

**Deloitte.**

# Report on Nova Scotia's Adult Correctional Facilities

Nova Scotia Department of Justice  
October 29, 2008

Audit • Tax • Consulting • Financial Advisory.



# Acknowledgement

- This document is the final report of the External Review of Nova Scotia’s Adult Correctional Facilities.
- No matter what the jurisdiction, corrections is a specialized work environment in which particular processes, knowledge and skills are required, as staff deal with more unpredictable and dangerous people in a challenging work environment. Nova Scotia’s corrections system is no different. We believe it must be acknowledged that the correctional environment in Nova Scotia presents unique and complex operational challenges for all levels of staff, local management and senior leadership.
- Furthermore, as in other jurisdictions in Canada, the adult custodial system in Nova Scotia has experienced increasing numbers and changing inmate profiles, which has added pressure to the operations of its correctional facilities.
- As in other jurisdictions, Nova Scotia’s correctional services labour environment has been highly contentious. Yet, on the basis of extensive discussions throughout Nova Scotia’s adult correctional system conducted by the reviewers, it appears that staff and management agree on the need to work together to create a mutually respectful, safe and effective working environment in which Nova Scotia’s basic correctional philosophy of direct supervision may be delivered to offenders.
- Only Correctional Services’ policies and procedures in existence prior to May 1, 2008 were subject to review for this engagement, with the exception of the internal audit of the Central Nova Scotia Correctional Facility, for which we have reviewed the response to the audit. Revisions to some policies and procedures have been implemented since the time of our review.
- All references to “the correctional system” or “corrections in Nova Scotia” refer exclusively to Nova Scotia’s adult custodial services, unless otherwise stated.
- The Deloitte team would like to thank those members of the Division who generously gave their time and insights in the course of this review.

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- This report is organized into the following sections:



- The diagram above is placed in the upper-right hand corner of the page to provide orientation to the reader.

# Executive Summary

- In April 2008, an unfortunate event related to the escape of an inmate while being escorted for medical attention caused Nova Scotia's Department of Justice to seek answers as to the root cause of errors and inefficiencies in its adult correctional services system.
- In addition to extensive internal investigation conducted by the Department, Deloitte was engaged to conduct a review of the adequacy of policy, procedure and practices with regard to nine topics, including weapons used on outside escorts, admission and discharge practices, training, and staffing practices.
- During this five-month investigation, Deloitte observed that:
  - The number of offenders processed by Admissions and Discharge units has virtually doubled since 2006;
  - Inmate counts have increased by 35% since April 2006 and may rise in future, given steady 8% growth in in-house offender counts over the past five years, primarily due to pressures from increasing remanded offenders;
  - Nova Scotia's escort and restraints policies appear to be consistent with other provinces;
  - Nova Scotia's training content is highly regarded by several other Canadian jurisdictions;
  - A number of structures are in place to facilitate staff/management communications, and with Head Office.
- During this period of time Deloitte also observed the following operational issues:
  - While Policy and Procedure are developed and issued by Head Office, actual practices at individual facilities differ in interpretation and compliance with central policy, for example, in admissions, restraint uses, and technology;
  - Admitting and discharge staff are challenged with cumbersome, inefficient processes that may contribute to mistaken releases, or non-compliance with policy;
  - The effectiveness of escort and restraint policies is undermined by inconsistent staff training practices, non-compliance with pre-escort risk assessment and established policy and procedure;
  - Nova Scotia's intermediate weapons policy (assessed prior to May 1, 2008) for prisoner escorts is inconsistent with other jurisdictions, however Sheriff Services are now conducting all prisoner transports for the province;
  - The administration of training programs and tracking of staff attendance at training are inconsistent across facilities. While staff are well-trained in some areas, challenges related to staff absenteeism and scheduling practices impact access to training and the availability of critical skills for day-to-day operations, including prisoner escorts or critical events; and

# Executive Summary (cont'd)

- Information technology does not effectively support many business processes in the correctional system. The Justice Enterprise Information Network is used across Nova Scotia's justice system but is leveraged inconsistently by correctional and administrative staff. The system may also have inherent flaws that are doubly impacted by manual practices and inconsistencies in procedure across Nova Scotia's adult facilities.
- In addition to the operational issues observed within the adult correctional system, we noted that:
  - There are significant communications challenges that impact employee-management relations, management-Head Office relations, as well as operating practices within facilities; and
  - The Sherriff Services and Correctional Services divisions with Department of Justice have not historically shared information, resources or collaborated on policy such as training, weapons, risk assessment or technology, which has led to duplication of effort and investment, and policy differences.
- Deloitte has concluded that the following core issues impact the effectiveness of correctional services in Nova Scotia:
  - **Inefficient business practices**, including Admissions and Discharge;
  - **Inefficiencies in training planning, delivery and practices** for new and existing staff, as well as management;
  - **Ineffective staffing model and scheduling practices** across facilities; and
  - **Ineffective, inconsistent communications between all levels of Correctional Services**, from Head Office to local facility management, and between local management and front-line staff.
- While some of Nova Scotia's policies, procedures and practices are consistent with other jurisdictions, the Division's execution of its strategic objectives have not produced the intended outcomes.
- Despite the systemic challenges that face them, the contribution of management and staff across the province must be acknowledged.
- It has been through the dedication and hard work of many individuals at many levels that the business of corrections has been conducted on a daily basis.

# Executive Summary (cont'd)

- Fifty-one (51) recommendations have been put forward to address the core issues observed, including:
  - **Improvements to Business Processes**, including transfer of prisoner escort responsibility to Sheriff Services, standardizing and improving the use of technology across the division, redesign of Admissions and Discharge processes, records management processes, and offender risk assessment.
  - **Improvements to Organizational Model, Staffing and Scheduling Practices**, including province-wide staffing policies, automation of scheduling practices, development of on-call or “standby” staff list to provide relief, elimination of “sergeant” rank, and clarification of roles and responsibilities across the division.
  - **Improvements to Training Procedures**, including establishment of training standards, setting of performance targets for all staff, implementation of a centralized training tracking tool used by individual facilities to maintain training history, and installation of a full-time training contact at Central Nova Scotia Correctional Facility. New training programs have also been identified through the course of this review.
  - **Improvements to Communications within the Correctional Services Division and Department of Justice**, shared training development, province-wide sentence calculation guidance, information technology and procurement policies. Also included here are development of shared policies and procedures between the divisions of the Department of Justice.
- The challenges facing Nova Scotia’s adult custodial system are not unique in the world of correctional services, however there is a need to actively manage communications, change and cultural shift within the Division.
- As the Division moves toward a new model of organizational and process efficiency, it will be important to continue to foster open, honest communications between staff and management, and a strong relationship built on mutual trust and respect.
- Throughout this review, we have observed a shared, sincere interest in creating a safe, secure correctional environment for themselves, and the offenders that are in their care.



# Introduction

# The Department of Justice's Terms of Reference identified nine specific areas to be examined

- In April 2008, Deloitte was engaged by the Nova Scotia Department of Justice to assess, report on and make recommendations on the adequacy of safety and security policies, procedures and staffing, related to nine Terms of Reference (outlined below right).<sup>1</sup>
- The table below (left) details the scope elements of this review, relative to the Terms of Reference.

## Scope Definition

### In-scope:

- Facilities, policies, procedures and practices related to adult corrections in Nova Scotia, prior to May 1, 2008.
- Canadian cross-jurisdictional comparison related to the Terms of Reference.

### Out of scope:

- Youth facilities;
- Community corrections;
- Use of intermediate weapons inside correctional facilities;
- Offender programming;
- Administrative process mapping or redesign; and
- Policy and procedure amended since May 1, 2008.

## Terms of Reference (TOR)

Prisoner escorts	Use of Intermediate Weapons on Escorts	Response to 2007 internal audit <sup>2</sup>
Admission and discharge	Use of Restraints	Response to Mistaken Releases
Other operational and public safety matters	Training	Response to increased inmate count

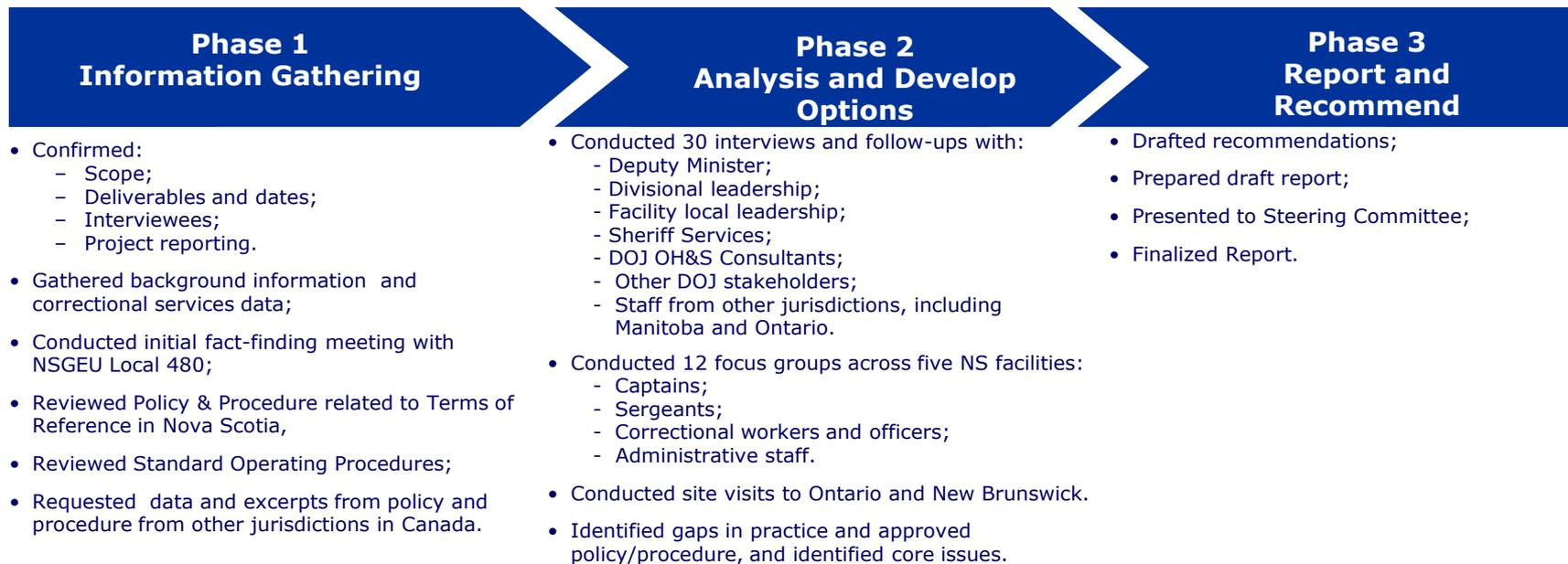
<sup>1</sup> The complete Terms of Reference are detailed in Appendix A.

<sup>2</sup> An internal audit of Central Nova Scotia Correctional Facility (CNSCF) only.



# The work was conducted over a five-month period, starting in April 2008

- The data gathering process began in April 2008, with a meeting between Deloitte and NSGEU and Local 480 management and member representatives.
- Twelve (12) focus groups of representative staff,<sup>1</sup> in addition to thirty (30) one-to-one interviews with operational staff, management and other stakeholders, were conducted in June.
- Visits to each of Nova Scotia's adult correctional facilities were also conducted.
- Deloitte's activities are outlined in the workplan below:



<sup>1</sup> A random selection procedure was used by Deloitte to identify participants for each focus group with correctional services staff. Staff lists were provided by Head Office, and included all staff including those on sick leave. If an individual was not available to attend the focus group, another randomly selected staff person was identified. Focus groups were organized by rank and role (e.g. captains, sergeants). Correctional officers and correctional workers participated together in the same groups at each facility.



# **Overview of the Correctional Services System in Nova Scotia**



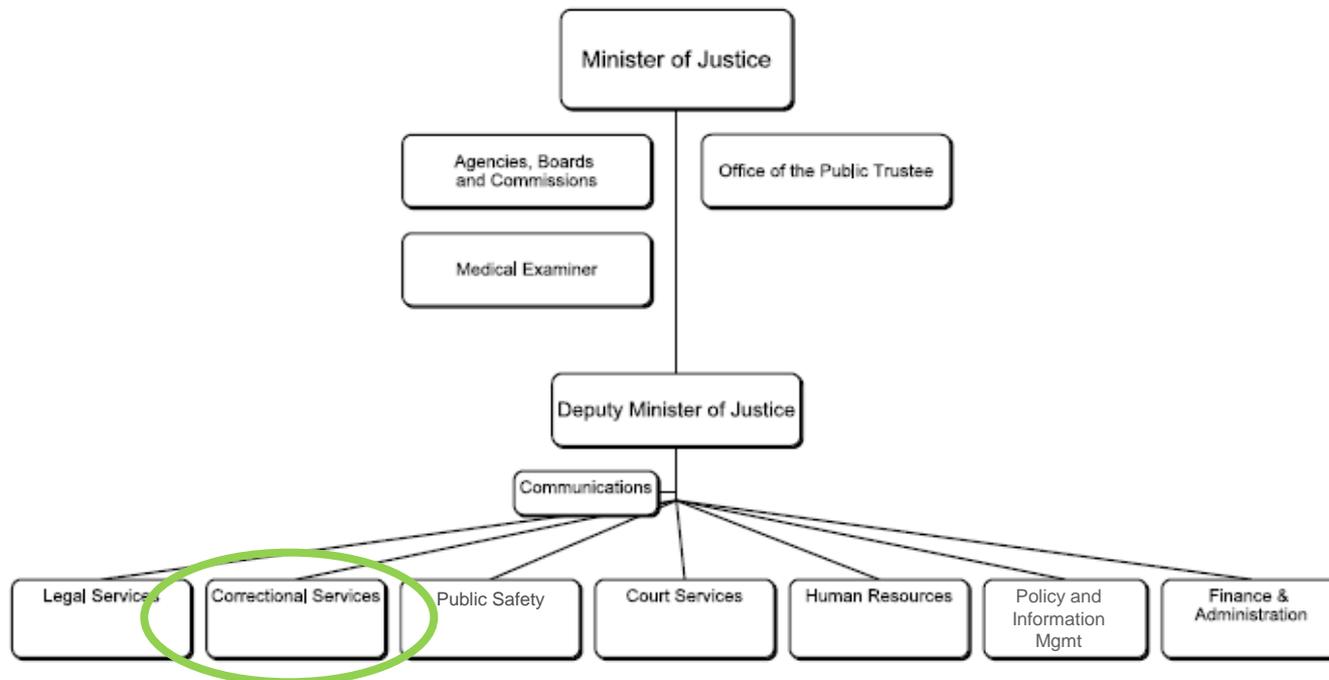
# An overview of the correctional services system in Nova Scotia

- The following chapter is intended to provide context and a high-level perspective on the structure and operations of the adult custodial correctional system in Nova Scotia.
- It is intended to give the reader background on the structure, relationships, core practices, sources of information and technology enablers used throughout the adult correctional system.



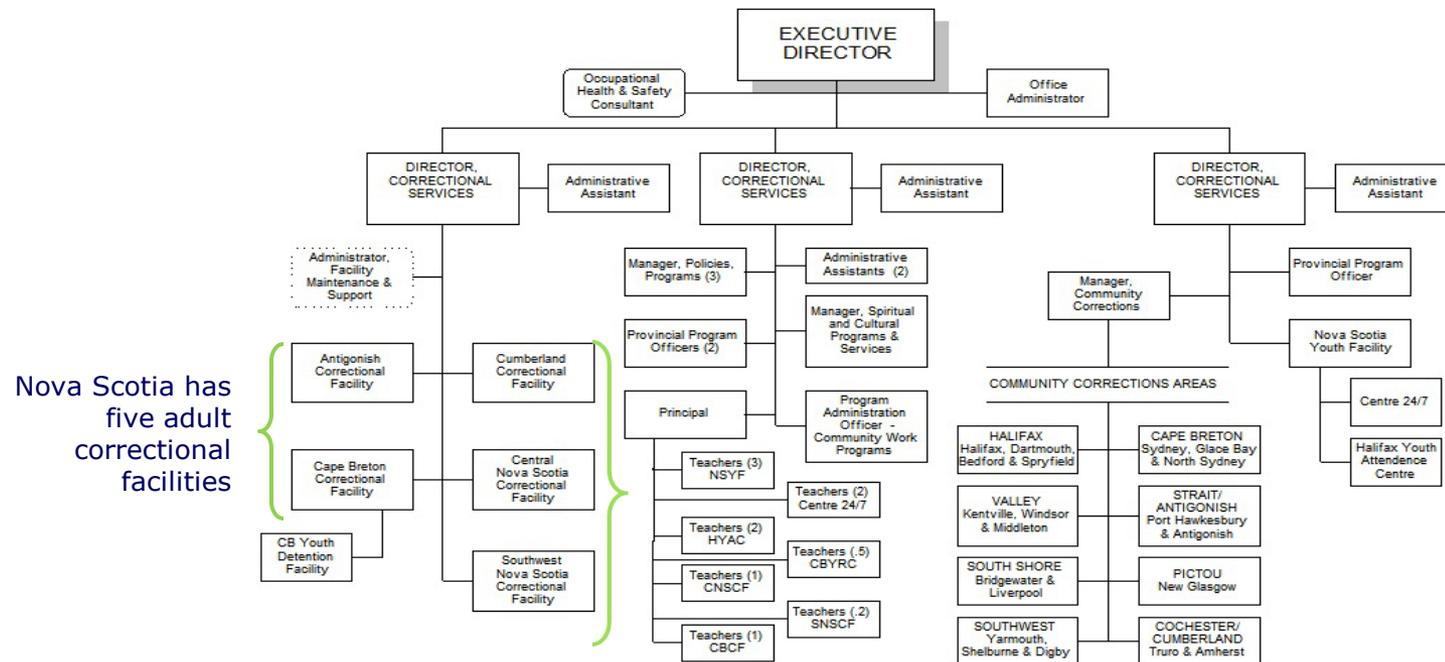
# The correctional system is the responsibility of one division within Nova Scotia Department of Justice

- The Nova Scotia Department of Justice has seven (7) divisions, one of which is Correctional Services (CS).
- The division delivers community and custodial correctional services for both adults and youth.
- Public Safety, Court Services and Correctional Services have different mandates, but operate in, and provide services to, the province's justice system.
- The Department of Justice is the Employer of correctional services personnel, which are considered public servants.



# Correctional Services is responsible for community and custodial policy, operations and training

- The Correctional Services Division's Halifax-based Head Office establishes policy, oversees and monitors the provision of correctional services for adults and youth. Its staff includes:
  - Executive Director;
  - Three directors, which share responsibility for community- and custody-based administration, programs and operations;<sup>1</sup>
  - Nine program staff, which manage administrative or program responsibilities; and
  - Six administrative support staff.



Nova Scotia has five adult correctional facilities

<sup>1</sup> The three Directorships are organized such that one director has direct authority over the facilities and front-line staff, while another Director is responsible for Policy and Programs, which includes training. No facility staff report to this role.

# The division's vision and objectives assisted in the evaluation of current operations

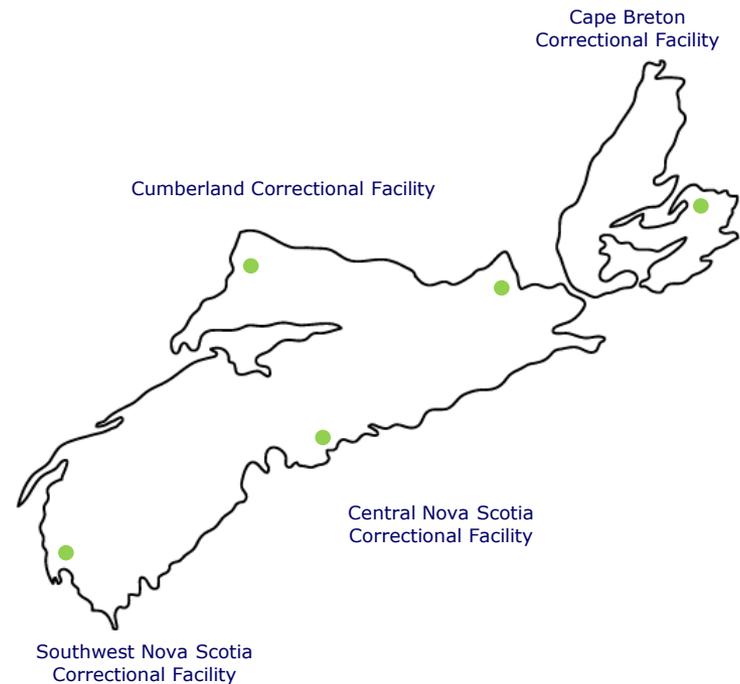
- Correctional Services' vision and strategic objectives<sup>1</sup> provide guidance and alignment with the overall vision set forth by the Department of Justice.
- We used these objectives as a point of reference when evaluating Correctional Services' policy, procedures and practices.



<sup>1</sup> As outlined in its 2007-2008 business plan.

