

**Crime and Corrections  
in the  
Northwest Territories**

Prepared for:

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Minister of Justice  
and  
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Government of the Northwest Territories

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Appendices will be made available upon request.

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## Executive Summary

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This review of the correctional system of the Northwest Territories, Canada, was prepared for the Minister of Justice and the Minister of Health and Social Services. The terms of reference called for a review of four sets of issues.

- First, the study was to provide a statistical description of crime and criminal justice in the North, including a forecasting model designed to be useful for developing correctional policy choices.
- Second, the study was to provide an independent review of corrections in the NWT. Both institutional and community corrections were to be examined. As part of this review advice was provided to the Minister of Justice in October 1997 which led to increased resources for security and classification staff in the institutions. This report focuses on programs.
- Third, the study was to examine community tolerance of crime and community willingness and capacity to assume a greater role in justice and corrections.
- Fourth, the review was to provide recommendations on how corrections might be organized and delivered, now and following the creation of two territories in 1999.

### Trends in Crime and Criminal Justice in the NWT

**Chapter One** reviews the crime and criminal justice situation in the NWT -- within the extensive and serious limits of the existing data systems for the Territory. In many cases, we were forced to rely on estimates, partial data sets, and information of uncertain reliability. This is a major shortcoming of the current system. Having an accurate and comprehensive understanding of the existing situation is critical to making predictions about the most likely future, planning for the future, and making sound strategic and day-to-day decisions about operations.

Currently, this need for a clearer understanding of current and emerging trends is of special importance because of the serious overcrowding in Territorial correctional institutions. In 1996/97, the Territory's prisons were operating at **43% over capacity**. **This is more than just an overpopulation problem.** A majority of persons in the Territory's institutions are now there because of violence. Their risks and needs, and not just their growing numbers, have put additional stresses on staffing and budgets, have meant that large numbers of prisoners are being held at lower security levels than is appropriate, and have dramatically reduced the system's ability to deliver rehabilitative programs.

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## Executive Summary

The study's terms of reference called for the creation of a statistical profile of crime and justice in the Territory which would aid in building a model for providing the necessary framework for strategic analysis and for predicting future prison populations. An analysis was thus made of the available data on factors which might be influencing prison populations and their growth.

This information also addresses questions around the risks to communities and the characteristics of crime, offenders, and the justice system.

What was found was a large number of factors suggesting increasing numbers of persons in prison, more and more of whom will likely be in for violence and present a wider range of serious problems. These factors are less related to the overall crime rate or rate of criminal charging (which are actually decreasing), but to the prevalence of violence and the justice system's increasing focus on and attention to the most serious offences.

The NWT has the highest crime rate of all the provinces and territories in Canada. **The *per capita* crime rate in the NWT is close to three times the rate for Canada as a whole, and the violent crime rate is over five times that for Canada.** Although *per capita* crime rates in the NWT peaked in 1991 and have declined since then, the *number* of violent crimes reported in the Territory has remained roughly constant since 1991. **Violent crimes accounted for almost a quarter of all offences reported to the police in 1997.** This places a continuing workload burden on the justice system and strain on the communities in which crime occurs.

The "clearance rate" -- a measure of **the proportion of offences which result in a criminal charge being laid** -- has been decreasing in the Territory since the early 1990s. So have the absolute numbers of charges laid since then. At the same time, violent offences have been representing an increasing proportion of the offences which result in a criminal charge. The same pattern can be seen in the numbers of male persons charged. This, together with field interviews, suggests that police are increasingly using the justice system as a "last resort".

The Territory has seen an **increase in the number of persons remanded into custody prior to trial** over the past decade. This number, which increased by 75% from 1990/91 to 1996/97, means that remands are now contributing more to the current overcrowding situation in the NWT's prisons. Roughly one in four prison admissions annually are now for remand. Almost two-thirds (65%) of the persons admitted to prison on remand in 1997 were charged with a violent offence.

The proportion of **cases disposed of in the Territorial Courts in 1995/96 which involved a violent offence was 43%** -- almost twice the analogous proportion for Canada. Conviction rates in the NWT are also comparatively high (75% for violence and 79% for non-violent offences).

By a wide margin, the NWT has the highest incarceration rate in Canada (seen as the number of prisoners compared to the total population).

However, seen as the number of prisoners compared to crime rate or the number of charges laid, the NWT's incarceration rate places second to Quebec and relatively close to most other

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provinces. The “general” incarceration rate is also easier to understand once the NWT’s **relatively higher conviction rates** are taken into account.

Following conviction, about the same proportion of prison sentences are imposed in the Territorial courts as in the rest of Canada (one in three convicted offenders are given a carceral sentence), but **imprisonment is more likely to be imposed in the NWT for convicted violent offences than in the rest of Canada (49% versus 39%) and slightly less likely for convicted non-violent offences (29% versus 31%)**. Violence accounted for over half (54%) of the sentenced admissions in the Territory in 1997, a proportion which has been growing steadily during the 1990s. A recent “snapshot” of the Territory suggests that because of their relatively longer sentences (compared to non-violent), violent offenders make up approximately 72% of the sentenced prison population. This compares to 38% for other Canadian prison populations.

On average, inmates in the NWT seem to be serving longer prison sentences than those imposed in the other provinces and territories, a finding which would be expected from the larger proportion of violent offenders and the selectivity of the justice system at earlier points. (By contrast, probation sentences imposed in the NWT are relatively short, compared to elsewhere.) In addition, **aggregate sentences in the Territory seem to be on the rise, by about two months over the past few years**. The median aggregate sentence for violent offences is currently about five months, and the average (mean) nine and a half months; for non-violent offences, the median aggregate sentence is currently about three months, and the average (mean) about six months.

It is also important to look at growth in the general population when analyzing growth in prison populations, especially with regard to growth in the so-called “crime prone” age groups of youth and young adults. A majority of the prison admissions are of people in their 20s and 30s (although the average age is dropping somewhat).

The general population of the NWT is growing rapidly. More importantly, Territorial forecasts suggest that there will be a decrease in the number of older crime-prone adults (ages 25 to 34) over the next ten years. For crime-prone youth (ages 12 to 17) and younger crime-prone adults (ages 18 to 24), however, moderately high growth of 21% is expected in the Western NWT by the year 2006, and in Nunavut, high growth is expected (35% by the year 2006). This suggests that **if the apparent relationship between growth in certain age groups in the general population and prison populations holds true, the Territory can expect substantial increases in the numbers of young offenders admitted in the next ten years, especially in Nunavut, and modest to moderate increases in adult prison admissions**. A byproduct of this development would be that the average age of the prison population would fall significantly, a reversal of the trend of the last few years.

The characteristics of the general and prison populations in the North also lend weight to the conclusion that **NWT offenders present very significant risks and needs**.

Compared to elsewhere in Canada, there is a high prevalence of criminogenic factors like unemployment, low educational attainment, substance abuse, previous convictions and

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imprisonment, and for youthful offenders (who so often end up in adult prisons later in life), dysfunctional family life, early exposure to violence and other forms of abuse, FAS/FAE, learning disabilities, inability to adapt to school environments, lack of social skills, poverty and despair.

## **Forecasting Prison Populations and Information Systems**

**Chapter Two** focuses on two additional tools essential to sound strategic correctional decision-making: forecasts of correctional populations, and correctional information systems.

**Three types of models for forecasting** offender populations were explored. The first type of models forecast by extrapolating different past trends in prison populations, the second type forecast prison populations based on the forecasted growth in different specific age cohorts in the general population. The range of alternative forecasts developed by these first two types of models suggest that, by 2006, the average daily count in adult NWT institutions will be between 107 and 269 inmates above current capacity.

**Because of severe data limitations, this study was restricted to developing these first two types of models.** Although these models compare favourably to those typically used in other correctional jurisdictions, nonetheless, because of significant changes in several factors related to crime and justice decision-making in recent years, neither type of models is likely to yield adequate forecasts *for the NWT*. **The development of a third type of model that forecasts prison populations by explicitly simulating key criminal activities, justice processes and flows of offenders is therefore recommended.** Development of this type of model will however require a concerted effort to improve the accessibility, accuracy and completeness of data within the NWT courts and corrections information systems.

Chapter 2 also assesses current correctional information systems from a number of other perspectives. These information systems are found to be inadequate for supporting the types of strategic and operational decision-making that will be required in the near future – in particular with regard to changes related to Division of the Territory and to changes that will result from implementation of many of the recommendations elsewhere in this report. **A major information system developmental initiative is recommended** and the report supports the proposed joint project with Statistics Canada to begin this development process. However, it is strongly recommended that this be accompanied by a **major needs assessment** to identify the changing requirements of correctional decision makers for specific types of information. Senior Corrections Division staff must play a major part in this assessment.

An overall recommendation from Chapter Two is that **a strategic and operational plan be developed for Corrections** to reflect expected increases in prison and community corrections populations and the other challenges discussed in this report. This applies for the current NWT and for both new territories following Division.

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## **Institutional Programming**

**Chapter Three** deals with needed improvements in the process for assessing offender risks and needs, and for responding to offender needs through programming. **The correctional institutions of the NWT are at a crisis in their ability to deliver correctional programming to inmates.** This crisis is due in part to the current overcrowding, which has taken resources from programming to deal with the increased numbers of inmates, and has taken over program space for use as bedspace. In addition, the NWT's prison inmates appear to present more serious needs and risks than the inmates of other provincial and territorial systems. A much higher proportion of them are convicted of violence, and they suffer also from a wide range of problems including substance abuse, unresolved anger, and chronic unemployment.

The NWT Corrections Division currently uses an inmate classification instrument which focuses principally on security ratings, but includes only rudimentary measures of offender needs. Security decisions (i.e., the assignment of inmates to minimum, medium, or maximum security) are, because of overcrowding, currently driven entirely by the pressure of numbers. **The assessment of offender needs could, however, be improved, and the adoption of the Level of Service Inventory (LSI-R) is recommended.** It is based on offender needs which have been shown through research to be linked to the probability of re-offending (recidivism) after release. If these needs are effectively addressed through correctional programs, a reduction in recidivism can be produced.

Because of resource constraints in the NWT, **it will be necessary to focus on a limited number of programs which should form the core of correctional programming. It is recommended that these programs be based on a social learning theory model and concentrate on offender needs which have been shown to be linked to recidivism.** For example, inmates learn to recognize and replace attitudes they have (e.g., "she asked for it") which support their criminal behaviour. They are taught skills in relating to other people, learning and choosing alternative ways of reacting to situations. They learn to recognize their own "offence chains" - the situations, the feelings, the behaviours which often lead to trouble for them - and the options they have. Specific program modules would focus on cognitive and behavioural training in such areas as substance abuse, anger management, and living without violence. **Institutional staff can be trained to deliver these programs, and the ultimate goal should be to train all staff who have regular contact with inmates in the principles involved and how to apply them.**

Aboriginal inmates - who in the NWT make up over 90% of the prison population - often do not participate in prison programs or benefit from them as much as they could. Many drop out of programs and do not see their relevance to them. For these reasons, it is important to deliver all programs in a culturally appropriate manner, and to offer and actively encourage all inmates to participate in a Healing/Pre-Treatment Program which incorporates Aboriginal culture and motivates offenders to participate in later programs specific to their needs. **A mandatory Healing/Pre-Treatment Program along the lines offered at YCC and by the National Native Association of Treatment Directors is recommended.** The estimated annual cost of offering this program at all facilities is \$200K, and ideally it should be delivered by Aboriginal persons.



### *Executive Summary*

A series of program modules, based on cognitive and behavioural learning, would follow. The most important of these would be a **module focussed on violence, and family violence in particular**. The estimated annual cost is \$226K, plus a one-time start-up cost of \$41K. In addition, there would be costs associated with the time taken by staff during and immediately after the training required to deliver these programs.

A second **module would be focussed on sexual offending**, at a further annual cost of \$226K. In addition, it is recommended that \$100K over two years be made available for working with Aboriginal associations and Health and Social Services in order to **make sexual offence programming more culturally appropriate and improve offender response to the programs**. Improved ties with other researchers and treatment programs in other jurisdictions, such as the federal correctional service, are also recommended.

Given the widespread and serious abuse of alcohol and other drugs among the offender population, it is recommended that **substance abuse treatment modules** be integrated into case management plans and offered, when appropriate, separately or in conjunction with programs focussed on violence and other forms of violence. In addition, it is recommended that in time, Corrections consider adopting the **“Computerized Lifestyle Assessment Instrument”** for tracking substance abuse, providing other recommendations regarding a Computerized Inmate Management and Tracking System are taken up.

The NWT's **ability to deliver employment and training programs in correctional facilities has been severely hampered by overcrowding**; industrial shops have been taken over for bedspace to house additional offenders. Community service work for inmates outside prison walls is useful to the community, but provides only minimal training for employment. It is recommended that wardens be encouraged to **develop more partnerships with business, industry and the communities for the purpose of providing useful work skills**.

For the apparently growing numbers of mentally disordered offenders in the Territory, there is no realistic option, in the medium term, to **Southern placements for treatment for the mentally disordered**. It is recommended that \$500K annually be set aside for such placements. For the large and serious fetal alcohol syndrome/effect (FAS/FAE) problem in the Territory, which dramatically affects Corrections down the road, it is recommended that in its efforts to develop a **broad-based strategic approach to FAS/FAE**, the Department of Health and Social Services involve Corrections and other relevant Ministries and agencies.

The on-the-land program (**bush camps or outpost camps**) are an option which is strongly supported by communities and many corrections professionals, but they are useful only for a limited range of purposes. They must not be seen as a substitute for addressing other offender needs. The addition of healing and rehabilitative elements to the camps would greatly increase their value. An ongoing evaluation of the program is recommended.

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## **Greater Community Responsibility for Corrections**

**Chapter Four** summarizes community opinion about the possibilities of greater direct involvement in the delivery of community corrections, and more particularly, assesses **community tolerance, readiness and ability to assume more of the responsibility for handling offenders in the community.**

In fourteen communities selected by the Ministry of Justice, project team members interviewed community leaders, social service workers, police, counsellors, Elders, volunteers and others on this subject. The proposition amounted to **whether communities would wish to, and would be prepared to, manage more offenders within the community, offenders who would otherwise be sent to prison.** The means by which they might do this was an open topic for discussion, not a set of fixed assumptions.

**Some differences in reaction were observed between the West and Nunavut, and between older and younger community members.** Older persons and people in Nunavut were more likely to suggest that the community would be willing and able to handle the challenges presented by having more offenders serve their sentence in the community. **A majority of community members, however, suggested that their community was not currently in a position to take on this challenge.** Even those people who were more positively inclined towards the notion stated that it was the less serious and less violent offenders whom they had in mind when they endorsed the use of more community-based corrections.

Indeed, the question provoked anger and concern among many community members. **Concern was expressed about the impact on victims.** Since victims cannot avoid offenders in the community, some would have to leave if the offender stayed; victim confidence in the justice system would be undermined; and victims would be more reluctant to report offences. Communities might decide to take a rather harsh justice into their own hands.

When community members do report crimes for more than just the purpose of having police remove the offender from the scene, it is because they have reached the limits of their tolerance of the offender's behaviour, and because the social control system of the community is inadequate to the task of keeping residents safe. It is significant that no wholesale endorsement of a shift to community corrections was made by these people who, for the most part, abhor imprisonment and believe it provides little or no rehabilitative benefit. A number of community members suggested that the idea amounted to **government "offloading" of problems** onto communities, without the accompanying resources to accomplish the task. Some felt communities were being asked to take on too many additional responsibilities at once.

**Community members felt that without a major infusion of additional resources, communities would be unable to handle the risks and needs presented by the majority of "prison-bound" offenders.**



## *Executive Summary*

Many people said that several **preconditions** needed to exist before communities could take on more of this task, including: a large amount of community development work; commitment to a strategic plan for healing the community; a high level of community desire to take on the task; a well-established and effective drug and alcohol program in the community; and a commitment by all parties to work together.

Among the more **operational resources most frequently noted as being required before communities could take on more of the burden**, were: residential land-based treatment facilities closer to (but not in) communities; residential “halfway” facilities within communities; aftercare of all kinds to follow up on treatment received in prison and in the community; treatment of entire families at once for substance abuse and healthy family relationships; more training for workers and volunteers in all kinds of related work; options which instill a greater sense of responsibility in offenders (e.g., shaming processes and family group conferencing); victim services; and separate probation workers and the time for them to do real casework with offenders.

Most communities in the Territory have not yet addressed, in a comprehensive fashion, questions related to whether, how, when and where the community wishes to proceed in the justice area. **Communities must be allowed to proceed at their own pace, and in their own way, in addressing questions related to justice, albeit with the active support of government.** Communities differ from one another in important ways which will strongly affect their ability to take on more of the burden of community corrections. **No standard approach or timetable will work for all.** For many, a community development process is required. Government may wish to encourage, assist and fund communities to engage in a community development process with justice issues as its focus, but it must be prepared to accept the results even if the developmental process takes a very different direction.

Some community members suggested, and it is recommended, that **any future efforts to have communities take on more of the burden of community corrections be evaluated** for their impact on victims, offenders, communities and the justice system.

### **Improvements to the Current Community Corrections System**

**Chapter Four** also reviews community members’ and others’ perceptions of the workings of the current community corrections system. Many of the community views, summarized above, are coloured by their perception of the current system.

The overall **perception of both community members and community corrections workers is that the current system is not working.** Social workers who are currently assigned probation/parole and related community corrections tasks **rarely have the time to do anything more than the paperwork** functions associated with the job. Rather, their time is almost completely taken up with their other duties, most particularly child welfare work. Probation is increasingly seen as a “catch and release” program since **no assistance can be offered to**





*Executive Summary*

**offenders on community corrections, and standard and special conditions often go completely unfulfilled.** Aftercare is essentially unavailable in most communities.

Most social workers who perform community corrections functions have **little or no education, training or experience specific to the challenges of working with offenders.** Many are uncomfortable with performing the control and enforcement aspects of the work. Most see an irreconcilable conflict between their correctional duties and their other social work duties.

**Although the NWT's Corrections Division has the statutory responsibility for the program, it has no authority to direct the key elements of how it is carried out, and no control over how funds for community corrections are allocated at a regional level.** Workers performing community corrections duties report to Regional Health Boards or other authorities under the Ministry of Health and Social Services. This split in accountability is contributing to serious operational problems.

The following recommendations are made for improving the current system of community corrections. Questions of accountability and placement of the function within government are addressed later.

**We recommend that significantly more resources be placed in the communities specifically for correctional operations.** We estimate that the requirement is for 35 new positions, at a cost of some \$3M to \$4.5M annually (of which \$1.5M has already been transferred to Health Boards for upgrades in probation services).

**We recommend that the workers who perform correctional functions receive more training, experience and support in handling the challenges particular to dealing with offenders.** This training should rest with the Corrections Division. We estimate this would require two new positions and an additional \$300K annually.

**We recommend that the Corrections Division establish substantive standards governing the supervision of offenders in the community.**

**We recommend that where the number of workers in an area permits, one worker should concentrate on the delivery of correctional services and be relieved of other duties.**

**We recommend that a significant investment be made in services to victims and their families, and that the Ministry of Health and Social Services be tasked with establishing a plan for this investment.** The victim service worker should not be the same person who delivers services in respect of offenders.



## Community Service Delivery and Division

**Chapter Five** reviews options for delivery of community corrections after Division of the Territory into two in 1999. The services which are basic to community corrections and the related services to the courts (such as pre-sentence reports) are first reviewed, and it is noted that most workers in the communities who are assigned community corrections duties are, given their other duties and their training, unable to carry out all these basic functions..

A number of **prerequisites which are essential under all options** for future service delivery are listed. Those which relate to resources and training for community corrections, and to victim services, appear at the end of Chapter Four. Among the other prerequisites are: effective program delivery in the prisons, prior to release; effective case management and information-sharing; a focus on criminogenic needs of offenders; and more effective use of community resources, including Elders, drug and alcohol counselling, and employment services.

**Three options for service delivery in community corrections after Division are reviewed.** At the request of the Ministries, no preference is expressed as to these options. Self-government options, without the involvement of central government, are not included because it appears clear from the negotiation position of the federal government and others that **Division will precede any self-government options which are not based on administrative arrangements with existing central government departments.**

**Option One would place the community corrections program with the Ministry of Justice Corrections Division, and would involve separate workers reporting directly to the Corrections Division.** This option would have the following advantages: it gives the direct authority for the program to the government agency which carries the statutory responsibility for it; it would, more than any other option, effectively promote correctional objectives; and it would provide continuity of care and control for the entire span of the sentence. It has the following disadvantages: it is a centralized approach, and in that sense runs counter to the Territory's general move towards devolution of control to the communities; and it would require that supervision of the program be carried out without the use of a dedicated regional network.

**Option Two, the *status quo*, retains the administration of the program in the Department of Health and Social Services, with involvement by the Corrections Division of the Ministry of Justice.** This is the current arrangement, and it is not working at the present time. In order to make it work, there would need to be a serious commitment by all parties to achieving the objectives of community corrections, sharing decision-making, deferring to corrections experts in substantive matters, and ensuring that resources earmarked for community corrections are in fact allocated to those functions. This option has the advantage of conforming with the Territory's existing vision of community responsibility, and in addition, at the time of Division the arrangements would be reasonably clear. Its disadvantages include the attenuation of correctional objectives and priorities, and the continued lack of support for the further delineation and enforcement of standards for community corrections.



## *Executive Summary*

**Option Three would give Health and Social Services sole authority for institutional and community corrections.** This option has the advantages of conforming with existing devolution plans, linking correctional policy with social service policy, restoring a measure of continuity between institutional and community corrections, and maximizing cooperation among regional and local social services and correctional services functions. Its disadvantages include the attenuation of correctional objectives, competition between correctional priorities and other social service priorities for resources, and the potential loss of correctional expertise.

### **Corrections and Division of the Territory**

**Chapter Five** also reviews the challenges with respect to Division of the Territory and the need to accommodate prison inmates appropriately, and within their own new territory. At present, the capacity of the facilities in Nunavut is not sufficient to accommodate all prisoners from Nunavut. In fact, **the current numbers of prisoners in the NWT who are in excess of rated capacity is roughly the same as the number of Nunavut offenders who are currently housed in Western NWT facilities.** The construction of a new facility in Nunavut would thus alleviate overcrowding in both territories and allow offenders from Nunavut to remain in their own territory (with the exception of those serving their sentences in federal or other correctional facilities in the South).

