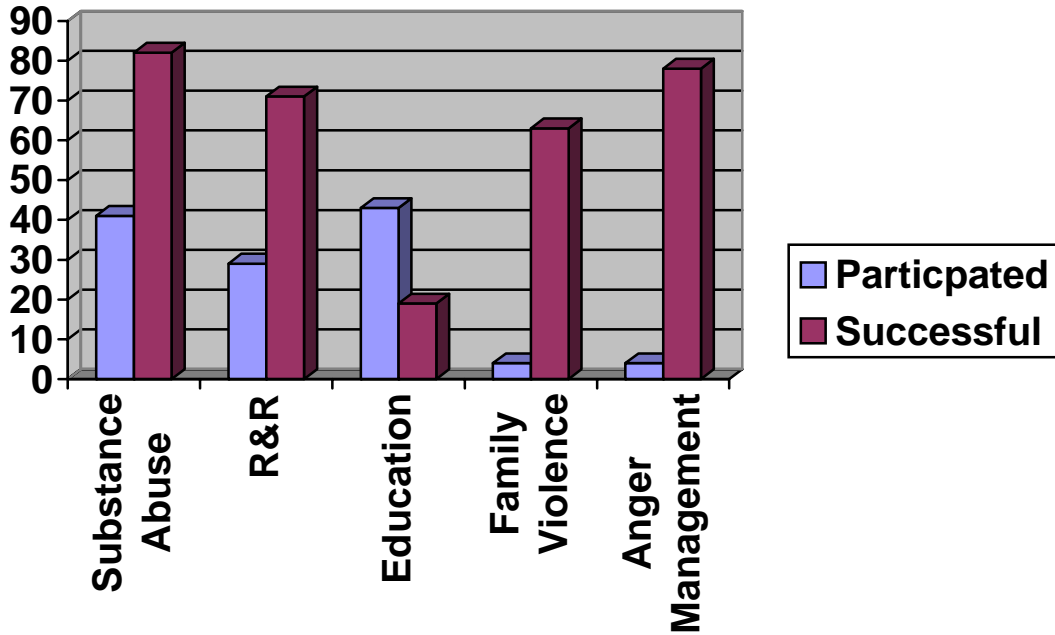
Graph 1
Release Types By Fiscal Year
1998-2003



Graph 3
% of Offenders taking Programming
Prior to Release - 1998-2003



Graph 4
Offender Program Participation & Success Rates
By Program



Graph 5
Sex Offender Program
Participation and Success Rate
1998-2003