# Adult corrections are delivered by five facilities of varying sizes and building design

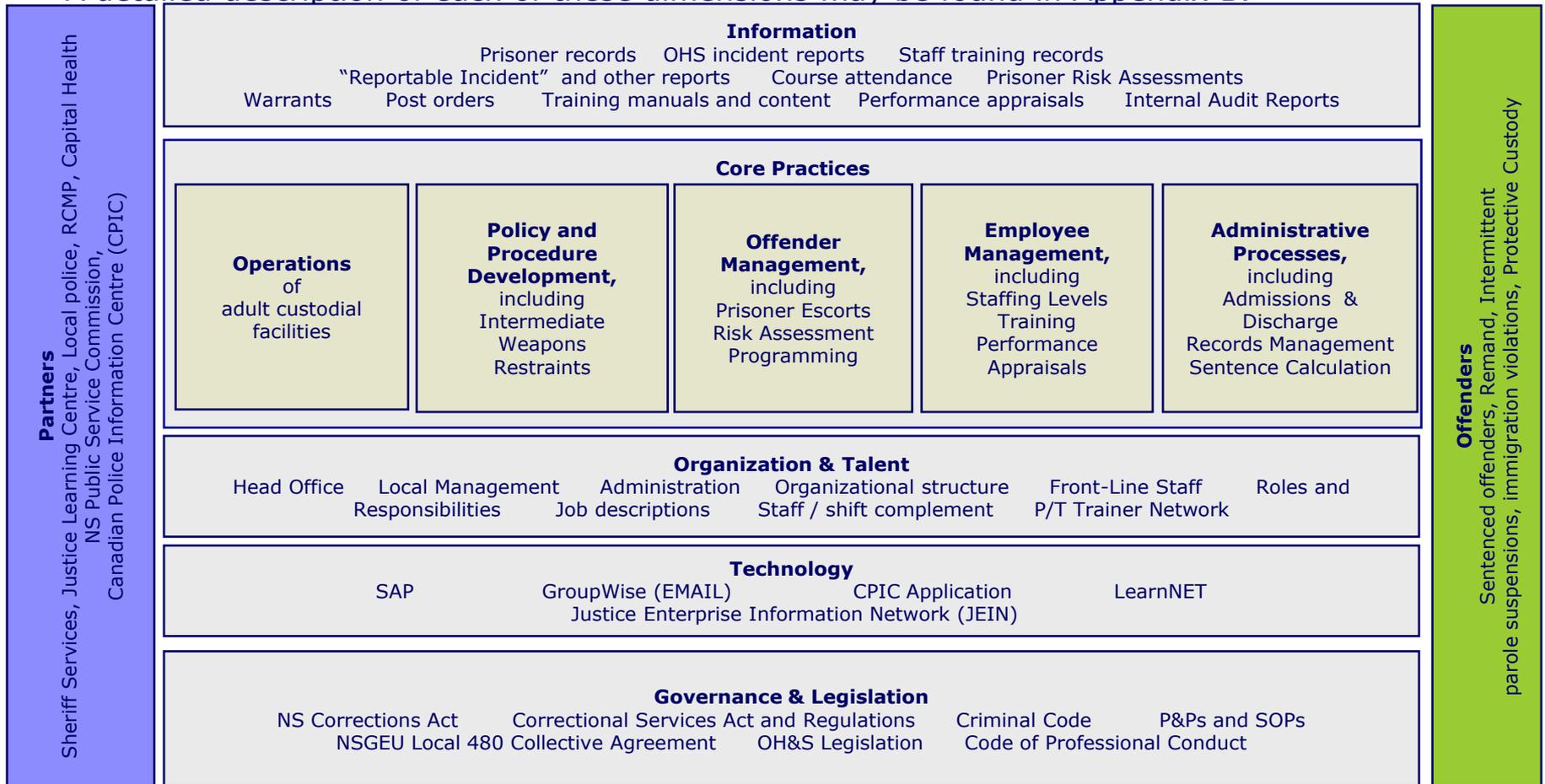
- Five (5) adult correctional facilities are currently in operation in Nova Scotia:
  - The **Central Nova Scotia Correctional Facility (CNSCF)** in Dartmouth was opened in October 2001. The podular-style facility<sup>1</sup> has 272 minimum, medium and maximum security cells (North, West and East for females). Its inmate population is made up of provincially sentenced, remanded, prisoners, and those incarcerated due to parole suspensions, immigration violations as well as newly sentenced federal prisoners.
  - The **Cape Breton Correctional Facility (CBCF)** in Sydney was opened in 1975. It is a medium-security facility and has a maximum capacity of 96 sentenced/remanded male prisoners in a dormitory-type accommodations.
  - **Cumberland Correctional Facility (CCF)** in Amherst is a 29-cell medium/minimum security institution built in 1860. The facility houses both sentenced and remanded male prisoners in designated dormitory and cell areas.
  - **Southwest Nova Scotia Correctional Facility (SNSCF)** was opened in Yarmouth in 2004. The podular-style facility has 38 cells and is designed as a medium/minimum security institution for sentenced/remanded male prisoners.
  - **Antigonish Correctional Facility (ACF)** is a 17-bed minimum security institution built in 1948. The facility houses both sentenced and remanded male prisoners in designated dormitory and cell areas.



1 A podular design consists of a central, enclosed control booth, with one or more officers overlooking a dayroom surrounded by offender cells (US-based National Institute of Corrections).

# The Adult Correctional System in Nova Scotia can be understood through a conceptual operating model

- A conceptual operating model helps to identify and define the interrelationships between the various elements of Nova Scotia’s adult correctional services system. These dimensions will be explored in the following pages.
- A detailed description of each of these dimensions may be found in Appendix B.





# Nova Scotia's adult correctional system is defined by legislation and a strict governance framework

- Nova Scotia's correctional services system is governed by specific legislation that provides a framework within which the organization and its staff must operate.
- The cornerstone of this legislation is the *Correctional Services Act (2005)*, and *Correctional Services Regulations (2006)*.
- Policy & Procedures (P&P) flows directly from the Act and its regulations. The role of Nova Scotia's six volumes of Policy and Procedure is to provide system-wide standards, policy and guidance to staff in all aspects of facility operations and prisoner management.
- Other important aspects of governance include:
  - **Standard Operating Procedures** provide more specific guidance at the individual facility-level. Policy and Procedure, Chapter 1: *Legislation and Policy*, Subject 1.08.03.01 states that "Standard Operating Procedures refer to the orders and procedures that govern daily operations, and address routine, contingency and emergency procedures. They are applicable to the operation and duties of staff in a specific facility. SOPs detail local requirements or duties required to comply with Policy and Procedures and do not duplicate Policy and Procedures." Superintendents are responsible for developing SOP as required.
  - **Code of Professional Conduct (2001, updated 2007)**. The Code outlines the behaviour of all employees with regard to responsibly performing duties; conduct and deportment; positive work environment; relationships with prisoners; public comments and activities; and conflict of interest.
  - **Occupational Health and Safety (OH&S) Legislation**. OH&S legislation was introduced by the Province of Nova Scotia in 1996 and is based on a system of shared responsibility for workplace health and safety. This legislation is designed to identify and manage the OH&S programs, reporting and role of the Joint Occupational Health & Safety (JOHS) Committee that operates at any workplace with more than 20 employees. JOHS's mandate includes the "co-operative identification of hazards in the workplace,... advising on individual protective devices, equipment and clothing that...are best adapted to the needs of the employees." This legislation is identified in Correctional Services' Policy and Procedures *Chapter 12: Staff Safety and OH&S*.

# Staff roles and responsibilities vary by facility in Nova Scotia, but follow a similar chain of command

- Key roles and responsibilities are established in the *Correctional Services Act*, and its *Regulations*.
- Nova Scotia’s staffing structure may be considered a paramilitaristic model, as outlined in the table below. Approximately 391 people are employed in adult facilities, including full- and part-time staff.
- Senior leadership at each facility includes a Superintendent, and at least one Deputy Superintendent.
- When senior leadership are not on-site (e.g. night shift), a captain or sergeant is designated as Officer-in-Charge (OIC) and is responsible for many operational decisions. At Cumberland and Antigonish where no Captains or Sergeants are employed, this role is filled by a Correctional Worker or Officer<sup>1</sup>.
- The proportion of captains to front-line staff differs by facility. At Southwest, the ratio of captains to staff is 6:1, whereas at Central the ratio is 15:1. At Cape Breton, the ratio is 24:1.

	Southwest	Central	Cumberland	Antigonish	Cape Breton	Total
Management	Senior Leadership 2	Senior Leadership 3	Senior Leadership 2	Senior Leadership 2	Senior Leadership 3	Senior Leadership 12
	Captains 4	Captains 10	Captains 0	Captains 0	Captains 4	Captains 18
Front-Line Staff	Sergeants 0	Sergeants 8	Sergeants 0	Sergeants 0	Sergeants 4	Sergeants 12
	Correctional Workers 10	Correctional Workers 83	Correctional Workers 13	Correctional Workers 8	Correctional Workers 57	Correctional Workers 171
	Correctional Officers 12	Correctional Officers 50	Correctional Officers 8	Correctional Officers 6	Correctional Officers 34	Correctional Officers 110
	Support Staff 2	Support Staff 13	Support Staff 2	Support Staff 1	Support Staff 3	Support Staff 21
Total	30	167	25	17	105	344

<sup>1</sup> There are two types of front line employees below the Sergeant rank – Correctional Workers, and Correctional Officers (largely part-time employees). Correctional workers have received additional training for the purposes of delivery of programs. For the purposes of this report, “correctional officer” will refer to both of these positions.



# Four technologies are used to manage employee data and Nova Scotia's justice system information

- Four key technologies support the delivery of staff and offender information management in the justice system.
- The main information systems used by adult correctional facilities include:
  - **Justice Enterprise Information Network.** JEIN is Nova Scotia's integrated, single software application that is used in multiple divisions of the Department of Justice, correctional facilities, the courts, and community corrections. JEIN provides a means to capture and share information between administrative staff, correctional staff, sheriffs, police, court administrators, and can be used for prisoner tracking, records management and information management.
  - **Canadian Policing Information Centre (CPIC).** CPIC is a national, web-based system that provides tactical information about crimes and criminals to law enforcement and correctional services partners across Canada and internationally. Nova Scotia's adult correctional facilities uses this application to run background checks on prisoners during the admission process, and prior to an outside transfer.
  - **SAP HR / Payroll.** For Correctional Services, employee time and benefits information is keyed into SAP for payroll purposes. Additionally, SAP provides financial and procurement support to correctional facilities.
  - **LearnNET** originated in Correctional Services, and is now the Public Service Commission's enterprise learning system. Its purpose is to register, track, manage and report on an individual's learning and training offered through government. Each employee may have a LearnNET individual profile, learning plan and achievement record, on which the employee's training information and history may be stored.
- These information systems are important tools used by all Nova Scotia's justice system partners.



# Strategic partners assist in HR and labour relations, prisoner transport and health services

- Adult correctional facilities rely on multiple partners for services, support, and information.
- Some of its partners include:
  - **Sheriff Services** (a division of Nova Scotia Department of Justice Court Services), traditionally provided transport of prisoners to and from correctional facilities, as well as security of prisoners in Nova Scotia’s courtrooms. In May 2008, responsibility was assigned to Sheriff Services for provision of all types of prisoner escorts (e.g. for medical reasons) on a temporary basis.
  - **Public Service Commission** (PSC). The PSC was created by an act of legislation in June 2001 to establish policies, programs, standards, and procedures in the area of human resource management for the Government of Nova Scotia, and represents the Minister of Justice in collective bargaining. The PSC also provides human resources policies and supports in recruiting new employees, performance management and training programs.
  - **Capital District Health Authority**, under Policy and Procedure, Chapter 46: *Health Care*, is responsible for providing the delivery of health services to prisoners in custody on a 24 hour per day scheduled and urgent basis.
  - **Various policing services** support Correctional Services, including Royal Canadian Mounted Police (RCMP), Cape Breton Municipal Police, Halifax Regional Police and other municipal police departments.



# Correctional Services' partners share information to assess, analyze and manage prisoners

- Information management in correctional services is a dynamic process involving multiple partners and agencies.
- On a daily basis, facility leadership and front-line staff access a number of information sources such as warrants of committal and prisoner records, which contain data shared with other divisions within Department of Justice (such as Sheriff Services and Public Safety) and various police agencies.
- These agencies all use the Justice Enterprise Information Network (JEIN) to review and capture offender history, document prisoner custody information, warrants and (in some cases) offender behaviour.
- Various types of documentation also provide important sources of information from within Correctional Services, such as:
  - Prisoner risk assessments;
  - Incident reports on an individual's behaviour in custody;
  - OH&S incidents;
  - "Reportable incidents"; and
  - Internal audits that may indicate issues in policy, process or procedure on a facility or system level.
- Other sources of information include:
  - Employee records;
  - Staff training records; and
  - Staff job descriptions.

# All five facilities manage a unique prisoner profile

- Nova Scotia’s five (5) adult facilities have a current operating capacity<sup>1</sup> of 452 beds. For the purposes of this report, “capacity” is defined as the maximum number of beds approved for regular prisoner occupancy.
- All five facilities will accommodate both sentenced and remanded prisoners (i.e. those held in custody while awaiting trial or sentencing), however inmate populations differ by factors including security classification and health needs, as outlined in the table below.
- Additionally, facility design affects the type of offender accommodated. For example, the modern design of the Central Nova can accommodate prisoners requiring a higher-level of supervision and security. High-risk prisoners, or those with substance abuse, medical or psychiatric conditions, are frequently transferred to CNSCF upon admission to other facilities.
- Female prisoners (<10% of Nova Scotia’s bed capacity) are housed in Central Nova’s 48-bed East wing.

	Southwest	Central Nova	Cumberland	Antigonish	Cape Breton
<b>Operating Capacity</b>	38m	224 m / 48 f	29m	17m	96 m
<b>Building Design</b>	Podular	Podular	Mixed (Linear / Dormitory)	Mixed (Linear / Dormitory)	Mixed (75% dormitory)
<b>Custody Type</b>	Sentenced / remand	Sentenced / remand	Sentenced / remand	Sentenced / remand	Sentenced / remand
<b>Prisoner Gender</b>	Male only	Male / Female	Male only	Male only	Male only
<b>Prisoner Health Needs</b>	Medium-High	Medium-High	Low	Low	Medium-High
<b>Security Classification</b>	Medium	Medium/ Max	Min/Medium	Min/Medium	Medium

1 Capacity does not include empty cells primarily used for segregation, special handling, healthcare or other non-standard uses or physical capacity to expand beyond existing two inmate per cell operations. An institution’s design capacity may differ from its stated capacity. In Nova Scotia, stated capacity figures for each institution refer to single-cell occupancy, whereas in other provinces, stated capacity may refer to double- or triple occupancy.



# **Analysis of the Current Policies and Practices of Nova Scotia's Adult Correctional System**



# Introduction to analysis of the current policies and practices of Nova Scotia's adult correctional system

- The following section of this report provides in-depth analysis of Department of Justice Correctional Services' current policy, procedure and practices in adult correctional services.
- This section is organized into subsections corresponding to each of the nine (9) Terms of Reference:
  1. Prisoner Escorts
  2. Admissions and Discharge
  3. Use of Restraints
  4. Use of Intermediate Weapons on Prisoner Escorts
  5. Safety and Security Training Procedures
  6. Mistaken Releases
  7. Response to Increased Inmate Count
  8. Response to Internal Audit of CNSCF
  9. Other Matters of Public Safety Arising from the Audit:
    - Staffing Levels
    - Communications
- A summary page of findings within each area examined may be found at the end of each subsection.



# **Prisoner Escorts**



# The policy and procedure underlying temporary absences is the basis for generating prisoner escorts

- A temporary absence (T/A) is a type of short-term, often supervised, release from custody that may be granted to an adult prisoner for reasons including:<sup>1</sup>
  - **Humanitarian reasons**, such as deathbed visits, or attending the funeral of a close family member;
  - **Medical reasons**, such as to receive urgent medical attention.
- The policy and procedure governing temporary absences is established in Chapter 35: *Conditional Releases*, which includes:
  - “A humanitarian temporary absence is intended to facilitate opportunities for an offender to strengthen personal or family relationships, participate in events intended to assist with the prisoner’s reintegration into the community, or attend to special or emergency situations within the prisoner’s immediate family, e.g. death, serious illness or other family crisis.” (Subject 35.02.2)
  - “A medical temporary absence is available when it is necessary to release an offender from a correctional facility in order to maintain an offender's physical or mental health in circumstances where the correctional facility is unable to provide the required intervention or treatment.” (Subject 35.02.4)
- For humanitarian visits, medical appointments, and in emergencies, prisoners in custody must be escorted to and from their destination by approved Department of Justice personnel.

<sup>1</sup> Other types of T/As may be granted for employment or educational purposes. These T/As follow a different approval process, and are often unsupervised releases, whereas medical and humanitarian releases are always supervised.



# The process for assessing T/As for medical attention is not managed by Correctional Services

- Superintendents, deputy superintendents, and in some cases, unit supervisors and captains, are authorized to approve medical T/As.
- For humanitarian requests, prisoners submit a written paper application to the on-duty Officer in Charge (OIC), which is then reviewed by an internal committee and senior management for approval.
- Generally, no application is required for medical T/As. Instead, for medical T/As:
  - Prisoners complaining of medical issues are first seen by a health professional, who triages the medical issue and decides whether further attention is warranted (e.g. the prisoner should be referred to a specialist, receive an x-ray, or potentially transferred to a hospital for emergency care).
  - Healthcare personnel are also responsible for the scheduling of appointments with specialist physicians.
  - Healthcare personnel then inform facility management that an escort is required for the offender.
- Offender health services and personnel are the responsibility of Department of Health<sup>1</sup>.
- Correctional management is not informed of the medical reason behind the T/A due to offender privacy reasons.

## Observations on Policy, Procedure and Practice

- Subject 35.04.02.4 states that a T/A application must be recorded in the JEIN system for processing, however the data captured is inconsistent across facilities.
- Subject 35.04.01 states “applications are required for medical temporary absences for elective procedures.”
- Concerns were raised by facility management and staff of prisoners being transported to hospital for non-urgent conditions.
- Several reports were received of prisoner non-urgent dental issues being managed within days of discharge from custody. We observe that:
  - It is unclear what the policy is on granting T/As for prisoner medical appointments made prior to incarceration.
  - It is unclear as to what degree, and how close to discharge, an offender’s non-urgent medical or dental needs should be managed by Correctional Services.
  - Significant issues with coordination of T/A and escorts were reported – short notice of prisoner appointments, frequency, non-urgent nature.
  - A contradiction in policy exists - Subject 35.03.02.4 states that remand prisoners are ineligible to apply for a temporary absence, however in Chapter 40: *Escorts*, Subject 40.00.05.2, reference is made to escorting remand prisoners for humanitarian reasons, which would require an approved T/A.
- Forms completed by healthcare personnel are also reported to lack sufficient detail for superintendents to determine if safety precautions in the facilities are required (e.g. contagious diseases).

<sup>1</sup> Evaluation of the Department of Health’s service delivery model, policies and procedures regarding the provision of health services to incarcerated offenders, was out of scope.



# Introduction to Prisoner Escorts

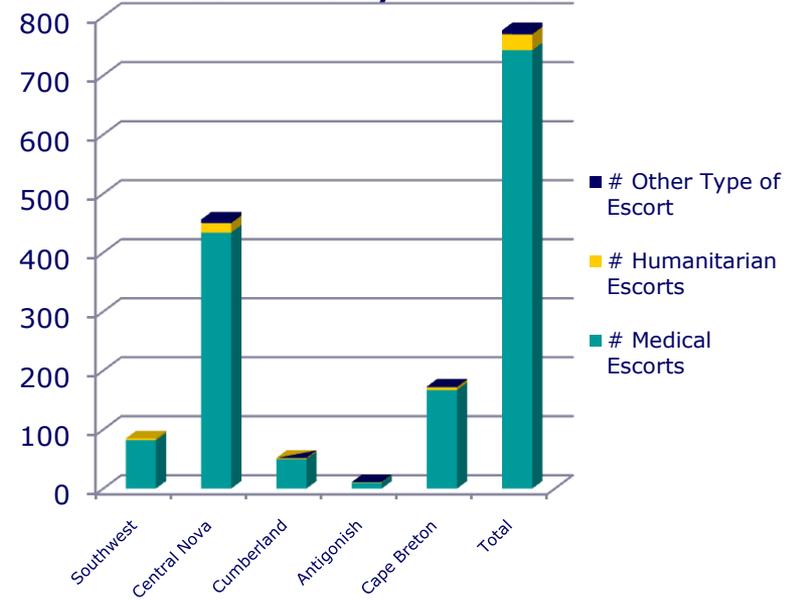
- The following subsection contains an overview of Department of Justice Correctional Services policy, procedure and practices regarding prisoner escorts in Nova Scotia, prior to May 1, 2008.
- *Prisoner escorts* refers to the act of transporting prisoners to or from a secure facility by Department of Justice staff. Prisoner escorts may also be referred to as a *transport* or *transfer*.
- Until May 1, 2008, two divisions of the Department of Justice were responsible for transporting prisoners in Nova Scotia:
  - Sheriff Services staff conducted escorts to and from secure facilities to courts of law, and other correctional facilities; whereas
  - Correctional Services staff primarily conducted escorts for *medical, emergency and humanitarian reasons*. Periodically, correctional staff conducted inter-facility transfers when Sheriff Services are unavailable.

1 Our analysis of escort policy and procedure is based on the time period prior to May 1, 2008

# Prisoner escorts take place once a temporary absence is granted

- A total of 777 temporary absences were granted for medical and humanitarian reasons between April 2007 and March 2008.
- The following table details the number and type of escorts conducted by facility during this period.<sup>1</sup>
- About 96% of the escorts conducted in Nova Scotia were for scheduled and emergency medical reasons.
- Escorts from Central Nova constitute 59% of total escorts in Nova Scotia, resulting in about 1.6 escorts per prisoner<sup>2</sup> during this period, slightly below the provincial average of 1.7 escorts per prisoner.
- Southwest and Cumberland facilities appear to have a higher than average proportion of medical escorts, while Antigonish has less than half the provincial average.

**Number and Type of Escorts by Adult Correctional Facility in Nova Scotia**



	Southwest	Central Nova	Cumberland	Antigonish	Cape Breton	Total Escorts
<b>Total Medical and Humanitarian Escorts</b>	85	456	52	11	173	<b>777</b>
<b># Medical Escorts</b>	82	434	50	10	167	<b>743</b>
<b># Humanitarian Escorts</b>	3	16	2	1	5	<b>27</b>
<b># Other Type of Escort</b>	0	6	0	0	1	<b>7</b>
<b># of Escorts to Prisoner Ratio</b>	2.3	1.6	2.4	0.7	1.8	<b>1.7</b>

1 Data (provided by Correctional Services in July 2008) does not include inter-facility or court-related transfers, as Correctional Services was mainly responsible for escorting offenders for medical and humanitarian reasons. Sheriff Services provided other types of offender transfers.

2 Escort to Prisoner Ratio is defined as the number of escorts divided by the average annual prisoner counts in the facilities.



# Less than five percent of escorts are conducted during the night shift, when staff levels are low

- Based on Department of Justice data, about 777 medical and humanitarian escorts were conducted in Nova Scotia. These can be examined by shift and time of day.<sup>1</sup>
- While the forty-three (43) escorts conducted during the night shift amount to less than 5% of total escorts for the province, it may be assumed that many escorts taking place at night, particularly between lockdown (11:30pm and 7am), are for emergency medical reasons.
- While it is important to factor in the time of day that escorts take place, it must also be noted that some medical escorts may require offender supervision in a hospital setting for a longer duration, from several hours to days or weeks.
- Based on staffing practices information collected across the five facilities, escorts taking place overnight typically require extra staff to be called in, as the night shift usually operates with a minimal staff complement.
- The following table outlines the number of escorts conducted at each facility between April 2007 and March 2008:

	Southwest	Central Nova	Cumberland	Antigonish	Cape Breton	Total Escorts
<b>Total Medical and Humanitarian Escorts</b>	85	456	52	11	173	<b>777</b>
<b>Total Medical Escorts Conducted at Night (between 7pm and 7am)</b>	6	28	4	0	5	<b>43</b>

1 For the purposes of this analysis, the hours of day shift are defined as 7 a.m. to 7 p.m., whereas night shift runs from 7 p.m. to 7 a.m.



# Escort policy is largely based on preventative measures, such as prisoner searches, restraints

- Policy and Procedure, Chapter 40: *Escorts* establishes the policy governing prisoner escorts across Nova Scotia's correctional facilities.
- The following requirements must be met for each escort:
  - Subject 40.00.09.1: Correctional Services staff must complete a minimum of 500 hours of work, and shadow two (2) prisoner escorts prior to conducting an escort independently.
  - Subject 40.00.09.2: All staff participating in a Level 3 (high-risk) escort must have received Enhanced Security Training.
  - Subject 40.00.10.3: Handcuffs and leg irons must be used at all times.<sup>1</sup>
  - Subject 40.00.14.1: A transport plan must be created for each escort.
- Additionally, an Outside Escort Security Assessment must be conducted for each escort (detailed on next page).