The study's mandate did not extend to drafting a new capital plan for the Corrections Division. Nonetheless, several conclusions seem inescapable. **The current overcrowding in NWT prisons will, absent the creation of new facilities, continue to get worse** as the numbers of persons in the "crime-prone" age categories in the Territory continue to grow at a high rate, as the proportion of prisoners convicted or charged with violent offences continues to grow, and their relatively lengthy sentences cause them to accumulate in the institutions. **A recent GNWT review of young offenders needs placed the need for additional youth facility beds alone at 40 to 44 spaces by the year 2011. For adult facilities, assuming no change in current capacity or the use of Southern facilities, we estimate the average daily prisoner count in the year 2006 will be between 107 and 269 inmates above current capacity.**

Because of the serious offences, and the risks and needs of the offenders involved, the Territory is facing more than just an overcrowding problem, but a security management and programming problem of significant proportions which places a serious strain on existing staff and budgets, to say nothing of the continuing risks to communities. To compound the problem, the Corrections Division has no control over funds for capital improvements to existing facilities, and **some of the facilities in the Territory are in urgent need of upgrading simply in order to render them safe and functional.** The Territory also has a serious shortage of "halfway" and "halfway back" facilities to provide a transition to the community and an alternative to revocation and return to prison in the event of a breach. There is no question that, regardless of the precise options chosen, an infusion of territorial capital for new facilities and facility upgrades in the near future is required. An additional, but difficult cost to quantify, is the administrative costs associated with setting up the required correctional programs in Nunavut.



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Some 150 offenders from the NWT are housed in Southern facilities, mostly of the Correctional Service of Canada, at any given time. This creates significant problems related to language, separation from home and family, cultural displacement, exposure to Southern inmates who are more criminally sophisticated, and the importation of unhealthy influences. Some of these offenders could be managed within the environment of NWT facilities if the space were available, but not all of them. For these less manageable inmates and for others, the housing of Northern federal offenders in NWT facilities under Exchange of Services Agreements carries its own set of disadvantages; these offenders would not have access to the relatively greater levels of security, training, resources and programming available in CSC facilities.

A federal/territorial task force in 1995 examined nine options to the current situation, and recommended jointly owned and operated facilities which would house both federal and territorial inmates. A capital plan for creating these facilities was subsequently rejected by the federal Treasury Board. **We recommend that, in the light of impending Division of the Territory, these negotiations with the federal government for joint facilities be reopened, possibly in conjunction with other federal considerations with respect to Division.**

### **Prevention**

Although it is far beyond the terms of reference of this study to examine preventive approaches, the magnitude of social problems in the NWT argue for a broad-based strategic approach to the factors which do not just contribute to criminal offending, but which touch the physical, emotional and spiritual health, family life, education, employment, and virtually every other aspect of life in the Territory. The justice system was never designed or intended to address the full reach of these problems, and they are completely beyond the capacity of the justice system to solve.

### **Summary Conclusions**

The correctional system in the Northwest Territories is facing a serious overcrowding problem, which is more than just a matter of too many prison inmates, but rather a major challenge with respect to risk management, security, programming, planning, capital shortfalls and other resourcing issues.

The increase which has occurred in the numbers of people in NWT prisons in recent years is not a trend which is simple to understand or reverse. It appears to be due to numerous factors, including an increasing use of alternatives to criminal processing, especially at pretrial stages of the justice system. The result is that those offenders who do end up in the courts and in prison are an increasingly violent group, who present serious risks and needs for the correctional system to address. Sentences are reflecting this increasing selectivity, thus leading to increased pressures on corrections. Ironically, because of the overcrowding in the correctional system, a crisis is occurring in the institutions' ability to address inmates' programming needs in particular. Nonetheless, a major commitment to this task is needed, for which new resources are required.





### *Executive Summary*

For now, the solution to overcrowding does not appear to lie in greater use of community-based corrections, at least not until communities are ready to take on this challenge (and few if any in the NWT presently are), and not without a major infusion of resources to communities, both to shore up the current system of community corrections (which is also in serious difficulty), and to expand its capacity to respond to offenders' risks and needs.

For the future, population growth, aging and substandard facilities, and the impending Division of the Territory mean that new capital upgrades and new capital construction are inevitable if the most basic standards of security and decent care of inmates are to be met.

For these needs, and for the other challenges presented in this report, a new strategic and operational plan is required for NWT corrections, both as the Territory now stands and for the two new territories to be created. To support the analysis and decision making underlying those plans will in turn require new forecasting methods and significant improvements to correctional information systems.



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## Acknowledgments

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The Corrections Review was carried out with the assistance and support of a large number of people. Management and Policy International and the project team members would like to thank everyone who participated for their contributions.

The two Ministers involved, the Honourable Goo Arlooktoo and the Honourable Kelvin Ng have been supportive throughout. Mr. Ng's Executive Assistant, Ms. Joan Irwin was the contract administrator and provided essential and sound advice and organization for the project. Mr. Ng's Administrative Assistant, Ms. Kat Nicholson, provided logistical support and made complicated travel arrangements.

The Department of Justice and the Department of Health and Social Services were, of course, extensively involved in the review and we thank the Deputy Ministers and the personnel of the two departments for their openness and co-operation. Personnel of the Corrections Division of the Department of Justice patiently suffered through dozens of interviews, endless questions and requests for data. All of the adult facilities were visited, as were all of the secure custody young offender facilities. We appreciate the time given by the wardens and staff of the institutions and their candor and openness.

Social workers and other personnel from the Department of Health and Social Services were equally forthcoming. The project team spoke to social workers in all the communities visited and in Yellowknife.

We would like to acknowledge, as well, the assistance provided by members of the judiciary. Chief Judge Robert Halifax and Judge Beverly Brown of the Territorial Court provided useful background and insight. Senior Justice Richard, of the Supreme Court of the Northwest Territories, generously shared his views and participated in a workshop on forecasting prison populations.

A number of other organizations participated in the forecasting workshop. We thank the Northwest Territories Bureau of Statistics, the Financial Management Board Secretariat, the NWT Housing Corporation, the RCMP, the Department of Justice (Canada) Crown Prosecutors, various sectors within the Department of Justice (NWT), and the Department of Municipal and Community Affairs.

The RCMP generously provided data on crime rates and charges and RCMP in the communities visited were helpful and responsive to our many questions. Data were also provided by the GNWT



### *Acknowledgments*

Bureau of Statistics, Statistics Canada, the Corrections Division of the NWT, GNWT Public Works and Services, and the Financial Board Secretariat. To all, our thanks.

A special debt of gratitude is owed the people of the fourteen communities visited by the project team. Given the vagaries of weather and the schedules of airlines many of these visits were made on short notice. We apologize for this. We are especially grateful that even on short notice we were always given a warm reception and had very informative and important meetings with Elders, band leaders, municipal councils, government officials, police, community justice committees, legal aid workers, health care workers, counsellors, other organizations active in the communities, and, whenever possible, the people of the communities. We thank the community justice specialists of the Community Justice Division, Department of Justice for arranging the community meetings. Our visits would have been much less productive without their knowledge, skill and contacts.

We had intended to thank, by name, the many people in the communities who shared with us their concerns, insights and ideas. Many, however, asked that their remarks be confidential. We respect their request for anonymity but we wish to stress how important their contributions were to the report. We trust that will find it useful as they continue their efforts to improve justice and corrections through out the North.

Finally we wish to thank reviewers who read an earlier draft report and provided comments. These were received in July 1998 and the current final report reflects the advice received.



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## Introduction and Terms of Reference

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The Honourable Kelvin Ng, Minister of Justice and Minister of Health and Social Services, Government of the Northwest Territories, commissioned this report in September 1997. In December 1997, the Honourable Goo Arlooktoo, became the Minister of Justice, while Mr. Ng continued as the Minister of Health and Social Services. The two Ministers share responsibility for Corrections since Justice is responsible for the correctional facilities and the Department of Health and Social Services delivers community corrections through the Regional Health and Social Services Boards.

The terms of reference for the study called for an examination of four sets of issues.

- First, the study was to provide a statistical description of crime and criminal justice in the North, including a forecasting model designed to be useful for developing policy choices. The detailed report of this work is contained in a companion document to this report, entitled *A Statistical Profile in Support of Correctional Planning in the Northwest Territories*.
- Second, the study was to provide an independent review of corrections in the NWT. Both institutional and community corrections were to be examined. Part of this work is contained in a separate report delivered to the Minister of Justice in the fall of 1997.
- Third, the study was to examine community tolerance of crime and community willingness and capacity to take on more of the challenges in justice and corrections.
- Fourth, the review was to provide recommendations on how corrections might be organized and delivered, now and following the creation of two territories in 1999.

### The Political and Social Context

The Northwest Territories covers one-third of Canada's land area. It is roughly the size of India. This huge area, by contrast, holds just over 0.2% of Canada's population. The 1996 Census places the population of the Northwest Territories as 67,373. This small population in such a vast area makes the delivery of Government Services challenging and expensive.

The majority of the people of the NWT are Aboriginal: 62%, as compared to 38% who are non-Aboriginal. Within both groups there is considerable diversity, as reflected in the fact the NWT has eight official languages (Chipewyan, Cree, Dogrib, English, French, Gwich'in, Inuktitut, and Slavey). This diversity is further reflected in a complex political environment involving land claims, self-government negotiations, treaty discussions, and the decision to divide the NWT into two separate territories, effective April 1, 1999.

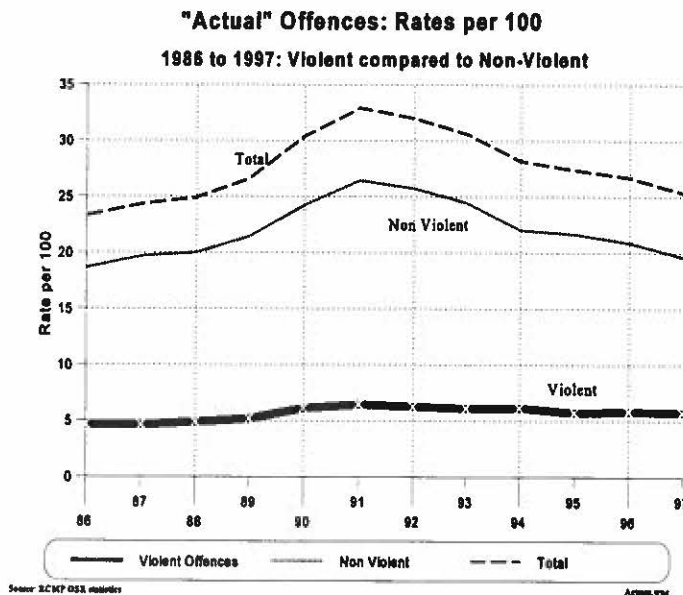
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- **property crime is also higher in the NWT than for Canada, but by only 43%, and the Territory's property crime rate is actually lower than that of British Columbia and the Yukon.**

It is important to look also at changes over time in the rates of crime per 100 residents. This information speaks to changes in the overall risk to members of the population from crime.

**Figure 2**



**Figure 2** shows the 12-year pattern in the rates of “actual offences” reported to the RCMP per 100 residents.

(N.B. The rates reported in this Figure differ slightly from the crime rates used by CCJS because of differences in the ways in which different offences are categorized, slight differences in types of offences covered<sup>1</sup>, and different population estimates.)

It can be seen from **Figure 2** that the rates of reported violent and non-violent crime peaked in 1991, and since then have continued to decline or at least remain below the 1991 level.

Specifically,

- **for non-violent crime, the rate per 100 has declined steadily every year from 1991 to 1997.** Reported non-violent crime peaked in 1991 at a rate of 26 crimes reported per 100 residents. The average rate of non-violent crime in the six years following was 22 per 100, an average drop of 15% from the 1991 high. However, the average non-violent crime rate for the later six years still exceeds the average rate for the earlier six years, but by only 3%.
- **for violent crime, the rate per 100 residents has also declined more or less steadily since 1991, but it declined less than did non-violent crime.** Reported violent crime peaked in 1991 at a rate of 6.5 crimes per 100. The average rate of violent crime reported in the six years following was 5.9 per 100, a smaller average drop of 8% from the 1991 high. However, the average violent crime rate for the later six years still exceeds the average rate for the earlier six years by 12%.

<sup>1</sup> For example, “actual offences” here includes all *Criminal Code of Canada* offences and drug offences, but does not include offences against Territorial statutes, such as many alcohol offences.



### 1.3.1 Workload Statistics

For analysing workload requirements, it is useful to look at the *actual numbers* of crimes occurring (as opposed to the rates per population). With budgets to individual RCMP detachments shrinking, and similar pressures on the budgets of courts and corrections in the NWT, the actual numbers of cases reported and processed matters at least as much as do rates of risk for the population.

**The numbers of non-violent offences reported to the police increased significantly (by 58%) over the five years 1986 to 1991, and since then have steadily decreased from the 1991 high of 16,206 to 13,247 in 1997. The drop since 1991 in the numbers of reported crimes has not, however, been to the lower levels of the years from 1986 to 1990. For violent crimes, there was a 54% increase in the numbers of violent crimes reported to the police from 1986 to 1991, and since then the raw numbers have remained essentially stable. Violent crime accounted for 23% of the offences reported to the police in 1997, about twice the equivalent proportion in the rest of Canada.**

Certain crimes increased in reported numbers more than others over the twelve-year period 1986 to 1997. These included sexual assault, common assault, public order offences (including disturbing the peace), "other *Criminal Code* offences" and "offences against the administration of justice" (broad categories which encompass breaches of a probation order, failure to appear in court, failure to comply with certain court orders, criminal negligence, and uttering threats), mischief, trafficking in and importing drugs, and impaired driving. (Impaired driving rose steadily to almost twice the 1986 level, but has stabilized at roughly the 1986 level for the past five years.)

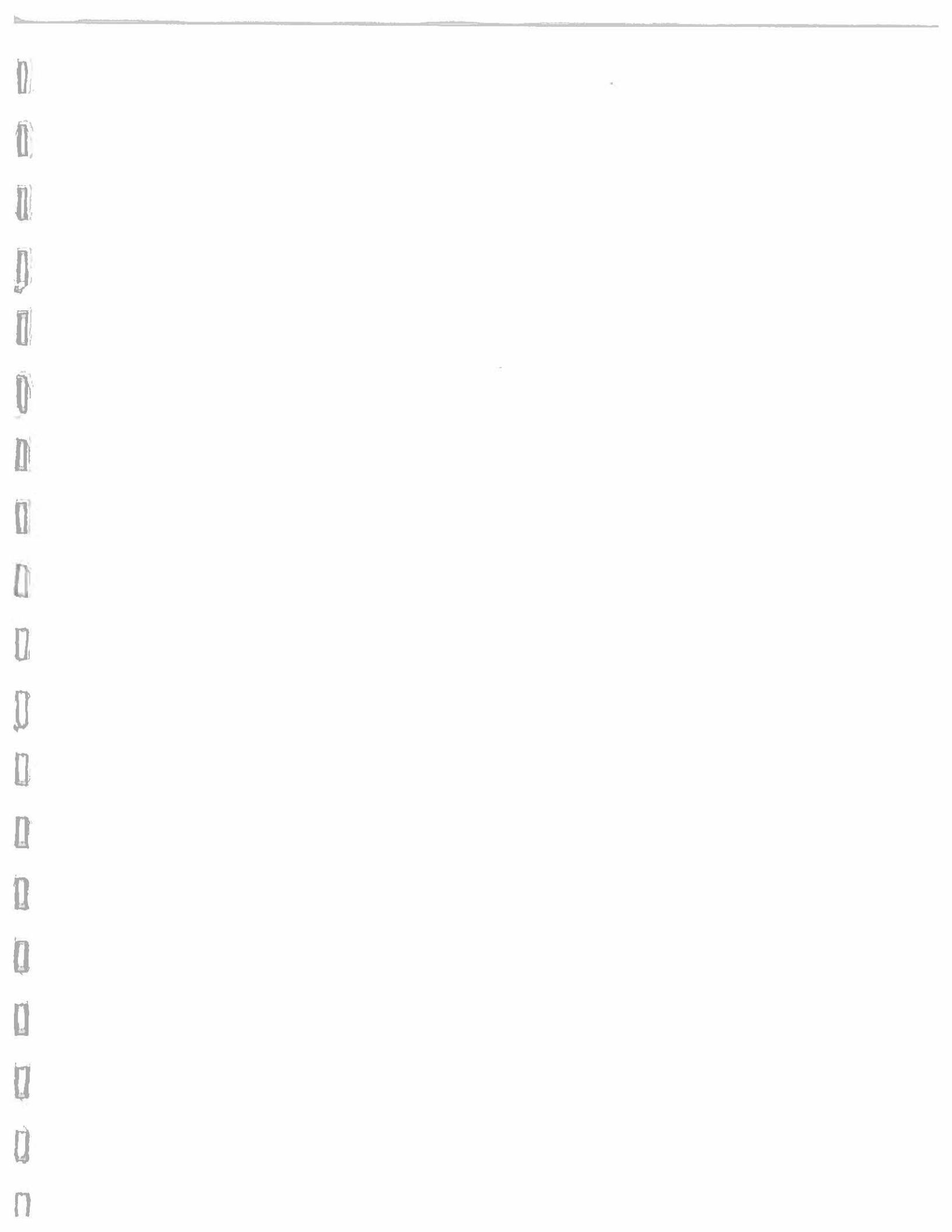
### 1.4 Charges Laid and Clearance Rates

**Not all offences result in a criminal charge. When an offence does result in a charge being laid, the offence is counted as "cleared", and the ratio between the number of "actual offences" reported and the number of charges laid is known as the "clearance rate". The absolute *numbers* of offences which result in a criminal charge in the Territory, after rising from 1986 to 1991, dropped significantly in the succeeding six years, by 47% for non-violent offences, and 30% for violent offences.**

However, the number of violent offences cleared by charge remains higher now than it did in the later 1980s, whereas for non-violent offences, the number of offences cleared by charge has actually dropped below the levels of the later 1980s.

This drop since 1991 in offences resulting in a charge is not just a function of the drop in offences reported, which we noted earlier. The "clearance rate" -- the proportion of offences which result in a criminal charge being laid -- has been decreasing in the Territory since the early 1990s.

The clearance rate is decreasing for non-violent offences more than for violent ones. As a result, violent offences have been representing an increasing proportion of the offences which result in a criminal charge.



### 1.6.1 Conviction Rates

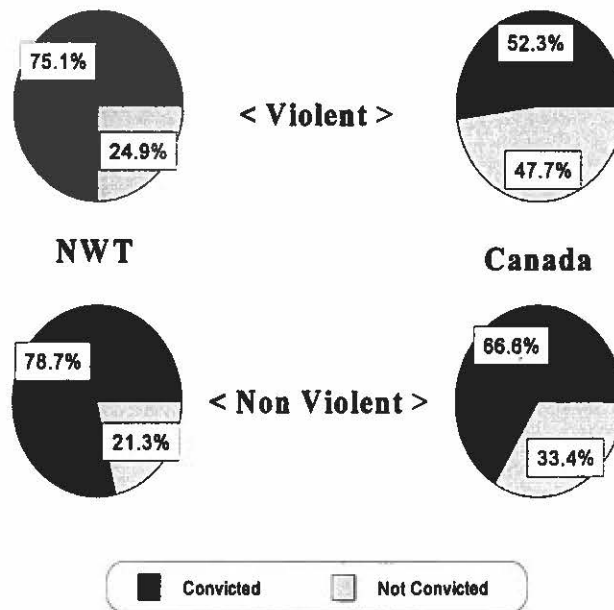
As shown in **Figure 3**, for 77% of cases disposed in the Territorial Courts in 1995/96, a guilty verdict was returned on at least one charge in the case. This percentage was similar for violent and non-violent cases (75% and 79%, respectively).

It is, however, of interest that these **conviction rates are substantially above those Canada-wide**. We do not have information on the many factors that may account for the difference,<sup>2</sup> but one's chances of being convicted after being charged with a violent offence are almost 50% higher in the NWT than in Canada generally (i.e. 75% vs. 52%). Similar, but not as dramatic, differences are also shown for non-violent cases.

**Figure 3**

#### Conviction Rates for Cases Disposed in 1995/96

Violent and Non Violent Cases: NWT vs Canada



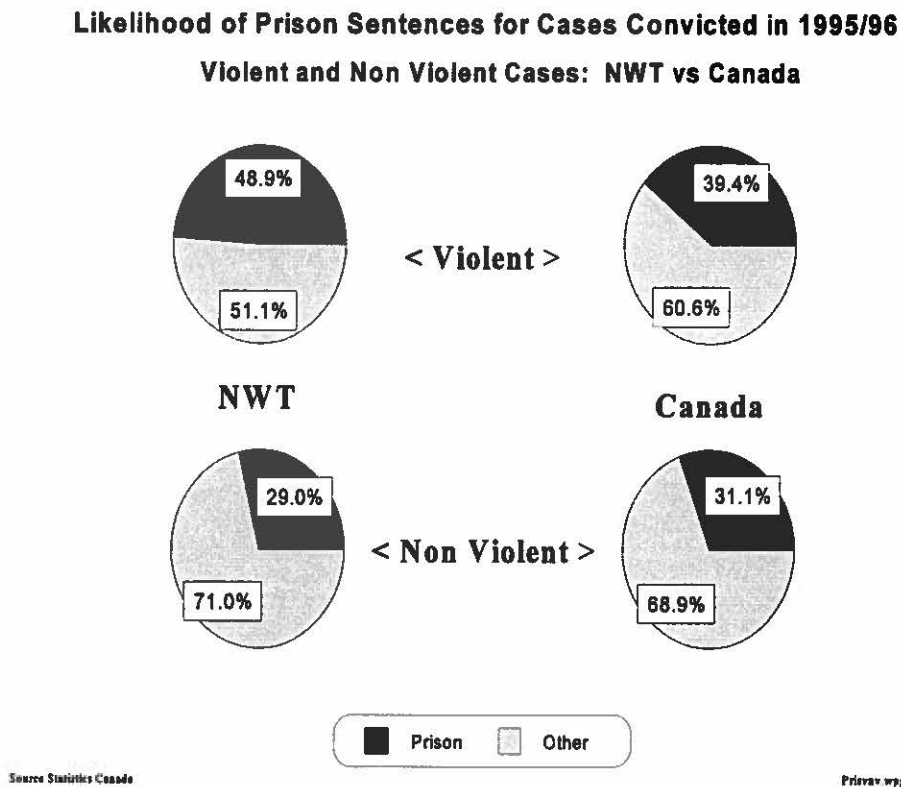
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<sup>2</sup> One would however strongly suspect that the higher conviction rates are in part related to the NWT offences being committed in smaller communities (and thus offenders are less anonymous) and also perhaps to the public and the authorities in the NWT being more selective about cases they refer to the criminal justice system.