## Observations on Policy, Procedure and Practice

- It was reported by front-line staff and administrative support personnel that extra staff are generally called in to conduct escorts. It was also reported that the extra staff were normally inexperienced, and often did not meet minimum skill requirements.
  - Policy is unclear as to whether extra staff called in should backfill within the facility, or conduct the escorts.
  - Escorts were frequently conducted by called-in staff, as escorts are perceived as an unattractive task to staff.
  - Chapter 40 is clear on the minimum requirements for staff to be eligible to conduct escorts, however observed staffing practices do not suggest that training records were used when calling in staff for escort purposes.
- While Chapter 40 is clear on staff / offender seating arrangements in the escorting vehicle, the policy is unclear on whether secure or unsecure vehicles are required to conduct escorts. It is also unclear if escorting vehicles are selected by staff, or assigned by management.
- Reports were received of non-compliance to escort policy including not completing transport plans, absence of leg irons or other restraints, or escorts conducted with too few correctional officers.
- Revised escort P&P describes how to use various forms of vehicles for transport but does not state the type of vehicle to be used (Secured vs. Unsecured).
- While Chapter 39 *Searches and Contraband* is clear that "searches must be conducted to...prevent escapes and other disturbances", escort policy established in Chapter 40 does not require a prisoner search prior to escort, despite the risks posed of escape when outside of a secure facility.
- As of July 1st, 2008, a new escort policy was implemented for prisoner escorts. In addition to other revisions, it details a more defined manner of conducting supervision while on escorts, but does not establish secure versus unsecure vehicle selection<sup>2</sup>.

1 Subject 40.00.10.3 establishes that "handcuffs and leg irons must be used for all escorts of offenders outside the correctional facility" however Subject 40.00.10.1 (3) establishes that leg irons are issued "in case of need".

2 The intention of this comment is to identify an inconsistency of policy, not to make recommendations on vehicles used for offender escort purposes. Assessment of the adequacy of the type of vehicle used to conduct prisoner escorts is beyond the scope of this review.



# Prisoner risk dictates minimum security precautions used by correctional services staff during escorts

- In July 2008, a new prisoner escort policy was introduced.
- Prior to each escort, a risk profile for the prisoner is established by reviewing the prisoner's history, type of crime committed and intelligence gathered from the prisoner and correctional staff.
- An offender may be classified as Class 1 (low), Class 2 (medium) and Class 3 (high) risk, in accordance with P&P Subject 40.07.01.
- Depending on the classification, different procedures are followed regarding the number of escorting officers.
- Below are the details of the Outside Escort Security Assessment Classifications:

## Class 1

- *Definition:* Low risk prisoner who has successfully completed two (2) unescorted conditional releases during current incarceration and has good history of behaviour.
- *Escort Policy:* Minimum of one (1) correctional services staff may escort prisoner.

## Class 2

- *Definition:* Medium risk prisoner who meets 1 of 11 criteria, including history of violence/escape, type of offence or known recent trauma.
- *Escort Policy:* Two (2) correctional services staff *must* escort prisoner.

## Class 3

- *Definition:* High risk prisoner "who has made plans to escape and has the means to carry it out", history of violence towards staff or whose safety is at imminent risk.<sup>1</sup>
- *Escort Policy:* Minimum of two (2) staff selected by the Superintendent or Deputy Superintendent, or more as required for high-risk prisoner. Each staff person must have completed the Enhanced Security Skills training.

<sup>1</sup> Policy is unclear on how the escorting correctional staff person may establish whether an offender has the means to carry out an escape.



# Nova Scotia’s escort policy appears to be consistent with correctional services across Canada

- The table below provides highlights of escort policy across Canada.
- In all reviewed jurisdictions, correctional officers conduct medical and humanitarian escorts.
- Escort policy in other jurisdictions also defines the type of restraints authorized for use on prisoner escorts.
- Specifically, handcuffs and leg irons (plus waist restraints in about half the provinces) are provided<sup>1</sup>.
- While two (2) officers are generally defined in escort policy, in some cases, superintendents may authorize additional officers or equipment if needed.
- With regard to responsibility, number of escorting officers and approved restraints, Nova Scotia’s escort policy appears to be consistent with other jurisdictions.

	<b>Nova Scotia</b>	<b>BC</b>	<b>AB</b>	<b>SA</b>	<b>ON</b>	<b>NB</b>	<b>PEI</b>	<b>YK</b>
<b>Responsibility for Medical and Humanitarian Escorts</b>	Corrections	Corrections	Corrections	Corrections	Corrections	Corrections	Corrections	Corrections
<b># of Officers Required for Escorting High Risk Prisoners</b>	2 Officers (up to 3, if req'd)	2 Officers	N/A	2 Officers	2 Officers	2 Officers	2 Officers	2 Officers
<b>Restraints Used</b>	Handcuffs, leg irons (waist restraints, if necessary)	Handcuffs, leg irons, waist restraints	N/A	Handcuffs, leg irons	Handcuffs, leg irons, waist restraints	Handcuffs, leg irons	Handcuffs, leg irons	Handcuffs, leg irons, waist restraints

<sup>1</sup> Policy related to the use of intermediate weapons on outside escorts will be covered in the Intermediate Weapons section of this report.



# The number of escorts by correctional staff in Nova Scotia is higher than in comparative jurisdictions

- Comparing escort to prisoner ratios compares the total number of escorts with the total number of prisoners in custody, which provides a way of understanding the proportion of offender escorts conducted in larger offender populations than Nova Scotia.<sup>1</sup>
- Ontario, British Columbia and Alberta, where correctional staff conduct medical and humanitarian escorts, provided data in the table below.
- In Nova Scotia, there are about 1.7 escorts per prisoner per year, which is higher than the number of escorts per prisoner in other provinces.
- It may be assumed that Nova Scotia’s facilities grant more medical and humanitarian temporary absences per prisoner than these jurisdictions. There are several potential reasons for this, including:
  - Offender health services are provided by the Department of Health in Nova Scotia, which may have different practices;
  - Prisoners in Nova Scotia require more medical attention than in other jurisdictions;
  - Some facilities in other provinces provide higher levels of medical care on-site at correctional facilities, so medical T/As are not required as often; and
  - The policies or service delivery model (e.g. offender health provided by Nova Scotia’s Department of Health) that underlie medical and humanitarian T/As differ in Nova Scotia to other jurisdictions.

	NS	BC	AB	ON
<b># of Escorts to Prisoner Ratio</b>	1.7	1.0	1.2	1.3

<sup>1</sup> For several of the Canadian jurisdictions that provided data for this review, escort data is not captured at all or is captured manually in log books. Several jurisdictions could only provide the total number of escorts, which included interfacility and court transfer.



# There are some differences in the transport work performed by Correctional and Sheriff Services

- Sheriff Services, a unit within the Court Services Division of the Nova Scotia Department of Justice, currently provides all court and non-court related escort work in the province.
- Prior to May 1, 2008, correctional staff conducted escorts for medical and humanitarian reasons.
- While both groups perform transport-related work, there are differences in the purpose and duration of these escorts.
- For correctional staff:
  - When escorting prisoners to receive medical attention or attend a funeral, correctional staff are required to remain at unsecure locations for an undefined period of time, which may extend to days or weeks if an offender is required to remain in hospital.
  - Based on escort data from April 2007 to March 2008, the average duration of a correctional services escort is 3½ hours.
- For Sheriff Services:
  - Prisoner transport is generally conducted between facilities and courtrooms.
  - The average duration of prisoner transfers between correctional facility and courtroom by Sheriff Services, is about 60 minutes. This is based on estimated travel time between facilities and local courts, and takes into account interfacility transfers of longer duration.
  - It is noted that Sheriffs provide supervision to offenders while in a court, which is also an unsecure location.

# These differences stem from mission and underlying policy, affecting escort duration and time of day

- When examining total time spent on supervision of prisoners while on escort in Nova Scotia, Correctional Services provides 10% of escort supervision in Nova Scotia compared to 90% for Sheriff Services, which tend to provide “bulk” transport of multiple prisoners between one secure facility and a courtroom.
- Escorts done by Correctional Services are conducted on an individual basis, often for medical attention, which may take several hours.
- For this reason, there are differences in the duration and time of day when work is done by these two groups, in addition to:

	Correctional Services <sup>1</sup>	Sheriff Services
<b># Escorts per Year</b>	777 escorts (3.5%)	Approx. 24,000 (96.5%)
<b>Approximate Duration</b>	3.5 hours (10% of total supervision time)	60 minutes (90% of total supervision time)
<b>Vehicle Used</b>	Unsecured, secured and civilian vehicles, including secured SUV or van, unsecured mini-van, and taxi. Some reports of transport on foot.	Secured vans
<b>Protective Equipment</b>	Bulletproof vest, protective gloves	Bulletproof vest, protective gloves
<b>Intermediate Weapons</b>	None (as of May 1, 2008)	Baton and OC Spray
<b>Restraints Used</b>	Hand Cuffs, Leg Irons, Waist Restraints	Hand Cuffs, Leg Irons, Waist Restraints
<b>Training Provided</b>	Pre and post escort procedure training provided, including security assessments. No training is provided for conduct while on escort, aside from sitting positions in the vehicles.	Pre and post escort procedure training is provided. No formal training is provided for conduct while on escorts. sheriffs use the security risk assessment from Corrections. Sheriffs treat all escorts as high risk.
<b>Time of Day</b>	24/7 as needed (approximately 4.3% of escorts are conducted between 11:30 pm and 7 am)	One daily shift from Monday to Friday. Exceptions are made for transfers to courts from non-local facility.
<b>Number on Escort Team</b>	Between 1 and 3 correctional officers escort prisoners depending on the risk classification.	Two sheriffs are required for most transports.



# Which Division ought to conduct escorts in future should be defined by the needs of the job

- In order to evaluate the question of which Division within Department of Justice should perform a prisoner escort, we must first define the requirements for success.
- Based on guidelines provided in Chapter 35: *Conditional Release*, Subject 35.01.02: *Guiding Principles for Temporary Absences*, a decision to provide a temporary release, and subsequent prisoner escort, must adhere to the following principles:
  - Ensure the protection of the citizens of Nova Scotia, escorting staff and the prisoner;
  - Ensure that the prisoner’s medical or other needs are met, while providing constant supervision of the prisoner to and from the correctional facility;
  - Support the goal to reintegrate prisoners back into society;
  - Provide a timely response; and
  - Provide a cost-effective solution.



# Staffing, training, equipment and availability are as important to successful escorts as cost-effectiveness

- We evaluated five (5) mission-critical dimensions of prisoner escorts:
  - 1. Staffing:** It is essential to provide the right type and number of staff to both transport the prisoner, and maintain adequate staffing levels at the correctional facility;
  - 2. Training:** It is essential to provide training in how to conduct an escort, including prisoner risk assessment, door-to-vehicle and in-transit procedures, supervision and weapon deployment;
  - 3. Equipment:** It is essential to provide appropriate equipment for prisoner transport, which may include vehicles, restraints, radios and weapons;
  - 4. Availability:** It is essential to provide the ability to conduct transports on a 24/7 basis to manage medical emergencies in a timely manner, and provide round-the-clock supervision of the prisoner for the duration of the temporary absence (e.g. while in the hospital);
  - 5. Cost-Effectiveness:** In the interest of good governance, escorts should be conducted in the most cost-effective manner, without compromising safety or security.
- While cost-effectiveness is critical, there are equally important issues to address regarding staffing, training, equipment and availability.
- The assumption is that any solution to the question of which Division should be responsible for provision of escort services must meet all five criteria.
- Therefore, it is a question of how difficult it will be for either Division to meet the requirements.

# Three options were reviewed for non-court related prisoner escorts in Nova Scotia

- Many options exist for managing prisoner escorts, however we evaluated three that are relatively close to the current situation, and work well with the existing infrastructure, staffing, and policy. The three options are detailed below.
- For Option 3, the assumption is that local police, if available, would not be required to “standby” during the night, and would be able to respond within the required 15-minute window.

## Option 1

### **Correctional Services perform all non-court escorts**

- Correctional Services staff in the facility provide all medical, nighttime emergency and humanitarian escorts with significant operational improvements. Extra staff may be called in to backfill on the units.
- Sheriff Services provide only court-related and interfacility escorts.

## Option 2

### **Sheriff Services perform all escorts**

- No escorts are conducted by Correctional Services staff or management.
- Sheriff Services perform all outside escorts including medical, nighttime emergency, humanitarian, inter-facility and court related.

## Option 3

### **Sheriff Services perform all non-urgent escorts, local police provide emergency coverage**

- No escorts are conducted by Correctional Services staff or management.
- Sheriff Services perform medical, humanitarian transports, interfacility and court related escorts.
- Local police provide nighttime emergency coverage as needed, until relieved by Sheriff Services.

# New training programs for Correctional Services and Sheriffs will be required, regardless of option chosen

- While each of these options could work well, there are differences in ease of implementation.
- The following tables outline the various impacts to Correctional Services and Sheriff Services for each of these options.
- Given an absence of door-to-door policy for medical and humanitarian escorts for either Division, training will be essential.

Evaluation Criteria	Option 1: Correctional Services provides medical/humanitarian escorts with improvements	Option 2: Sheriff Services perform all transports	Option 3: Sheriff Services provides regular escorts. Police cover emergency medical.
<b>Staffing</b>	<p><b>Corrections:</b></p> <ul style="list-style-type: none"> <li>• Scheduling procedures need to be changed in order to properly staff escorts</li> <li>• Modify strategy to backfill facility positions to ensure most qualified staff are available for escorts</li> </ul> <p><b>Sheriffs:</b> N/A</p>	<p><b>Corrections:</b></p> <ul style="list-style-type: none"> <li>• Eliminate requirement for CO/CW to perform escorts</li> </ul> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Sheriffs will need additional staff</li> <li>• Will require staff to be available beyond current regular hours</li> </ul>	<p><b>Corrections:</b></p> <ul style="list-style-type: none"> <li>• Eliminate requirement for CO/CW to perform escorts</li> </ul> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Sheriffs will need additional staff to continue providing escorts</li> </ul> <p><b>Police Services:</b></p> <ul style="list-style-type: none"> <li>• Emergency escorts will be treated similar to an emergency call</li> </ul>
<b>Training</b>	<p><b>Corrections:</b></p> <ul style="list-style-type: none"> <li>• Staff will need to be trained in the use of batons</li> <li>• Staff should be trained on how to supervise prisoners while in non-secure environments</li> <li>• Policy will need to be developed for the use of force model in hospital settings</li> </ul> <p><b>Sheriff:</b> N/A</p>	<p><b>Corrections:</b> N/A</p> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Will need to receive specialized training on how to handle prisoners during hospital and medical visits</li> <li>• Policy will need to be developed for the use of force model in hospital settings</li> </ul>	<p><b>Corrections :</b> N/A</p> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Will need to receive specialized training on how to handle prisoners during hospital and medical visits</li> <li>• Policy will need to be developed for the use of force model in hospital settings</li> </ul> <p><b>Police Services:</b> Unknown</p>



# Overnight availability is the key differentiator between options, and the key to meeting objectives

- Even with a small number of emergency medical incidents each year, the Department of Justice needs to be assured of round-the-clock coverage in order to provide a safe and secure environment for prisoners.
- Overnight availability is the primary differentiator between Option 2 and 3.

Evaluation Criteria	Option 1: Correctional Services provides medical/humanitarian escorts with improvements	Option 2: Sheriff Services perform all transports	Option 3: Sheriff Services provides regular escorts. Police cover emergency medical
<b>Equipment</b>	<p><b>Corrections:</b></p> <ul style="list-style-type: none"> <li>• Will require purchase of equipment (batons, OC) available for sign-out in each Admission and Discharge unit</li> <li>• Transport vehicles will need to be upgraded in majority, if not all facilities</li> </ul> <p><b>Sheriff:</b> N/A</p>	<p><b>Corrections.</b> No Impact</p> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Need to increase fleet with the purchase of new vehicles or potential transfer and upgrade of existing correctional vehicles</li> </ul>	<p><b>Corrections.</b> No Impact</p> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Need to increase fleet with the purchase of new vehicles or potential transfer and upgrade of existing correctional vehicles</li> </ul> <p><b>Police Services.</b> N/A</p>
<b>Availability</b>	<p><b>Corrections:</b></p> <ul style="list-style-type: none"> <li>• If scheduling improvements are made, correctional staff qualified for escorts will be available at all times in the facilities</li> <li>• Requires backfill to meet operational requirements</li> </ul> <p><b>Sheriffs:</b> N/A</p>	<p><b>Corrections.</b> N/A</p> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• To perform emergency medical transports the following adjustments to their operations will need to be made:               <ol style="list-style-type: none"> <li>1. Additional people required</li> <li>2. A minimum of 2 Sheriffs per facility to be on standby 24/7 (e.g. 10 Sheriffs on stand-by each night)</li> <li>3. Dispatching capability</li> <li>4. Staff located within a 15 minute response time</li> </ol> </li> </ul>	<p><b>Corrections.</b> N/A</p> <p><b>Sheriffs:</b></p> <ul style="list-style-type: none"> <li>• Some overnight dispatch capability will be required</li> <li>• May be required to move to a 24-hour shift model if police cannot commit to providing relief</li> </ul> <p><b>Police Services:</b></p> <ul style="list-style-type: none"> <li>• No change</li> <li>• Emergency medical transports will be treated similar to an emergency response call</li> </ul>



# Given need for standby availability at night, Sheriff Services is not the most cost effective option

- A preliminary analysis was performed to provide a 5-year net present value (NPV) of each option using training, labour and outsourcing costs. NPV is the projected 5-year cost of each option in today's dollars.
- Having police conduct emergency medical escorts avoids the requirement to maintain two Sheriffs on standby at night, and complexities such as moving to a 24-hour staffing model, dispatch and proximal location of staff to the facility.
- If police could not reliably perform overnight escorts, correctional staff would be the next best option, once improvements to the relevant training and procedures are in place.
- While there appear to be significant cost differences between the options, further exploration should be conducted to confirm the underlying assumptions.

	<b>Option 1 Correctional Services performs escorts</b>	<b>Option 2 Sheriff Services perform all transports</b>	<b>Option 3 Sheriff Services and Police conduct escorts</b>
<b>Annual Direct Labour Costs</b>	\$118,000	\$106,000	\$102,000
<b>Annual Standby Labour Costs</b>	\$0 <sup>1</sup>	\$107,000	\$0
<b>One Time Training Costs</b>	\$121,000	\$62,000	\$62,000
<b>Annual Training Costs</b>	\$30,000	\$0	\$0
<b>Annual Cost to Outsource to Local Police Services</b>	\$0	\$0	\$15,000 <sup>2</sup>
<b>5 Year NPV<sup>2</sup></b>	<b>\$723,000</b>	<b>\$931,000</b>	<b>\$512,000</b>

1 No standby costs are associated with Correctional staff, as standby pay is not currently provided for in the collective agreement.

2 This value was calculated by assuming that all 33 night-time escorts would be conducted by police using "at cost" invoicing, calculated as a percentage of the HRM police budget. Although this may overstate the duration of most escorts, the 33 night-time escorts in this calculation were assumed to be 7.5 hours in length to allow for waiting time in hospital, until police could be relieved by Sheriff Services at 7am

# A combination of Sheriff Services and local police provides a better solution to meet all five objectives

- A simple pro/con analysis illustrates the advantages and disadvantages of each option.
- While there are challenges with each, a combination of sheriffs and police may present the least difficulty and lowest cost in both the short- and long-term. However it is unknown whether local police would be amenable to this arrangement.

<b>Option 1: Correctional Services conducts all escorts with improvements</b>	<b>Option 2: Sheriffs conduct all escorts</b>	<b>Option 3: Sheriffs and local police conduct escorts</b>
<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>• Correctional Staff experienced in hospital supervision</li> <li>• Correctional Staff available on a 24/7 basis</li> <li>• Extra staff could provide 'slack' on overnight shifts</li> </ul>	<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>• All prisoner transports would be conducted by a single service</li> <li>• No new training or investment required for weapons</li> <li>• Fewer people to train and maintain training (sheriffs)</li> </ul>	<p><b>Pros</b></p> <ul style="list-style-type: none"> <li>• Lowest cost option</li> <li>• No new training or investment required for police to ramp up</li> <li>• Fewer people to train and maintain training (sheriffs)</li> </ul>
<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>• Need to create intermediate weapon policy, use of force policy and authorization procedures for unsecure environments - require time to develop</li> <li>• Ramp up time for training content development and delivery</li> <li>• Correctional Services is already challenged with achieving minimum training levels (discussed in another section) – adding new requirements will compound difficulties</li> </ul>	<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>• Significant standby costs</li> <li>• Will need to hire more sheriffs</li> <li>• May be difficult to ensure staff are located close to the facility</li> <li>• Would require changes to emergency dispatch process</li> <li>• Require changes to the <i>Correctional Services Act</i></li> <li>• May be negatively received by Correctional staff</li> </ul>	<p><b>Cons</b></p> <ul style="list-style-type: none"> <li>• Assumes that police services will always be available to respond when called upon</li> <li>• Require changes to <i>Correctional Services Act</i></li> <li>• May be negatively received by Correctional staff</li> </ul>



# We observed issues in clarity and compliance with escort policy, and coordination of healthcare needs

- Nova Scotia's escort policy appears to be on par with other Canadian jurisdictions, with regard to responsibility, types of approved restraints and number of escorting officers.
- One of the events precipitating this review was an escape that occurred while on medical escort.
- While we did not investigate that particular incident, we observed several issues that suggest further attention is required, and may have contributed to such an event. These findings include:
  1. Weaknesses in Correctional Services' training and staffing mechanisms underlying prisoner escorts that challenge the Division's ability to consistently comply with policy and procedure.
  2. Need for clarification of Correctional Services' policy and procedure for:
    - *Temporary Absences* (found in Chapter 35: *Conditional Releases*), specific to:
      - Eligibility of remand offenders for humanitarian temporary absence;
      - Eligibility of all offenders for medical temporary absence for elective procedures;
      - Absence of policy on what constitutes an elective medical procedure.
    - *Prisoner Escorts* (found in Chapter 40: *Escorts*), specific to:
      - Assignment of secure / unsecure vehicles to escorting staff;
      - Assessing offender security risk prior to escort;
      - Searching offenders prior to escort.
  3. Inconsistencies across facilities and staff in the use of JEIN to track escort information.
  4. Inconsistent coordination and communication between Correctional Services and other divisions within Department of Justice, particularly on weapons training, risk assessment and procurement.
  5. Weaknesses in the coordination and communication of prisoner health needs between health professionals and local facility staff, specific to escalating medical care outside the facility.



# Summary of Prisoner Escorts

- Specific recommendations are made in later sections, however in the course of exploring the issues surrounding prisoner escorts, it became apparent that several factors, related largely to the application of underlying policy and approach to prisoner escorts, challenge the effectiveness of transport operations within the Department of Justice (DOJ).
- It is recommended that:
  - The Department of Justice creates a shared service for training, responsible for developing cross-divisional training content. Specifically, training content should be developed for weapons, restraints, and new content developed for prisoner escorts in terms of Use of Force model in public settings, such as a hospital;
  - There is an effort to enhance cooperation, communication and collaboration between Correctional Services and other DOJ divisions in the areas of vehicle and weapons procurement, risk assessment instruments and policy development to maximize operational efficiencies and cost effectiveness;
  - There are improvements to scheduling and dispatching protocols for escorting officers or sheriffs; and
  - There are improvements, clarifications and coordination of policy and process between Capital District Health Authority and the Correctional Services Division of the Department of Justice regarding the timing and prioritization of prisoner medical appointments.