Figure 4



**Violent cases sentenced in the NWT courts have a higher chance of receiving a prison sentence -- 49%, a rate that is roughly one-quarter higher than the analogous percentage (39%) for violent cases sentenced elsewhere in Canada. If it is true, as suggested above, that earlier decisions of the NWT justice system are causing a greater selectivity in the use of the full criminal process, than this finding is not unexpected -- the offender who do end up receiving a prison term should, at least in theory, be a rather serious group.**

### 1.6.3 Sentence Length

The higher rate of incarcerated persons *per capita* seen earlier for the NWT (compared to other parts of Canada) could also be due to convicted offenders receiving longer sentence lengths — i.e. the numbers of people in prison at any one time are a function of both the numbers of admissions to prison and how long those admissions stay in prison. An examination of sentencing practices is therefore in order.

The most recent data available for comparing lengths of prison sentences of convicted cases (a close proxy for admissions to prison) are from Statistics Canada for 1995/96. Unfortunately, the data are presented only in broad ranges, and only show the sentence for the most serious offence, not the





“aggregate sentence” -- the combined sentence for all offences for which the offender is convicted.

Nonetheless, the data show that overall, NWT cases are slightly less likely than their counterparts in the rest of Canada to receive sentences in the shortest range reported, i.e., of one month or less. On the other hand, in the NWT violent cases are actually less likely to receive longer sentences, of more than six months.

Figure 5

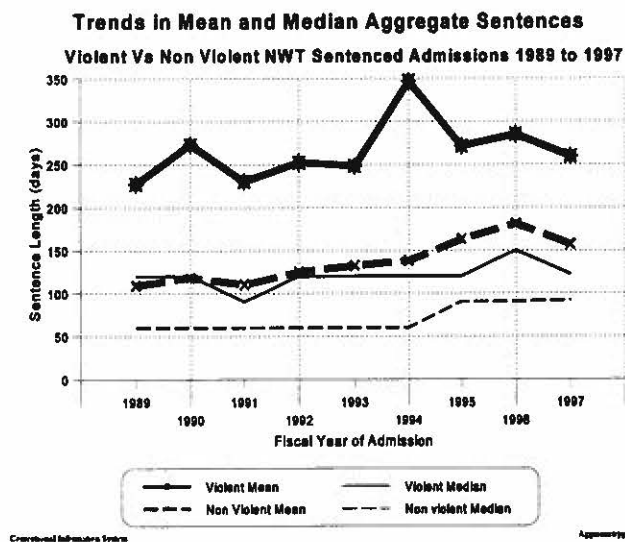


Figure 5 explores trends over time in aggregate sentence lengths for NWT prison admissions for violent and nonviolent offences. These data are from the NWT Correctional Information System.

The first obvious finding is that — as reflected in both mean and median aggregate sentences — the sentences for violent offence admissions were consistently above those for non-violent offence admissions.

Second, aggregate sentences for *violent* offences displayed moderate and persistent growth between 1991 and 1996. The mean sentence for violent

offences grew from about seven and a half months in 1991 to about nine and a half months in 1996. The median sentence in 1996 for violent offences was about five months. (The “mean” is the statistical average, and is rather sensitive to relatively infrequent but very long sentences; the “median” is the middle sentence, below which half the sentences fall, and above which half the sentences fall.)

The mean sentence length for *non-violent* offences also increased during the period — rising steadily from about three and a half months in 1991 to about six months in 1996. The median sentence in 1996 for nonviolent offences was about three months.

Aggregate sentences in Nunavut, which for the past decade have been somewhat higher than in the West, especially for non-violent offences, seem more similar in recent years.

#### 1.6.4 Probation Sentences

Probation sentences are also very much of interest. How well offenders do on probation can affect prison admissions for breach of conditions or new offences; as will be seen in Chapter Four, perceptions by the courts and others of the overall success or failure of probation as a sentence in the NWT will affect decisions about whether it is imposed (or a brief prison term is used instead), and for how long. How long offenders spend on probation will also determine how long they are “at risk” to be breached.



Statistics Canada reports data for 1995/96 on the use of probation sentences. They show that **probation is used in the NWT as frequently as in other Canadian jurisdictions, in 38% of cases.**

In addition, data on the lengths of probation sentences tend to support what we were told in some communities, that since probation can often lead to failure because of the gravity of offenders' needs and the scarcity of appropriate help for them, **the probation terms imposed in the NWT are relatively short compared to those imposed in the rest of Canada.** While almost half (45%) of the probation sentences in the NWT are for 6 months or less, in Canada as a whole only 17% of probation periods are for that relatively short length. Thus, although NWT courts give probation sentences with a similar frequency as other Canadian courts, the probation sentences given are likely to be considerably shorter.

This finding holds for both:

- *violent offence cases* (33% of NWT probation sentences are under 6 months versus only 9% for Canada) and
- *non violent offence cases* (59% of NWT probation sentences are under 6 months versus only 21% for Canada).<sup>4</sup>

## 1.7 Prison Admissions

We turn now to patterns in the numbers and types of admissions to NWT prisons. It will be seen that although the numbers of admissions have remained relatively stable over the past several years, the types of offences for which they are admitted are changing. This would have been expected from what was seen earlier in the greater selectivity which police are using in their charging practices, and from changing sentencing patterns.

### 1.7.1 Introduction

The difficulties typically faced by those wishing to undertake analysis in this area quickly became obvious when we began by attempting to obtain estimates of two variables critical to understanding changes in prison populations: prison admissions and prison releases.

Initially it was expected that valid estimates of both variables could be obtained from the automated records in the main automated offender information system available to support Corrections decision making in the territories, the "Correctional Information System (CIS)".<sup>5</sup> However, serious problems were encountered in using this system to obtain estimates of even these two variables, especially for more recent years.

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<sup>4</sup> Based on data for convictions in 1995/96, NWT courts are (compared to Canada) less likely to give probation sentences for violent offence cases (50% vs 65%), but almost equally likely to give probation sentences for non violent offence cases (29% vs 32%).

<sup>5</sup> ... an automated system which utilizes a combination of records from a mainframe based system which began collecting data for admissions in 1989 but was closed down a few years ago, records from a special data entry process that had been in operation for roughly two years, and records for the last few months from a significantly improved (but still temporary) data entry and storage process (the "Lifeboat System").



Figure 7

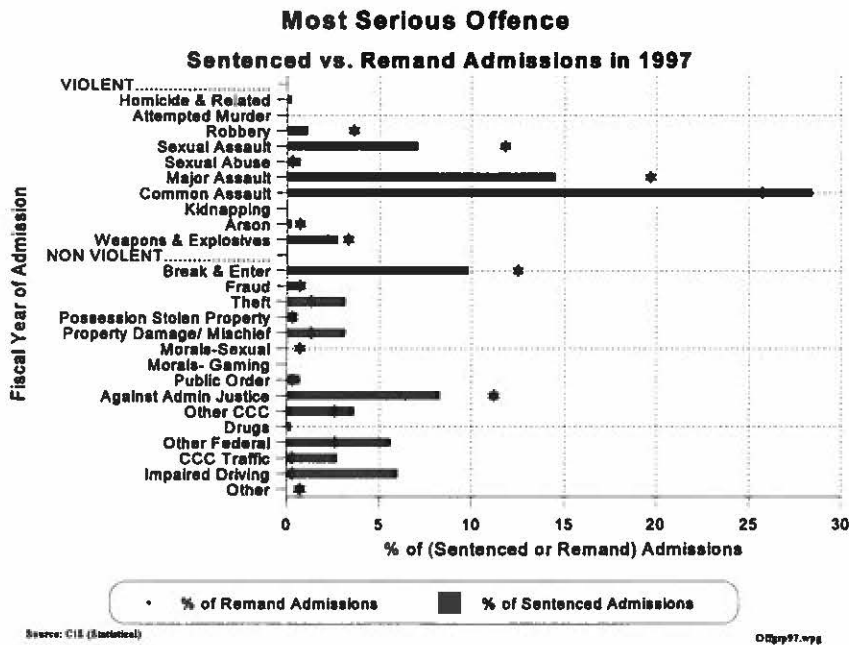
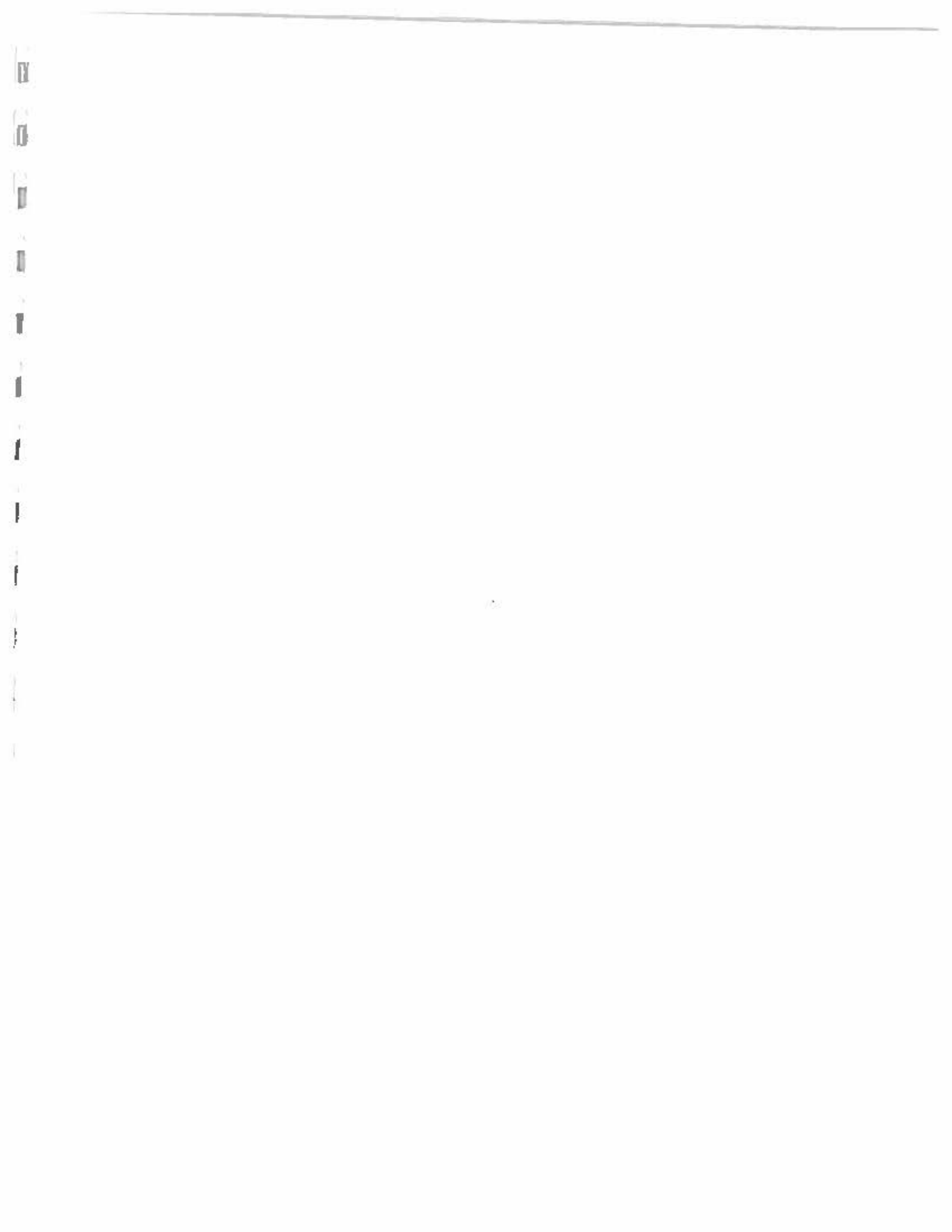


Figure 7 shows the percentage of all sentenced admissions in 1997/98 sentenced for various specific “most serious offences”, namely:

- sexual assault 7.1%
- sexual abuse 0.7%
- major assault 14.5%
- common assault 28.4%
- weapons 2.7%
- other violent offences 1.4%
- break and enter 9.8%
- offences against the administration of justice 8.3%
- other federal statutes 5.6%
- impaired driving 6.0%
- other 16.9%

Admissions with violent “most serious offences” accounted for over half (55%) of the sentenced admissions in 1997.

Since admissions with violent offences are also likely to receive longer prison sentences than cases with non-violent offences, inmates who commit violent offences will be even more prevalent among the *inmate populations* at any one point in time. On October 5, 1996, fully **71.8% of the sentenced population of NWT prisons were in for violent offences. This is higher than for any other Canadian provincial or territorial jurisdiction, and (except for Saskatchewan and the Yukon), substantially higher.**



and among remand inmates, 91% were Aboriginal. An Aboriginal language was spoken at home by 45% of sentenced inmates, but only 9% of remand inmates.

- **Employment status.** The GNWT placed the unemployment rate of the NWT at 17% in 1994. For males aged 20 to 34, a group more closely resembling the prison population, the unemployment rate was placed at 36% in 1994, or 53% just for the Aboriginal members of this group. This compares to the "Snapshot" which found that 64% of sentenced inmates in NWT prisons on October 5, 1996 were unemployed at the time of admission.
- **Education.** Among male persons aged 20 to 34 in the NWT in 1994, 19% had less than a grade 9 education; just among the Aboriginal males in that group, 31% had less than grade 9. This compares to 26% of the sentenced inmates in NWT prisons in 1996 who had not completed grade 8. Another 39% had completed grade 8 or 9, and 36% had completed grade 10 or higher. NWT inmates are, on the whole, less well-educated than their counterparts in other Canadian jurisdictions.
- **Drug and Alcohol Use.** A 1996 NWT survey of persons 15 years and older found that about a quarter (25.6%) of respondents were "heavy drinkers" -- they consumed five or more drinks when they drank. This is almost three times the national rate. The rate is higher still among males 15 to 34 years of age. Cannabis and other drug use in the NWT emerged as more than twice as common as nationally. Younger persons, again, showed higher use rates. Solvent use in the NWT, especially in Nunavut, also greatly exceeds national figures. No equivalent figures are available for inmates.
- **Marital status.** The 1996 "snapshot" found that 44% of sentenced inmates reported being married, considerably higher than the 24% of married inmates in other Canadian jurisdictions.
- **Prior record.** Among sentenced inmates in NWT prisons on October 5, 1996, 87% had a prior record as an adult, the same as for sentenced inmates in Canada generally. However, a much higher proportion in the NWT had a large number of previous adult convictions: 35% had more than nine priors, as compared to 12% for other Canadian inmates. For inmates remanded into custody prior to trial, the number of previous convictions was even higher, both compared to sentenced inmates and compared to remand inmates in the rest of Canada.
- **Prior Correctional Experience.** Among sentenced inmates in the NWT on October 5, 1996, 50% had had a prior territorial/provincial incarceration, as compared to 76% of sentenced inmates in other Canadian jurisdictions; 10% had had a federal term (as compared to 12% of inmates elsewhere) and 36% had been on probation (as compared to 50% of inmates elsewhere).

All of these factors in the general and prison populations of the NWT suggest that offenders in the Territory are a more difficult population, with greater risks and needs, than offenders in other provincial and territorial jurisdictions in Canada. The implications for Corrections Division resources, programs, security and staffing are correspondingly significant. Some of these implications will be explored in later chapters.





## 1.10 Youthful Offenders

So far, all of our discussion has centered on information about adult offenders in the NWT. Given the intensive and extensive analysis recently done of youthful offender trends and needs by the GNWT Public Works and Services Department (Magnusson, 1997), it seemed prudent for this study to focus on profiling for the adult system. The findings of the Magnusson analysis are highlighted below:

- youth population projections (persons aged 12 to 17 years of age) suggest that there will be a 35% growth in the 1996 NWT youth population by the year 2011
- each of the areas in the Territory has a distinct youth crime pattern, and it is difficult to generalize about trends
- offences against property account for more than half of all charges laid against youth
- in every area, the total numbers and rates of charges were lower in 1996 than ten years previously
- across the Territory as a whole, there are 14% fewer youth charges in the more recent years of the past decade, but there has been a 24% rise in violent crimes, an 18% decline in “property” crimes, and a slight drop in “other” crimes
- across the Territory as a whole, of all youths who were apprehended during the two-year period 1995 and 1996, 46% were charged, as compared to 34% during the two-year period 1987 and 1988 (more youths are now being diverted)
- in the most recent period, the highest “charged” rates were for the “violent” and “serious property” offence categories
- females represented 20% of youth charged in 1996, as compared to 10% in 1987
- the combined capacity of the three youth facilities in the NWT is 56 beds, having been expanded through internal adjustments in recent years to accommodate more youthful offenders
- youth in the NWT are exposed to a high number of risk factors for delinquency, including dysfunctional families and other poor parenting, violence and other forms of abuse, learning disabilities, poor school adjustment, FAS/FAE, substance abuse, lack of social skills and positive role models, poverty and despair
- many of the youth in NWT facilities have “very troubled backgrounds” (e.g., 62% came from dysfunctional families; 66% came from homes with substance abuse problems; 37% come from a family violence background; 32% were victims of abuse or neglect; 46% were functionally illiterate; 51% had three or more prior court dispositions)
- the estimated number of youth beds needed in the NWT in the year 2011 is between 66 and 70 beds, based on general youth population projections and an assumed extension of past practices with respect to charging, length of stay, etc.
- since one of the existing youth facilities must be replaced due to serious deficiencies in compliance with National Building Code requirements, **there is a need for 40 to 44 new youth beds in the NWT by 2011.**



## 1.11 Summary

Strategic planning and day-to-day decision-making needs to be supported by a better understanding of the current and most likely future situation in the Territory with respect to corrections and its larger environment. Many of the factors which collectively contribute to the NWT's prison populations have been in a significant state of flux over the past ten and more years. The current situation, in which an increasingly violent population is selectively funneled into the prison system, is quite different from the situation of ten and even five years ago.



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## Chapter 2. Prison Population Forecasting and Information Systems

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### 2.1 Introduction

Corrections within the NWT is entering a period in which sound strategic planning regarding organization, facilities and offender programs will be of critical importance.

Adding to the pressures that have been steadily developing over the past few years within corrections because of overcrowding and changes in the nature of offenders and their program requirements will be the new and significant challenges that will come from the Division of the territories. Ensuring a safe and efficient transition to post-Division corrections systems for both Nunavut and the Western NWT will require considerable strategic analysis to develop a consensus on the likely future environments, workloads and demands to be met by corrections — and a consensus on the likely effectiveness of alternative organizational and program models for meeting those demands.

There are a number of tools that are essential to support the type of strategic analysis and choice that will be required — especially over the next few years. This Chapter focuses on two of those tools:

- forecasting mechanisms
  - mechanisms for developing a consensus on shared assumptions regarding future environmental changes and the resulting levels and natures of correctional populations, and
- correctional strategic information systems
  - systems that provide the types of information required for forecasting and other types of strategic decision-making (e.g. environmental scanning and evaluation).

During this project, the consultants conducted a number of interviews with those involved in both using and producing forecasts and other types of statistics, graphs and reports using the information systems that presently exist in the NWT. Those interviews covered managers and analysts in both the NWT and from other parts of Canada — all of whom had experience with NWT systems. Equally importantly, one member of the consultant team worked directly for over 30 days with the major information systems on which NWT corrections strategic decision-making must be based.

The second part of Appendix 1 presents in detail the results of our work trying to develop forecasts of prison populations from the available data. Considerable attention is also paid to the state of the information systems upon which that analysis was based.

This Chapter summarizes the major conclusions from that analysis.



## **2.2 General Organizational Approach to Forecasting and Information Systems**

**The government of the NWT needs to assign higher priority to strategic planning within the Corrections division.**

**Key among our findings supporting this conclusion are the following:**

- **The Corrections Division does not operate under a shared and officially sanctioned set of assumptions about the future numbers and characteristics of prison populations. The assumptions under a 1991 Master Facilities planning report have not been officially accepted — and, in any case, are considerably out of date and do not address issues regarding division.**
- **The Corrections Division (or the Ministry of Justice) does not have either an official or unofficial Master Plan outlining a strategic plan for the development of correctional information systems (manual and automated) within the Department. This lack is a serious concern given the importance of such systems, and the significant costs associated with building and maintaining them.**

## **2.3 Forecasts of Offender Populations**

### **2.3.1 Existing Forecasts**

**The inmate forecasts that existed at the beginning of the current project were based on incorrect assumptions and were yielding inaccurate forecasts.**

**Further work is therefore required to improve the models and procedures used to forecast the levels and nature of prison admissions and populations**

### **2.3.2 Three Types of Forecasting Models**

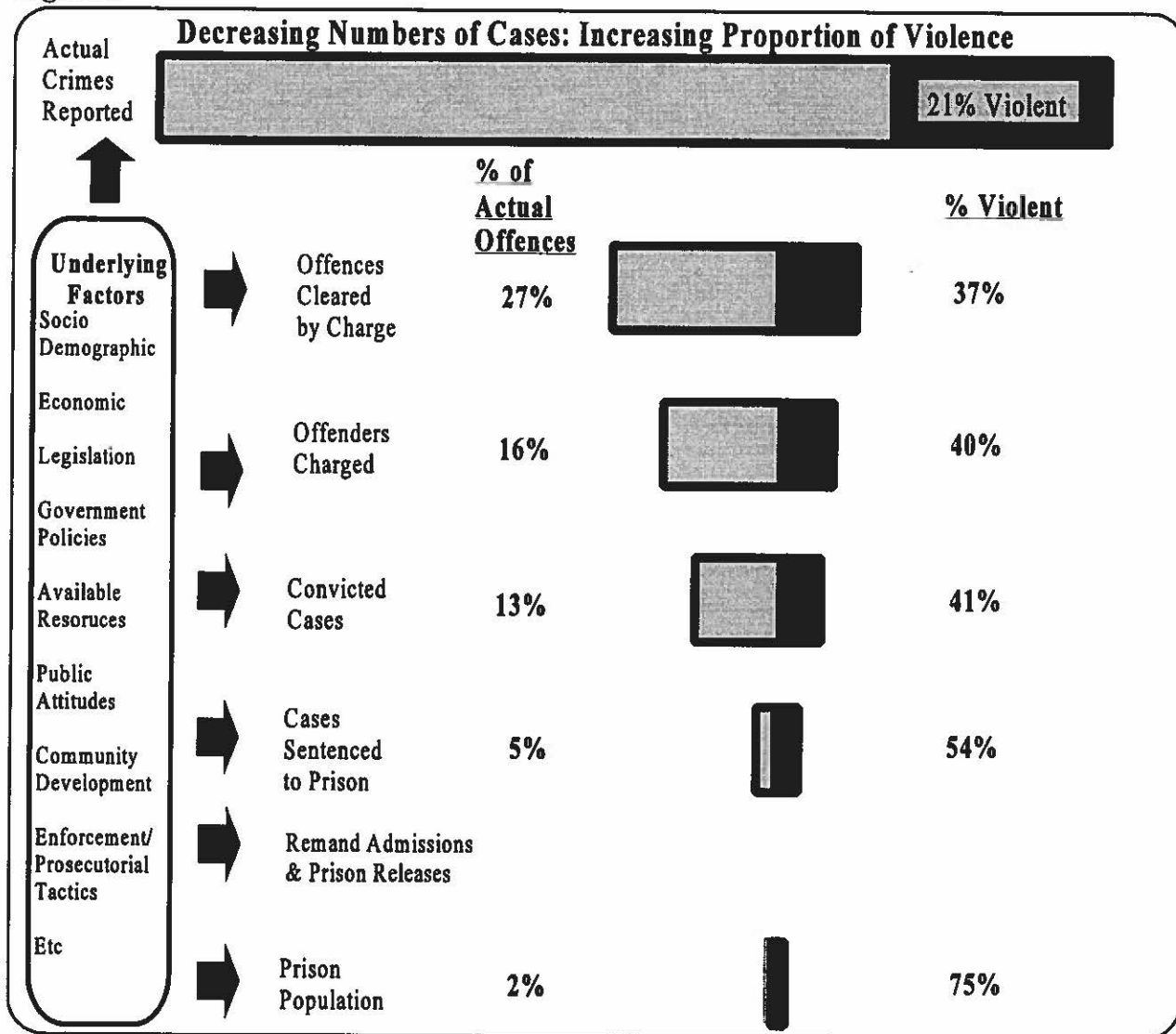
Figure 9 provides a simplified model of the processes that determine prison populations.

It can be seen from this very simple illustration how dramatically the early and later stages of the criminal justice process can in the NWT affect the *numbers* of persons winding up in court and in the prison system, as well as the *types* of cases - as seen in the changing and increasingly high proportion of violent offences making up the workload at each of the above points in the system.





Figure 9



These impacts must be explicitly taken into account by any forecasting methodology that is employed. The only choice is *how* this is done.

The current project considered three types of models

- **Simple Extrapolations**

One choice is to assume that the impact of all these factors will remain unchanged from what they are today or have been in the recent past. This approach results in forecasts that assume prison populations will remain constant at current levels or will grow at rates similar to the past.



- **One Important Determining Variable**

The second choice is to pick out one variable as the most important determining variable (usually the size of a specific age cohort in the population) and to assume that all the rest (e.g. per capita crime rates, police charging practices, court sentencing practices) have identical impacts as in the past — or have impacts that cancel each other out. Prison populations are then forecasted to grow in direct relationship to forecasted growth in this one determining variable (e.g. populations). These forecasts then become the “base set” of forecasts.

This approach is in fact the approach most often favoured in correctional facilities planning efforts in most correctional jurisdictions.<sup>7</sup>

- **Simulation of Key Processes**

The third major approach<sup>8</sup> is to develop forecasts using models that explicitly try to estimate the separate and interdependent impacts of each of a range of factors at key steps in the justice process. For instance, a model could be built on the process as outlined in **Figure 8**. That model would explicitly and separately consider what will happen in the future at each of the steps shown (i.e. generation of reported crimes, police charging activity, court trial and conviction practices, court sentencing and prison early release practices — and perhaps the influence of more fundamental factors such as resource availability and government policies on each). The sum total of all these separate forecasts of activity would then result in forecasts of prison populations.

This latter type of forecasting approach or model is more difficult to develop and is only used in a relatively small number of jurisdictions. A variation of this approach (which focuses on sentencing, admissions, early release processes, and recidivating behaviour of released inmates) has however been used successfully in Corrections Service Canada for a considerable period of time.

Which model is most suitable for a jurisdiction depends on at least three factors:

- *The types of correctional decisions the forecasts are meant to support*

If decision makers are interested in the impacts on prison populations of a specific change in activity (say the court use of prison sentences), then models that do not explicitly take into account variables representing the likelihood of receiving prison sentences or the lengths of those sentences (e.g. the type 1 and 2 models above) are of limited use.

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<sup>7</sup> However, in some of these efforts, the impacts of the other factors are taken into account by arriving at some consensus as to how future changes in these other factors (e.g. police diversion practices, court use of alternative sentences, etc) will affect the *base set* of forecasts — with these separate effects usually expressed as a certain percentage by which the *base* forecasts should be adjusted up or down. This latter adjustment phase is usually based on subjective judgement of experts and/or practitioners — not using quantitative forecasting tools.

<sup>8</sup> Obviously we have adopted a severely simplified classification of forecasting approaches for this document. However, this simplified categorization is sufficient to illustrate the points of priority interest here.



On the other hand, given the difficulty of forecasting many types of criminal justice activity in the long run, the type 1 and 2 models may deliver as accurate very long run forecasts as do the type 3 models.

There is a **definite preference within the GNWT for the Type 3 model** — especially in light of that model's ability to deal with the “what if” types of questions that are becoming more increasingly frequent as more attention is paid to strategic correctional planning issues (in particular those related to prison construction and Territorial Division).

- *Historical and Likely Variability in Key Criminal Justice Relationships*

Simple type 1 and type 2 models based on one or two variables are only likely to be accurate if there are not likely to be major changes occurring in other factors. The likelihood of variability in the impacts of other factors in the future is, in turn, likely to depend on whether there has been variability in the past. The Statistical Profile analysis earlier does, for instance, indicate that there have been significant changes in key factors such as per capita crime rates, sentence lengths, and use of remands. Given these changes in the past, it is unlikely that there would be a stable relationship between some other variable (e.g. general populations) and prison populations — either in the past or in the future.

- *Cost*

The type 1 and 2 models are considerably less costly to develop than the type 3 models. On the other hand, if they yield very inaccurate forecasts, money spent on the development of type 1 and type 2 models is totally wasted.

- *Data Availability*

A problem with all three types of models is that the required data may simply not exist. For instance, it might be agreed that prison populations were totally dependent on community attitudes regarding the use of prisons. However, given the difficulties in developing a reliable measure of community attitudes, and given the virtual impossibility of accurately predicting how they will change in the future, basing prison population forecasts on future community attitudes would be a daunting exercise. One of the main reasons that most correctional forecasting models are based on simple relationships with growth in the general population is that general populations is one of the few variables for which reasonably reliable long term forecasts exist (e.g. those updated regularly by the GNWT Bureau of Statistics).

At the same time it must be recognized that the data requirements for the Type 3 model are considerably more challenging than those for the Type 1 or Type 2 models. In fact, as has already been seen in this report, problems with court and correctional data availability and reliability are especially problematic in the NWT.



## Chapter 2: Prison Population Forecasts and Information Systems

The analysis in Appendix 1 focuses in turn on each of the three types of models. That Appendix also contains an assessment of the completeness and accuracy of the NWT information systems upon which such forecasting models would normally rely.





### 2.3.3 Type 1 and 2 Forecasts

Figure 10 presents the five Type 1 and 2 sets of forecasts that were developed. :

- **Regress: 88-96**  
Uses regression to extrapolate into the future the line that best fit the growth of prison populations for a slightly longer period, from 1988 through 1996
- **Regress: 91-96**  
Uses statistical regression techniques to extrapolate into the future the line that best fit the growth of prison populations from 1991 through 1996<sup>9</sup>
- **Regress: pop 20-24**  
Uses regression techniques to identify the mathematical relationship that existed during the period 1991 through 1996 between total inmate populations and the number of persons aged 20 to 34 in the general population. That relationship was then applied to GNWT Bureau of Statistics forecasts of the growth in the population aged 20 to 24.
- **Snapshot**  
Uses data on prison populations from a snapshot collected by Statistics Canada in 1996 to calculate (for each of 10 age ranges) the numbers of persons in the prison population per 100 persons in the general population within the same age range. These ratios were then applied to GNWT Bureau of Statistics forecasts of the growth of the general population within each of the age ranges.
- **Average Ratio: 94-96**  
Calculates the average ratio for the period 1994 through 1996 between total prison populations and the total population aged 20 to 34. This ratio is then applied to forecasts of the general population aged 20 to 34.

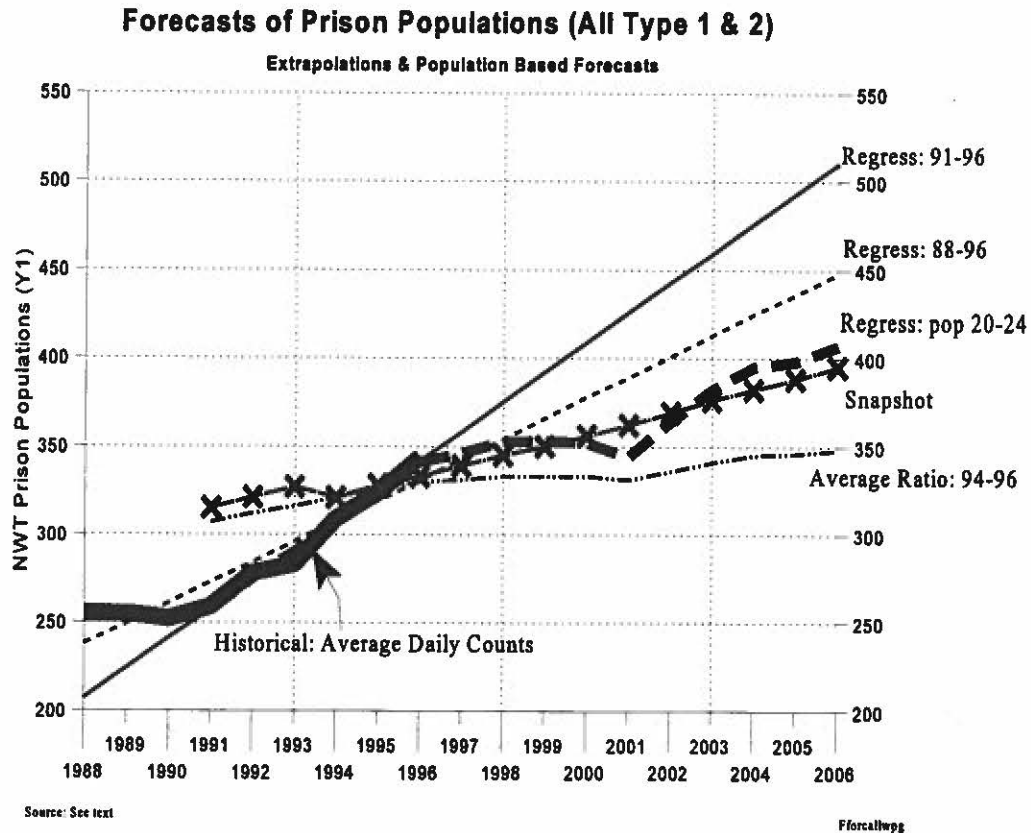
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<sup>9</sup> ...more specifically, average daily counts in a year.



Using these models, a number of forecasts were produced, shown in **Figure 10**. Clearly seemingly minor changes in forecasting assumptions result in considerable variations in forecasts. The

**Figure 10**



forecasts produced by these specific models range between a daily adult inmate count of 348 and 510 inmates by the year 2006.

### 2.3.4 Type 3 (Simulation) Models

As noted earlier, these Type 1 and 2 models do compare favourably to the models typically used in other correctional jurisdictions (particularly for facilities planning projects). However, analysis provided in Appendix 1 strongly suggests that — because of significant changes over the past few years in (for instance) per capita NWT crime rates, NWT court sentencing practices and typical ages of admissions to prison — *these general population based forecasts are unlikely to yield adequate forecasts for the NWT.*



- **There is therefore an urgent need — especially in light of the need to produce forecasts for planning related to division — for a third type of model to produce forecasts based on historical experience and shared assumptions about the future regarding key matters such as crime rates, court conviction and sentencing, and correctional decision making regarding early release.**
- However, ample evidence is also provided in Appendix 1 that **the development of this new set of forecasts will require a concerted effort to improve the accessibility, accuracy and completeness of the data within the NWT corrections information systems.** Improvements will also be needed to making data from the NWT court information system more accessible.

## 2.4 Corrections Management Information Systems

- The corrections division management has to date relied on statistical data that have in very large part only been available due to the ability of a key analyst who has been able to piece together unofficial data from a number of disparate sources, often relying on the special manual data collection efforts that were in turn feasible through his personal contacts and good will of operational staff throughout the division.
- Even if that key individual had not left the GNWT, the current state of existing information systems would not allow the continuation of this *band-aid or bootstrap* approach .
- A recent internal study of NWT Correctional information systems found them to be woefully inadequate. Our interviews found this view to be supported by all those who had the task of either trying to maintain or directly use the system to produce information. Our own experience using the system also confirmed — and if anything, strengthened — the conclusions of that study. For instance, we found the raw data from the information systems that were provided to us to be:
  - inadequate in scope and coverage
  - incomplete
  - inaccurate
  - inconsistent
  - untimely
  - inadequately documented
- Further, as noted above, an Information Master Plan does not exist for the corrections Division — i.e. a plan identifying *inter alia* priority information needed, the systems needed to provide that information, a plan and schedule for developing components of those systems, the resources and funding requirements and strategies, and an implementation and assessment action plan.



- It is also important to note that the recent efforts to develop an emergency stop-gap system to try to meet the most pressing needs of current correctional managers, while a valiant rescue effort on the part of its developers, is just that — a stop-gap, temporary measure. Its developers (and the consultants) agree that it will not be able to meet the needs of correctional managers even for the very short term. (A conclusion that was strengthened by the problems the consultants had with the temporary system during the current study.)
- In summary, there is a clear need for development of a Master Plan for correctional information systems within the Department. The consultants would therefore strongly support the planned project initiated jointly with Statistics Canada to develop such a plan for NWT corrections.
- However, it is important that the GNWT recognize the critical nature of that study to the future organizational effectiveness of NWT corrections. Equally important, it must be recognized that the project will require significant support from NWT corrections. The project will fail if it is seen as a technical project to be performed by external computer systems consultants. The end result will simply be that existing ways of doing business will be automated — and cast in concrete (making them harder to change in the future).

Instead, it must be recognized that NWT corrections is in the initial stages of dramatic change. For instance, both Territorial Division and implementing changes in light of the findings of the current report will result in major changes to the way the Western NWT and Nunavut *do business*. For an information master planning project to be successful *at this time*, the project must constantly consider the new strategic and operational directions in which NWT and its components are moving. To ensure that this happens, NWT corrections must contribute to the master planning process considerable time from two types of resources:

- a senior level person with practical knowledge of the workings of NWT corrections (at both the strategic and operational levels) and
- senior corrections analyst(s) capable of undertaking the research and investigative work to answer substantive questions that will arise (i.e. questions similar to those addressed in the current report).

We recommend that a strategic and operational plan be developed for Corrections to reflect expected increases in prison and community corrections populations, the current shortfall in capital budgets for Corrections, and the other challenges discussed in this report. This applies for the current NWT and for both new territories following Division.





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## Chapter 3. Improved Correctional Programs: Institutions

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The earlier sections of this report briefly outlined the challenges facing corrections in the Northwest Territories, particularly with respect to overcrowding. Corrections in the North has additional challenges, some of which it shares with Southern jurisdictions, but which are more difficult in the North.

The provincial and territorial corrections systems are responsible for inmates serving sentences of under two years. The federal correctional system, the Correctional Service of Canada (CSC), is responsible for sentences of two years or more. Northern offenders who receive a sentence of two years or more would be sent South to a federal penitentiary (some 150 Northerners are in penitentiary at any given time), or, with the agreement of territorial and federal authorities, may continue to be held in a territorial institution under the Exchange of Services Agreement.

At any given time, about seventy percent of the people in NWT prisons are there for a crime of violence, much higher than for other provincial and territorial systems. At least four-fifths of them have a prior criminal record as an adult, and on average, they have more prior convictions than their counterparts in other provincial and territorial systems. Two-thirds are unemployed at the time of admission. Most have a substance abuse problem. On average, their sentences are longer than their counterparts elsewhere.

Provincial and territorial jails are also responsible for holding all offenders remanded into custody prior to trial. This responsibility extends to their trial date, throughout the trial process and, in the event of a finding of guilt and a sentence of two years or more, the province or territory is responsible for the inmate for a further 60-day appeal period. This frequently means that offenders who eventually become inmates of the federal system must spend months, sometimes many months, in territorial custody, usually while receiving no assistance with the problems which contributed to getting them into trouble. These remand cases make a significant contribution to overcrowding; one in four admissions to NWT prisons is now a remand case, and two-thirds of remand cases are charged with a crime of violence.

The point of this is not to argue for changes to the law in this respect, but to observe that **provincial and territorial jails sometimes have to manage the most serious cases for considerable periods.** Casual observers of corrections frequently assume that the territorial and provincial systems deal only with minor offenders. Not so. In fact, the offence profile of NWT inmates looks very much like the profile of federal inmates, and very different from the profiles of provincial inmates. This places a **greater burden on the NWT than on other provincial and territorial systems to provide rehabilitative programs.**

This chapter focuses on such programs. Earlier work in this project assisted the Minister of Justice to come to decisions regarding augmenting institutional resources for security and classification. Later, in Chapter Five, we will examine questions related to additional requirements for institutional facilities and upgrades. Here, the Territory's program needs within the institutions are examined.



The recommendations made apply to adult male and female institutions as well as to young offender facilities. The fiscal situation of the Northwest Territories has been noted and the recommendations are as modest as the current financial constraints on the NWT will allow. However, investments in sound rehabilitative programs pay benefits, and we have sought to balance fiscal realities with the challenges facing NWT corrections.

A description of the programs recently offered at NWT facilities is provided in Appendix Four. Not all of these programs are offered at once or at very high intensity. The pressures of over-crowding and the consequent drain on staff time means that programs have necessarily suffered. Moreover, some of the facilities, notably BCC and YCC, are so over-crowded that program space has been converted to bed space.

### **3.1 A Strategic Approach to Offender Healing and Treatment**

The current situation in the correctional system of the NWT is in urgent need of change. **The correctional institutions of the NWT are at a crisis in their ability to deliver correctional programming to inmates.** Overcrowding has meant that space which used to be reserved for running programs has now been turned over to bedspace. Caseloads mean that staff have little time to spend with individual offenders or to run treatment programs. As we will see in the next chapter, aftercare - in the sense of specific follow-up to institutional treatment elements like substance abuse programming - is virtually absent for most offenders who return to the communities. There are serious difficulties with probation and parole services.

In the face of problems of this magnitude, it might seem anomalous to suggest a major commitment to treatment programs. However, the magnitude of the need for treatment programs is such that a major commitment is needed.

**We recommend a three-pronged approach involving (1) an overall philosophical approach to program delivery (and the activities of all institutional staff) based on social learning theory, (2) the use of tools/aids for assessing inmates' risks and needs, and (3) a series of key program modules which should be offered regularly in each institution.**

"Social learning theory" has it that most criminal behaviour (and its attendant attitudes and other behaviours, such as drinking) are learned, and they can be unlearned. The cognitive and behavioural therapy which flows from social learning theory concentrates on teaching inmates skills. For example, inmates learn to recognize attitudes they have (e.g., "she asked for it") which support their criminal behaviour. Inmates also learn more about how the crime affects the victim, and are in effect trained to feel empathy for victims. The treatment also teaches skills in relating to other people, learning and choosing alternative ways of reacting. Inmates also learn to recognize their own "offence chains" - the situations, the feelings, the behaviours which often lead to trouble for them. They learn to see options to their usual behaviour in each of the elements in the chain.



### Chapter 3. Improved Correctional Programs: Institutions

One of the most impressive advances in rehabilitation programs in recent years has been the development of the Living Skills program by the Correctional Service of Canada (CSC). The program seeks to change thinking patterns that result in criminal responses to the offender's environment. These faulty cognitive traits include such general deficits as impulsive decision making, absence of goal setting, and maladaptive interpersonal skills. Cognitive skills training seeks to change these ways of thinking and to make them applicable to specific areas of offenders' needs: anger and emotion management, living without violence, parenting skills, leisure and education, and community integration.

The Cognitive Skills Training Program is delivered through 36 two-hour sessions with trained "coaches". The ideal group size is eight. Coaches require a two-week training period. Additional training leading to certification follows. After that, trained coaches can train other staff in the institutions and communities.

As noted, the program is an impressive achievement and CSC has developed it in an exemplary fashion. It is well supported by theory and research and it is delivered well in the federal system. Moreover, evaluations of the program have shown that it reduces recidivism significantly (e.g., Robinson, 1995). For some offenders the program has reduced recidivism by as much as 40% when compared to similar offenders who did not receive the program. In fact, the most impressive reduction was seen among sex offenders who completed the program. There was a 58% reduction in reconvictions among this group and a 39% reduction in any readmission.

Some 90% of the inmates in NWT prisons are Aboriginal. Evaluation suggests that unless special care is taken in the delivery of the program, it will not reach Aboriginal offenders as effectively as others. While it is not clear precisely why Aboriginal offenders did not receive the same benefits as other offenders, it seems likely that responsiveness is the key. It may be that Aboriginal offenders did not see the program as appropriate for them and that their motivation to participate fully was consequently low. We therefore recommend below that a **pre-treatment program** be offered to all Aboriginal inmates in order to begin the healing process for them and prepare them for later work on their problems.

Not just program staff, but all staff in the institution, should gradually, over the course of what might take years, be trained in the principles of cognitive behavioural treatment and how they can apply its principles in their daily contact with inmates. The entire program of the institutions should serve to reinforce what is taught in formal "program sessions". All staff should also receive training and information about the interactive styles which work best with inmates - most importantly, those staff styles which are warm, tolerant, and flexible, but clear about demonstrating their own non-criminal attitudes and actions.

This strategic approach to offender treatment is consistent with certain elements of traditional Aboriginal culture. Many native people believe that learning is central to the journey of life. An enormous part of traditional life was based on the passing down of survival and other skills from one generation to the next.



Skilled hunters and trappers, as well as those whose life experience brought them wisdom, were treated (and in many areas still are) with deference. Wisdom is often associated with patient teaching and tolerance for mistakes. Supporting and showing a caring attitude to others, including those who make mistakes, is a traditional value.

The second element of the strategy which we recommend is the use of aids to assessing the degree and type of risk which offenders present, and the treatment needs which they have. These tools focus on concrete factors which are associated with risk, and the needs areas - like substance abuse - which are associated with the commission of the crime and the risk of future criminality.