# **Admissions and Discharges**



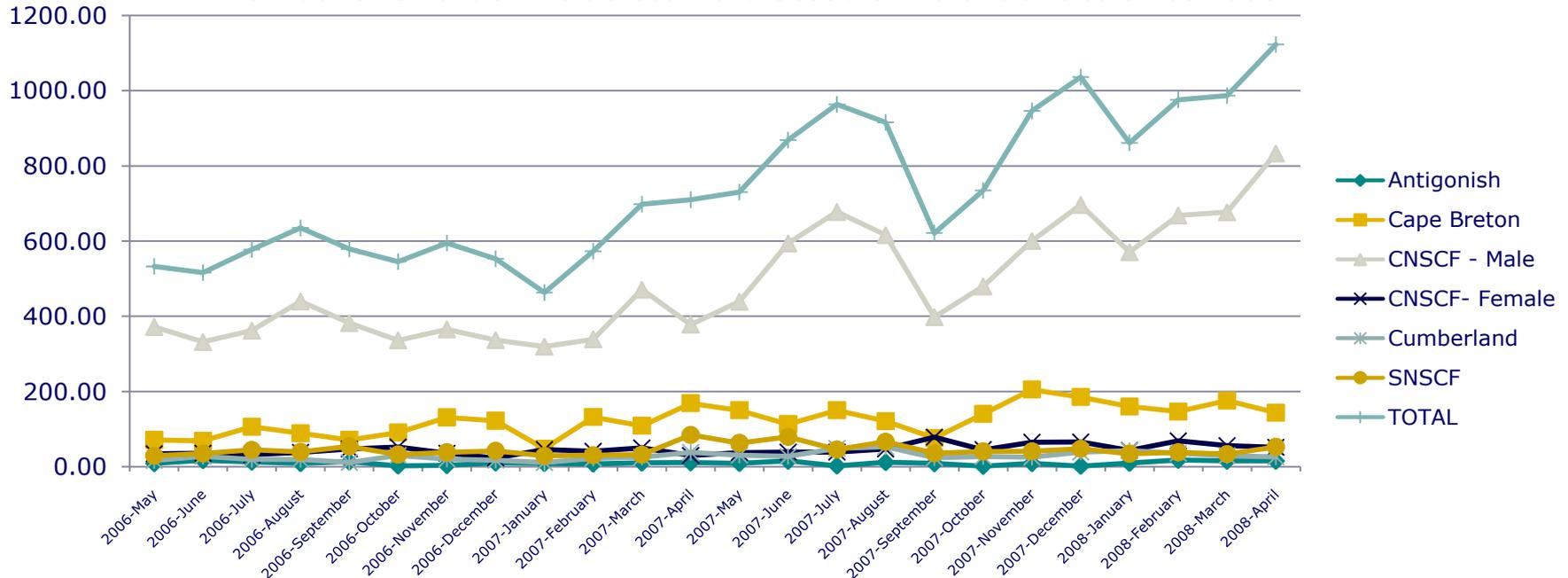
# Admissions and Discharge Units act as a turnstile, processing offenders that enter and leave a facility

- Admission and Discharge are mission-critical processes administered by correctional services staff in each of Nova Scotia's adult correctional facilities.
- Nova Scotia's adult facilities have dedicated Admission and Discharge (A&D) units that must process each person in custody entering or leaving the institution.
- For example, the types of offenders processed through an A&D unit include:
  - Newly sentenced prisoners entering custody for the first time;
  - Remanded (non-sentenced) prisoners held temporarily until a future court date or sentencing;
  - Illegal immigrants held temporarily on behalf of Department of Citizenship and Immigration; and
  - Prisoners discharged from custody after serving sentenced time.
- For the purposes of this report, "ins" are defined as the processing of an offender entering temporary custody or to serve a sentence.
- While not technically "discharged" from custody, many other offenders must be processed for temporary release, and are known as "outs." For example:
  - Prisoners leaving / returning from temporary absences (e.g. work release, medical visit);
  - Prisoners being transferred to and from court appearances;
  - Prisoners serving intermittent sentences (in/out on weekends only); and
  - Sentenced prisoners leaving / returning from day parole.
- Prisoners being transferred to or from other correctional facilities are not considered a 'release'.
- The following pages describe the policy, procedure and practices of admissions and releases in Nova Scotia's correctional services system.

# “Ins” have increased 111% in Nova Scotia since April 2006, adding pressure to A&D units

- Admissions and Discharge units are busy posts in any institution.
- In Nova Scotia, the volume of offenders processed by the five adult A&D units (offender “ins”) has increased by 111% since April 2006 based on prisoner counts and other data provided by Correctional Services.
- While all facilities have seen increases of 50% or more, the most significant increase has been seen at Central Nova where offender male “ins” have risen about 124% between May 2006 and April 2008.
- The graph below illustrates the rise in offender ins since 2006:

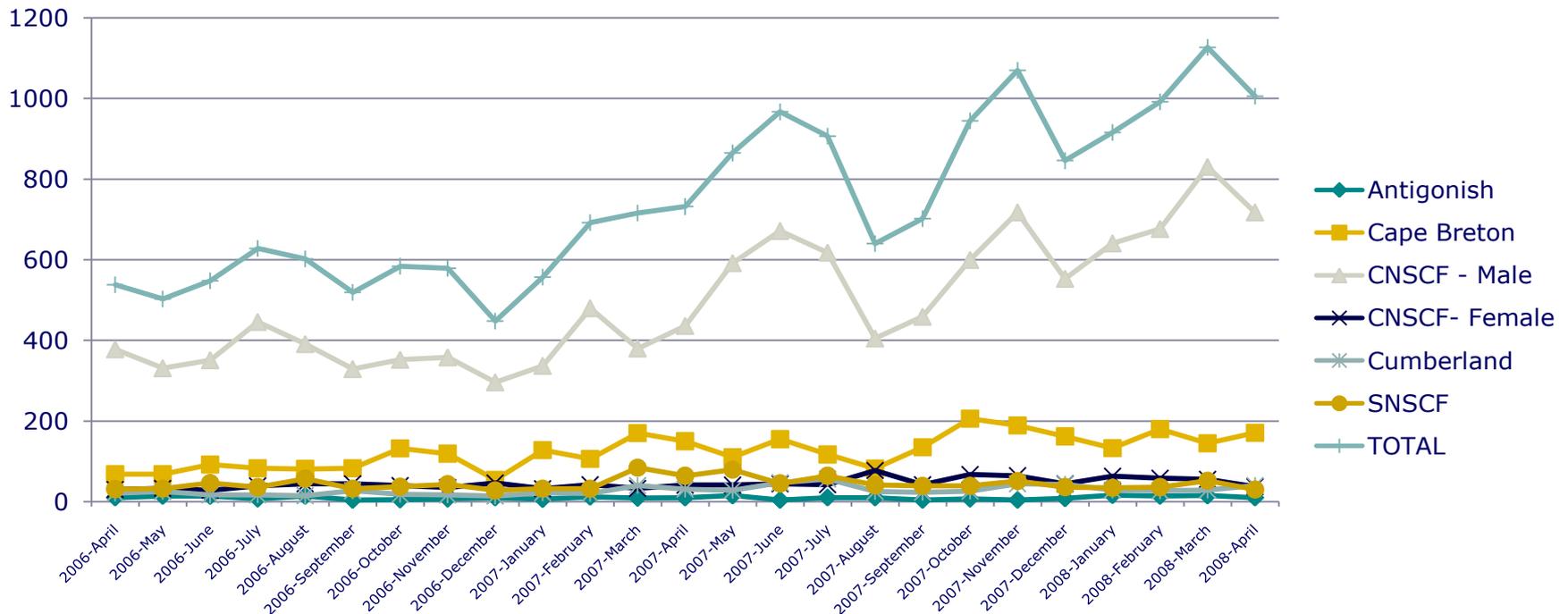
**Number of Offender Ins across Nova Scotia’s Adult Facilities since 2006**



# Offender “outs” have also increased substantially since April 2006

- In addition to a greater number of offender ins, A&D units are experiencing added pressures resulting from the types of prisoners leaving through their doors.
- In many cases, the same prisoners enter and leave a facility several times, for example, to attend multiple court dates or when serving intermittent (weekend) sentences.
- The chart below shows that offender outs have increased across the province by 87% since April 2006, and most significantly in CNSCF where the increase in the male offender “outs” has been 90% in the same timeframe.

**Number of Offender Outs across Nova Scotia’s Adult Facilities since 2006**

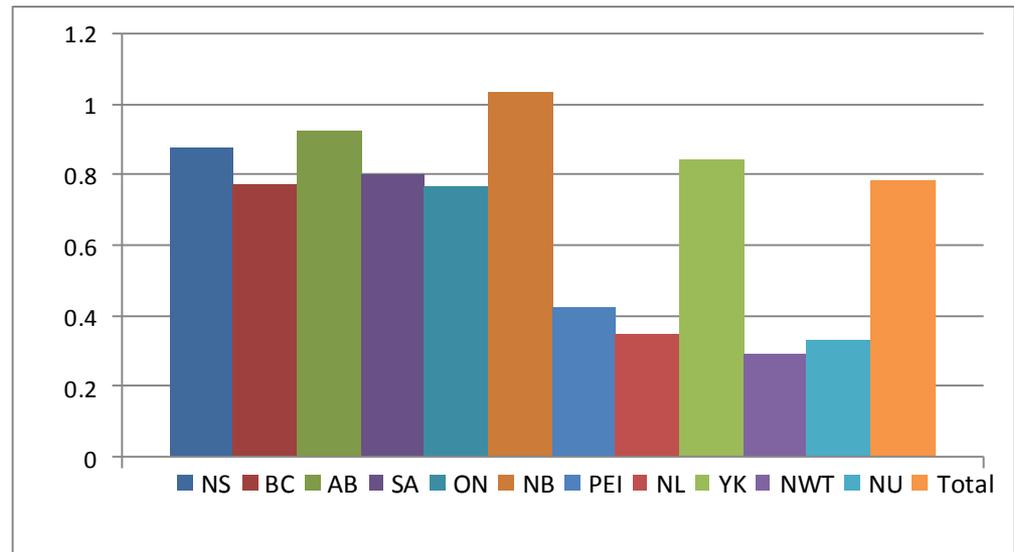




# Nova Scotia's admission and discharge units manage more prisoners per capita than the national average<sup>1</sup>

- Assessing the average number of Admissions and Discharges per annual average offender in custody provides a means of understanding how busy Nova Scotia's A&D units are, in comparison to other provinces.
- This ratio of admissions to offender count is referred to as *offender turns*.
- Nova Scotia's offender turn is 0.87 compared to the national average of 0.78.
- Nova Scotia has the third highest offender turn ratio in the country.
- This suggests that the demands on Admissions and Discharge operations in Nova Scotia are greater than most provinces across the country.

Monthly Offender Turns by Province



<sup>1</sup> Canada's national average was calculated from data provided by respondent provinces.



# Effective admissions and discharge processes are the cornerstone of a safe, secure environment

- In evaluating the adequacy of the A&D procedures in Nova Scotia's adult custodial services system, we identified five critical elements of an effective admissions process:
  - **Correct identification and processing.** Once Correctional Services staff properly identify the prisoner, photographs are taken and information from the warrant or order is entered into the central information system (JEIN).
  - **Appropriate interpretation of documentation.** Correctional Services staff must effectively interpret an offender's warrant of committal, custody order, or other documentation, to verify that legal authority exists to hold the prisoner in custody.
  - **Effective searches for contraband.** Person searches that take place during the admissions process are one way to ensure that contraband (such as weapons or drugs) are not brought into the facility.
  - **Accurate sentence calculation.** Sentences are calculated to obtain the prisoner's Earliest Release Date (ERD) and verify custody term.
  - **Establish prisoner health and hygiene.** Staff working in A&D units are responsible for showering prisoners, documenting personal property, and assigning institutionally-approved clothing and shoes to prisoners. Health information is obtained at this time.
- Each of these elements is crucial to ensuring that the right prisoner is held for the right length of time, with the appropriate level of security, and that any medical needs are identified at the time of admission.
- Similar identification, sentence calculation and processing elements are followed for offender releases to ensure that the correct offender is released on the correct date.



# General A&D procedures are established centrally, but physical differences in facilities impact practices

- Central policy and procedure that governs these processes are established in Policy and Procedure, Chapter 38: *Admitting and Discharge*.
- Each of Nova Scotia's adult facilities has a dedicated area that serves an Admission and Discharge function.
- These admission and discharge areas (A&Ds) vary in physical size, design and capability. For example:
  - Central Nova has separate male and female admitting units, whereas females admitted to Cape Breton are processed in the same space as males, however they are processed at separate times.
  - Central Nova has ten (10) holding cells to hold prisoners during the admitting process in the male A&D unit, which is designed to hold as many as 50 offenders.
  - Southwest has three (3) cells in its A&D unit, whereas Cape Breton has one (1) holding cell.
  - Antigonish has no separate A&D cells.
- Where such differences exist, SOPs written by the superintendent are intended to provide staff with guidance on how to appropriately complete the required tasks in accordance with P&P.

## Observations on Policy, Procedure and Practice

- In February 2008, a new Admission and Discharge P&P was written to improve the function of this area in the facilities.
- The P&P states in Chapter 38 that Standard Operating Procedures should be developed for three (3) key areas regarding Searches, Personal Property and Health Information.
- SOPs were found to be incomplete for most facilities, except Southwest.
- Each A&D unit has admitting boards on which on-register offenders are tracked. These boards vary between facilities.
  - At Central Nova, the admitting board does not capture all on-register offenders (since offender counts sometimes exceed capacity), so a makeshift secondary board is now in place, which creates confusion for staff.
- The physical differences between facilities impact A&D procedures followed by staff. For example:
  - Antigonish does not have enough staff on shift to provide coverage and conduct searches with 2 staff members, as required by P&P and SOP;
  - For several reasons, including pressure to process 30-40 prisoners for court release on Monday mornings, CNSCF staff do not typically process prisoners one at a time, as required by P&P and SOP; and
  - In Antigonish, where there are no A&D cells, staff do not hold prisoners separately (prior to conducting a search), as required by P&P and SOP.



# Staffing for A&D in Nova Scotia is inconsistent, lacks training in critical elements

- Although A&D processes are widely believed to be mission-critical to correctional services, Nova Scotia does not provide specific staff training on documentation, interpretation, processes and procedures related to admissions or release.
- Additionally, staffing of these busy units is often done inconsistently.
- In practice:
  - The role of Admissions Officer does not officially exist in Nova Scotia;
  - CNSCF's A&D unit is often staffed with part-time, and reportedly less experienced staff;
  - At CNSCF, no captain or OIC is present consistently in the unit to provide supervision; and
  - Cape Breton consistently staffs its A&D unit during the day with long-time, experienced personnel, however evenings and weekends are staffed inconsistently.
- No A&D-specific training exists in Nova Scotia. Training is provided on-the-job by more experienced staff.
- The JEIN system is a key information source used by Admissions to log prisoner information, review history and calculate sentences. This prisoner custody information may also be required by courts, so efficient processing of admissions data is essential.

## Observations on Policy, Procedure and Practice

- Despite A&D being a complex and critical element of Admissions, several issues were observed.
- Specific training gaps for A&D staff include:
  - **Warrant interpretation.** No training or procedure manual exists. P&P does not provide examples of various types of warrants.
  - **Sentence calculation.** No training or procedure manual exists.
  - **JEIN training** is weak across the system. The number of staff trained on JEIN ranges from 30% in Cape Breton, to over 70% in Southwest.
- Antigonish and Cumberland have not yet installed A&D computers for JEIN access, although they have been purchased.
- P&P is unclear as to whether front-line staff, or administrative staff, should enter JEIN data
- There are reported delays in processing of prisoners from time of admission to keying information into JEIN. Paperwork tends to be routed from A&D to administrative staff, where it may be delayed for several days.
  - There are reported delays with computer and email access for part-time staff, which prevent them from entering information on JEIN, and may result in electronic offender records being out of sync with paper files.

# Volume, confusion and absence of accountability have created a culture of non-compliance in A&D

- The reality of increasing volume, role and responsibility confusion and lack of direction have created a culture of non-compliance at several facilities, where:
  - As many as several dozen prisoners must be processed for court transfer on most Monday mornings.
  - To comply with established policy and procedure, staff report that a processing time of 10 to 15 minutes per prisoner is required.
  - To ensure that offenders are ready on time, staff may willfully or unintentionally disregard P&P and SOP.
  - For example, CNSCF SOP #9 states that prisoners must be processed and searched one at a time. However, staff perceive that in order to comply, they would need to begin processing prior to the start of the day shift at 7:00am when extra staff are unavailable, and once processed, there would be insufficient holding cells to hold offenders prior to transfer.
- Lack of consistent staffing and training for those the A&D unit, coupled with inability to physically manage the volume of prisoners requiring processing within a specific timeframe, creates a situation where SOPs and P&Ps are not followed.
- Management has not consistently enforced adherence to P&Ps.

## Observations on Policy, Procedure and Practice

- There is a perception held by staff in several facilities that in order to process the required number of prisoners in time for court in the morning. As a result of this perception, P&P is not followed.
- For example: P&P Chapter 39 clearly outlines the search requirements for admission and discharges, including strip search of prisoners.
- Numerous reports of the consequences of non-compliance with A&D policy and procedure were identified. Examples include transporting too many prisoners at once, health information not being collected, prisoner searches being omitted, prisoners missing showers, and weapons brought into the facility.
- Without regular supervision of the A&D unit by facility management, and increasing pressure to effect some measure of efficiency, this has had the unintended consequence of creating a lack of accountability when P&P is not followed.
- Complicating matters is that the new A&D policy intended to effect compliance with P&P was introduced in February 2008 has increased processing time for each prisoner.
- Under this new regulation, staff are now required to complete an Admissions Checklist (or Discharge Checklist) for each prisoner processed by the A&D units, however there is a perception that it has added processing time for each offender.



# Increasing demand adds pressure to inefficient administrative processes at the busiest A&D

- Good business practices, are essential for effective information management within adult correctional services, and the overall justice system.
- Administrative processes are managed by both correctional officers and administrative staff.
- Administrative staff support many functions in the correctional services system.
- By far, Central Nova houses Nova Scotia's busiest A&D and administrative offices. Issues at this location were reported across the correctional system, including:
  - Interpersonal difficulties, leading to lack of cooperation and information-sharing between administrative staff;
  - Largely manual processes;
  - Inconsistent leveraging of the JEIN system. Central Nova maintains duplicate records and extensive paper files, including prisoner information kept on index cards;
  - Paper-based incident and other types of reports, which are poorly tracked, so data mining is a challenge; and
  - Triple manual entry of offender data in JEIN, paper files and index cards may contribute to discrepancies and errors.
- These conditions have the potential to increase the risk of mistaken releases in the future.
- Ineffective administrative processes (including records management and sentence calculation) have contributed to seven (7) of ten (10) mistaken releases since 2005.

## Observations on Policy, Procedure and Practice

- Weak records management processes were observed at CNSCF:
  - Prisoner files were observed piled on top of filing cabinets;
  - It was reported that about five years' worth of prisoner filing had been allowed to accumulate. An admin clerk was hired over a year ago to address these files, and a second clerk hired to assist, but the work is not complete;
  - The administration of prisoner records, including when to start a new file and move current files to archives, is inconsistent and at the discretion of local administrators.
- Unclear processes for addressing issues and errors in admissions paperwork:
  - Admin clerks return admissions documents to the OIC if errors are observed; however no process exists to follow up on whether corrections are made, nor are the errors noted on JEIN;
  - What classifies as an "error" is inconsistent between facilities, based on the local practices and standards.
  - There is variation between facilities about what information, and level of detail, entered into the JEIN system, for example, time of day or duration of temporary absences.



# Sentence calculation procedures are not common across DOJ and do not conform to leading practices

- Sentence calculation is primarily intended to identify an offender's Earliest Release Date (ERD).
- The ERD determines when an offender is eligible for release, or for parole. Errors in calculating this date may result in holding an offender too long, or releasing an offender too soon.
- Chapter 25: *Adult Custody Sentence Administration* is available to staff in policy binders and on the government website.
  - Subject 25.00.4.2, manual sentence calculations are performed first by staff working in A&D at the time of admitting, then by an administrative clerk. A third calculation from the JEIN system is used to verify the manual calculation.
  - If there is any confusion about interpretation of the sentence, staff typically contact Court Services directly to obtain court transcripts and determine the intent of the sentencing judge.
- Correctional services staff and admin clerks do not have formal training for sentence calculation.
- There is no procedure manual, handbook or common process for sentence calculation across the justice system in Nova Scotia, which differs from common practices in other provinces.

Many departments of justice in Canada issue a Sentence Calculation manual to help standardize the processes used by lawyers, judges, court clerks, corrections and crown prosecutors

## Observations on Policy, Procedure and Practice

- In response to new sentencing types imposed by Nova Scotia courts, and concerns regarding accuracy, the Correctional Services Division brought admin clerks from the five facilities together to review sentence calculation in Spring of 2008.
- It was determined that:
  - No standard process exists for calculating sentences (particularly collapsing intermittent).
  - Sentence calculation procedures vary by facility.
- A solution was issued by Head Office, however a flaw was detected. A working group has been struck to resolve the issue, however no solutions was formally provided, as of the date of this report.
- Administrative staff also report that JEIN is flawed in two ways:
  - It may miscalculate one type of sentence (collapsed intermittent sentences) by  $\pm 1$  day;
  - The system has a manual override feature that may be used when three manual calculations do not agree with the total sentence on the warrant (as referenced in Subject 25.01.4.5).
  - While rarely used, once a manual override is applied, no automation will be done on subsequent calculations for returning prisoners.
  - Overrides must be noted in JEIN and offender records, however staff do not consistently record the use of manual override in JEIN, nor in the offender's paper file, which may increase the risk of miscalculation.



# Summary of Admissions and Discharges

- The processes and procedures underlying Admissions and Discharges are fundamental to the business of correctional services. Underlying issues of staff skills, support systems, and inadequate processes do not lend themselves to a simple fix.
- It is essential to ensure that all correctional staff assigned to A&D units are appropriately trained to ensure that the opportunity to ensure offenders are held, or released at the appropriate time, contraband is intercepted, and offender data is maximized.
- In practice, the issues impacting Admissions and Discharges include:
  1. A multi-step, non-automated admissions process involving multiple staff in at least two departments;
  2. Weaknesses in formal training for staff working Admissions and Discharge units in Nova Scotia, specifically in current policy and procedures, warrant interpretation, and A&D-specific JEIN processes;
  3. Lack of system-wide policy on the processes, procedures and methods used by correctional staff, administrative support staff, and those in the overall justice system, for sentence calculation;
  4. Limited space and resources available to comply with P&P in high-volume areas of the correctional facility, such as A&D;
  5. Inconsistent staff supervision and continuity in A&D units to assist process and mentoring for new A&D staff;
  6. Difficulties in backfilling A&D units with experienced, trained staff;
  7. Use of duplicate, manual tracking methods for offenders in custody, such as “admitting boards” and paper tracking sheets, in addition to JEIN admissions records;
  8. Inability to access JEIN by all staff, due in part to inconsistent email and computer access policies for part-time staff across the five adult facilities.
- As the number of offenders passing through admissions and discharge units across the province increases, streamlined policies and procedures are required to capture and record essential offender data, without increasing the pressure on correctional staff in A&D units, or administrative staff.
- Efforts to standardize practices and methods used by A&D and administrative staff will aid in ensuring that A&D units will provide a first defense against offender health and security risks.



# **Security Equipment, Restraints, Intermediate Weapons**



# Introduction to Security Equipment, Restraints, Intermediate Weapons

- Correctional Services provides several types of security equipment to correctional staff.
- Policy and Procedure Chapter 41: *Approved Security Equipment* establishes the policy governing three types of equipment used by correctional services staff:
  - **Protective;**
  - **Restraint and control; and**
  - **Prohibited / restricted** (referred to as intermediate weapons).
- Although Correctional Services Head Office authorizes certain types of equipment that can be used in the correctional system generally, individual facilities must approve which equipment may be used by staff or in training at a particular facility.
- Protective equipment is provided to all correctional services staff:
  - *Standard issue protective equipment* used in a correctional officer's daily activities are search gloves and duty web belt.
  - *Specialty Protective Equipment* such as protective padding, helmets, shields, and Ballistic Type II vests are readily available to correctional services staff when required in accordance with Chapter 37 (Use of Force) or escort situations (Chapter 40).
  - These items are generally kept in a secure area until required. Approval must be granted by the Officer in Charge or Deputy Superintendent.
- The restraints used in Nova Scotia's facilities, as well as restricted equipment provided for escort purposes, are described in the following pages.



# **Use of Restraints**



# Approved restraint equipment is generally consistent across facilities

- Approved restraint and control equipment includes the following restraints used in Nova Scotia’s correctional facilities:
  - Handcuffs, flex cuffs, and leg irons;
  - Waist restraints including chains and leather belts;
  - Bed restraints for ankles, wrists, and the chest;
  - Helmets applied to prisoners; and
  - Mattresses.
- Handcuffs and leg irons were observed in all facilities, however bed restraints, helmets for prisoners, or protective mattresses were not observed in any facility.

**Observations on Policy, Procedure and Practice**

- Personal handcuffs were reported in use in one facility (non-compliant with 41.00.1.2)
- Some equipment was observed in NS institutions that was not listed as Approved Security Equipment, such as includes:
  - *Straightjackets* (observed at Antigonish, but identified in Antigonish and Cumberland SOP);
  - *Restraint chairs* (observed at Cape Breton and CNSCF, not referenced in either SOP).
- While there were no reports of this equipment ever being used, neither are they listed as prohibited in P&P.
- Only Southwest identified the type of restraint equipment to use by offender security risk level.
- Chapter 41 does not outline policy or procedure regarding bed restraints, helmets or protective mattresses.

	CNSCF	CBCF	SNSCF	CCF	ACF
<b>Approved Restraints:</b>					
– Handcuffs / flex cuffs	✓	✓	✓	✓	✓
– Leg irons	✓	✓	✓	✓	✓
– Waist restraints (leather or chain)	✓	✓	✓	✓	✓
<i>Non-compliant restraint or control equipment observed in facility:</i>					
– Straightjacket					✓
– Restraint chair	✓	✓	✓		
<i>Non-compliant equipment referenced in SOP</i>					
Personal property in use (non-compliant with 41.1.2)		✓		✓	✓
SOPs identify type of restraint used with prisoner risk ratings			✓		

# Practices related to restraints vary by facility, but training in their application is provided to all staff

- Each facility's Standard Operating Procedures are required to detail practices, including approved equipment for prisoner control, as individual superintendents may authorize equipment for use from the list of approved equipment.
- A Use of Physical Force Model assists in identifying appropriate equipment (Chapter 37).
- The level of prisoner security in each facility is one factor involved in selecting equipment for use in that facility.
- Typically, officers carry their standard issued search gloves and web belt. Some individuals also carry handcuffs, although policy differs by facility.
- Training for restraints is provided in the Basic Security Course, which includes:
  - Maintenance and Use of Handcuffs (Lesson 16);
  - Defensive Stance / Relative Positioning & Pivots (Lesson 17);
  - Front and Rear Handcuffing and Removal (Lesson 18);
  - Transport Waist belt Application and Removal (Lesson 20); and
  - Leg Irons - Application and Removal (Lesson 21).
- Subject 41.00.6 requires that all new correctional officers and correctional workers are required to have this training, in accordance with Chapter 11 (*Certification and Re-Certification Standards*).

## Observations on

### Policy, Procedure and Practice

- Policy and access to handcuffs varies between facilities:
  - P&P is not clear whether or not staff may carry restraints (e.g. handcuffs) in their daily activities with the approval of the superintendent.
  - In Cape Breton, staff carry handcuffs on their person.
  - At CNSCF, two pairs of handcuffs in the control units must be signed out if needed, however they may not be accessible to floor staff in an emergency.
- Local SOP, approved by Head Office, are vague around use of restraints based on security level, nor do they specify restraints to use by prisoner risk level.
- There is duplication of narrative between P&Ps and SOPs, which adds confusion for the reader.
- Approved restraint equipment is not specified in the SOPs approved for the following institutions:
  - Antigonish
  - Cumberland
- No specific training was identified for flexcuffs.
- No specific training refresher courses or requirements were identified for restraints.

# Nova Scotia's approved restraints are consistent with the types of restraints used across Canada

- The types of restraints approved for use in Nova Scotia appears to be consistent with other Canadian jurisdictions, regarding the use of hand cuffs, leg irons and waist restraints.
- Saskatchewan and PEI reported that restraint chairs are used within policy.

Type of restraint	NS	NB	PE	NL	ON	SK	AB	BC	YU	NU	NT
Handcuffs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Leg irons	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Waist restraints	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Restraint Chairs	1		✓			✓					

<sup>1</sup> Two facilities in Nova Scotia were in possession of restraint chairs, which are not authorized for use.



# Summary of Use of Restraints

- Nova Scotia's policy and procedure for restraints used inside correctional facilities and on outside escorts is consistent with other jurisdictions.
- We also observed that some inconsistencies exist with regard to actual practices and availability of security equipment in the facilities.
- Specifically, we observed:
  1. Unauthorized types of restraints in four facilities;
  2. Need for clarity in policy and procedure (Chapter 41: *Approved Security Equipment*) regarding:
    - Use of bed restraints, helmets for offenders and mattresses as restraints;
    - Use of personal property by staff;
    - Use of restraints based on offender security risk;
    - Definition and process for disposal of prohibited equipment.
  3. No specific training is provided in the application or use of flexcuffs, bed restraints, helmets for offender, or mattresses;
  4. Need for clarity of policy and procedure around disposal of old security equipment, particularly given the Division's intent to replace handcuffs and leg irons.



# **Use of Intermediate Weapons For Prisoner Escorts**



# The issue of intermediate weapons for prisoner escorts is largely decided in Nova Scotia

- Intermediate weapons, for the purpose of this discussion, are defined as restricted weapons approved by Correctional Services for use in adult correctional facilities.
- In accordance with Subject 41.00.5.4, Nova Scotia currently lists the following restricted weapons for use *inside correctional facilities*:
  - **Oleoresin capsicum (OC) spray**
  - **Electronic Control Device** (e.g. TASER)
- No intermediate weapons were approved for medical or humanitarian escort until May 2008.
- In June 2008, the NS Department of Labour issued a standing order requiring Correctional Services staff, when escorting prisoners, to be armed with:
  - Batons; and/or
  - OC spray; and/or
  - TASERS.
- In response to this standing order, Correctional Services has indicated that Batons and OC Spray will be issued to correctional services officers conducting prisoner escorts.
- In the following section, we review the policy and procedure for intermediate weapons as of May 1, 2008 (prior to the Department of Labour standing order), however updates have been developed and implemented since this date.



# Nova Scotia's intermediate weapons policy specifies who can use them, training, use of force model

- Chapter 41: *Approved Security Equipment* establishes central policy and procedure for all facilities:
  - Use of intermediate weapons is restricted to secure facilities, with explicit approval by the facility's deputy superintendent;
  - Authorization may be given when all other intervention options have been exhausted;
  - Only CNSCF, Cape Breton and Southwest facilities have OC and TASER on the premises;
  - Only those who have completed specialized training for OC or TASER may operate them;
  - Two (2) certified operators must be present to operate a TASER;
  - Several detailed handwritten reports are prepared each time force is used, including when a weapon is deployed; and
  - Chapter 37: *General Facility Operations* identifies a "Use of Physical Force Model", which outlines the circumstances in which various types of force may be applied.

## Observations on Policy, Procedure and Practice

- Leading practices in other jurisdictions suggest that compliance with routine policy and procedure is as important to staff and public safety, as the availability of intermediate weapons for prisoner escorts.
- Of greatest value are the following activities done prior to leaving the secure facility:
  - Assessment of prisoner security risk;
  - Prisoner searches;
  - Correct application of restraints;
  - Use of appropriate secure vehicle; and
- It is unclear whether prisoner searches for contraband and instruments of escape are conducted prior to escort.
- While Correctional Services P&P in Nova Scotia outlines tasks such as these to perform prior to escort, multiple reports were received of inconsistent- or non-compliance with policy.
- When force is used with an offender, several paper reports are required. The actual number of reports required, and from whom, is dependent on the incident, however there appear to be several scenarios in which more than four or five separate reports would be required of staff and management. A simple software application would enable more efficient data management.
- In practice:
  - Searches are not consistently conducted;
  - Prisoner risk assessment instrument is inadequate to assess potential for escape, or performed prior to discharge from custody;
  - Secure vehicles unavailable at some facilities;
  - The policy around which restraints to use by prisoner risk was unclear; and
  - There is no guidance for use of physical force in non-secure environments as may be encountered on escorts (e.g. hospitals or funeral homes).



# Until recently, Nova Scotia was the only province not providing weapons to escorting correctional staff

- The following table identifies the intermediate weapons that are approved for use in Canadian provinces during outside escorts.<sup>1</sup>
- In all provinces except Nova Scotia, some form of pepper spray has been authorized for use on prisoner escorts.
- Batons or ASP telescoping batons are used in Ontario and Western Canada.
- TASERs are not standard issue in New Brunswick and Manitoba, however in special circumstances with high-risk prisoners, TASERs may be authorized.
- British Columbia issues a weapon called a “web” designed to assist correctional staff in capturing escaping prisoners.
- In Nova Scotia, both staff and management participating in this review appeared to be in agreement that both types of batons posed a serious risk to staff and offender safety, and would require extensive, regular training.

	NS	NB	PE	NL	ON	QC	MB	SK	AB	BC
OC Spray or Foam (pepper spray or foam)		✓	✓	✓	✓	✓	✓	✓	✓	✓
TASER		✓					✓			
Baton / ASP telescoping baton					✓		✓	✓	✓	✓
Side Arms						✓				
Other (e.g. web)										✓

<sup>1</sup> Data provided by NS Department of Justice, Correctional Services.



# Summary of Use of Intermediate Weapons on Outside Escorts

- The Department of Labour's standing order has largely determined Correctional Services' policy on intermediate weapons for prisoner escorts.
- We have recommended previously in this report that responsibility for prisoner escorts be transferred to Sheriff Services if police are available to assist in overnight emergencies, however in the process of conducting this audit, we also observed issues related to:
  1. Gaps in policy and procedures governing use of physical force (Chapter 37) in unsecure environments (such as hospitals), for both Correctional Services and Sheriff Services;
  2. Gaps in training on use of physical force in unsecure environments (such as hospitals) for both Correctional Services and Sheriff Services staff;
  3. Gaps in specific authorization procedures for correctional staff for deploying intermediate weapons on escorts;
  4. A number of handwritten incident reports are required of correctional services staff and management when force is used with an offender (including deployment of intermediate weapons), which may be inefficient to manage and track incidents, and may impact productivity, and indicates a need for technology to enable information management.



# **Safety and Security Training Procedures**



# Introduction to Safety and Security Training Procedures

- Well-trained staff is another dimension of a safe and secure correctional environment.
- We learned from correctional services leadership in several Canadian jurisdictions that Nova Scotia's training programs are considered desirable and are perceived positively.
- In fact, several training programs developed in Nova Scotia have been purchased and are in use by other Canadian jurisdictions.
- The adequacy of Nova Scotia's correctional services *training content*, or development of training programs, were not in-scope for this review.
- Our mandate was to explore *safety and security training procedures*, or the ability of staff to access established training currently provided by the Division.
- The following section outlines the issues, and opportunities to improve training processes and procedures in Nova Scotia's correctional services system.



# Training is a shared responsibility between Head Office and adult correctional facilities

- Training is the responsibility of both Head Office and individual correctional facilities.
- Head Office designs and coordinates the delivery of training programs, but individual facilities identify how many staff require the training, and nominate which individuals will receive it each year.
- The structure of Correctional Services' training organization<sup>1</sup> includes the following key roles:
  - **Director, Correctional Services – Policy and Programs.** The content for training programs, and annual training calendar, are designed with input from the field.
  - **Training Coordinator.** Also located in Head Office, the training coordinator's role is to organize the delivery of training as outlined on the annual calendar, using a network of part-time trainers. This individual reports to the Director, Correctional Services – Policy and Programs.
  - **Training Contacts.** Tracking of staff attendance and completion of training is the responsibility of *training contacts*, who are deputy superintendents or others located in each facility.
  - **Part-Time Trainers.** A network of individuals support the delivery of training to field staff. Although some are contracted to provide specific courses (such as Aboriginal Perceptions), most of these individuals are correctional officers with front-line responsibilities.

<sup>1</sup> Staffing levels of the training component of Head Office were not evaluated.

## Observations on Policy, Procedure and Practice

- It was reported that 300 courses were delivered to about 3500 participants in 2007/2008, totaling 45,000 hours of instruction time for corrections staff.
- Much of this training was delivered by the network of part-time trainers, to individuals identified by the Training Contacts at each facility, which is reported to be an effective delivery mechanism. Part-time trainers are also used in other jurisdictions.
- Training Contacts report to local management in the facilities, not to Head Office staff (e.g. Director).
- The Training Contact responsibilities are performed in addition to the individual's operational or administrative responsibilities.
- No formal communications exist to instruct Training Contacts on their role or responsibilities.
- Staff training targets were not identified as part of the Training Contact's or Deputy Superintendent's performance targets.
- Part-time trainers are generally experienced correctional officers and managers, and continue to have full-time operational responsibilities, which may be impacted by performing training in the field.
- Operational impact is likely to be a function of weak staffing practices, not the effectiveness of the part-time network in delivering training.



# Staff are identified by local training contacts and scheduled to receive training

- Training Contacts at each facility are responsible for maintaining completion records for staff.
- The instruments used to manage training vary by facility, but generally detail which courses have been completed or not completed.
- Two meetings are held each year to review training needs and develop a schedule:
  - Training Contacts identify how many seats are required for each course, based on completion records from the facility;
  - The Training Coordinator reviews local training requirements and sets up calendar in December for the next calendar year; and
  - The June semi-annual meeting is designed to track progress to the schedule and make required revisions.
- Once a schedule is established, training courses and trainers are coordinated by Head Office.
- Staff receive an email communication of when and where they are required to attend.

## Observations on Policy, Procedure and Practice

- While LearnNET is intended to be used as the central training history repository, tracking of completed staff training is not standard across facilities:
  - Antigonish and Cumberland use paper tracking methods;
  - Southwest, Cape Breton and CNSCF use Excel spreadsheets;
  - However, the excel spreadsheet format is inconsistent between the three facilities;
  - JEIN training is not tracked at CNSCF.
- The facilities' training records do not track older versions of mandatory courses (for example, pre-cursors to the current Basic Security training). For that reason, training levels may appear to be lower than in actuality for some courses.
- Absenteeism from scheduled training is a serious problem in the system, due in part to:
  - Unclear policy on whether training should be scheduled on days-off or regularly scheduled shifts;
  - While some staff may be held back from training because there is insufficient relief available, many report that they perceive it as optional;
  - Staff calling in sick, and repeatedly missing scheduled training;
  - Training schedules communicated by email which may not be consistently available to staff:
    - Cape Breton part-time staff report email access is not provided until 6 months of employment; and
    - Antigonish and Cumberland do not provide computers on which to check email.
- There is no disciplinary action taken for staff that do not attend mandatory training.



# Three types of training are offered, but gaps mean that staff do not have the skills for the job

- Currently, there are three (3) types of front-line training courses tracked by training contacts<sup>1</sup>:
  - *Public Service Commission training* (such as Diversity, Aboriginal Perceptions) required by NS government.
  - *Core Safety and Security*. The minimum required for full-time correctional officers, which includes:
    - *First Aid and CPR* – Required for all front-line staff; and
    - *Basic Security Course* – A 2-day course mandatory for all newly-hired correctional officers.
  - *Advanced Security*. After Basic Security has been completed, staff may also receive training in:
    - Fire Evacuation Equipment Training (FEET);
    - Verbal Crisis Intervention (VCRI) (pre-requisite for Enhanced Security);
    - Conflict Crisis Intervention (CCI);<sup>2</sup>
    - Enhanced Security (pre-requisite for TASER and OC training);
    - TASER; and
    - Oleoresin Capsicum Pepper Spray.
- VCRI and CCI are pre-requisites for Enhanced Security, which covers advanced physical maneuvers (e.g. take-downs).
- Enhanced Security is a pre-requisite course for weapons training.

1 The Division may offer more than 42 courses for staff and management, however only these courses are tracked.

2 Although CCI is now part of the Basic Security Training course provided to all front-line staff, it is tracked as a separate course by facilities. Completion levels for CCI and Basic Security training also vary.

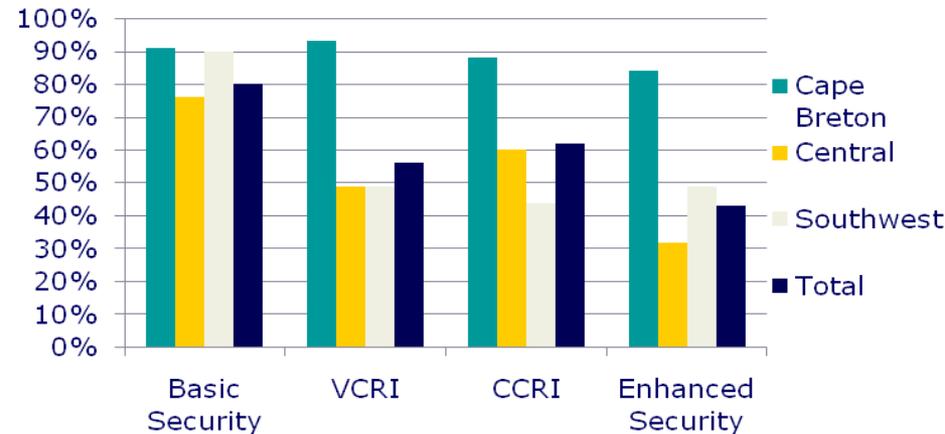
## Observations on Policy, Procedure and Practice

- There are several key areas where little or no formal training has been developed, including:
  - Administrative services (e.g. records management)
  - Admission and discharge procedures
  - Warrant interpretation
  - Sentence calculation
  - How to conduct an outside escort
  - Use of force in escort situations
  - Certain types of restraints
- No formal training targets are set for individual facilities. That is, Head Office does not require a specific percentage of staff to have specific training in each facility.
- The policies around which staff are identified to receive advanced training are unclear.
- Verbal skills and crisis resolution are reported to be critical tools to support the correctional services philosophy endorsed by Nova Scotia, however VCRI and CCI are not required for all staff.
- The current approach to training documents which courses have been completed, not to identify an individual's development needs. It is possible that individuals may not be able to demonstrate appropriate skills or behaviours, even after completing a course.
- While 42 courses are tracked by training contacts, it was reported that 85 different courses have been delivered in the past year.

# According to training records provided, there are deficiencies in front-line training levels

- To measure adequacy, we reviewed the training records of the three largest adult facilities in Nova Scotia, and specifically looked at four core security courses.
- This chart (right) highlights the percentage of staff who have completed core training elements for security and safety in Nova Scotia, according to the training records provided.
- Basic Security is only an absolute requirement for full-time front-line staff, however available training records indicate:
  - About 25% of staff have not completed the basic course at CNSCF (which relies on many part-time staff for daily operations); and
  - About 20% of front line workers across the province have not completed Basic Security.
- Verbal and conflict crisis intervention, as well as enhanced security are considerably higher in Cape Breton than other facilities.
- Levels for Enhanced Security are lower for CNSCF than for other facilities, with less than 35% of staff trained in advanced maneuvers.

**Percentage of Staff Completed Core Training**



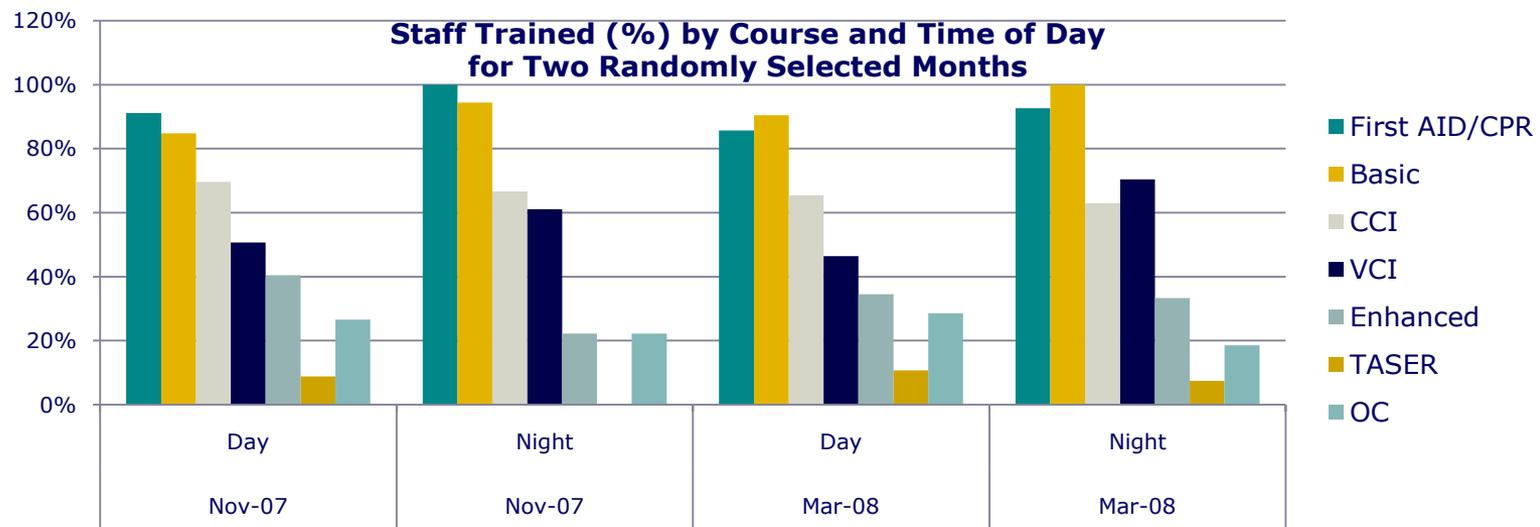
## Observation on Policy, Procedure and Practice

- VCRI is a scenario-based program designed for delivery after the individual's first few months of experiences.
- It was consistently affirmed through interviews, focus groups and research that verbal intervention is considered the number one tool to gain control of a conflict situation in corrections.
- However only 56% of staff at Central Nova, Southwest and Cape Breton facilities have completed VCRI Training.
- Advanced weapons training has been completed without prerequisite security courses.
- Specifically, 11 staff in the province have completed either OC Spray or TASER training, but have not completed the prerequisite Enhanced Security Course.



# Low training levels affect the availability of certain intervention options at CNSCF

- Training levels in basic and advanced security skills, and weapons operation, have an impact on routine operations in Nova Scotia's facilities.
- The chart below identifies the training of on-duty staff during day and night shifts in November 2007 and March 2008 at CNSCF. These dates were randomly selected.
- Although specific staff training targets for each courses have not been set by Correctional Services, it could be expected that shift complements would have enough qualified staff to meet established policy and procedure.
- For example, no qualified TASER operators were on duty during the night shift in November 2007, despite P&P requiring that two certified TASER operators for any offender intervention.
- Without two certified TASER operators on duty, if any intervention was required during that shift, the TASER option would be unavailable. Staff would use traditional management techniques, additional staff would have to be called in, or P&P could not be followed.