Finally, we propose a series of core program modules which should be available in every institution. At reception, and (with the offender's consent) even during the remand period, the inmate should be assessed and actively encouraged to participate in those program modules which he most needs and which will fit within the time he likely will serve in the institution. The first of these, with few exceptions, would be a "pre-treatment" experience, if possible run by Inuit, Metis and Indian people, teaching traditional values of respect for self and all living creatures, caring, sharing, and honesty. Traditional ceremonial elements and healing techniques for dealing with such things as grief and shame would also be part of this module. This module would also prepare inmates for being more receptive to the later modules. Other modules would focus on such things as substance abuse, living without violence, and anger management.

### **3.2 Classification: Risks and Needs**

What we propose in this section is that a more systematic approach be taken to offender classification based on risks and needs. We wish to stress that what is being proposed is not as imposing as it may at first appear. Most experienced correctional staff already make most of the assessments called for in an almost intuitive fashion. **We simply propose that more structure be placed on this offender classification process, and that it drive treatment and supervision decisions in a more formal and systematic way.** What is suggested need not be particularly complicated or time-consuming. It is correctional "common sense" with a structure. Unfortunately, when a correctional system is fractured into many parts which may not be fully integrated with one another (as is the case in the NWT), this common-sense approach can break down rather rapidly.

Assessing the risks and needs of offenders is an essential process in corrections. Assessments are made in a variety of ways. Sometimes they are made subjectively based on the knowledge and experience of corrections personnel. In other cases assessments are made with the assistance of a risk assessment tool developed to structure the information gathering process and to generate a classification of security risks. Offenders are assessed as requiring minimum, medium or maximum security based on the danger they pose to others or to themselves and their likelihood of attempting escape.

Some classification tools go beyond the security assessment and include assessments of offender needs. This provides a sound basis for correctional program decisions.





Offenders demonstrate a wide variety of needs. Some of these needs correlate to their likelihood of reoffending; while others do not. If corrections is to be primarily directed to reducing the probability of offenders' recidivating - committing new crimes and returning to the system - then **the focus must be on responding to those needs that correlate most highly with recidivism**. Rehabilitation experts make a distinction between criminogenic needs and non-criminogenic needs<sup>10</sup>. Only the former have strong correlations to reoffending. The factors most clearly associated with reoffending include the following:

#### **Factors Most Commonly Associated with Reoffending**

- Pro-criminal Attitudes
- Criminal Associates
- Substance Abuse
- Antisocial Personality
- Problem-Solving Skills
- Hostility/Anger

Offenders frequently have additional problems and needs but improvements in these non-criminogenic needs do not correlate highly with reduced offending. Improvements in these areas may make the offender feel better, but they do not translate into reduced criminal activity. The list of non-criminogenic needs includes such things as:

#### **Non-Criminogenic Needs**

- Self-Esteem
- Anxiety
- Feelings of Alienation
- Psychological Discomfort
- <sup>11</sup> Group Cohesion

It is important to underscore the fact that the list of criminogenic factors provided above is empirically-based. That is, it has been shown repeatedly through research that if improvements are made in the areas listed, then recidivism rates come down. We return below to how such improvements can be made, but first it is essential to have an accurate assessment of risks and needs. Corrections must be able to identify accurately those offenders who require intensive interventions. Conversely, those offenders who are unlikely to benefit from intensive treatment need to be identified as well.

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<sup>10</sup> This section draws on Jim Bonta's excellent and brief review of the offender rehabilitation literature (Bonta, 1997).

<sup>11</sup> Bonta includes in his list of non-criminogenic needs an additional item: Neighbourhood Improvement. This reflects the literature showing the low probability of crime prevention measures having dramatic effects on communities that quickly translate into lower crime rates, particularly if one is concerned about the recidivism of individual offenders. This does not however mean that such community improvement programs are not useful. They are, as we recommend later, very much worth supporting within a justice focus.



Although sound knowledge of the nature of the problem appears to be an obvious prescription, it is surprising how few correctional programs make use of recent advances in offender classification. Many still rely solely on the subjective judgement of personnel, an approach which can be unreliable. Others make use only of objective criteria, typically criminal history items that correlate to recidivism. This is useful in making decisions about risk and security levels, but it is silent on offender needs.

Fortunately, there are now empirically verified classification tools available that can reliably guide decisions about both security and programs. There are three such tools available that have sufficient empirical backing to be considered. They are the Wisconsin classification system (see Baird *et al.*, 1979), the Community Risk/Needs scale developed by the Correctional Service of Canada (Motiuk and Porporino, 1989), and the Level of Service Inventory (Andrews and Bonta, 1995).

The NWT Corrections Division now uses a classification instrument adapted from the Alberta system. It yields security rankings, but includes only rudimentary measures of offender needs. Moreover, it is not consistently used in all cases and across all institutions. This is, in part, due to overcrowding and very high caseloads for classification officers. As well, Corrections personnel tend to know the offenders in the system; about half have been in jail before.

The current classification instrument does not add significantly to decision-making in the institutions. Security levels are constantly being revised as the pressures of overcrowding change day by day. Consequently, there are more inmates requiring medium or maximum security than there are secure spaces for them. Many inmates who warrant higher levels of security must be managed in minimum-security conditions. This is particularly so at YCC and BCC but it is a frequent situation at all the institutions, including those for young offenders. It is a tribute to the management and staff of the institutions that serious incidents have been kept to a minimum. Many correctional personnel in the NWT remarked that NWT inmates are unlikely to cause problems once they are away from alcohol and drugs. While the inmates of NWT jails may be easier to manage than others, this is not grounds for complacency. There have been serious incidents, including riots, and prudence demands careful management of violent offenders.

All of the available classification instruments will yield security rankings beyond the secure capacity of the NWT facilities. The safe management of the population will have to continue to rely on the experience and skill of staff. Nonetheless, a sound classification instrument should be introduced. Inmates in the NWT are sentenced for more serious crimes and serve longer sentences than their counterparts in provincial jails. They also appear to have more needs. A classification instrument that assists in accurately identifying these needs is essential for sound treatment and program decisions.

**We recommend the adoption of the Level of Service Inventory - Revised (LSI -R).** This recommendation is based on several factors. First, the LSI-R has been developed empirically and has been verified repeatedly both in terms of prison adjustment and recidivism. Particularly significant is the fact that the LSI-R has the best post-treatment dynamic risk validity.



That is, improvements in offender need scores, achieved during treatment and as measured by the LSI-R, are associated with reductions in recidivism. A second feature of the LSI-R is that it has been verified on a variety of populations, including adults and young offenders, females and Aboriginal offenders (Andrews and Bonta, 1995). Third, the LSI -R is subject to continuing refinement. Its developers continue to test the instrument and improve its diagnostic and predictive power. This continuing refinement is made easier since the LSI-R has been adopted by a number of Canadian jurisdictions, the Yukon being the latest. This means that there is an impressive data base available on its effectiveness.

### 3.3 The Applicability Of Needs Assessment Tools To Aboriginal Offenders

The Northwest Territories correctional population is largely Aboriginal. The statistical snapshots available from NWT Corrections suggest that more than 90% of incarcerated offenders are Aboriginal, as compared to 62% of the general population of the NWT at the 1996 Census. Aboriginal people are disproportionately represented in institutions. By contrast, the vast majority of the criminal justice system personnel are non-Aboriginal.

Within corrections, a 1989 study comparing Aboriginal and non-Aboriginal offenders in Northern Ontario found that the classification instrument (the LSI - R) predicted parole outcome and general recidivism for both Aboriginal and non-Aboriginal inmates (Bonta, 1989). Hann and Harman (1989) found that a method developed by Nuffield for predicting re-offending among federal offenders generally, also reliably predicted re-offending among federal Aboriginal offenders in particular. Similarly, a 1997 Manitoba study (Bonta, LaPrairie and Wallace-Capretta, 1997) found that another classification instrument (a variant of the Wisconsin scale) developed on non-Aboriginal offenders also worked for Aboriginal offenders. These studies show that **the same factors that predict re-offending for non-Aboriginal offenders also predict re-offending among Aboriginal offenders.** (Little research is available specific to the smaller numbers of Inuit offenders whose cases were available for research, however.) Unemployment, substance abuse, lack of life skills, problems with anger management and pro-criminal attitudes and associates are correlated with offending, regardless of culture and race.

### 3.4 Principles of Correctional Programing

This section suggests principles of sound correctional programs<sup>12</sup>. These principles are based on the best evaluation research available. This research provides guidance in designing valid and cost-effective interventions. Ineffective programs carry a double price; they are frequently expensive to run, and they do not reduce recidivism. Given the strains on NWT corrections, **a limited number of focussed programs should form the core of correctional programming.**

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<sup>12</sup> This section makes use of the conceptual scheme developed by Andrews and Bonta (1990, 1994).



## Risk

As noted above, the assessment of risk is important for security and release decisions. It is also important as a principle for guiding the application of correctional programming. **High-risk offenders require more intensive programs, and low-risk offenders require very little.** There is some evidence to suggest that if high levels of service are given to low-risk offenders, it will have little effect on recidivism, and may even increase it. Research from other jurisdictions suggests, however, that most of the Territory's inmates are probably in a high-risk category.

## Needs

Programs that focus on criminogenic needs have the most impact on recidivism, and thus needs should be a key principle in driving the design and application of programming. **Concentrating on criminogenic needs - for example, reducing substance abuse problems or improving employability - can be expected to reduce re-offending.** Working on other needs - reducing anxiety or psychological discomfort - may have no effect on recidivism. Nonetheless, there are many pressures to address non-criminogenic needs in jails. Institutional personnel, with very few exceptions, do want to help. The offenders in NWT prisons suffer from many afflictions which are not part of the classical criminogenic needs array; for example, many suffer from unresolved grief over the deaths of people close to them and other losses. They could profit from a wide variety of services. Not all such services can be delivered in jail and it is important, given the current pressure on resources, to make a careful choice of services to be delivered. Also, it is doubtful, even if the budget permitted, that many of the necessary services would be best delivered in a jail.

However, **there are some major advantages to delivering programs in jails.** Perhaps first among these is that it is extremely difficult to run many programs unless the clients have been sober for a period of time. Second, inmates are a "captive audience" - they are actively encouraged to attend programs, they are more likely to attend if they have not been out drinking the night before, and they will not be tempted not to show up for program sessions because of the need to hunt or trap for food. In addition, prison programs may, because of the concentration of offenders in them (compared to the number of available, treatment-eligible people in most communities), be "closed groups" - groups in which all the inmates start the program at the same stage, and they progress together. In community programs, because of the smaller numbers, it is usually necessary to run "open groups", which can hamper the learning process and cause some inmates to feel pressured to move too fast. Many Aboriginal cultures value the time which it takes an individual to learn, and in many traditions, one did not begin to practice a skill which had been taught until a respected member of the community said that the skills had been learned. Finally, prison-based programs can necessarily be more structured, which may be more appropriate for inmates with learning styles which are common to many of the Aboriginal offenders in NWT prisons. This final factor brings us to the principle of responsibility.





## **Responsivity**

Thus far we have argued that programs must address criminogenic needs and that they must be delivered intensively to those with the highest risk. The third key principle is that they must also be delivered appropriately. **Offenders will be more receptive to, and therefore benefit from, some programs more than others.** The research literature on rehabilitation strongly suggests that structured programs with a cognitive and behavioural focus are more effective than, for example, client-centred therapies or psychodynamic approaches. These cognitive/behavioural approaches focus on learning new ways to look at situations and new skills for responding. Except for the relatively small number of offenders who tend to be verbally and interpersonally sophisticated, unstructured programs that depend upon self-regulation and self-reflection are likely to be ineffective.

Aboriginal offenders, as noted, are the majority in NWT correctional facilities. Accordingly it is important that programs appropriate to their cultures are offered, and in a culturally appropriate way. Experience suggests that some cognitive skills programs, if not sensitively delivered, will be relatively ineffective with Aboriginal offenders. **The programs must be delivered in ways which are sensitive to the Aboriginal world view (e.g., that everyone and everything is interconnected), cultural traditions (e.g., support for the group), and communication and learning styles (e.g., relatively non-confrontational; individuals must learn at their own pace).**

## **Program Integrity**

The principle of program integrity suggests that **programs must be well structured and delivered by well-trained, dedicated and enthusiastic staff.** As with many principles, this is easy to say and difficult to deliver, particularly in crowded jails. Nonetheless, it is vital and it is an essential part of good management to create and maintain the conditions that allow program integrity. A core group of institutional staff must be trained in the principles of cognitive and behavioural therapy, and those who train to be trainers can gradually pass on the same skills to all the staff of the institution. In this way, staff can help to reinforce the work which goes on in program sessions.

## **Professional Discretion**

As important as sound classification instruments are, the system must depend on professional staff and special circumstances require additional professional judgement and discretion. Thus, for example, a sex offender may appear to be low risk but if he is returning to a small community and will be living in crowded surroundings with potential victims, then professional judgement should override the initial risk assessment. This example illustrates as well the importance of sharing information among the institutions and community agencies.

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Overview of treatment program and process;  
Family re-entry;  
Probation/parole issues;  
Employment and education;  
Counselling;  
Life skills.

This is an extensive list but the Healing Program at YCC and at other NWT facilities have covered many of these areas, when they have been offered. The Aboriginal Healing Program has been expanded from the experiment at YCC but more people to deliver it are required if the program is to be available on a regular basis at all facilities. Finding enough Healers to do this kind of work is often extremely challenging; even in the South, correctional institutions often have to bring in Elders and healers from another province because they are unable to find one closer to home. The Aboriginal people of the North have historically also been extremely reluctant to become involved with custodial facilities. For these reasons, it will likely not be feasible to restrict the search for individuals to deliver pretreatment programs to healers and Elders.

**It is recommended that resources be provided to contract with Aboriginal healers and others so that a program of healing and preparation for later treatment can be offered at all facilities.** Funding in the amount of \$200,000 per year will be required. It is further recommended that the Healing/Pre-Treatment Program be a mandatory component of case management plans. Healing programs can have powerful psychological and emotional consequences and it is important that the motivation to change is quickly met with additional targeted programs. Aboriginal offenders do as well other offenders on a wide range of treatment options, provided that they are motivated to participate and that they complete the programs.

### **3.5.2 Modules Focussed On Violence**

The Northwest Territories has a crime rate that is almost three times the Canadian average. For sexual assault, the NWT rate in 1994 was 8.37 times the national average. Assault rates are 4.69 times the national average<sup>13</sup>. As a consequence, the majority of inmates in the NWT are serving time for crimes of violence. The majority are repeat offenders with several previous convictions on their records. Furthermore, it is now well established that violence can have devastating effects on victims (and child witnesses to violence), and that a great deal of violence is multi generational - if it is not treated, it will be passed on to future generations. From the standpoint both of frequency and of seriousness, therefore, violence is the top priority.

**The delivery of one or more cognitive behavioural program modules focussed on violence is recommended as the highest priority.** The estimated cost is \$226,000 annually, plus a one-time start-up cost of \$41,000. In addition, there would be costs associated with the time taken by staff

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<sup>13</sup> Data are from the Canadian Centre for Justice Statistics (1994) Graphical Overview of the Uniform Crime Reporting Survey.

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In addition, the Correctional Service of Canada (CSC) and the federal Solicitor General Secretariat have done a great deal of programming, training and research work in this area. **We recommend their expertise be drawn on in the development of this approach.**

This must be a two-way street; modifications in CSC programs, such as the sex offender treatment program for Inuit offenders at Bowden Penitentiary in Alberta, may occasionally be needed. (We were told by one treatment director that this program is no longer reaching as many Northern offenders as it used to.)

#### **3.5.4 Alcohol And Drug Treatment Module**

The 1996 NWT Alcohol and Drug Survey (Bureau of Statistics, 1997) reported that 45% of NWT males between 20 and 34 years of age were heavy drinkers, as compared to 20% for Canada as a whole. Use of marijuana or hashish stood at 41% for the same group, compared to 17% for Canada. Even for hard drugs, which many had thought were just beginning to make an appearance in the North, the figures are 7% for the NWT and 3% for Canada. Finally, the percentages who had ever used solvents was 19% for the NWT as compared to a negligible percentage in Canada overall.

For Nunavut the figure for heavy alcohol use is slightly lower, at 43%, than the Western Arctic's 45%. For marijuana or hashish use, Nunavut was substantially higher at 56%, versus the Western NWT figure of 41%. For hard drugs the Nunavut usage is 13%, as compared to the Western region's 7%. For solvent use the Nunavut region's exposure is 35%, compared to 19% for the West.

Police, judges, corrections personnel, inmates and people in the communities of the NWT all say that 85% to over 90% of violent crimes are committed while the offender is under the influence of alcohol or other controlled substances. There is no doubt that alcohol and drugs play a significant role in crime. Several studies in southern Canada have shown that among incarcerated offenders, approximately 70% were under the influence of alcohol or drugs when they committed the offence for which they were sentenced. An unknown number of these crimes would have been committed without alcohol; that is offenders may, for example, plan to commit a break-in and then drink to give themselves "false courage." In other cases, including (according to nearly all interviewees) the vast majority of sexual assault and spousal assault cases, alcohol plays a central role. **Offenders need to recognize and understand the risks they take - consciously or unconsciously - with their victims when they drink, as well as the behavioural options they have when they feel like drinking or have been drinking.**

The use of alcohol does not diminish the responsibility of the offender for the offence. Moreover, alcohol and drugs do not make offenders randomly violent; their victims tend overwhelmingly to be intimates. This in part is explained by the availability of intimate victims; they frequently are nearby when alcohol is used. The preponderance of intimate victims seems also to be related to a profound loss of cultural connections and respect for traditional cultural values, and the need for social skills related to developing and maintaining healthy relationships.



**It is recommended that alcohol and drug treatment modules be integrated into case management plans and be offered, when appropriate, in conjunction with programs focussed on sexual offending and other forms of violence.**

The substance abuse module must include an understanding of the likely scenarios upon return to the community, and the avoidance strategies which must be firmly fixed before they are back in circumstances where alcohol or drugs are readily available. Needs for offenders will vary and decisions about when to provide alcohol and drug programs will need to be tailored to the individual case and sentence length. Unfortunately, the research literature yields very little, beyond the generalities above, to guide decisions about when in a sentence particular programs are most effective. The key resource here is the experience and knowledge of classification officers and treatment personnel - aided by good diagnostic and classification tools.

Most offenders have multiple needs and the modules appropriate for each offender will depend on sound classification procedures that consider needs and the length of the sentence.

**In addition to the classification instrument recommended above, it is recommended that, in time, NWT corrections consider adopting the "Computerized Lifestyle Assessment Instrument".** This is an instrument validated for both Aboriginal and non-Aboriginal offenders, cited above. This recommendation can only be acted upon if other recommendations, contained in Chapter Two, regarding a computerized inmate management and tracking system are taken up. Moreover, this additional instrument should not be introduced until training on a new system is complete and staff are familiar with the new procedures<sup>14</sup>. When these conditions are met, the Computerized Lifestyle Assessment Instrument would provide valuable information, supplementing the main classification tool.

As well, alcohol and drug avoidance strategies need to be reinforced in the community following release, as noted in the next chapter.

### **3.5.5 Employment Programs**

One of the criminogenic needs identified in nearly every study of recidivism is employment. Most offenders have spotty employment records. They have frequently been unemployed or under employed. They tend not to stay in jobs long and many have few of the basic skills employers demand. On October 5, 1996, two-thirds of the inmates in NWT jails reported they had been unemployed at the time of the offence. The prospects of returning to criminal pursuits are enhanced if a long stretch of unemployment follows release from jail.

Improving offenders' skills and general employability is therefore an important correctional objective. Nonetheless, correctional systems have not done particularly well in this area. Frequently they have

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<sup>14</sup> The Computerized Lifestyle Assessment Instrument could be introduced more quickly. It is not difficult to learn but staff need to be somewhat comfortable with using computers and introducing too much change at once could put at risk other more important reforms.





require significant psychological or psychiatric intervention and those who, from their behaviour, appear to suffer from fetal alcohol syndrome or fetal alcohol effect (FAS/FAE). Such inmates place extraordinary time demands on staff and increase tension levels and anxiety in the institutions.

Psychiatric facilities are essentially not available in the North. Stanton Hospital in Yellowknife does have a psychiatric ward but it is reluctant to accept patients from corrections. Even on an emergency basis the hospital will seldom keep patients from the jails for more than a day or two.

Considering the resources available, institutional staff in the NWT do a remarkable job handling a significant number of very difficult cases - cases which, in Southern jurisdictions, would be likely candidates for transfer to hospitals or penitentiaries which specialize in psychiatric care. At the same time, such inmates demand an extraordinary commitment of staff time and energy and this necessarily detracts from time that can be given to other cases.

**It is unrealistic to expect that psychiatric facilities could be provided for inmates in the North. For most such inmates, the only option is Southern placements for treatment.** Although it is difficult to establish clear trends, it nonetheless appears that two young offenders and four or five adults per year will require Southern placements. Although the ability to make selective use of Southern placements is important for both male and female facilities, it is critically important for the Women's Territorial Correctional Centre. The women's facility has minimum security only. The most seriously ill would get treatment and the disruptive effects of the severely mentally ill on staff and inmates in crowded surroundings would be alleviated. Such placements typically cost over \$300 per day plus transportation. This is expensive but nonetheless the least expensive option. We recommend that \$500,000 per year be allocated for Southern placements.

Surveys of high school students in some parts of the NWT have suggested (some say conservatively) that **perhaps half the youth in secondary school in the Territory are FAS or FAE.** If these surveys are to be believed, the FAS/FAE problem in the Territory is of a magnitude which cannot be ignored or dealt with outside the Territory. This problem is a prime example of an issue which confronts Corrections, but which is completely beyond the mandate or resources of Corrections to deal with. For Corrections, FAS/FAE persons cannot be handled through the normal correctional processes, and in the community, none of the usual supervision techniques are of any use. These persons require a high degree of structure and control which Corrections is currently completely unable to provide.

The Territory needs a long-term strategy for dealing with the FAS/FAE problem. **We recommend that in its efforts to develop this strategy, the Department of Health and Social Services involve Corrections and other relevant Ministries and agencies, and draw on the work done in other jurisdictions such as the Yukon.**

### **3.6 Young Offenders**

**The Young Offenders program has not experienced as many difficulties as the adult system. The numbers are relatively small - 50 young offenders in three institutions. There has been an**



The factors which contribute to youth crime require a concerted strategic effort on the part of corrections and other professionals who are trained in dealing with them. For the most part, this is not an effort which can rely solely on traditional solutions.

The introduction of a classification system that assesses risks and needs will help young offender staff target the most important areas for work with young people. Recommended increased programming for Aboriginal Healing/Pre-Treatment and cognitive/behavioural therapy, including anger management sex offender and violence modules, should direct programs in young offenders' facilities as well. The recommendation for Southern placements for psychiatric cases will also assist youth facilities with their most dangerous and troubled youth.