# There are lessons to be learned from the training procedures in other jurisdictions in Canada

- We reviewed the procedures related to training in five other jurisdictions in Canada.
- In all cases, local resources are responsible for identifying staff for training, which is consistent with Nova Scotia's approach.
- In Ontario and the Yukon Territory, a formal needs analysis is conducted for each individual and used to guide training and development.
- In most other provinces, accountability for staff training targets is at the local leadership level, however training targets are also identified for each facility by Head Office.

	Leading Practices
<b>New Brunswick</b>	<ul style="list-style-type: none"> <li>• A centralized tracking system is in place that gives head office staff quick access to the detailed training records of all staff members.</li> <li>• Staff training targets are incorporated into the superintendent's performance review.</li> </ul>
<b>Manitoba</b>	<ul style="list-style-type: none"> <li>• There are dedicated training coordinators in larger facilities whose primary job is to oversee training.</li> </ul>
<b>Ontario</b>	<ul style="list-style-type: none"> <li>• Learning requirements for each staff person are identified during the performance appraisal process.</li> <li>• This information is then used to create a needs based training curriculum for the staff member.</li> </ul>
<b>Yukon</b>	<ul style="list-style-type: none"> <li>• Each staff member creates a personal development plan within 60 days of hire.</li> <li>• This information is then used to create a needs based training curriculum for the staff member</li> </ul>
<b>Nunavut</b>	<ul style="list-style-type: none"> <li>• Staff training is Warden's responsibility and incorporated into their performance review.</li> </ul>



# Summary of Safety and Security Training Procedures

- While training content and program development were out of scope for this review, we were informed by several other Canadian jurisdictions that Nova Scotia's training programs were considered positively, and in some cases, had been purchased and were in use in those provinces.
- With regard to the policies and procedures underlying the delivery of training to staff, in practice, we observed that in general:
  1. Facilities do not have a process to assess individual learning needs, nor are individual development needs monitored, tracked or remediated (aside from completion of specified training courses);
  2. Training history tracked centrally contains different information than tracking workbooks at facilities;
  3. Tracking of completed training takes place using different methods, including Excel spreadsheets and paper tracking sheets, at the facility level;
  4. Staffing practices do not take individual training history into account;
  5. Required skills or training targets have not been specified for individuals, shifts or facilities;
  6. There are gaps in front-line staff training in critical verbal and advanced security skills, as well as management and occupational health and safety training for managers; and
  7. Role of training contacts who are responsible for the identification and monitoring of training in the facilities is not defined in job descriptions or incorporated into performance reviews.
- While Head Office is responsible for establishing policy, creating curriculum, and delivering training throughout the province, individual facilities are responsible to identify staff training needs and track completion.
- Correctional Services' training procedures need to be improved to set, track and monitor facility targets.
- For a correctional system that relies heavily on part-time staff (more so than other jurisdictions), new approaches to set higher standards for staff should be explored.
- Additionally, where the approach to corrections endorsed by this Division is one of direct supervision, strengthening the overall number of staff with enhanced security and enhanced verbal skills may significantly improve offender management and reduce incidents.



**Assessment of Circumstances  
and Response to Mistaken Releases  
since April 1, 2007**



# Introduction to Response to Mistaken Releases

- Human error is a fact of life in any work environment, however in correctional services, the outcome of errors may be that prisoners are released too soon.
- “Mistaken releases” are defined as the inadvertent early release of prisoners, typically as a result of paperwork error, or miscalculation of Earliest Release Date.
- For the purposes of this review, escapes from custody (secure facility or while on escort) will also be included in this definition.
- Nova Scotia’s correctional services policy and procedure provides guidance for staff and local management for such occasions in Chapter 5: *Investigation, Inspections & Audits*, Subject 5.02.00: *Reportable Incidents*, which states that an investigation must be conducted to determine cause, and make recommendations on how to avoid the situation in the future.
- In response to several mistaken releases occurring since April 1, 2007, the Correctional Services Division implemented new policies and procedures to assist staff in assessing the correct release date and prevent escapes.
- However, in reviewing incident reports for events occurring between January 2005 and April 2007 provided a clearer sense of the trends in mistaken releases, and basis for drawing conclusions regarding cause, effect and outcomes.
- In the following pages, we review the circumstances surrounding the mistaken releases since 2005, and the Division’s response.



# Mistaken releases have occurred as a result of human error and inefficiency

- Based on incident reports provided by the Correctional Services Division, there were nine (9) mistaken releases or escapes reported in Nova Scotia since 2005, by ten (10) offenders.
- Formal incident reports written by staff investigators document the specific circumstances and issues surrounding each release.
- Our analysis of these incident reports show that mistaken releases were of several types:
  - Three (3) prisoners escaped from custody:
    - *From a secure facility* - Two individuals breached a perimeter fence at the Cape Breton correctional facility in October of 2005; and
    - *While on medical escort* - An individual escaped from correctional officers while on medical escort in spring of 2008.
  - Seven (7) prisoners were mistakenly released as a result of clerical error, due to:
    - Misinterpretation of custody order;
    - Miscalculated release date (sentence calculation);
    - Incorrect documentation received from the Courts;
    - No authorization received for early release; and
    - Incorrect data entered into hard copy of prisoner records.
- Except for one incident each at the Cape Breton and Southwest facilities, all mistaken releases and escapes originated at Central Nova.
- Additional mistaken releases were reported by staff in several facilities, but no incident reports were provided.



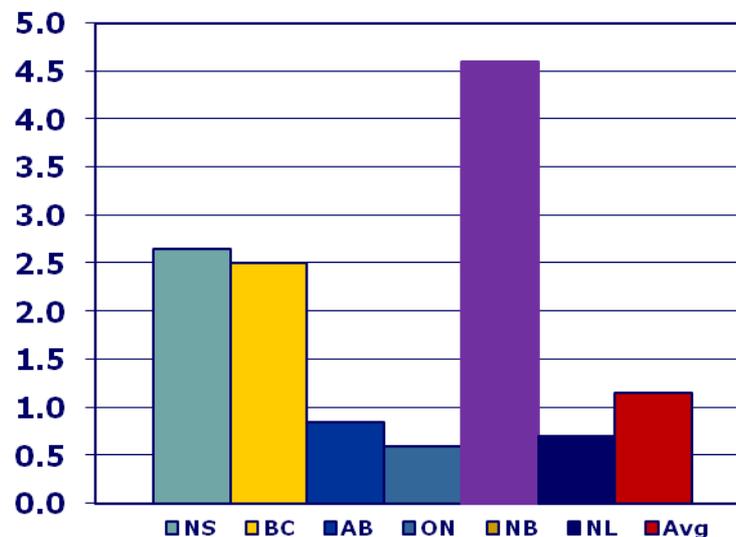
# Some mistaken release recommendations have been implemented, but not those addressing admin issues

- In accordance with P&P, each incident report detailed recommendations on how to avoid mistaken releases in future.
- As of June 2008, many recommendations from these reports had been implemented, such as:
  - As a direct response to the 2008 escape from medical escort, Chapter 40 of P&P was rewritten with clear instructions on how to perform escorting duties throughout the entire transport process;
  - A request has been tendered for new leg irons and handcuffs with unique keys, which are intended to improve the security of restraints used in prisoner escorts;
  - Admissions and Discharge checklists were implemented to improve compliance with each step outlined in A&D procedures defined in Chapter 38: *Admitting and Discharge*;
  - New security assessment procedures were implemented for all *offender escorts*, now requiring a CPIC query to view offender history from jurisdictions outside Nova Scotia; and
  - New perimeter fencing at Cape Breton facility was erected in response to the 2005 escapes.
- Several recommendations have not been implemented, including:
  - A comprehensive training program on the interpretation of warrants and release procedures, recommended in the mistaken release report (dated July 17<sup>th</sup>, 2006) from Central Nova, has not been developed; and
  - No changes were reported to prisoner records management, or other administrative processes.

# Nova Scotia has had more mistaken releases per 100 offenders in custody than four other jurisdictions

- There have been at least 206 mistaken releases in seven examined provinces and territories over the past three years, including Nova Scotia.<sup>1</sup>
- Nova Scotia has had ten (10) offenders involved in mistaken releases in the past three (3) years.
- Nova Scotia's average number of offenders in custody over the same period was 377.
- Mistaken releases in Nova Scotia equate to 2.65 per 100 offenders. This is higher than the national average of 1.14.<sup>2</sup>
- The number of mistaken releases in Nova Scotia is lower than New Brunswick.
- Of jurisdictions that provided information pertaining to mistaken releases for this review, Alberta, Ontario and Newfoundland have the lowest number of mistaken releases.
- The ratio of mistaken releases per 100 offenders for Alberta, Ontario and Newfoundland, were 0.85, 0.6, and 0.7, respectively, in the same period.

**Number of Mistaken Releases per 100 offenders in custody from April 2005 – March 2008**



<sup>1</sup> Although mistaken release data was also received from Nunavut, it was not included in the calculation shown here.

<sup>2</sup> National average and totals are comprised of data from six (6) jurisdictions, including Nova Scotia.



# The response to Nova Scotia's mistaken releases has added more pressure to weak links in the process

- Although policies in Chapter 40: *Escorts* (specifically related to security risk assessment for prisoner transports) has been implemented to help staff better identify prisoners with a history of violence or escape, in effect, the new procedures have not resolved underlying issues, and have added pressure to existing weaknesses.
- Specifically, the new escort process requires that every admission obtains a CPIC query to view prisoner history from outside the province.
- This was in response to an escape in 2008 where an offender's previous escape attempt in Ontario was unknown.
- Now, a CPIC query is required to approve prisoner escorts:
  - CPIC is a web-based application owned by the Canadian Policing Information Centre.
  - If a CPIC query is not performed, than an offender's risk level is automatically classified as High (Class 3).
  - However, the only staff permitted to execute CPIC queries are CNSCF's admin clerks.
  - While reports suggest that CNSCF have been able to provide these queries to other facilities within a 24-hour turnaround time, the administrative working environment at CNSCF is already under stress.<sup>1,2</sup>
  - Adding the CPIC query to the process also means that offender classification cannot be completed after-hours or on weekends, when CNSCF administrative staff are unavailable.

1 While process mapping was out of scope for this review, it was observed that prisoner files and admissions records were maintained in baskets, which were handed between admitting staff, on-shift supervisors and administration. It was also reported that the administrative environment at CNSCF had underlying interpersonal and other issues that compounded the effectiveness with which staff were able to perform their duties.

2 Additional administrative issues related to offender sentence calculation and records management processes are described in the section relation to Admissions and Discharge (pages 56 to 58).



# The response has also failed to address underlying administrative and sentence calculation issues

- No tangible changes have been made to the business processes supporting each Admission or Discharge, which include multiple sign-offs, manual paperwork, and hand-offs between admitting staff, OIC and administrative staff.
- However, as of February 2008, admitting staff are now required to complete new Admissions checklists.
- A&D staff across the province report that instructions and guidelines for implementation of these new checklists was not effectively communicated by Head Office or local management.
- While checklists could improve performance time of inexperienced staff, poor communication has frustrated staff and led to inconsistencies between facilities:
  - Staff across the province are not in agreement on whether checklists are required for each new admission or discharge, or whether a checklist is required for each prisoner entering or leaving the institution for any reason (including transfer to court).
  - Without specific guidance over time, each A&D unit had developed its own “best practice” and routine that may or may not have complied exactly with P&P.
  - Experienced staff report a perception that the checklists have increased the time to complete an admission (to as much as 30 minutes), and require them to reorganize work that was already being done.
  - As a result, what was intended to reinforce existing P&P has created time lags that hinder admission staff, and may compel them into non-compliance with P&P.
- The new procedure also failed to address how the A&D unit should function during peak times when staff are pressured to process more prisoners than time allows.



# Summary of Response to Mistaken Releases

- The mistaken releases and escapes that have taken place in Nova Scotia since 2005 have largely been a result of poorly managed administrative practices, weak business processes, and inconsistent application of Correctional Services' policy and procedure.
- In addition to the identified issues in Admissions and Releases (many of which apply directly to mistaken releases), we observe that there are also:
  1. Weaknesses in administrative processes, particularly offender records management, including delays and inaccurate filing, confusion and inconsistency about the placement of important documents; and
  2. Lack of follow-through on recommendations provided in reports on previous mistaken releases.
- Mistaken Releases and escapes may be avoided by improving administrative practices and accountability for implementation.
- Unless underlying issues of staffing, training, scheduling, labour relations and performance management are addressed, it will be difficult to have high quality A&D processes.



# **Response to the 2007 Internal Audit of Central Nova Scotia Correctional Facility**



# Introduction to the response to internal audit of Central Nova

- Since it was opened in 2001, Central Nova Scotia Correctional Facility has been Nova Scotia's largest and busiest institution, providing the highest level of security in the province.
- Long-time staff of the facility (and its precursor Halifax County Correctional Centre) reported that the facility's early years were very difficult, creating a stressful environment for staff and management, for reasons beyond the scope of this review.
- In addition to role clarity and accountability, offender case management, delivery of offender programs, as well as fundamental business practices and organization of the facility, may never have been achieved.
- As a result, Central Nova has also been the correctional facility with the most challenges.
- An internal audit of CNSCF was initiated in 2006, completed in 2007, to identify and help resolve some of the operational issues that still plague staff, management and daily operations. Two other internal audits were performed previously.
- Policy & Procedure governing internal audits is established in Chapter 5: *Investigation, Inspections & Audits*, Subject 5.01.04 (Scope of Internal Audits).
- In the following pages, we review the findings of the 2007 internal audit of CNSCF, and assess the response by local management and Head Office.



# The response to 2007 Audit of Central Nova Scotia Correctional Facility is incomplete

- An internal audit of the Central Nova Scotia Correctional Facility was conducted in Spring 2006. The final report was released in April 2007.
- It reviewed several issues relating to standard operating procedures, financial controls, staff training, and prisoner programming.
- Based on discussions with Head Office and local management, several initiatives have been implemented in response to issues identified in the audit, including:
  - An **independent auditor** was seconded to Correctional Services in May 2008 to review and monitor implementation of the recommendations from this document. This work is ongoing.
  - **Improved access to P&Ps.** P&P and SOPs were observed in unit control rooms, at each facility (except CBCF), in response to Section 3: General Administration.
  - **Enhancement of Corrections-specific Attendance Management Program.** Correctional Services has a dedicated HR resource to manage its “back to work program” and onsite support at CNSCF, in response to Section 5: Attendance;
  - **Improved OC Training Levels<sup>1</sup>.** Five (5) staff were OC trained in the 2007 audit, which has increased to 39 staff as of June 2008.
  - **Modification of Prisoner Risk Assessment tool.** A CPIC criminal record check is now required prior to escort (Section 6).

## 2007 CNSCF Internal Audit

- The audit instrument is organized in accordance with previous P&P.
- The terms of reference for the internal audit did not include all subjects of P&P, so it included the following sections:
  1. General (facility statistics)
  3. General Administration:
    - Policy and Procedures
    - Standard Operating Procedures
    - Local Directives
    - Communication
  - 4.3 Finance
  5. Staff Training
  6. [section untitled]
  7. Contingency Plans
  11. Starts at section 3
  12. Case Management (*first of two sections numbered “12”*)
  12. Orientation
  13. Classification
  14. Sentence Plan
  15. Prisoner Committee
  16. Programs
  17. Fire Safety Plan
- The audit was not conducted as a management review, and thus no summary or perspective on the findings was included in this document.
- Over 200 recommendations were submitted, however no records have been maintained on which recommendations were implemented.
- Only sections relevant to the Terms of Reference of this review were evaluated.

<sup>1</sup> The number of staff on CNSCF training records (177) is inconsistent with the number of staff on payroll (193). Training is unknown for these 16 staff.



# Basic training and P&P improved, but some issues highlighted in 2007 audit are still apparent at CNSCF

- Some issues relevant to this external audit were noted in the 2007 CNSCF Internal Audit, and have not been resolved as of July 2008, including:

2007 Internal Audit Recommendation	Response
<b>3.2.3 SOPS should not duplicate P&amp;P.</b>	There remains some duplication and confusion around what needs to be facility-specific, and what should be system-wide.
<b>3.3.1 Staff have access to local directives.</b>	Local directives and post orders are not always located with the P&Ps (if they exist at all). Post orders have not been completed.
<b>5.1.2 All Managers should receive performance management training by 31 March 2008.</b>	Only 3 of 13 managers and up received performance management training, according to the 2007 audit. As of the date of this report, no additional managers have received this training, according to facility records.
<b>5.6.1 Training records to be audited with assistance from training division to ensure accuracy.</b>	Errors in training records were noted as of July 2008, including 16 staff on payroll that are not listed on training records.
<b>5.6.3 All staff should receive first aid and CPR training.</b>	About 83% or 147 of 177 have received first aid and CPR training, which is down from 2007 levels which were 89%.
<b>5.6.2 All permanent staff should receive basic security training.</b>	No baseline training level was established in the audit, however 134 of 177 staff (75%) have received basic security, including part-time staff.
<b>5.6.5 At least 90-100% of staff should receive fire safety training.</b>	At the time of the 2007 audit, 63% of staff (111 of 177) had received fire safety training. Only 67% of staff have received fire safety training.
<b>5.6.6 At least 90-100% of staff should receive WHIMIS training.</b>	Currently, there are 121 of 177 staff who have received WHIMIS training (68%), which is <u>down</u> from 73% at the time of the audit.
<b>5.6.7 Minimum of 16 staff trained in OC at all times.</b>	Currently, there are 22% of staff (39 of 177) trained in OC, which is up from 10 staff at time of the audit, however specific shift and/or institutional targets have not been established.

# Other unresolved issues from CNSCF audit include address training deficiencies, and risk classification

- While we were unable to verify the number of recommendations that were implemented from this audit, it appears that some issues remain outstanding or in progress, including improvement of training levels.
- Also, risk classification processes for prisoners in custody have not been implemented, although a CPIC check is now required prior to escort.

2007 Internal Audit Recommendation	Response
<p><b>5.6.8 At least 20 certified TASER users, as 2 must be utilized for each intervention.</b></p>	<ul style="list-style-type: none"> <li>• Currently, there are 18 of 177 staff (10%) trained in TASER, which is up from 5 staff at time of audit.</li> <li>• Not noted in the audit, but staffing practices do not take training certifications into account, so shift complements may not have the required skills.</li> </ul>
<p><b>5.6.9 Formulate a plan to address training deficiencies</b> in Conflict Crisis Intervention, Verbal Conflict Crisis Intervention, Enhanced Security, TASER and OC training.</p>	<ul style="list-style-type: none"> <li>• The 2007 audit did not establish a baseline number of staff that had received Enhanced, VCRI and CCI training.</li> <li>• No plan has been established.</li> <li>• Current training levels are:               <ul style="list-style-type: none"> <li>• CCI are 107 of 177 staff (60.4%)</li> <li>• VCRI: 87 of 177 (49%)</li> <li>• Enhanced: 57 of 177 (32%)</li> </ul> </li> </ul>
<p><b>6.10.3 P&amp;P to be reviewed to assess whether staff drivers licenses need to be tracked.</b></p>	<ul style="list-style-type: none"> <li>• Staff driver's licenses are not tracked.</li> <li>• No evidence that P&amp;P was reviewed in this regard.</li> </ul>
<p><b>13.3.1 Implementation of a formal classification system to capture risks associated with prisoner behaviour while in incarceration.</b></p>	<ul style="list-style-type: none"> <li>• No new classification system has been implemented, however a CPIC check is now required for escort.</li> </ul>



# Summary of the response to internal audit of Central Nova

- While some initiatives have been implemented effectively (e.g. improvement of OC training levels), the 2007 internal audit highlighted several instances of non-compliance with existing policy and procedure, in addition to unresolved issues identified in the audit.
- It is difficult to assess the facility's response to these issues, as no records have been maintained related to improvements or changes to SOP.
- Evaluating the response to the audit was also challenged by elements of structure and administration of the audit instrument. Specifically:
  - No policy basis was given for the expected training levels specified in Section 5 (e.g. number of TASER operators);
  - The instrument was completed by multiple individuals, to varying levels of detail.
- New facility leadership at Central Nova, as well as dedicated Department of Justice resources, are now in place to support the implementation of the 2007 internal audit.



# **Response to Increased Inmate Count**



# Introduction to response to increasing inmate counts

- For the purposes of this report, “capacity” is defined as the number of beds approved for regular operations available for prisoner use.
- Jurisdictions across Canada report overcrowding – sometimes extreme, as a result of increasing prisoner counts.
- An institution’s approved bed capacity may be redefined to cope with increased numbers of inmates. For example, institutions operating with single-cell accommodation may transition to approved double-bunking by adding a bed in selected cells, and by making other operational adjustments. This increases the official capacity of that institution, and once the new policy was implemented, it would not be considered an ‘overcrowding’ situation.
- In Nova Scotia, single-cell accommodation has been the basic policy, whereas in other jurisdictions, such as in Western Canada, institutions have redefined their approved bed capacity and frequently have two and three prisoners to a cell.
- Exceeding prisoner capacity (sometimes called “double-bunking,” although that may be a misnomer) has become the norm.
- Capacity statistics used in this report do not include empty cells primarily used for segregation, special handling, healthcare or other non-standard uses, or potential capacity based on increasing the number of offenders in cells and common rooms.
- Nova Scotia’s correctional facilities are experiencing pressure to accommodate more and more prisoners. At CNSCF, admissions cells, segregation and healthcare beds have been used in the past to manage special populations (such as protective custody) if overcapacity becomes an issue.
- Central Nova was designed with a one 112-bed expansion pod, and Southwest provides for a 38-bed expansion pod.
- In the following pages, we review and assess the Correctional Services Division’s response to increasing inmate counts since 2006.



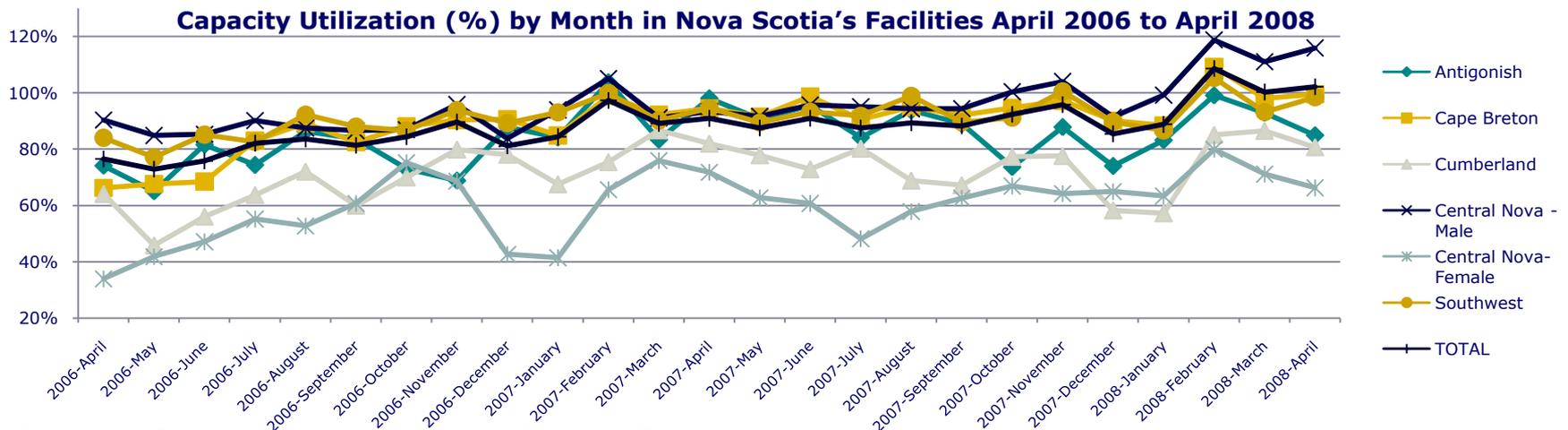
# Overall utilization since April 2006 has been below maximum capacity in Nova Scotia

- The degree to which an institution makes use of its official bed capacity is known as its *capacity utilization*.
- Nova Scotia’s adult correctional capacity consists of 452 prisoner beds. Bed capacity varies by facility, as indicated in the table below.
- Since 2006, adult inmate counts have increased by 35% in Nova Scotia.
- Central Nova, Nova Scotia’s busiest facility, has operated with an average capacity utilization of 90% since April 2006 (97% male / 61% female).
- Overall capacity utilization in Nova Scotia since 2006 is 89%, with four of the five facilities operating at a comparable capacity levels (for male offenders), and one operating at over two-thirds capacity.

	Southwest	Central Nova (Male)	Central Nova (Female)	Cumberland	Antigonish	Cape Breton	Total
<b>Bed Capacity</b>	38	224	48	29	17	96	452
<b>Average Inmate Count</b>	35	217	29	20	15	87	403
<b>Average Capacity Utilization (2 year average)</b>	92%	97%	61%	69%	88%	91%	89%

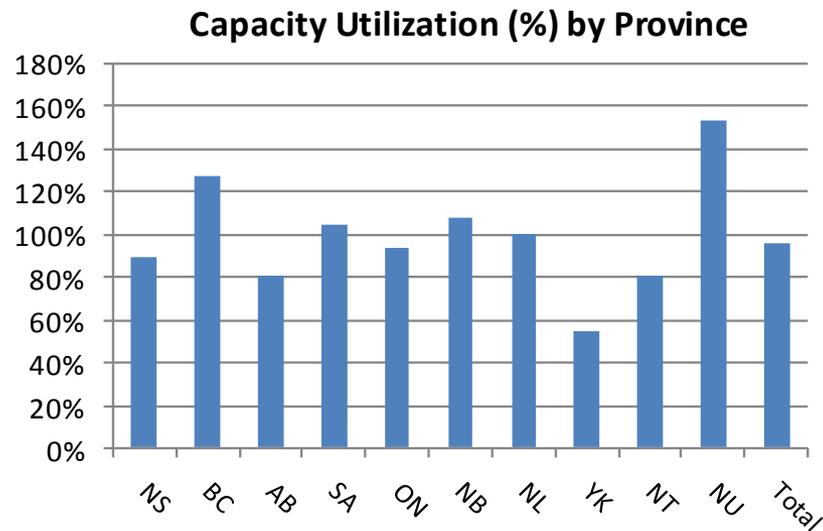
# But variation in prisoner population means capacity is exceeded more than 50% of the time

- Although capacity utilization across the province has averaged 89% over the past two years, there are fluctuations in capacity utilization.
- According to Statistics Canada, in Nova Scotia, 18% of sentenced prisoners were serving temporary sentences, in which they may only be physically in-custody for specific periods of time (e.g. weekends). For example, offenders serving intermittent sentences only serve time on weekends. These prisoners enter on Fridays and are released on Mondays, so mid-week counts are lower than on weekends.
- As a result, and because of escalating remanded offender counts, facilities exceed capacity many days of the year. The chart below shows a consistent growth in capacity utilization over the past 2 years (based on average monthly occupancy).
- In the calendar year 2007 alone, on average, Nova Scotia's facilities were overcapacity about 205 days, or 54% of the time.
- Since January 2008, capacity utilization has further increased, and is now tracking over 100%.



# Double-bunking is a common practice across Canada

- The table below shows average capacity utilization since 2006 in the jurisdictions that provided information for this review.
- Ontario and Alberta facilities commonly double-bunk and triple-bunk offenders.
- British Columbia, Saskatchewan, New Brunswick, and Newfoundland are facing capacity utilization in excess of their approved numbers of beds.
- Nova Scotia operates below the national average capacity utilization of 96%, and presently has a single-cell accommodation policy.
- If Nova Scotia adopts double bunking, it will further reduce capacity pressures.



	NS	BC	AB	SA	ON	NB	NL	YK	NT	NU	Total <sup>1</sup>
<b>Average Capacity Utilization Since 2006</b>	89%	128%	81%	108%	94%	108%	100%	54%	81%	154%	96%

1 National average and totals are comprised of the provincial jurisdictions that provided data for this review.



# Several alternatives to double-bunking are available to alleviate overcrowding in correctional facilities

- The first response in most jurisdictions is to introduce double bunking in cells. This is considered a standard practice.
- Other alternatives used in Canada to address overcrowding include:
  - Converting space in youth facilities for adult use;
  - Converting recreational and administrative space to permanent beds via capital projects;
  - Triple-bunking prisoners where space permits;
  - Building new correctional facilities; and
  - Granting administrative releases on grounds of overcrowding.



# Overcapacity has created challenges for adult correctional facilities in Nova Scotia

- Pre-established contingency plans for exceeding prisoner capacity were enacted at Central Nova in 2008.
- Southwest Nova has also been notified that double-bunking will become an operational reality within the next six to twelve months.
- The methodologies used by local management and Head Office to evaluate the staff, space and equipment requirements associated with double-bunking at Central Nova and Southwest facilities were not reviewed.
- Reported outcomes suggest differences in the application of the planning methodology between the two facilities.

## Central Nova

- Staff and local management reported that, at the time when overcapacity was enacted, the facility lacked supplies and plans to manage basic requirements for increased prisoner capacity, such as:
  - Basic inventory and procurement of beds, linens, uniforms, shoes;
  - Increased staffing requirements and scheduling practices; and
  - Review of facility-specific SOPs for operational adjustment.
- Head Office has approved a staffing increase at a rate of 1 staff per 20 inmates.
- It was reported by local management and non-front line staff that procurement, kitchen, admissions and administrations all moved to contingency mode until adjustments could be made.

## Southwest Nova Scotia

- It was reported that, upon notification of impending double-bunking, Southwest requested additional budget, staff and time for planning and training, in anticipation of potential increases in prisoner incidents.

# Nova Scotia has developed plans to manage rising inmate populations in adult facilities

- As prisoner admissions grow, Nova Scotia’s correctional facilities have been tasked with increasing bed capacity.
- Overcapacity contingency plans are in place at all five facilities and include converting recreation space to temporary dorms, double bunking, adding cots to existing dorms and granting conditional releases (with approval from Head Office).
- As a temporary measure, Nova Scotia facilities may also release prisoners as a result of “overcrowding.”
- Southwest has used the “administrative release” privilege more than other facilities (10 times in the past year), however it is less frequently overcapacity than other facilities.
- Only Southwest and CNSCF have been notified that “double bunking” will be an operational reality. Several methods have been identified:
  - CNSCF will “double-bunk” its West (male) and East wing (female).
  - Southwest will “double-bunk” cells in its two units.
  - Antigonish currently has several two-bed cells, but is not considered double-bunked at this time.
- Plans are in place to build a new 50-cell facility, and a new 100-cell facility, as replacements for existing jails in Cumberland and Antigonish counties. These cells will be designed for double-bunking and will more than double the system’s total adult custodial capacity (see table right) .

Strategy	Bed Capacity (+/-)
<b>Current Capacity</b>	<b>452</b>
<b>Southwest</b> (double-bunking two units)	+38
<b>Central Nova</b> (double-bunking male unit)	+224
<b>Central Nova</b> (double-bunking female unit)	+48
<b>Cumberland</b> (cells in new facility x beds per cell)	+50 x 2
<b>Antigonish</b> (cells in new facility x beds per cell)	+100 x 2
Closure of existing Antigonish and Cumberland facilities	(46)
<b>Potential New Capacity</b>	<b>564</b>
<b>Total Future Adult Custodial Capacity</b>	<b>1016</b>



# Nova Scotia's planning for new offender capacity appears to be adequate

- Nova Scotia's plan to respond to increased inmate counts results in the addition of 564 beds to the adult correctional system. This represents an increase of 114%, more than double the system's current capacity.
- Forecasts obtained from Corrections Services predicts 0% growth in prisoner counts beyond 2009, using demographic profiling and regression analysis, however it appears that changes to the remanded offender population currently managed by Nova Scotia's adult correctional system were not taken into account.
- Remanded prisoners may not affect the capacity utilization as dramatically as convicted inmates, as time served while on remand is counted towards the time of incarceration or those convicted, however the impact of remanded offenders on facility capacity should be explored further.
- If the number of inmates were to grow at the same rate as in the last 5 years, (a compound annual growth rate of 8%), Nova Scotia's adult facilities (including net new proposed capacity increases) would be at 100% average capacity utilization in 2014, and would be faced with overcrowding.



# Summary of Response to Increased Inmate Count

- As inmate counts rise, Correctional Services has identified contingency plans for exceeding offender capacity at each facility.
- The overcapacity plans are now being implemented in two adult facilities in Nova Scotia.
- Facility analysis and inventory planning methodologies currently used by the Division to identify operational requirements at Central Nova and Southwest, appear to have been used differently in each of the facilities.
- Nova Scotia has a plan that can adequately handle the forecasted growth in the need for space, however should the pace of growth *not* slow as expected, a revised plan will be needed and the planned new facilities may not provide sufficient capacity within five years.
- The issue should continue to be monitored in the coming years.



## **Other Matters of Public Safety Arising from the External Audit**



# Introduction to Other Matters of Public Safety Arising from the External Audit

- During this review process, two issues were identified as potential impacts to the effectiveness and cultural integrity of the correctional services system in Nova Scotia:
  - **Staffing Levels; and**
  - **Communications Within the Correctional Services Division.**
- In the following pages, we describe the issues, impact on operations, and opportunities to improve these two challenges.



# Staffing Levels



# Introduction to Staffing Levels

- Few issues are as contentious in correctional services systems around the world as staffing.
- In Nova Scotia, staffing practices and staffing levels are of significant interest.
- Deloitte was asked to address the following questions:
  - What is the ‘right’ level of staffing to operate Nova Scotia’s correctional facilities based on normal practices in other jurisdictions?
  - How are increasing inmate counts going to affect staffing levels?
- As part of our review, we explored leading practices in use by other jurisdictions, including Ontario, Manitoba, New Brunswick, and the United States.
- The following pages outlines the situation Nova Scotia’s adult correctional facilities currently face with regard to staffing, as well as provide some insights into opportunities to improve.



# Our research suggests that accurate staffing insights can only be obtained by a detailed facility analysis

- The National Institute of Corrections, and officials responsible for staffing at the Ontario Ministry of Community Safety and Correctional Services and the Manitoba Department of Justice, state that use of inmate to staff ratios for the purpose of determining staffing levels is not recommended because of wide variation in:
  - Type of inmates housed (level of security, gender, age);
  - Design capacity versus actual population;
  - Activities and programs, such as work release, work programs, education;
  - Facility design (e.g. linear, podular, dormitory); and
  - Correctional philosophy – whether the facility is designed for direct supervision, indirect supervision, or intermittent supervision.
- An alternative approach to staffing exists, and has been used by Nova Scotia, based on the National Institute of Corrections (US) “Staffing Analysis Workbook for Jails”.<sup>1</sup>
- This or a similar comprehensive staffing analysis methodology, is used in several other jurisdictions in Canada, including Manitoba, Ontario and New Brunswick.

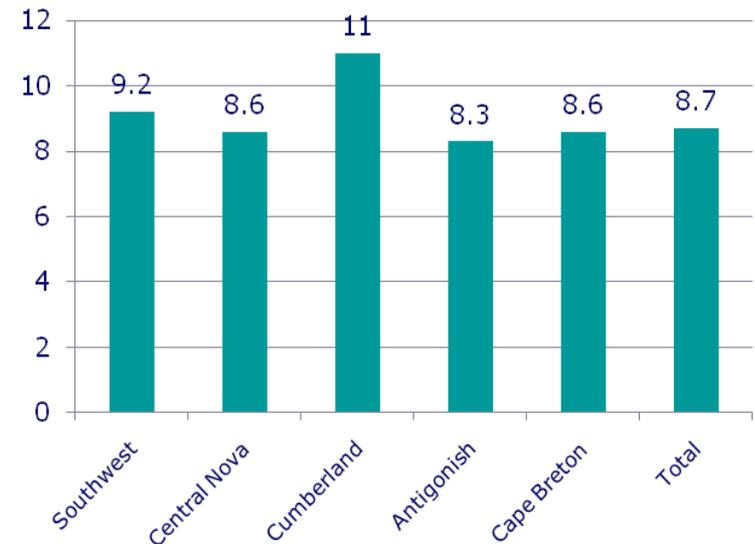
<sup>1</sup> An overview of “Staffing Analysis Workbook for Jails,” published in 2001 by National Institute of Corrections, can be found in Appendix C.



# Inmate to staff ratios may be useful to assess similarities and differences between facilities

- It is important to note, that while staff to inmate ratios are not recommended as a basis for determining adequate staffing levels, these ratios may provide an indication of variability in facility type and operating philosophy.
- Differences in inmate to staff ratios would be expected as a result of variation in facility design, size and prisoner type among the five institutions in Nova Scotia. For example, significantly different staffing models would be required to manage older, multi-story facilities with poorer sightlines (such as Cumberland), a dormitory (such as Cape Breton) and a new podular design (such as Southwest).
- However, expected differences between facilities were not observed. Instead, variability is minimal across four facilities, with the exception of Cumberland.
- Observed inmate-to-staff ratios suggest that the facilities have the same general staffing levels per prisoner.
- This suggests that some of Nova Scotia's facilities were staffed using a different practice than the comprehensive methodology that would take all of the variations into account, and may reflect negotiated labour agreements at the facility level.

**Inmate to Staff Ratio at Nova Scotia's Adult Facilities on a Typical Day Shift**





# We conducted a high-level investigation of staffing levels in Antigonish using this methodology

- A detailed staffing analysis of each institution was not in scope as part of this review.
- In the absence of viable benchmarking data, an application of a best practice methodology was deemed useful in determining the adequacy of staffing as it pertains to safety and security in adult correctional facilities in Nova Scotia.
- An initial high level analysis was applied to the Antigonish jail. This facility was chosen because it has the fewest variables to consider.
- The US staffing analysis methodology identifies ten (10) components that must be considered to understand staffing needs and develop an appropriate plan. Post or Staff Coverage Plans are one of these ten components of the staffing methodology.
- Our analysis of Antigonish's staff coverage plans took the following into account:
  - *Permanent posts* (e.g. main control);
  - *Current coverage*, which includes two staff during day shifts, and three (3) staff on night shift. Typically, a deputy superintendent is also present most of the time during day shift.
  - *Approved SOPs*, which require a minimum of two (2) officers in the following situations:
    - Strip searches when admitting offenders;
    - When supervising recreation for maximum security inmates, or more than 7 medium or more than 11 low security inmates; and
    - When responding to conflict or crisis, cell extraction or other intervention.
  - The analysis reveals that current staffing levels on day shift are inadequate.

**This analysis, observed similarities between facility staffing levels, and staffing levels established by contractual agreement (e.g. CBCF) indicate that a comprehensive staffing analysis methodology is not applied consistently today.**



# Summary of Staffing Levels

- Accountability starts with clear communication and differentiation of roles, responsibilities and performance expectations to all staff, including management.
- For Nova Scotia, it is also important to evaluate how facility design and operational realities impact the unique staffing requirements of each facility, prior to assessing staffing levels.
- In exploring various aspects of staffing in the correctional system, we observed:
  1. Inconsistently applied formal, standard methodology to assess facility staffing needs (due in part to contractual agreements at the facility level);
  2. Inconsistent interpretation of “equitable scheduling practices” as identified by collective bargaining at the facility level;
  3. Observed variation in staffing practices, including inefficient nightly call-out practices, resulting in serious challenges in obtaining unscheduled staff for extra assistance or relief;
  4. Permanent facility management are not on duty at night, although supervision is provided by an OIC sergeant;
  5. Manual staff scheduling processes, impacting the ability to schedule based on preferred shift complement and training history;
  6. High sick leave and long-term disability;
  7. Need for clarity in front-line roles and responsibilities, including:
    - a. Need for clarity around ‘acting’ policy;
    - b. Several ranks below Captain, including poorly differentiated sergeants, Correctional Workers and Correctional Officers;
    - c. Lack of permanent staff in Admissions and Discharge; and
    - d. Poorly defined role and responsibility for Classification Officer.
  8. Absence of key performance indicators for front-line staff, management and institutions; and
  9. Poorly communicated performance expectations for front-line staff and management.



# **Communications within Correctional Services and Nova Scotia's Justice System**



# Introduction to Communications within Adult Correctional Services and Nova Scotia's Justice System

- Communications between management and staff are a fundamental requirement for an effective operating system.
- Correctional services systems around the world struggle with front-line / management communications. Unfortunately, Nova Scotia is no different.
- While the Correctional Services Division has clearly implemented numerous structures to facilitate more effective communication, the current reality is in that in Nova Scotia's adult custodial system, communications are challenged by staff/management confusion, mistrust and lack of clarity.
- The following subsection describes some of the communications issues observed in the adult correctional system, and recommendations for addressing these issues.



# There are systemic communication difficulties in Nova Scotia's adult correctional services

- As with its staffing model, communications within Nova Scotia's correctional system also follow a paramilitaristic approach.
- In this model, front-line staff receive information primarily from their immediate superiors. Facility leadership report up to the Director of Corrections, Adult Corrections to receive instructions or input.
- While in recent years, electronic communications have improved the speed at which information is shared, decisions conveyed, or feedback given, persistent communications challenges were observed, and were reported, within Nova Scotia's correctional system related to gaps in content and messages flowing throughout the organization, communications process and policy.
- In general, information travels upward and downward through an organization via established channels such as:
  - *Vertical communications flow (upward)*. The initiating of communications with more senior levels of authority, for example when offenders seek information from staff, or when staff identify the need for additional staff with their superintendents, or when superintendents initiate discussions with Head Office to seek policy clarification.
  - *Vertical communications flow (downward)*. The timely, clear and concise transmission of policy decisions, approvals, and feedback from higher-ranking staff to lower-ranking staff. Authority for correctional services flows from the *Correctional Services Act*, to Policy & Procedure, to facility-level SOPs, to post orders received by individual staff people.
  - *Horizontal communications flow*. The timely, accurate and regular sharing of information between divisions within Department of Justice, or peers within correctional facilities, such as between training contacts at the annual training planning meeting, or working groups (such as the working group on sentence calculation).

# Adult Correctional Services has communications structures that should work well, but are perceived to lack clarity

- Communications within Nova Scotia's correctional environment is challenged by its paramilitaristic structure and cultural issues.
- Several committees and structures have been implemented to facilitate information sharing between facilities and staff/management. Information is intended to cascade from the *Correctional Services Act* to front-line staff through:
  - *Policy and Procedures*, which establishes the governing province-wide policy for various dimensions of the correctional services system;
  - *Standard Operating Procedures*, which establishes facility-level operating requirements based on P&P, including staffing and weaponry, that may vary between facilities;
  - *Post Orders*, which are intended to provide specific, shift-level guidance to the duties and responsibilities for each post, and are based on P&P or SOP if different than P&P;
  - *Local Directives*, which provide clear guidance to specific policy issues when enhanced clarity or a decision is required, prior to modification of P&P.
- Staff may send and receive communications via:
  - *Muster*, which takes place at the start of each shift and is intended to share information about offender behaviour or critical incidents.
  - *Two-way radios* (such as two-way radios issued in facilities) are considered a correctional officer's "lifeline" and are often only means of communicating with main control.
  - *Printed and email communications*.

## Observations on Policy, Procedure and Practices

- Concerns were expressed at both Head Office and front-line levels related to communications within the Correctional Services Division.
- Challenges related to the downward communication flow to facility leadership were identified, and tended to be focused on:
  - Perceptions of overstepping chain of command by Head Office to task facility staff with special projects;
  - Perception of "micro-managing" by Head Office.
- At the facility level, front-line staff complained of poor upward communications with their immediate supervisors, specifically related to:
  - Lack of understanding and empathy toward job stresses and safety concerns;
  - Local management reversing decisions and undermining front-line staff authority with offenders;
  - Many of the two-way radios used by correctional services staff, despite manufacturer assurance and correct battery charging, have limited battery lives (some as little as 2 hrs), which impacts safety;
  - Lack of clarity of SOPs, as parts of P&P are duplicated in SOPs in most facilities, except Southwest;
  - Incomplete post orders in most facilities, except at Southwest;
  - Communications distributed by email may not be received by staff, as email access is limited by policy (e.g. confusion around part-time staff email access) or practice (staff report they are too busy or insufficiently computer literate);
  - Ignoring or dismissing staff concerns.
- The perception of communications issues can often have a significant negative impact on culture, and the degree of trust that exists in the organization.

# Technologies used to share information throughout corrections, and DOJ, is not leveraged consistently

- As described in the overview of Correctional Services, there are mission-critical technologies that support the entire justice system in Nova Scotia.
- The justice system relies on the accuracy of the information provided by all its partners (including Correctional Services) to conduct business effectively and safely.
- Challenges in communications and sharing of information across divisions within DOJ impact the quality and accuracy of information accessed by each division, including Correctional Services.
- There are several instances of training, policy, and practices that have been developed in isolation within Correctional Services or another division, which challenges the degree to which the Department of Justice as a whole may share in its investments, and leverage the best practices of its respective divisions.
- Some examples include the JEIN system, weapons training, risk assessment tool, and the critical incident reporting software used by Sheriff Services.
- Agreement on process, information sharing and issue resolution are also impacted by ineffective communications between divisions.
- While the JEIN system appears to be used inconsistently by some Correctional Services staff, there may also be inherent sentence calculation and data integrity issues that should be addressed by the Department as a whole.



# Summary of Communications within Adult Correctional Services and Nova Scotia's Justice System

- Our observations suggest that systemic changes and cross-divisional coordination are required to improve the current challenges in Nova Scotia's adult correctional system.
- Efforts have been made to enact structures intended to facilitate communications at the facility level, and with front-line staff, such as 'town halls', staff recognition program, newsletters, management site visits, management-employee relations committees. However, communications challenges persist, and contribute to the negative culture within the Division.
- Specifically, we have observed:
  1. Challenges in the approach to rolling out new policies, tools and processes intended to enhance front-line understanding and improve culture;
  2. Need for clarity and consistency in communications to enhance accountability and reflect central policy (such as admissions checklists, SOPS and post orders);
  3. Systemic weaknesses in information sharing across the justice system, specifically between Correctional Services and other Department of Justice divisions, on common issues such as risk assessment policy, escort policy, weapons and other training programs, as well as sentence calculation methods, leading to "silos" and duplication of effort; and
  4. Inconsistent leveraging of technologies (such as JEIN) and reliability of two-way radios, designed to promote information sharing within facilities and externally to the Division.
- Communications between front-line staff and managers may be improved with recommendations made in previous sections, such as improved differentiation of roles and responsibilities, communication of performance expectations, as well as management training.