### 3.7 Outpost Camps

Outpost Camps are relatively recent additions to correctional programs in the Northwest Territories and there is, as a consequence, no systematic data on their effects. Up until recently, they have principally been used for young offenders. Proponents of the camps see them as another way for offenders to get in touch with their cultural heritage, spend some time productively, and learn bush skills by spending time on the land with a respected member of their culture. Depending on the location of the camp and the skills of the camp operator, camps do allow offenders to learn a variety of skills including hunting, trapping and fishing and survival skills.

Some camps provide an opportunity to learn building skills, commercial fishing, net building and maintenance and other skills that may increase the likelihood of finding employment or sustaining a living. Offenders may have to learn as well to work with others in a much less structured setting than jails. This can be a useful transition to their release to the community. Camp operators are respected members of their communities and are seen as good role models. For some offenders, successfully completing time at a camp provides a real sense of accomplishment and a boost to self-esteem.

There is general public and political support for the camps and many inmates say they find them helpful. At the same time there are risks involved. The camps are operated, as noted, by respected members of the community, but these persons are not usually trained to deal with dangerous or troubled offenders. Their camps are remote and assistance in emergencies could be problematic because of communication delays, distance and weather. It is therefore recommended that decisions concerning who is suitable for placement in a camp be taken with care as part of a structured case management process informed by sound classification. This is not to suggest that classification officers and wardens are now taking these decisions lightly. At the same time there is too little information available on the effectiveness of the camps and there are various views of their best use.



Chapter 3. Improved Correctional Programs: Institutions

**These same priorities need to be followed through to community corrections, to which we now turn.**



## 4.2 Principal Findings in this Chapter

**A number of findings were made which will be elaborated, and will form the basis for recommendations, in this chapter. Among the most important of these findings are:**

- some differences in reaction were observed between the West and Nunavut, and between older and younger community members. Older persons and people in Nunavut were more likely to suggest that the community would be willing and able to handle the challenges presented by having more offenders serve their sentence in the community;
- the majority of community members interviewed, however, currently have no interest in seeing their communities take on more of the responsibility for community corrections in the near or mid-term future (in the sense of retaining otherwise “prison-bound” offenders in the community on probation or under some other form of non-custodial sentence or release), although they would support the creation of more treatment-oriented residential services for offenders closer to, but not within, their community;
- at the same time, there is widespread feeling that jails do not “work”, in the sense that they do not rehabilitate, although they are needed for protection and other purposes;
- most workers who are currently acting as probation/parole officers in the communities have no relevant education and little experience in working with criminal behaviour, no training specific to managing offenders’ risks and needs, no professional tradition relevant to correctional work, no mentor or other on-the-job assistance with this part of their work, and little time or inclination to perform this kind of work;
- Corrections officials of the GNWT have no direct authority over community workers who act as probation officers, and no control over key questions related to their work;
- a significant amount of developmental work, including community awareness development and relevant training and work experience for key community workers, would be required in order for communities to establish their goals, expectations and strategies in the justice area, including whether they wish to manage the risk and meet the needs presented by offenders.

## 4.3 The Communities Visited

**Fourteen communities were chosen by the Ministry to be visited by project team members for the purpose of assessing “community tolerance, readiness and ability” to deal with more offenders in the community.**





**Out of 65 communities and settlements in the Territory, 14 is only a small number. Although the 14 communities were chosen by the Ministry with an eye to representing the various geographical sub-areas in which they are situated, it is difficult to know precisely how well they represent the totality of opinion in all 65 communities of the Territory, and how far one can generalize from what we were told in these 14 communities.** However, despite the small number of communities visited, and the small number of persons in each community who could be interviewed or consulted, project team members found enough similarities in issues, problems and challenges raised to feel that what was being said was fairly representative of the full range of opinion in the communities generally. We also checked our impressions with those of GNWT officials, especially the Justice Ministry's "community justice specialists", who largely confirmed the impressions which we formed.

Limitations on the project budget ruled out widespread surveys or even interviews with significant numbers of community members within each individual community. Therefore, relying heavily on the advice and assistance of the Ministry's "community justice specialists", project staff talked to key stakeholders - police, Health and Social Service workers, drug and alcohol counsellors, community leaders, youth workers, Elders, and so on.

Depending on the perceived sensitivity of the subject for the individual informant, some interviews were conducted one-on-one, while others were done in groups of two or more persons. In some communities, ordinary citizens were invited to attend open meetings of all interested parties, but in practice few "ordinary citizens" attended. Rather, the same workers and leaders who tend to become involved in all such community activities are also the ones who tend to show up for such meetings.

**Many of these communities are very small, containing a few hundred residents.** Community members who were interviewed or who came to meetings were assured that no names of participants would appear in any report on the project. For reasons related to the same wish to protect the confidentiality of participants, the fourteen communities which participated are not named here, since their small size could cause likely participants to be identified.

Participants were asked open-ended questions about their own views on, as well as their perceptions of, the community's probable reaction to taking on more of the community corrections task. This included questions about the existing community resources for handling the work involved, the additional resources which might be required in order to take on more of the challenges, and any other issues involved, including structural and organizational issues.

**The communities themselves vary in very significant ways.** In some, the amount of substance abuse, violence, denial and other dysfunctional behaviour in the community is overwhelming, and virtually sufficient to negate the efforts of a few community members to have an impact. In others, the magnitude of the problems is considerably less. Some communities have a relatively large number



of resources, including police, drug and alcohol counselling, family counselling, and social workers who do a variety of tasks, and in some communities, the quality of the workers is outstanding. Other communities have few resident resources of any kind (some must share social workers and even a police detachment with other communities), and the workers in some communities have little or no training or experience relevant to dealing with offenders.

We will return later to this question of the differences among communities, but for now, it is important to note that despite the wide variances in community characteristics, we found a surprising degree of agreement among people from all walks of life, and in all the communities, about the issues raised.

#### **4.4 Community Perceptions relevant to Community Corrections**

Before proceeding to a more detailed analysis of the issues, it is critical to be clear about the nature of the challenge of community corrections in the NWT and, perhaps even more importantly, how community members see it.

Although previous chapters have already touched on some of the elements of this challenge, it is important to review some of the issues related to the offenders and offences, the current resources, and community responsibility. Previous chapters have dealt with the changing nature of reported crime and criminal justice in the NWT. Compared to other parts of Canada, a much higher proportion of the offences reported in the Territory are of a violent or sexual nature, and a much higher proportion of the offenders from the Territory who end up in correctional institutions have committed serious violent or sexual offences. There is little reason to suspect that this pattern will change in the near future, although some of the very serious reported crime in the Territory is certainly of a historical nature (or involves current abuses as well as a long history of abuse) and disclosures of historical crimes may, over the next decade, begin to taper off. Nonetheless, there is no reason to believe that current overall patterns of serious interpersonal crime in the Territory will be changing in the short- or mid-term future.

It is important to remember that **when governments ask communities whether they wish to take on more of the responsibility for handling offenders in the community, they are referring to “prison-bound” offenders** - those who are currently being sent to prison or penitentiary. Discussions with community people and justice workers, as well as the available data on offenders committed to prison (including on remand), indicate that a majority of the sentenced inmates in NWT prisons (72% on one recent day) have been committed for a crime of violence, and the needs and risks presented by a majority of these offenders would be a challenge for any community to address.

Our discussions with community members suggest that most people are acutely aware of this fact. **Most people described the types of offenders who tend to be sentenced to imprisonment in the Territory as repeat offenders and violent (including sexual) offenders.** Many described the difference between the times when some of these offenders are in prison and the times when they return or are at large.



Although community members show an impressive degree of understanding of how these offenders got to be the way they are, they also describe the community's complete inability to address their problems, unwillingness or lack of readiness to confront the behaviours they display, and effect on the community's sense of safety. Community members tend to feel that while some offenders who are currently sent to prison could perhaps be dealt with in the community, the majority, at present, cannot.

Our analysis of the data (summarized in Chapter One) and our discussions with police, Crowns, judges and community representatives suggest that, for the most part, **the approach being taken in the Territory is already very much one of pursuing alternatives to the full force of criminal prosecution and imprisonment.** With some exceptions, justice system officials and communities do not seek criminal charges, conviction or imprisonment for those offenders who have committed relatively minor offences and for those offenders who are relatively young or have not repeatedly failed to respond to community-based approaches. For example, in Fort McPherson, the number of commitments to the RCMP lock-up has dropped from about 1000 annually to about 400 annually, reflecting the greater use of alternative measures principally for non-violent, alcohol-related offences such as mischief, public drunkenness and "pop and chip" break-ins. For the most part, community residents perceive that imprisonment is already being used with a great deal of restraint.

The profile of offenders who end up in institutional care tends to confirm this view that **a large segment of the non-violent offenders are already being diverted from imprisonment.** For the most part, the offenders who do end up in custody committed violent offences or repeat offences for which a variety of non-custodial measures have been tried in the past and failed. The patterns involved suggest that they are also at relatively high risk of re-offending in the future. They generally compare, for example, to the offenders from Northern Manitoba for whom a risk prediction assessment suggested that a majority are in a high-risk category.

Therefore, it is important to be clear about what is being asked when governments inquire into communities' willingness and readiness to deal with more offenders in the community. **Putting the challenge of community corrections to these communities means asking victims, their families and other residents to continue to tolerate, in their midst, offenders who have committed serious, often repeated violations of the personal safety of others.** As noted earlier, most of the communities of the NWT are small enough that the continued presence of an offender in a community is a very close, tangible reality for all. A number of our interviewees referred to concrete differences in their lives depending on whether a particular offender was in the community at the time or not - differences like keeping their doors locked and making sure they knew where their children were at all times.

It must be remembered that even to report such offences to police in some communities is a significant departure from traditional norms, and one which can create serious pressure on victims to recant once the immediate crisis has passed.



**Typically, when victims of serious interpersonal offences, including family violence, report such offences with more than just the wish to have police remove the offender from the immediate scene, it is because they have reached the limits of their tolerance and both they and their communities require an interruption of the offender's behaviour. This finding is echoed in a recent study of spousal assault and mandatory charging in the Yukon (Roberts, 1996), which found:**

Women typically do not report violence until a point is reached where it is perceived to be intolerable ... Almost 50 percent of the [victim] respondents stated that it was concern about the impact of violence on their children that led to their reporting.

When a victim reports an offence, it is because the social control systems of the community have not been able or willing to deal with the problem in the community. In some communities, family violence and sexual offending are at a level where they are almost a norm, and effectively tolerated. Even very serious violence, resulting in permanent injury or disability, may, depending on the individuals involved, elicit calls for a kind of benign neglect on the part of the community and the justice system. An offender who is a good provider of meat and other resources for the community will be supported in the face of the most serious offending. Thus, **victims who pursue the justice system option have already concluded that the community's social control and treatment mechanisms will not be sufficient to help them.**

A great deal more than other Canadians, the people of these communities express, for the most part, a strong degree of discomfort with the use of imprisonment. Their reasons include that prisons separate families, they run counter to the strong tradition of individual freedom, and the belief that except in a few cases, prisons don't "work" in the rehabilitative sense. Therefore, **for the persons interviewed not to support a wholesale shift to community corrections, despite their abhorrence of imprisonment, is highly significant, and indicative of a stronger concern for community safety and standards of behaviour.**

Among the reasons for which our interviewees did support the use of imprisonment were:

- the community's inability to control or tolerate the offender or his/her behaviour;
- victims' inability to get away from the offender, thus suggesting that the real alternative to imprisoning the offender is not community corrections, but the victim's departure from the community, which many consider unfair;
- the belief that there should be consequences for misbehaviour ("two - or three, or four - chances and you're out"), even if most community members are unable or unwilling to participate in imposing those consequences;
- the belief that though prison does not rehabilitate most people, it does provide some help for some people, whereas in most communities there is no help available at all; and
- the fact that continued residence in the community simply provides continued exposure to the conditions - e.g., peer pressure to drink, "idle hands" - which contributed to the crime in the first place.





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This immensely practical approach to the use of imprisonment is, finally, underlined by a strong belief that prisons should do more to address the reasons for criminality.

It is important to bear all these factors in mind in order to understand what the question posed means to the people of these communities.



#### **4.5 Community Reaction to Assuming Greater Community Corrections Responsibility**

The great majority of the community workers and other members of the communities consulted supported, in principle, the concept of greater community input into justice decisions and other matters. They pointed to the current activities of the community justice committees, which, in the areas where they are active, run diversion programs, offer advice to the courts, and perform other services. Many also can envisage a time when communities will run or at the least, actively participate in the operation of more of their own correctional and other justice-related programs. For example, many community participants in the study called for the creation of one or more healing centres near the community (but away from alcohol, potential victims, and the temptations or idleness of the community), where community members could teach offenders survival skills, spiritual values, and other traditional teachings. Many participants also called for an expansion in the use of bush camps. The physical terrain and distances involved, if not the facility's security systems, would serve as a barrier to separate the offenders in them from the community.

**However, most community members were unwilling to suggest that they were currently not ready or able to deal with otherwise "prison-bound" offenders within the confines of the community itself. On the contrary, most community members expressed concern or anger at the notion. RCMP members also reported being told by victims of violence that they feel let down when the offender does not receive a custodial sentence, suggesting that diverting more "prison-bound" violent offenders to community corrections would be a largely unwelcome innovation.**

This reaction holds despite the fact that a number of communities, or their political leaders, have asked the GNWT to allow them to take a more active role in corrections. Indeed, part of the motivation for this study was the GNWT's wish to respond to these requests. As will be seen later in this chapter, however, these kinds of requests would appear to be contingent on the availability of funds for programs which could manage the risks involved and address offenders' needs. Thus, while many communities are very interested in taking a more active role in corrections, it would appear that few if any are, at present, ready or able to do so.

The discussion of expanding community corrections also occasioned, in many instances, a discussion of **early release from prison** - usually to express concern about the speed at which some of these releases are occurring. For example, while many of our interviewees are in favour of bush camps, they asked to be consulted about early releases to camps *via* successive temporary absences, and suggested that they were often being used as a prison overcrowding "safety valve" and a stopgap solution. In several communities, there were complaints about offenders who had been sent to bush camps showing up unexpectedly in the community, which was completely unprepared to deal with their behaviour.

There is, in the minds of community members, a very distinct (if variable) **threshold beyond which community approaches to dealing with offenders are neither sufficient nor appropriate.**



For many people, this threshold has to do with repetitive violence and sexual offending, although it will vary from one person to the next. This overall finding is consistent with that of Griffiths *et al.* (1995) in their study of crime and justice in the Baffin region.

**Virtually without exception, community members told the project team that the community would, without a major infusion of additional resources, be unable to handle the risks and needs presented by the majority of “prison-bound” offenders.** Various authors have suggested that the resettlement of the people of these areas into sedentary and often idle communities has hampered their traditional conflict resolution strategies, which were appropriate to earlier times, but are less effective with current social groupings and lifestyles. Some community members stated that the community would support community-based alternatives, even for some repeat offenders and violent crimes, **on condition that the community had a sufficient “safety net”** (no one felt that their community already did; in fact, some suggested that most communities had no resources at all which were suited to the challenge).

**A number of concerns were raised pertaining to the impact on victims.** Some participants in the study suggested that to ask victims who finally report serious crimes to tolerate their victimizers in the community after a criminal conviction, without a strong new community control apparatus, would also threaten the inroads which the RCMP and other elements of the justice system have made in establishing trust with victims of violence. Since victims in these small communities have “nowhere to run and nowhere to hide”, some participants speculated that victims would be forced to leave the community if offenders were allowed to stay. Several community participants in the current study suggested, further, that such a move would diminish victims’ willingness to report crimes in the future. In turn, criminal justice workers, such as police, would come to question the value of enforcing laws if few or no consequences were applied to offenders. Some people suggested that if the justice system carried no consequences, there would be a return to “ice floe days”, meaning communities taking a rather harsh justice into their own hands.

A number of the people consulted on the question of expanded community corrections characterized the idea as blatant government **“offloading” of responsibilities onto communities**, a process for which they believed communities would not be sufficiently supported with resources to handle the task. “Offloading” of programs onto communities is seen by many community members as purely and simply a means for central government to save money. Even those community members who see advantages (such as empowerment) to communities in such a move stated that they did not foresee that the shift would be accomplished in a way which would allow the advantages to be realized. Rather, they anticipated that the change would occur without the resources needed to make it work: “offload the program at half the cost”, as one community member stated. In the words of another community member, “This community doesn’t need a cheap, band-aid solution.”

Indeed, some suggested that communities were in a worse position now to take on additional work than they were even four to six years previously, as a result of government cutbacks in services in the communities.



Some suggested that in fact part of the recent growth in prison populations could be attributed to the cutbacks in community resources in recent years, as an increasing number of social problems are being offloaded by social service systems onto the criminal justice system.

Some of the persons interviewed suggested that **government was asking communities to take on too many new responsibilities at once**. They felt that government (level unspecified) saw the solution to its own dilemmas as giving money and responsibilities to communities, but without guidance, training, support, direction, or sufficient resources. For their part, communities were not responding to the reduction in funding by finding ways to use resources more flexibly, creatively, and cooperatively across different functions and political groups. Government departments were still placing distinct and separate requirements on communities to perform related functions, and this was doing little to assist communities to learn to work strategically.

A number of persons who were interviewed stated they felt that government would do what it wanted in this area anyway - they felt the trend towards "offloading" of problems but not resources onto communities was already obvious - and nothing which they could say would make any difference. **Many of these people asked for, and we recommend, an evaluation of this process** if it moves ahead. They felt that in the absence of control or influence over it, they should at least be entitled to have information about its impact.

## **4.6 Challenges to Expanding Community Corrections: Readiness and Abilities**

Discussions with community workers and others revealed a series of interrelated challenges to the expansion of community corrections, all of which influence the community reaction and tolerance levels described above.

### **4.6.1 Preconditions to Taking on Community Corrections; Needs**

A number of community members suggested that there were certain factors which would have to be present before communities could or should be asked to assume more of the burden of community corrections. Others listed a number of "needs" which the community would have in taking on the challenge. The former are in the nature of generalized conditions which would have to exist in the community before the expansion of community corrections, and if such an expansion is to have some chance of succeeding. The "needs" are in the nature of the operational aspects which would be required for a community corrections system (and indeed, which many participants felt are currently needed under the existing community corrections system).

The **most frequently mentioned preconditions** for placing more offenders in community corrections were:

- a large amount of community development work (involving community awareness and animation initiatives, an effective "voice" for all community subgroups, the creation of alternative social control options, the identification of available and needed resources, a collective goal-setting exercise, etc.);





- the abandonment of “quick fix” mentalities and a commitment to a long-term strategic plan for healing the community;
- a high level of community desire to take responsibility for meeting the challenges, and community acceptance of and active support for the offenders involved;
- a commitment on the part of all parties (police, Crowns, social services workers, leadership, volunteers, all age groups, all cultural groups, etc.) to work together and to support agreed-upon solutions;
- filling empty positions for field workers who are tasked with community correctional duties;
- a well-established and effective alcohol and drug program in the community; and
- a clearer sense (for both community members and workers themselves) of the roles and responsibilities of community corrections workers.

It can easily be seen from this list that the community members interviewed recognize that an effective community corrections system is at least partly dependent on the health of the community itself. For communities which still exhibit widespread denial about their problems, the first of these preconditions (community development work) could, in itself, take a considerable investment of time and resources. A number of communities have indicated that their primary need is “to heal”, and until they have made inroads in their healing process, they will be unable to support the community corrections process effectively.

**Most frequently mentioned among the “needs” of a more operational nature which our interviewees felt should form part of the community corrections system are the following:**

- a residential healing centre, closer to the community than most existing prisons, but secure or separated enough to provide safety from offenders (most people wanted these centres to provide both the on-the-land experience and treatment specifically for criminogenic needs);
- a residential facility within each community, which was suggested for at least four stages in the criminal process: as a detox/“time out” centre following arrest, at remand (it was argued the savings in air travel to existing prisons for remand would help fund these homes), to provide a more effective transition from prison or bush camps back to the community for released offenders, and to provide a “halfway back” alternative to prison following a breach of conditions of release;
- aftercare of all kinds to follow up on treatment received in prison and in the community;
- treatment of entire families at once, in recognition of the difficulty of, e.g., maintaining sobriety in a family which is not sober;
- counselling of all kinds (most often mentioned are family counselling, substance abuse, sexual abuse, living without violence, grief work, parenting skills, life skills, anger management, suicide prevention);
- more training for workers and volunteers in all related work;
- options and approaches which instill in offenders a greater sense of responsibility (e.g., shaming processes and enforcement of rules);
- services in support of victims, including but not limited to safe houses;



- separate probation/parole workers or service (distinct from other health and social service work) and the time to do real casework with offenders;
- options for dealing with FAS/FAE and other special needs individuals;
- adult role models of both genders;
- greater respect for case confidentiality; and
- monitoring and evaluation of programs and initiatives.

Some communities already have some resources available for contributing to a community corrections effort, although in none which we visited did people feel they had enough. For example, many communities have a number of healthy and willing Elders who would be available for teaching various practical skills as well as spiritual principles. In addition, many communities have members who can teach the bush skills which many consider essential to the on-the-land experience which is felt to have healing benefits. Some communities have a substance abuse worker or program. A few have begun experimenting with taking entire families out on the land for healing purposes. Through the Community Justice Committees, a number of communities have set up shaming or counselling processes for diverted youth. Many communities would like to incorporate some or all of these processes into a future effort in community corrections, supplemented of course by additional resources and processes of the kinds noted above. We were not in a position to evaluate the effectiveness of any of these existing efforts, and very little previous evaluation has been done in the area. It is hoped that evaluation processes will be built into many of the future initiatives which are undertaken.

- 4.7 Community Responsibility and the Timing of Devolution Initiatives
- Of course, the very best solutions, and ones which also hold some hope for preventive effects, are ones in which not just the community's probation, child welfare, drug/alcohol, and other workers address the basic needs of offenders, but the community as a whole works together to establish principles, set norms and tolerance limits, and give workers a collective mandate. There are few community forces as powerful as a broad-based commitment to taking responsibility for a problem and its solutions.

It remains to be seen how many communities, anywhere in Canada, are on a particularly sound footing for achieving this kind of community commitment and synergy. To do so requires a level of consensus, community health, representative input and sense of active civic responsibility which is missing in many Canadian communities. To expect these elements to appear in communities still reeling from the devastating effects of contact with dominant outsiders is optimistic at best. To expect them to appear without the investment of considerable developmental work, including awareness, education and training programs, amounts to what many of our interviewees believed was already happening - government "offloading" of problems.

**Most communities in the Territory have not yet addressed, in a comprehensive fashion, questions related to whether, how, when and where the community wishes to proceed in the justice area. The Justice Ministry, through the promotion of "community justice committees" (CJCs), has attempted to encourage communities to ask and answer these questions for themselves.**



The original purpose of the CJs was to assist communities to begin this dialogue among themselves, leading to clarification of how each community wanted to get involved in justice (in the broadest sense of the term). Many communities do not have a CJC at the moment. Some have had one in the past, but it is now disbanded for one reason or another (often, for reasons of not "having enough to do"). Most CJs which are currently active perform a number of functions, most commonly to accept diversion referrals from police at a pre-charge stage, decide on an appropriate diversion plan for the offender, and ensure it is carried out. In some communities, the work of the CJC is considered both essential and of excellent quality.

Most CJs, even the highly active ones, are at a stage where they are still learning and developing. However, few if any have really been able to do a great deal to engage the community as a whole in an active process of deciding how, if at all, it wishes to become involved in "justice" more generally. We believe that the reason for this is related to the current state of development of communities, not to any foot-dragging on the part of CJs or the "community justice specialists" of the Ministry, who assist them. A number of communities have, in fact, indicated that their current top priority is "to heal", and that "doing justice" will have to take a back seat until they are farther down the healing path. In this position, they show self-knowledge and wisdom. **We urge the GNWT to support communities in choosing their own path, at their own pace, with regard to justice and other initiatives.**

In some of the smaller communities of the NWT, the age distribution of the people means that there are actually very few healthy adults available - paid or not - to participate in any of the many activities needed to promote healthy communities. Even in communities such as Hollow Water, Manitoba, where family violence workers have more training and the community has given them a stronger mandate than in any other evaluated Aboriginal correctional program in Canada, workers still state that they have insufficient training for the job and a considerable division of opinion exists in the community about most aspects of the work (Lajeunesse, 1997).

These realities tend to underline the importance of allowing communities of the NWT to choose their own pace in taking on more of the community corrections burden. The GNWT has recognized this need for individual pacing. While encouraging self-government and greater autonomy for communities, the GNWT has stated it will not impose top-down "solutions" on communities or timetables for added community responsibility. For example, one Corrections Service Division statement promises:

It is mandatory that these discussions and, indeed, this initial course of action [community justice initiatives] be responses to local concerns rather than imposed from outside the community. At this point in time, these initiatives should be carried out only if the community opts for expanded responsibility. (Corrections Division, 1991)

Within this framework, it is easy to see that governments and communities must take great care in reaching a delicate balance between centralized encouragement and support on the one hand, and community self-direction on the other. At times, the pressure on centralized government to move faster than communities wish may be very strong.



For both communities and governments, the **task of establishing the will of the community and all of its component parts is a formidable challenge in itself**. Other criminologists (e.g., LaPrairie, 1991, 1992) have noted that many communities are characterized by deep splits along lines of age, religion, alcohol and drug use, traditional versus more mainstream world views, and tolerance for violence and other forms of social disorder. Thus, in any discussion of community readiness, it is important to bear in mind that consensus may be a highly elusive commodity, and differing viewpoints on most aspects of how to proceed are to be expected, although not all viewpoints may be equally easy to obtain. This in turn raises many of the same questions of accountability touched on earlier in this chapter.

For those communities which believe that their top priority at the moment is to heal as a community, to take on other major initiatives (such as community corrections) would jeopardize that process. **Communities differ from one another in important ways that will strongly affect their ability to take on the burden of helping and controlling more offenders in their midst**. One obvious difference is the crime picture of each community; for example, in some communities, sexual abuse and incest are described as “epidemic”, while in others, the problem is less severe. Some communities are relatively homogenous, while others are engaged in constant conflicts and lack of cooperation between Metis, band and hamlet authorities. Some communities have a growing contingent of volunteers who can assist in the effort, while in others, it is virtually impossible to find “real volunteers” - as opposed to “paid volunteers”! Some communities are blessed with a relatively large number of workers with advanced training and experience in working with difficult social problems, while others have very few, and those are burning or burned out. **These and other differences among communities underline the fact that no standard approach will work for all**.

Some communities are clearly getting better, in a slow but noticeable way. More people are sober than ten or fifteen years ago. Men as well as women are beginning to take an interest in healing themselves and the community. More people volunteer for important functions. There are signs of increasing cooperation among different groups within the community. Relationships with the police and other members of the justice system are improving.

Sadly, we were told that some communities also appear to be getting worse. The measures which the community members used to gauge their downward progress varied. Some pointed to the shock they experienced when no one in the community rallied around after the recent suicide of an Elder. Others pointed to the arrival of new kinds of drugs in their community. Still others attached importance to the fact that teachers never volunteer to organize extra-curricular activities any more, or that more and more parents leave their children alone while they play bingo every night, or that neighbours do not look out for one another's children any more.

Again, these differences in how well communities are faring are important to both the timing and nature of government's efforts to encourage communities to take on more. Too often, we were told, new government initiatives do not fit the community.





Communities need more flexibility to adapt government funding and programs to their needs and strengths, but they also need developmental work, more training and the on-the-job experience to put this training into practice, as well as clear expectations and roles.

Many communities are ready to begin an active community development process, however, and experience suggests that successful community development work needs to coalesce around a specific focus. **We suggest that government may wish to encourage, assist and fund communities to engage in a community development process focussed on justice issues, but it must be prepared to accept the results even if the development process takes a very different direction.** Community development is a process that ultimately still belongs to the community.

Finally, we would suggest that before asking communities to consider taking on a greater role in the justice area, including taking on more of the responsibility for community corrections, **government must clarify its requirements around goals, principles, expectations, and standards.** This is essential to keeping the process fair to communities and all of their members. It would be enormously helpful if, in the words of one municipal administrator, the GNWT would “define Territorial interests” in this area and then develop a long-term strategic approach to change, in cooperation with communities. Are there principles which are so important to a justice system that they must be preserved, even if they constrain community autonomy? In Southern Canada, governments would uniformly answer, “Yes.” In the North, this is a question which appears, to some people, to be still open for discussion. (Of course, the reverse is also true - we must define principles of community integrity which are so important that they must be preserved, even if they constrain government wishes.)

The question of accountability was constantly raised in our discussions with community members. Many suggested that autonomy, a value which is closely held in most if not all communities, is not in conflict with the need for accountability. Perhaps the most important question which the GNWT must address is how it wishes to strike the balance between autonomy and accountability.

## **4.8 Difficulties with the Current Community Correctional System**

Community members and others also commented on aspects of the current system in the NWT for delivering community corrections. These views are important to note in themselves, and also in order to understand more about the challenge which would face communities thinking about retaining more offenders within their midst.

### **4.8.1 Size, Distance and Funding**

As noted earlier, residents of many NWT communities still have hopes that a residential treatment centre will be opened near their community in order to address the needs of local offenders and their families. However, in a time of increasing restraints on government and private sector spending, the elements of community size and distance become a major issue in the fulfillment of these hopes.



To some extent, these problems are inevitable, in the sense that there are major drawbacks to all available ways of approaching them.

With the exceptions of Yellowknife, Inuvik, Hay River and Iqaluit, each of the 65 communities of the NWT contained fewer than 3000 residents at the last Census. The majority of communities are very small, with only a few hundred residents, or even fewer. Therefore, although the crime and disorder problems in the communities are "huge", to quote one youth worker, the criminal caseloads in each community are small. Given the other challenges facing communities and their workers, governments have difficulty justifying additional resources solely for matters which reach the point of criminal justice processing.

Attempting to consolidate services in order to achieve cost efficiencies is an obvious tack. The distances between communities are vast, however, and the cost of transportation between them prohibitive for many purposes. The NWT encompasses 3.4 million square kilometres and three time zones. Nunavut's 28 communities are accessible only by air or (during the brief summer) by sea. Only 12 of the West's 35 communities are accessible year-round by road. Even transporting a relatively few offenders to treatment facilities in a central location, therefore, is a very expensive undertaking. The difficulty and expense of travel between communities also inhibits the effective use of many kinds of shared resources among groups of communities. For example, there are few opportunities for workers to obtain training, professional development, mentoring, or even regular supervision and advice, in part because of distances and limited resources.

Moving to local or regional service delivery also carries its drawbacks. For example, although the need is great and the impact on victims from sexual abuse is devastating, the **relatively small number of offenders being actually convicted and sentenced from or released to each region at any given time, and the distances within and between regions, make the logistics and cost of setting up local or regional treatment programs overwhelming.** Small treatment groups for sexual offenders can be assembled within a given region once or twice a year, but funds do not exist for setting up regular groups in each region on a regular basis. In an era of limited financial resources, this leaves only the options of delaying treatment for lengthy periods in local or regional programs, or offering programming in one or two central locations, both of which carry their own drawbacks.

Some of the problems created by small populations separated by vast distances are insuperable. It is clear that the Territory will not, in the foreseeable future, have the resource base to fund a wide range of correctional services close to every community - or even within each region.

#### **4.8.2 Inadequacies in Probation and Aftercare**

The problems faced by the probation and aftercare system of the Territory are formidable. They extend to resourcing, personnel and accountability areas in particular.



**The overall perception among the vast majority of community members and workers is that probation and other forms of community corrections are not working, and under current conditions, cannot be made to work.** A number of community workers remarked to project team members that increasingly, probation is being viewed as a sentence that “sets offenders up for failure”. This is not a reference to any deliberate attempt to breach probationers or leave them with a longer record. Rather, it was suggested that there is no way that, given the time and resources available, the system can provide offenders with the help that they need if they are to observe the normal conditions of probation, such as to keep the peace, refrain from abusing alcohol and drugs, etc. Special conditions, such as to obtain counselling or specific programming to deal with particular criminogenic needs, go completely unfulfilled in most instances. Several of our interviewees, including the social workers who themselves deliver the program, referred to the current situation as a “joke”, for reasons which will be explained in more detail below. One administrator stated that in his view, probation was indistinguishable from conditional discharge.

As a result of this situation, a number of people believed that one or more of three things were happening. One, judges were imposing relatively brief terms of probation in the expectation that longer sentences would merely lead to failure (it will be recalled that in Chapter One, we did indeed find that probation terms in the North are shorter than elsewhere in Canada). Two, in some areas, repeated breaches of probation conditions allegedly were resulting merely in a continued renewal of probation by the court. In this vein, one justice worker referred to increasing frustration with the use of probation as a “catch and release” program. In their study of the Baffin area, Griffiths *et al.* (1997:159) made the essentially the same observation. They noted that many Inuit and non-Inuit respondents remarked on the “over-use of probation” for violent offences, as well as the inability of probation to control offender behaviour, enforce conditions, or change attitudes. The third response to the perceived ineffectiveness of probation apparently being observed is to use it less, and to use brief jail terms instead. Some judges apparently feel that it is unfair to ask offenders to try to live up to the conditions of probation for more than a couple of months at a time, and that to do so is implicating the court in the inevitable difficulties which will follow.

**Aftercare - meaning community follow-through with programming objectives which may have been addressed in the correctional system - is lacking but for a few isolated programs.** This means that in the vast majority of communities, treatment which offenders may have begun will not be continued. Since rehabilitation can rarely be achieved quickly or without follow-through in the community, correctional efforts may come to naught as a result of lack of community resources. As one program director suggested, many offenders learn the essentials of how to live a crime-free and productive life while they are in the correctional system; however, when they return to the community, they need assistance in practicing and integrating what they have learned. These opportunities are virtually absent in the NWT. As another community worker noted, many communities barely have the capacity to help non-offenders, let alone those who have been sentenced.

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### 4.8.3 Resourcing

The HSS workers who perform the probation and parole services for communities have, by all accounts, very little time, amid their other responsibilities, to do probation and parole work. They regard child welfare as their most pressing responsibility and apparently spend the majority of their time in this area. **The time which social workers do spend on probation matters is reportedly spent not in casework (working with the offender), but in paperwork** - mostly writing presentence reports for the courts and reports on the performance of probationers, offenders sentenced to do community service, etc. Although caseloads in most communities are relatively small, just preparing for court can take two full weeks of a worker's time. Even the quality of reports can suffer as a result of time shortages; one social worker stated that she and her colleagues had to rely on offenders' version of reality because they had no time to verify their stories.

**Many communities we visited suggested that they could easily justify having a full-time probation/parole worker who would do only that work.** Such a worker would have time to do casework with offenders, and could also do the important counselling and community awareness/education work which the community currently pays an outsider to come in and do - or which does not get done at all.

### 4.8.4 Personnel and placement

Although there are some "outstanding" correctional workers in the communities, **concern was expressed by many people about the ability of many of the social workers who perform probation and parole services in the Territory.** This concern is shared by many of the workers themselves. Most have less than a grade 12 education, and little or no training in dealing with offenders. Many have no previous experience relevant to correctional work, and given their other duties, have had little chance to gain much useful experience on the job. The concern about correctional workers is echoed in community complaints about the lack of skills and training among all kinds of workers who have the most contact with offenders and future offenders, including foster/group home parents, bush camp operators, and family counsellors. **This concern about lack of skills among workers** and the processes (such as expert mentoring) to support training is in constant conflict with communities' desire to retain "local hire" - the employment of local people in the few jobs available in the communities.

According to many accounts, a lot of the workers who perform probation and parole duties have little inclination to perform this part of their work. "Probation reviews", the periodic reports required by courts in some instances, were instigated largely as a result of concern on the part of Crown counsel and courts that probation orders were not being enforced as intended. A frequently heard comment was that many workers are still dealing with their own personal issues, which impair their effectiveness on the job (including in their credibility with offenders). Another frequent complaint is about breaches of case confidentiality by workers, a common but devastating problem in small communities.





**Many social workers are at a loss to perform the difficult enforcement aspects of their probation responsibilities** - ensuring offenders fulfill the conditions of sentence and breaching them when they violate the terms of their sentence or release. These latter aspects are made even more difficult in circumstances where workers reside in the same small community with, and in some cases are related to, the parties in the case. Numerous people mentioned the difficulties involved in performing correctional work with clients who are family, neighbours and friends; many considered the pressure from this work, performed in one's home community, to be intolerable. Indeed, staff turnover is high, many workers are considered to be "burned out", and in some areas, positions apparently remain vacant for long periods. This response to the more negative aspects of probation work, while not universal, is common in small, isolated communities. As one community administrator suggested, people who perform community corrections work should be "removed from little-town politics".

#### **4.8.5 Accountability**

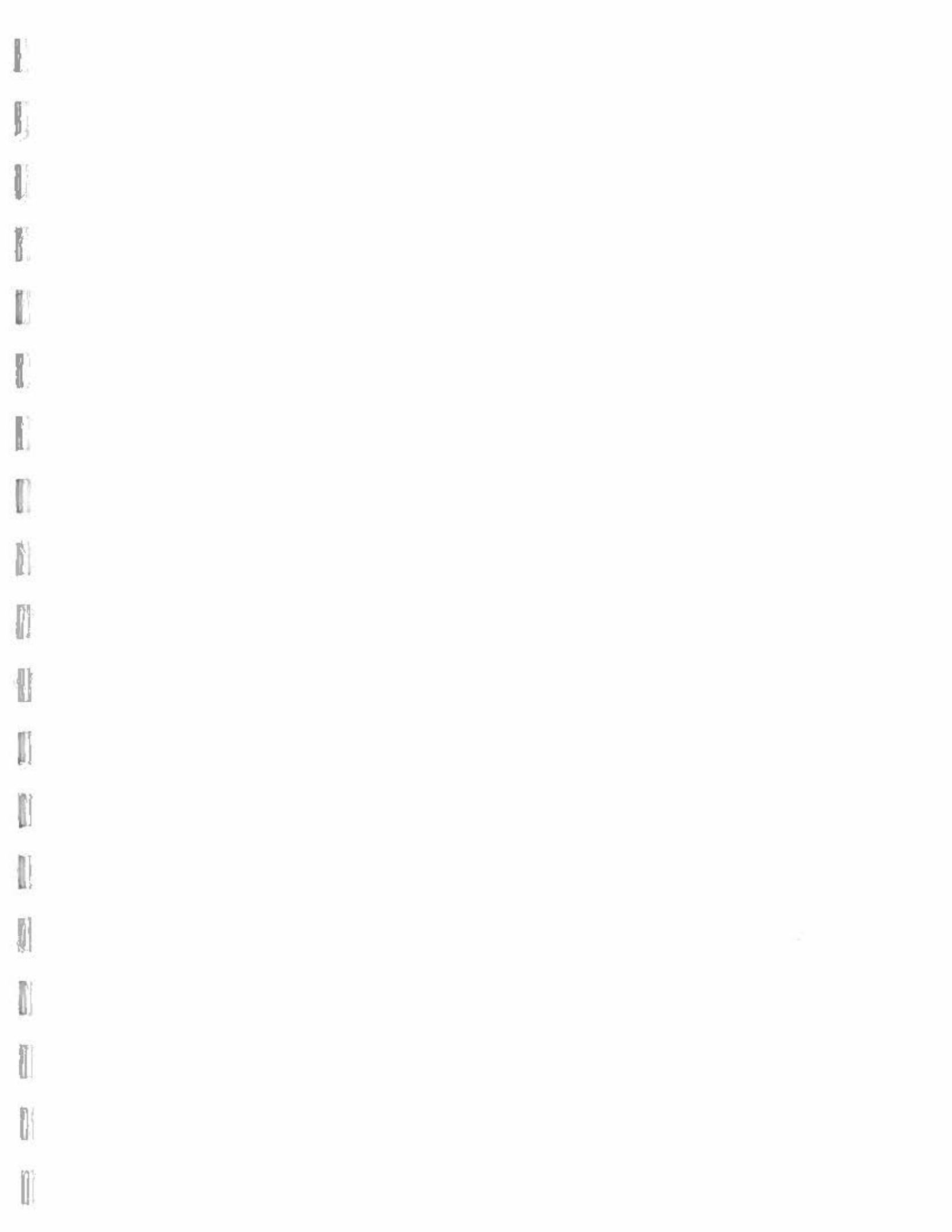
The services and processes involved in offender care and decision-making occur at all levels of government - federal, GNWT, regional, local - and across many different government departments and agencies. In itself, this might not be a problem. However, many of our interviewees stated that the overwork and lack of coordination among the parties resulted in an exacerbation of problems, including lack of continuity from one stage to another, a reluctance to share resources, impediments to carrying out correctional work, and a lack of integrated or strategic planning.

**There are serious program delivery and accountability challenges posed by the current organizational arrangements.** The Corrections Division of the Department of Justice is statutorily responsible for the delivery of Territorial correctional services. In the community, services are actually delivered, however, by workers of the Department of Health and Social Services (HSS). In turn, HSS has devolved much of the responsibility for planning, budgetary allocation and program delivery to Regional Health Boards. Increasingly, community justice committees, which operate as autonomous societies within individual communities, are being eyed as a candidate to perform a role in directing and delivering community corrections work, among other things. In some cases, such as Cape Dorset, responsibility for services has been transferred to the local (municipal) level.

The practical effect of this division of responsibilities, coupled with resource constraints on all sides, is that **Corrections has no authority to direct the key elements of much of the community corrections program for which it is statutorily responsible.**<sup>15</sup> Unfortunately, the conditions in the field are not, as we have seen, always conducive to the fulfillment of correctional duties. The tension between field workers and the Corrections Division was, in some cases, open and obvious. Communication between the two is not working as well as it should. We were told (by HSS field workers as well as by Corrections officials) of instances of deliberate disregard of Corrections Division requirements by HSS workers. Corrections reportedly has no say in how investigations into special incidents are conducted. There are no reliable data available on probationers in the NWT because Corrections has been unable to ensure that proper statistics are kept on them.

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<sup>15</sup> See sections 2(2)(b) and 8 of the *Corrections Act*, Revised Statutes of the Northwest Territories, Chapter C-22.



At present, probation is not a viable sentence in the Territory. This places the courts in the untenable position of imposing probation terms which are too short to achieve programming goals, having constantly to renew probation orders for offenders for whom the required assistance and control are not available, or turning to jail as an alternative. A large part of the problem is that most of the social workers who carry out probation work do not have the time to devote to much more than the paperwork functions of it. The same difficulties spill over into parole, community service work, fine option programs, and many of the more “restorative” approaches which communities would like to use. Many communities, even some of the smaller ones, could justify the use of a full-time worker just to perform correctional and court-related duties.

**We estimate that the requirement is for 35 new positions to act as community correctional workers, at a cost of some \$3 to \$4.5 million annually (of which \$1.5 million has already been transferred to Health Boards for upgrades in probation service). As in the past, the same workers who perform Territorial correctional functions would continue, in many cases, also to act as federal parole agents.**

#### 4.11.2 Training

- **We recommend that the workers who perform correctional functions receive more training, experience and support in handling the challenges particular to dealing with offenders.**

Although there are some “outstanding” workers in this area, in the words of one administrator, most of the workers currently performing these functions do not have the education, training, experience, or mentoring necessary to carry out the difficult tasks required of them. The skills required to work effectively with offenders do not arise spontaneously from other aspects of social work or residence in the community.

Enforcement, control, and suspension/breaching of offenders, in particular, require workers to be supported by an active management and assistance function from professional workers in central locations. At present, Corrections personnel in Yellowknife do not even have sufficient time to keep in touch with community workers for the most essential and routine matters.

Ideally, the skills required by workers are initially learned in a separate training environment and subsequently practiced on the job, in an ongoing series of alternating training and in-service work cycles, and in a setting where community workers’ use of the skills can be effectively mentored and supervised on a daily basis by an experienced team member. These learning conditions do not prevail in most communities in the Territory.



**Training of workers for the delivery of correctional service should rest with the Corrections Division.** Not only are they the people with the expertise and the knowledge of the justice and correctional system, but as the unit with the statutory responsibility for the program, they have a legal duty to ensure that it is carried out in a manner which respects the requirements of law and public safety. Moreover, Health Boards have recently lost their regional training positions, so they are in no better position, from a resource point of view, to deliver the training in any event.

The Yellowknife office of the Corrections Division is completely under-resourced to provide the upgrading and supervision required. A recent beginning made with a new operations manual had to be confined to procedural matters only (which form to use for a breach, etc.). We estimate that the requirement is for **two new positions**, one in Yellowknife and one in Iqaluit, to coordinate training functions and provide ongoing communication, support, advice, assistance and mentoring, at a cost of **\$300,000 annually**, including salaries and the travel and training resources for continual upgrading of skills. Ongoing supervision and responding to queries would continue to be done by electronic means - telephone and the new video communications system expected to be in place in the Territory by 1999. This is very much a minimum requirement. **The assistance of the Correctional Service of Canada should be enlisted to bolster this investment in people.**



### 4.11.3 Supervision Standards

- **We recommend that the Corrections Division establish substantive standards governing the supervision of offenders in the community.**

At present, there are no substantive standards setting out the requirements for correctional supervision in the community; a recent operations manual made available to field workers deals only with procedural matters. Substantive standards would guide workers as to the *content* of community correctional work. Standards of the type recommended leave room for professional discretion while making expectations clear. They would form one part of the basis for future training.