# Key Findings



# The challenges observed across these nine topics may be summarized into four core themes

- The challenges described in previous pages may be summarized into the following core themes.
- In general, we found that Nova Scotia's correctional services system operates with systemic inefficiencies and inconsistencies related to the following four (4) areas:

Core Challenges
1. <b>Business practices and processes</b> , including Admissions & Discharge
2. <b>Training planning, delivery and practices</b> for new and existing staff, as well as management
3. <b>Organizational structures, staffing and scheduling practices</b>
4. <b>Communications between all levels of Correctional Services</b> , from Head Office to local facility management, between local management to front-line staff, and from a policy-level to front-line operational guidance for staff





# These core themes undermine Adult Correctional Services' ability to achieve its strategic objectives

- The significance of these core challenges is that they undermine the ability of Correctional Services to achieve its strategic objectives.
- While the Division has admirable intentions, there are challenges with the quality of execution. The following table illustrates the impact of these issues on the division's strategic objectives.<sup>1</sup>

Correctional Services' Strategic Objectives	Theme #1: Inefficient business practices and processes	Theme #2: Ineffective training planning, delivery and practices	Theme #3: Ineffective staffing model, and scheduling practices	Theme #4: Ineffective, inconsistent communications between all levels
Safe, secure correctional facilities and healthy, supportive correctional environments for offenders and staff	✘	✔	✘	✘
Programs and services based on high standards to achieve positive change in offender behaviour and attitude	✔	✔	✘	
Services which balance deterrence, punishment and rehabilitation	✔	✘	✘	
Partnerships with other correctional and community based agencies	✘			✘
Integrated information and communication systems	✘	✘	✘	✘
Achievement of goals and objectives through creativity, innovation and integrity in decision making	✘	✔	✔	✔
Continuity and consistency in service delivery within and between operating units	✘		✘	✘

<sup>1</sup> The red boxes indicate a high negative impact on the Division's strategic objective, whereas the yellow boxes indicate a moderate level of impact.



# Recommendations



# Introduction to Recommendations

- In the section entitled, “Overview of the Correctional Services System in Nova Scotia,” we described the current operating model in practice by Correctional Services in Nova Scotia.
- A number of challenges, inconsistencies in policy, procedure and practice were noted in the Analysis section on this document.
- We also used the Division’s vision, mission and strategic objectives, as outlined in the divisional business plan for 2007-2008, to prioritize and assist in identifying possible solutions to these challenges.
- We have organized the recommendations section to align with the Terms of Reference (TOR) governing this review.
- The following pages detail fifty (51) recommendations intended to assist Correctional Services in resolving its challenges.
- Recommendations highlighted in green are intended for the Nova Scotia Department of Justice. All other recommendations are intended for the Correctional Services Division.
- Some policy and procedures have been updated and implemented by the Correctional Services Division since this review was completed.



# Recommendations

TOR	Recommendations
<b>Prisoner Escorts</b>	<p>1. The responsibility for prisoner escorts should be assigned to:</p> <ul style="list-style-type: none"> <li>a. Sheriff Services, for all scheduled and day-time emergency offender escorts, and RCMP and/or local police for overnight emergency support;</li> <li>b. If permanent arrangements with police services can not be arranged to cover overnight emergency support, 24-hour escort responsibility for escorts should be assigned to Correctional Services for all non-court-related offender transports (not including interfacility transfers), once identified improvements have been made, including:               <ul style="list-style-type: none"> <li>➤ Clarification of risk assessment procedures (Chapter 40);</li> <li>➤ Review of offender search policy (Subject 39.00.03.1) to assess if it applies to prisoner escorts;</li> <li>➤ Creation of new P&amp;P on the type of secure / unsecure vehicle required by offender security risk;</li> <li>➤ Clarification of policy on escort data to be captured in JEIN, responsibility for capturing it; and</li> <li>➤ Define acceptable turnaround time for offender escort data entry.</li> </ul> </li> </ul>
	<p>2. Develop joint policies between Sheriff Services and Correctional Services on:</p> <ul style="list-style-type: none"> <li>a. Risk assessment policy and procedures</li> <li>b. Training</li> <li>c. Equipment / vehicle procurement.</li> </ul>
	<p>3. Work with Capital District Health Authority to jointly create healthcare policy, and coordinate operational requirements in support of clinical decisions:</p> <ul style="list-style-type: none"> <li>a. Standards of clinical practice for elective versus urgent medical attention;</li> <li>b. Scheduling prisoner medical appointments;</li> <li>c. Communications processes to improve advance notice of prisoner transfer and medical appointment requirements;</li> <li>d. Development of an assessment tool to evaluate and prioritize non-urgent health needs.</li> </ul>
	<p>4. Revise and rewrite Correctional Services' own policy and procedures (P&amp;P) for temporary absences to assist local management in assessing medical and other T/A requests, including:</p> <ul style="list-style-type: none"> <li>a. Clearly define <i>elective medical procedures</i>;</li> <li>b. Clarify if sentenced or remand offenders seeking <i>elective medical procedures</i> may be approved for T/A;</li> <li>c. Clarify if remanded offenders may be approved for humanitarian T/As.</li> </ul>



# Recommendations (cont'd)

TOR	Recommendations
<b>Admissions &amp; Discharge</b>	5. Redesign all Admissions and Releases processes to improve automation, consistency and compliance.
	6. Create a comprehensive training program (and refresher) for correctional staff posted to Admissions & Discharge, which includes: <ul style="list-style-type: none"><li>a. Warrant interpretation;</li><li>b. Sentence calculation;</li><li>c. Current A&amp;D policy and procedure;</li><li>d. CPIC checks;</li><li>e. Specialized JEIN training for Admissions and Releases.</li></ul>
	7. Develop a province-wide, Department of Justice-issued sentence calculation manual (e.g. <i>Sentence Calculation: A Handbook for Judges, Lawyers, and Correctional Officers</i> ) for use throughout the justice and correctional systems in Nova Scotia.
	8. In future capital projects, use an evidence-based, admissions volume projection methodology to ensure that the increasing demands on A&D units (e.g. by remand and intermittent offenders) is reflected in facility design and space.
	9. Create regular rotation of staff through A&D units to build group of experienced employees to operate A&D functions.
	10. Use JEIN as in-house offender tracking tool, as alternative to multiple sources (such as "admissions board" and tracking sheets) found in A&Ds.
	11. Implement document scanning for electronic capture and storage of warrants and other paper documentation that are received in Admissions.
	12. Ensure JEIN is installed and computers are accessible in all A&D and control units.
	13. Ensure staff JEIN training is tracked on training records used by facilities.



# Recommendations (cont'd)

TOR	Recommendations
<b>Restraints</b>	14. Remove unauthorized security equipment (such as restraint chairs) from facilities.
	15. Revise policy and procedure to establish and clarify: <ul style="list-style-type: none"> <li>a. Use of flexcuffs, bed restraints, helmets for offenders and mattresses;</li> <li>b. Standardized restraints policy for front-line staff (e.g. whether staff may carry handcuffs in their daily routine);</li> <li>c. Application of restraints by offender security risk level;</li> <li>d. Definition and process for disposal of prohibited security equipment.</li> </ul>
	16. Develop standard operating policy and procedures for the timely collection and disposal of old restraint equipment, when new restraints are implemented.
	17. Develop training for use of all approved restraint equipment identified in Chapter 41 of P&P, including flexcuffs, bed restraints, helmets for offenders and mattresses.
<b>Intermediate Weapons</b>	18. OC spray and batons should be secured in in an appropriate location in each facility, and signed out as needed for escort purposes.
	19. Revise Chapter 37: <i>General Facility Operations</i> , Subject 37.16.00 to identify appropriate use of physical force in hospital and other unsecure environments.
	20. Develop new training curriculum for use of physical force in non-secure environments for either Correctional Services or Sheriff Services (e.g. hospitals).
	21. Revise P&P Chapter 40 and Chapter 41 to explicitly outline authorization procedures for use of intermediate weapons while conducting outside escorts.
	22. Simplify the reports required of front-line staff to document incidents when force is used with offenders (including deployment of intermediate weapons), by introducing a software application for capturing and documenting incidents.



# Recommendations (cont'd)

TOR	Recommendation
<b>Safety &amp; Security Training Procedures</b>	23. Conduct a learning needs analysis for new and existing correctional staff that will identify specific development needs to complement core training.
	24. Enhance the use of LearnNET by all facilities linked to a central reporting mechanism, with centrally controlled staff lists, training programs and training calendar.
	25. Implement the following changes to training coordination procedures: <ul style="list-style-type: none"> <li>a. Manage identification of <i>required training</i> needs centrally.</li> <li>b. Review training schedule quarterly in place of current semi-annual approach.</li> </ul>
	26. Install a new full-time training contact at CNSCF through 2009 to assist the Deputy Superintendent in implementing planned operational improvements.
	27. Set performance targets for training, including: <ul style="list-style-type: none"> <li>a. Set learning targets as a job requirement for all correctional staff, managers and leadership (e.g. learning hours per year);</li> <li>b. Incorporate training contacts' responsibility in the Deputy Superintendent's job description and hold accountable in performance review;</li> <li>c. Set minimum staff training targets for each institution;</li> <li>d. Set minimum staff training requirements for each shift complement;</li> <li>e. Require 100% of captains receive front-line management training (such as PSC's Frontline Leadership and Development) and OH&amp;S training.</li> </ul>
	28. Develop a mechanism to include CCI in, and track consistently with, Basic Security training.
	29. Ensure basic training is completed prior to a new employee's first scheduled shift.



# Recommendations (cont'd)

TOR	Recommendation
<b>Mistaken Releases</b>	30. Implement electronic document management system to automate offender records management procedures to improve the storage, timeliness and accurate filing of offender information.
	31. Revise the report templates used by facilities to document mistaken releases and /or similar incidents, to ensure that responsibility and timeline for implementation of recommendations is clear.
	<ul style="list-style-type: none"> <li>• See A&amp;D recommendations (#5a-e).</li> </ul>
<b>Internal Audit of CNSCF</b>	32. Revise policy and procedure around the administration of the audit instrument to ensure consistency between auditors and data-driven outcomes.
	33. Address outstanding issues observed in internal audit in 2007, and subsequent recommendations.
<b>Increasing Inmate Count</b>	34. Conduct a comprehensive facility planning analysis to identify operational requirements and revisions to policies and procedures for: <ul style="list-style-type: none"> <li>• Equipment and supplies</li> <li>• Food service</li> <li>• Procurement</li> </ul>
	35. Review the province-wide staffing analysis methodology that is used as part of the process for overcapacity planning.
	36. Review capacity of planned new facilities with respect to there ability to meet staffing, operational and other requirements by 2018.
	37. Review alternatives to custodial corrections to assist in decreasing short- and long-term capacity demands.



# Recommendations (cont'd)

TOR	Recommendation
<b>Other (Staffing Levels)</b>	38. Conduct in-depth review of staffing levels in each facility using a comprehensive staffing analysis methodology (such as <i>Staffing Analysis Workbook</i> ).
	39. Develop a consistent interpretation of “equitable” scheduling of part-time staff in correctional facilities across Nova Scotia to improve scheduling efficiencies.
	40. To simplify call-out process, establish a rotating on-call (standby) list, whereby two correctional staff will be compensated for on-call (standby) time for each shift at each facility to ensure that extra staff are available to report for duty, if called upon (similar to NSGEU members such as Sheriffs).
	41. Implement a software application for staff scheduling, that links shift complement requirements to staff training history.
	42. Strengthen the absentee management program to address part-time sick calls and facilitate LTD ease-back.
	43. Clarify Correctional Services’ roles and responsibilities for all posts and shift complements: <ul style="list-style-type: none"> <li>a. Limiting acting roles to one rank above current position;</li> <li>b. Establishing role clarity in front-line staff</li> <li>c. Eliminating role of sergeants, and replacing with 24-hour supervision by Captains;</li> <li>d. Establishing permanent roles in Admissions &amp; Discharge for Central Nova and Cape Breton;</li> <li>e. Addressing the role of Correctional Workers in delivering programs in addition to post requirements;</li> <li>f. Reviewing the role of Classification Officer.</li> </ul>
	44. Establish key performance indicators for correctional staff, managers and leadership and each correctional facility.
	45. Communicate performance expectations to each staff person, and identify clear guidance around on-shift duties, responsibilities and consequences.



# Recommendations (cont'd)

TOR	Recommendation
<b>Other Issues as Identified by the External Review within Department of Justice (Communications)</b>	46. Evaluate data integrity processes of JEIN across Nova Scotia's justice system.
	47. Conduct an IT assessment of the use of JEIN to evaluate underutilized functionality that could be leveraged across Nova Scotia's justice system.
	48. Develop JEIN policy and procedure for documenting manual overrides in prisoner file to identify when a manual override has been done in JEIN, so that future sentence calculations are accurate.
	49. Improve communications between divisions of the NS Department of Justice (DOJ) by: <ol style="list-style-type: none"> <li>a) In addition to OPS Committee meetings, establishing DOJ Executive Director Committee meetings with Deputy Minister for high-level joint briefings to ensure cross-divisional awareness of issues and initiatives;</li> <li>b) Review the current departmental committee structure (e.g. equipment, training) to assess the need for an additional DOJ Cross-Divisional Standing Committee, comprised of tactical staff and managers to jointly create policy, share information and coordinate practices. Initial items to be addressed include               <ul style="list-style-type: none"> <li>• Weapons</li> <li>• Training</li> <li>• Fleet management</li> <li>• Procurement</li> </ul> </li> <li>c) Integrating Sheriff Services' incident reporting software application with JEIN, for improved documenting and reporting incidents in the correctional system.</li> </ol>
	50. Replace deficient staff radios and batteries used in all adult correctional facilities.
	51. Increase use of email for communication purposes. Including but not limited to: P&P, training schedules, shift schedules and important updates and communiqués. This will require assurances that all staff, from first day of employment, are provided with an email address and requiring them to use it.



# Final Thoughts

- Many organizations experience changes that challenge their ability to maintain operational effectiveness, positive culture, or consistency in policy, procedure and practices.
- It is our belief that the challenges observed in Nova Scotia's adult custodial system are similar to those facing other jurisdictions.
- The vision and objectives outlined in the Correctional Services' strategic plan are intended to guide and manage custodial operations, ensuring a safe, secure environment for staff and offenders, foster collaboration with other divisions, and integrate technology.
- The fifty-one (51) recommendations brought forward in this document are intended to bridge the gap between the Division's desired outcomes and current practices. These recommendations may be summarized as:
  - **Improvements to Business Processes and Practices**, including redesign of Admissions and Discharge processes, sentence calculation, records management, and offender risk assessment.
  - **Improvements to Organizational Model, Staffing and Scheduling Practices**, including province-wide staffing policies, automation of scheduling practices, development of on-call or "standby" staff list to provide relief, elimination of "sergeant" rank, and clarification of roles and responsibilities across the division.
  - **Improvements to Training Procedures**, including establishment of training standards that factor into facility staffing practices, setting of performance targets for all staff, implementation of a centralized tools to maintain consistency across facilities, and installation of a full-time training contact at CNSCF.
  - **Improvements to Communications within the Correctional Services Division and Department of Justice**, including transfer of prisoner escort responsibility to Sheriff Services and province-wide sentence calculation guidance.
- Despite the challenges that face them, the contribution and efforts of staff, local management and senior leadership, must be acknowledged. These individuals ensure that the business of corrections is done each day, and offenders are effectively managed, although it appears their work may be more difficult than it needs to be.
- Throughout this review, we have observed a shared, sincere interest in creating a safe, secure correctional environment for themselves and the offenders that are in their care.
- As the Division attempts cultural shift and moves toward a new model of process efficiency, it will be important to manage change carefully – by finding innovative ways to engage staff, by fostering open, honest communications between staff and management, and with a steady eye on opportunities to build strong relationships on mutual trust and respect.



# Appendices



# Appendix A: The Department of Justice's Terms of Reference identified nine specific areas of interest

- The following Terms of Reference were announced publicly on April 16, 2008.

## Terms of Reference

- The audit will assess, report on and make recommendations on the adequacy of safety and security policies, procedures and staffing in areas related to the following:
  - Prisoner escorts outside the facility for hospital and other appointments;
  - Admissions and Discharge procedures to ensure that errors are not made with respect to either acceptance or early release from custody;
  - Use of restraints for prisoner control including type, training, and application based on security level;
  - Use of intermediate weapons such as pepper spray, batons and TASERs by staff conducting prisoner transfers outside the facility;
  - Adequacy of safety and security related training procedures;
  - Assessment of circumstances and response to mistaken releases and escapes since April 2007;
  - Review of the recent internal audit of Central Nova Scotia Correctional Facility and the action steps in response;
  - Review of Nova Scotia response to increased adult inmate count;
  - Provide advice on any other matters around operations or public safety.



# Appendix B - Adult Correctional Services' Operating Model – Dimensions Explained

<b>Information</b>	<ul style="list-style-type: none"><li>• The information, data, performance measures, and reporting that is required to measure, manage and control the operating state.</li><li>➔ Clearly identified information elements; right timing and high degree of accessibility of information; relevant, validated and accurate; easily “mined” from a single source for reporting.</li></ul>
<b>Process</b>	<ul style="list-style-type: none"><li>• The grouping of processes required to fulfill the information requirements of Correctional Services’ stakeholders – <i>both prisoners and partners</i> – and help realize an applicable level of best practice throughout the division.</li><li>➔ Application of best practices where appropriate; all processes are “in-control”; centralization of low-value transactional processes; decentralization of business unit or decision-based processes; and deploy processes in an efficient manner.</li></ul>
<b>Organization &amp; Talent</b>	<ul style="list-style-type: none"><li>• The organization structure, roles, responsibilities, and capabilities required to support the target processes.</li><li>➔ Flexible and responsive organizational structure to meet business process requirements; balance between generalist and specialist roles; clearly defined roles and responsibilities; skills and competency mix well matched to role requirements; performance against objectives, closely measured, managed.</li></ul>
<b>Technology</b>	<ul style="list-style-type: none"><li>• The systems, tools and underlying technology architecture required to enable the organization to execute the target processes and support the delivery of decision support information.</li><li>➔ Standardized, integrated platform to support common data definitions and standards; enable effective controls of process and data; easy access to Information; flexible solutions to support the organization’s growth and requirements.</li></ul>
<b>Governance &amp; Legislation</b>	<ul style="list-style-type: none"><li>• Identification of the key determinants and decision-making criteria for the division’s policies and procedures, as well as the governance and legislation involved in delivering services.</li><li>➔ An effective enterprise-wide risk-based policy framework; clarity and compliance with the legislative requirements; defined governance, reporting and accountabilities of processes and personnel; continuous monitoring of changes to the requirements, and making amendments accordingly.</li></ul>
<b>Prisoners</b>	<ul style="list-style-type: none"><li>• The end recipients of the information or value that is an outcome of the process groupings.</li><li>➔ Prisoner needs are clearly understood and monitored to ensure any change of expectation or requirement can be fulfilled through the operating model; continuous prisoner needs management and communications managed centrally.</li></ul>
<b>Partners</b>	<ul style="list-style-type: none"><li>• The external providers that support Correctional Services to execute the process grouping and achieve its desired outcomes.</li><li>➔ Well-documented and understood roles and responsibilities of all partners; and clearly defined policies and procedures outlining the interactions between them and Correctional Services.</li></ul>

# Appendix C: National Institute of Corrections' *Staffing Analysis Workbook for Jails* provides a method for understanding facility staffing needs

- In 2001, the United States National Institute of Corrections published "Staffing Analysis Workbook for Jails".
- This workbook is known to Nova Scotia Corrections, although it is unclear how it has been used.
- The workbook provides a comprehensive methodology for determining the required staff complements for correctional facilities via a 10-step process.
- The steps include:
  1. Profiling the jail;
  2. Calculating net annual work hours;
  3. Developing a facility activity schedule;
  4. Developing a staff coverage plan;
  5. Completing a staff summary;
  6. Developing a schedule;
  7. Evaluating, revising, and improving the plan;
  8. Calculating operational costs;
  9. Preparing a report; and
  10. Implementing the plan and monitoring results.
- This methodology is practiced in the United States and Canada, including Manitoba where it helps establish staffing levels for seven (7) adult correctional facilities.



# Appendix D: Absenteeism in Nova Scotia varies amongst facilities, but is higher than other provinces

- All five Nova Scotia facilities have a relative high number of staff, owing to a general reliance on part-time staff, and multiple individuals on long-term disability in each facility.
- The number of prisoners per staff member on a facility’s payroll or Prisoner to Total Staff Ratio is a measure of efficiency in staff utilization and human resource processes.
- In Nova Scotia, there are 1.3 prisoners per employee on the payroll.
- Absenteeism is a serious issue that creates inefficiencies in the adult correctional system.
- The perception of high rates of absenteeism in Nova Scotia have been confirmed and are symptomatic of the cultural issues experienced in Correctional Services facilities.
- The highest rate of absenteeism is in Cape Breton, where the average number of shifts absent is 23 per employee.

	South West	Central	Cumberland	Antigonish	Cape Breton	Total
<b>Prisoner to Total Staff Ratio</b>	1.2	1.5	1.1	1.2	0.9	1.3
<b>Average Shifts Absent per Employee</b>	11.76	21.00	5.15	2.80	22.95	18.57

- The number of days absent across the country is also high.
- When Nova Scotia’s shift absenteeism is converted to 8-hours days (for comparison with other jurisdictions), the average absenteeism per employee exceeds 28 days per year.

	NS	BC	AB	ON	PEI	NL
<b>Average Days Absent per Employee</b>	28	12.0	18.2	20.0	14.2	18.8



# Appendix E: Other issues affecting staffing and scheduling in Nova Scotia

- Deloitte has identified several issues that may be barriers to effective staffing practices and efficient scheduling. These include:
  - **Part-time roll-in practice**, in accordance with the corrective bargaining agreement. The current agreement provides that when a full-time position becomes available in a facility, the most senior of part-time staff (regardless of training, skill or qualification) automatically ‘rolls in’ to the position. While part-time staff play a valuable role in the day to day operations of each facility, and must be rewarded for their service, “time in” should not be the only consideration when hiring for full-time roles.
  - **A high reliance on part time staff.** The ratio of full-time to part-time staff in Nova Scotia is 2:1. Other jurisdictions, for example, Manitoba, limits part-time staff to 1/8<sup>th</sup> of the workforce.
  - **Inconsistent interpretation of the meaning of “equitable” scheduling of part-time staff.** Part-time workers may only be scheduled to work one or two shifts a month or 50 hours a week depending on seniority and interpretation of the CBA. As a result, many PT employees have other priorities/jobs and therefore will not make themselves available for callouts, resulting in difficulty filling the scheduled positions. Schedulers work tirelessly to attempt to fill position in the schedule often making as many as 40 or 50 callout to PT staff to fill a single position on one shift. There were several reports of on-duty workers having been “ordered back” to work 24-hour shifts until new staff are available to relieve them.<sup>1</sup>
  - **Inconsistent, manual scheduling practices across facilities.** There are no software applications in use by Nova Scotia’s correctional facilities to facilitate scheduling. Additionally, each facility (owing to the variations in interpretation of the CBA) uses different practices, including a call-out board for scheduling part-time staff.

<sup>1</sup> Incidents of this type were also observed in Section 5.6.10 of the 2007 Internal Audit of CNSCF, although no recommendations were made.

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