Field workers would be required to adhere to these standards, through the MOU and additional expectations frameworks which are developed for Health

Boards - or through whatever alternative accountability mechanism as may replace the current arrangements.

### 4.11.4 Discrete Services

- **We recommend that where the number of workers in an area permits, one worker should concentrate on the delivery of correctional services and be relieved of other duties.**

Whatever the model for overall delivery (whether it rests with Health and Social Service, Justice, etc., ), the conflicts between the other social work functions of current workers and the correctional functions are too severe to continue where they could easily be split between workers. That is, in an area with several social workers, the full range of functions should not be shared among all, but rather divided between them as to correctional versus other functions. To take the most obvious example of conflicts inherent in the current arrangements, information shared in confidence with a worker in the course of his/her functions as a child welfare worker could be used to breach a probationer in the same family. Either this information goes unused, or community members quickly learn not to share information.





#### 4.11.5 Victim Services

- **We recommend that a significant investment be made in services to victims and their families.**

Except in Yellowknife, services in support of victims of crime are virtually absent in most areas of the Territory. Even within Yellowknife, victim services workers for the Crown and Territory are unable to provide service for most victims extending beyond keeping them informed of court dates and other relevant matters relating to their case. In the absence of targeted services in most areas, any assistance which victims do receive falls to police and Crowns, who are for the most part ill-equipped to provide it.

Virtually absent are support services for victims to help them through the post-offence period, assist them to deal with the pressures and emotions surrounding the post-arrest period (including the all too common experience of pressure from family and other community members not to pursue the criminal process), and help with their own issues.

Since so many of the cases involve sexual assault, spousal assault, and dysfunctional behaviours (such as substance abuse) by entire families, working with families is essential if patterns of abuse are to be broken. For sexual assault cases where the victim is a family member, experience has shown that social work targeted to family reintegration can significantly reduce re-offending. Sex offenders returning to their community without effective controls and help for themselves or their families is a prescription for more abuse. Similarly, victims of spousal assault need support and the offender needs to continue to work on living without violence. Both the victim and the offender need the support of community corrections. Continuation of the programs begun in the jail and carried through to the community is the ideal.

The lack of victim services in most parts of the Territory has several effects, including that victims may not pursue their case through the criminal process, and they will likely continue to suffer from the same conditions which surrounded the crime. A rather typical occurrence in many cases of interpersonal crime in the Territory is that the victim will inform police a day or two after the incident that s/he does not want to see any further criminal process in the matter. This is usually the product of a number of factors, including concern for the offender, abhorrence of prisons, self-imposed or other pressure on the victim not to have the offender "sent away", and self-blame or blame imposed by others. Keeping the family and the community together is still, in many places, a value which is held as more important than personal safety.



Pursuing criminal charges is often considered a greater offence than the offence which occasioned the process. In many if not most places in the Territory, it is still a fact, possibly changing but if changing, very slowly, that family violence in particular is an accepted, even "normal" part of life.

As outsiders and "Southerners", we are not in a position to impose our perceptions and views on the people of the Territory. With our frame of reference, we were surprised and not a little disturbed by the apparent imbalance between the high degree of concern exhibited by many community members for the plight of the offender (and the potential loss to the community of hunting and fishing skills if the offender is "sent away"), and the relative lack of concern for the victim. We believe, moreover, that the lack of available services for victims may serve to underscore this apparent unconcern for victims. There is no question, as well, that in many instances, the offence is a mutually provocative one, and who is the "offender" and who is the "victim" is, in the particular instance, sometimes a matter of chance. However, there are many people in the Territory who do not accept family violence or other offences as a "fact of life" or a cultural "given". It is not Southerners, justice system members, or central governments alone who hold "zero tolerance for violence" and victims' rights as values worth promoting.

**We recommend that the Ministry of Health and Social Services be tasked with establishing a plan for expanding the available services to victims in the Territory. This plan should be developed in conjunction with representatives from the Crown and the Ministry of Justice.**

One further word is in order with respect to victim services. The victim service worker should not be the same person who delivers services to offenders. Many Aboriginal communities, in an effort to deliver a holistic service, have tried to blend the two functions in the work of the same community functionary. Unfortunately, too often, this results in an uneven delivery to one or the other party (see, e.g., British Columbia Council on Family Violence, 1995). Each party needs and deserves a separate worker dedicated to his/her support.



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## **Chapter 5. Service Delivery And Division: Options For Community And Institutional Corrections**

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### **5.1 The Imperative of Services to Offenders**

The model of corrections advocated earlier in this report depends on collecting information on those sentenced to correctional care and control and using structured judgements about their risks and needs to develop a case management plan for each offender. Offenders with significant needs, particularly needs likely to result in re-offending, would then be expected to work their way through programs designed to reduce the risk they pose to the community.

The majority of incarcerated sentenced offenders in the NWT are serving sentences for violent crimes, particularly assault. Many offenders have a lengthy history of violence - both as victims and, later, as perpetrators - and are likely to re-offend unless the underlying causes of their behaviour are changed. The programs in the institutions can begin this process of change but the treatment needs to continue in the community. We have therefore advocated more resources for workers to handle offenders in the community, both effectively and safely. Some offenders will have community sentences, such as probation or a conditional sentence; others will be in the community on early release programs from the institutions. For those returning from the jails, their files should already have been transferred to the community worker who will be responsible for the offenders in the community. The file should include a complete description of their risk/needs assessment, their progress through the programs in the institution and recommendations from the case management personnel in the jail about their continuing needs. Ideally, with a computerized system, the entire file would be accessible to the community worker. The community worker and the case management personnel should discuss each case and a discussion should be mandatory if the case involves violence

**The focus of additional community resources should be the continuation of programming in the community, not just a more intensive investment in surveillance than is currently possible with the probation and parole resources available in the community.** Many jurisdictions have experimented with intensive probation programs and the consistent finding from evaluative research is that focusing on and increasing surveillance winds up costing up to three times as much and has no greater impact on recidivism. By contrast, when programs are offered that contribute to the offender's efforts to live without violence, control alcohol and drug use, and seek productive work, recidivism rates do drop.

### **5.2 Services to Victims of Crime**

Equally important, and in some cases more important, are programs of support and help to the victims of crime. At the end of the last chapter, we urge a greater attention to services for victims



of crime, and a task force to propose recommendations, composed of representatives from Health and Social Services, the Crown, and the Territorial Ministry of Justice.

### **5.3 Community Corrections and Division of the Territory**

In this section, we discuss those functions which constitute a basic minimum service in the community corrections area. We then proceed to propose a number of improvements to community corrections which would be necessary in order to provide an effective service in the Territory. We then outline, without expressing a preference, three broad options for governmental placement of community corrections after Division of the Territory in 1999.

#### **5.3.1 Functions Which Are Basic To Community Corrections**

The enhanced role for community corrections that we recommend should be seen in the context of the community corrections services which the GNWT now expects the Regional Health and Social Services Boards to provide. In many communities, many of these services cannot now be delivered. Nonetheless, it is important to understand what the basic standard services should be. These are set out below in summary form.

The services subsumed under the term "community corrections" include a wide range of sentence options, conditions of sentence, and sentencing stages (such as mandatory supervision after release from imprisonment). They are limited only by the existing law and the imagination and capacity of the courts, correctional systems, and communities. Formally, they include such things as probation, parole, statutory release (mandatory supervision), conditional sentences, supervised temporary absences from prison, community service orders, fine option programs, restitution, victim-offender reconciliation, supervision of open custody arrangements, and so on. Below, in order to illustrate the range of what is necessary to a community correctional system which adequately serves the public interest, we list the basic minimum functions needed.

#### **5.3.2 Court Reports: Types Of Service**

These services are provided when the Court requests pre-sentence, progress (such as "probation reviews") and means reports. The basic minimum work requires:

- Gathering social and other background information;
- Interviewing and collecting information about the person, his family, school, employment and other relationships;
- Interviewing victims and others;
- Preparing reports and recommendations on options and alternatives;
- Attending in court and presenting reports in court whenever possible;
- Assisting the court as required; and
- Providing statistical information on the numbers and types of cases handled.





### 5.3.3 Supervision And Programming: Types Of Service

This service applies to all offenders on probation, parole, statutory release, temporary absence, and to conditional sentences specifying the need to report to a correctional worker. The minimum services include:

- Preparing Community Assessment Reports related to an offender's application for parole and other forms of release;
- Where applicable, notifying police and other community members of an offender's imminent return to the community;
- Developing and refining case plans for meeting offenders' needs, managing their risk, and meeting other objectives;
- Providing practical assistance to the offender, such as help in finding housing or completing written documents;
- Keeping informed of the conduct of offenders to assess progress on the case plan and ensure that standard and special conditions are met;
- Maintaining case activity notes;
- Having a face-to-face interview with the offender on a regular basis, as required by the appropriate authority (e.g., once a week for high-risk offenders - that is, most NWT offenders - who are on forms of release from a federal term);
- Assisting the offender in his/her efforts to remain in school or to find employment;
- Counselling the offender as appropriate and helping him/her to remain crime-free;
- Assisting families as required in helping them provide appropriate supervision and care of youthful and adult offenders;
- Referring offenders and families to specialized services and programs (if available) in the community or elsewhere, and arranging for offenders and families to be accepted into such programs;
- Organizing, developing, and in some cases directly providing for community healing ~~processes~~, community service work, restitution, victim-offender reconciliation, and other programs, and ensuring that the required actions are carried out;
- Preparing regular and special supervision reports on offenders;
- Keeping case files on offenders, sharing relevant case information with others as appropriate, and protecting other information from inappropriate disclosure;
- Maintaining liaison with police, rehabilitative services, and others as necessary;
- Recommending appropriate modifications of terms and conditions to the court or other authority;
- Reporting breaches of conditions to the court or applicable authority and recommending appropriate action; and
- Providing statistical information to appropriate authorities about the numbers and types of cases handled.



**Carrying out all these tasks is more than social workers who are given community corrections responsibilities can currently handle.**

Indeed, as discussed in the previous chapter, in many communities the health and social service complements reporting to the Health Boards are understaffed. Many communities have difficulty in hiring and retaining social workers up to the approved number of positions. Even in those regions that are staffed to approved levels, the workloads are such that community corrections functions are discharged in the most rudimentary way. According to judges interviewed by the project team, court-ordered pre-sentence reports frequently are not done. Some courts began the practice of requiring "probation reviews" (progress reports) because it appeared that little or no work was being done with offenders, nor breaches being considered in appropriate instances. In many communities, probation services amount to paperwork functions only (i.e., no casework is done with offenders), and for communities without a resident HSS worker, contact may amount to a telephone call a month. Given this, judges and the public know that community alternatives are not viable, and jail is seen as the only option that provides real protection from the offender for a time. This has the effect of increasing the incarcerated population or making a mockery of the community-based alternatives to it. Nonetheless, it is clear that most courts try to use jail only where they see no other option.

Under existing circumstances, it is also clear that **social workers, with few exceptions, do not wish to be probation officers as well. Many see the role of social worker and the probation function as being in conflict.** They see their social work function as providing assistance; for example, most of their time is typically taken up in child welfare duties. They see the probation function as a law enforcement and surveillance function. Moreover, many HSS workers see, and think that clients see, a conflict between the parole/probation role and the other roles required of them. The social worker who visits a family on a child welfare issue and seeks to improve the care of an infant is the same worker who is required to keep track of how a youth in the same family is doing on probation. Information which workers obtain in their role as child welfare worker could be used to breach an offender on parole. Keeping a family together, which workers may feel is the best option, may conflict with the requirements placed on workers in their role as probation officer to contain the risk of re-offending. Under such circumstances, even getting families to provide information becomes a formidable challenge, let alone working effectively with them.

We understand the difficulty that social workers see in this and we understand why community corrections frequently goes to the bottom of the list of priorities. The current arrangements do in fact create some serious conflicts between the social work functions and the community corrections functions required of these workers. Despite the fact that enhanced community corrections should focus on precisely those functions that social workers are best at, there are inherent difficulties in performing the enforcement and control functions of corrections with the same persons or families for whom social services attempts to perform helping functions. At the same time, the best way of enhancing community corrections is to enhance programs, not just surveillance and law enforcement.

How, then, can community corrections best be delivered in the NWT, particularly in the context of the creation of two territories in 1999?



### **5.3.4 Service Delivery Options For Community Corrections**

The Minister of Justice and the Minister of Health and Social Services have asked for a listing of service delivery options, without a recommendation about which option is preferable. The project team appreciates the rationale behind this decision. We think that the service delivery choices will take more political and social knowledge of the Northwest Territories than consultants can acquire in a brief study. The options below are set out to assist in making those choices. However, it must be borne in mind that none of these options can be effectively implemented - that is, minimum levels of service to offenders and public safety cannot be provided - without certain preconditions being met.

### **5.3.5 Prerequisites for All Options**

Whichever option is chosen we do not think that the standard of correctional care in many communities can improve unless the following preconditions are met. Those which pertain specifically to the resources available for community corrections positions, training, and victim services are elaborated at the end of the last chapter, and here are merely reiterated.

- Programs are delivered in the jails, as recommended in Chapter Three, and particularly those programs focused on healing and on violence;
- Information on offender needs and progress is effectively communicated to community workers and community agencies;
- Effective case management occurs in the institutions and in the communities;
- Significantly more resources are placed in the communities specifically for correctional operations;
- Community corrections workers have more training, experience and support in handling the challenges particular to dealing with offenders;
- Substantive standards for the community supervision of offenders are established to guide workers;
- Where the number of workers in an area permits, one worker should concentrate on the delivery of correctional services and be relieved of other duties;
- Community corrections focuses on programs and offender needs, following on from the work begun in the jails;
- More effective use is made of community resources, including traditional knowledge of the Elders and others, community resources delivering alcohol and drug programs, employment services and other services as appropriate; and,
- Victims and families are cared for and supported, particularly in cases of sexual assault and spousal assault.

In a sense, this list of essential ingredients for success makes a service delivery choice more difficult. If there were commitment to these principles from communities, politicians and officials, nearly any structure could be made to work. There are, however, other considerations involved in a service delivery choice, including what will work best following division of the territory.



### **5.3.6 Self-Government Options**

In the discussion below, one obvious option - the delivery of community correctional services by local or regional Aboriginal authorities, without involvement of any kind by a Territorial government department - is not included. Of course, some Aboriginal governments have in fact declared aspirations in the justice area which include complete authority and autonomy in discharging certain aspects of criminal law and criminal justice within their territory, without the involvement of other levels of government, except perhaps for funding purposes.

However, it seems clear that Division is going to precede any such developments. This is because the federal government's (among others') current position on self-government is, *inter alia*, that Canada shall retain the criminal law power and the GNWT shall retain province-like powers over the administration of justice, including ultimate jurisdiction over corrections, other than those correctional services (such as penitentiaries) which will be retained by the federal government. Self-government negotiations, and the current law, do however contemplate that wide berth will be left for Aboriginal governments to enter into administrative arrangements (contracts for service) with Canada and the GNWT to provide a broad range of correctional services for their people. Since self-government negotiations are expected to be lengthy, and since our task was to set out options for Division in 1999, any discussion here of direct authority by local or regional Aboriginal governments, without reference to a territorial government department, would thus be premature.

This is not to say that self-government options are not relevant to this discussion. They are very much on the minds of all. It is merely to say that it appears obvious that, given the complexity of the ongoing negotiations, Division will precede any developments which may go beyond administrative arrangements for the provision of service.

#### **5.4 OPTION ONE. Department of Justice program with separate community corrections workers**

The NWT is the only jurisdiction in Canada where the corrections department does not have a community arm, nor direct control over the community corrections functions carried out in the jurisdiction. This option would see community corrections transferred back to the Department of Justice, where it resided until the 1960s. Justice would then, as in other jurisdictions, have not only the statutory responsibility, but also the administrative authority and the capacity, to manage the program for handling offenders from the time a sentence is pronounced until warrant expiry. Under this option, community corrections workers would report directly to the Corrections Division.

For certain purposes, local HSS workers currently seek direction from Corrections officials in Yellowknife, as for example where they are uncertain how to handle a particular situation. However, line authority for these workers rests with the Department of Health and Social Services, through Regional Health and Social Service Boards (where operating).





### 5.3.6 Self-Government Options

In the discussion below, one obvious option - the delivery of community correctional services by local or regional Aboriginal authorities, without involvement of any kind by a Territorial government department - is not included. Of course, some Aboriginal governments have in fact declared aspirations in the justice area which include complete authority and autonomy in discharging certain aspects of criminal law and criminal justice within their territory, without the involvement of other levels of government, except perhaps for funding purposes.

However, it seems clear that Division is going to precede any such developments. This is because the federal government's (among others') current position on self-government is, *inter alia*, that Canada shall retain the criminal law power and the GNWT shall retain province-like powers over the administration of justice, including ultimate jurisdiction over corrections, other than those correctional services (such as penitentiaries) which will be retained by the federal government. Self-government negotiations, and the current law, do however contemplate that wide berth will be left for Aboriginal governments to enter into administrative arrangements (contracts for service) with Canada and the GNWT to provide a broad range of correctional services for their people. Since self-government negotiations are expected to be lengthy, and since our task was to set out options for Division in 1999, any discussion here of direct authority by local or regional Aboriginal governments, without reference to a territorial government department, would thus be premature.

This is not to say that self-government options are not relevant to this discussion. They are very much on the minds of all. It is merely to say that it appears obvious that, given the complexity of the ongoing negotiations, Division will precede any developments which may go beyond administrative arrangements for the provision of service.

#### 5.4 OPTION ONE. Department of Justice program with separate community corrections workers

The NWT is the only jurisdiction in Canada where the corrections department does not have a community arm, nor direct control over the community corrections functions carried out in the jurisdiction. This option would see community corrections transferred back to the Department of Justice, where it resided until the 1960s. Justice would then, as in other jurisdictions, have not only the statutory responsibility, but also the administrative authority and the capacity, to manage the program for handling offenders from the time a sentence is pronounced until warrant expiry. Under this option, community corrections workers would report directly to the Corrections Division.

For certain purposes, local HSS workers currently seek direction from Corrections officials in Yellowknife, as for example where they are uncertain how to handle a particular situation. However, line authority for these workers rests with the Department of Health and Social Services, through Regional Health and Social Service Boards (where operating).



Community corrections was left with HSS when institutional corrections was transferred to the Department of Justice in 1992 because the Department of Justice had no effective regional presence. That is still the case. Prior to the changes in the 1960s, community corrections workers (who typically had considerably more relevant education and experience than those who currently do this work in the communities) were supervised fairly effectively from Yellowknife with the aid of detailed operational standards and lots of telephone contact. With the imminent arrival of video teleconferencing, and the creation of new standards for community corrections, this could be made to work again, although regional support is the ideal. Under this option, Corrections Division officials would also need to overcome the problems and issues which have built up over the intervening years during which HSS has had responsibility for the program.

**5.4.1 Advantages of this Option** This option would carry the following advantages:

- **Direct Corrections Branch authority for the community corrections program for which it has statutory responsibility.**

At present, despite a Memorandum of Understanding between Corrections and HSS setting out the correctional responsibilities of HSS workers, Corrections is, on a practical level, entirely dependent on the availability, cooperation and good will of HSS, its workers, and the Regional Boards in the fulfilment of these obligations. As noted earlier, this arrangement is producing a result that is far from what is even minimally required. During our consultations, we were told of a number of instances in which social workers actually refused to carry out a requirement, such as to supervise an offender who had been transferred from another region.

- **Promotion of correctional objectives.**

More than any other model, this option would allow the Corrections Division to promote correctional objectives by directly setting priorities for workers, instilling the required approaches, controlling training, and enforcing requirements. At present, HSS workers and their supervisors are driven, both through professional experience and the demands of their workload, by attitudes, priorities and values which, where they are not in direct conflict with correctional needs, certainly compete with them and often overwhelm them. With Health Board control over comprehensive budgeting, Corrections is not even able to increase the commitment of resources to community corrections by increasing the funds transferred to HSS; all funds are disbursed by each Health Board according to its own lights, and it is not possible to earmark new funds solely for use in correctional programs.



- **Correctional continuity.**

**This option would have the advantage of ensuring that the same authority is responsible for the administration of the sentence, from presentence report through incarceration and/or community corrections, to warrant expiry. This would maximize the chances of continuity in the establishment and execution of an integrated correctional plan for the offender for the full term of the sentence.**

#### **5.4.2 Disadvantages of this Option**

- **It is a centralized approach.**

In this sense, this option runs counter to the general move in the Territory to devolve more control for social programs to the regions and thence, to the local communities. To that extent, it may also be a practical impossibility. Local communities' sense of independence and autonomy is a fiercely guarded interest which, combined with political support and a generalized resentment of any and all dictates from centralized bureaucratic authority, may prove an insuperable barrier to this option.

- **Lack of regional supports.**

Community correctional workers would not form part of the regional health and social service network, and under this option, their effectiveness in working cooperatively with this network could be lessened. Without a regional structure, workers in communities can be very isolated. Yellowknife and Iqaluit are far away from most other communities, and functions such as training, mentoring, supervision, advice and support can be remote indeed. Many of the decisions made by community corrections workers take courage. Breaching an offender can, for example, go against the wishes of some community leaders, strong families, and sometimes the community. Having the strength to do this when necessary is made more difficult without support nearby. A regional structure would help, but such support would still be remote for many communities; even the regions are very large. A regional structure would also require more funds for personnel, staff, travel and other expenses. (It should be noted that under the current system, there are also few substantive regional supports for workers in carrying out their correctional responsibilities, since HSS supervisors and Health Board members' knowledge and understanding of the demands of corrections are very limited at best.)



- 5.5 OPTION TWO. Status Quo: Shared Responsibility by Justice and Health and Social Services** This is the current arrangement. It is not working, for reasons detailed further in Chapter Four. Community corrections ranks too far down the list of priorities and even the essential functions are not being discharged in many if not most communities. The renegotiated MOU, bolstered in 1997 in order to provide greater assurances and specifics regarding the provision of correctional services in the community, has had no appreciable effect on the operational shortcomings of this model.

The option is vulnerable on a number of fronts. Perhaps chief among these is that the resources available at the community level for performing correctional functions are completely inadequate. Nonetheless, this arrangement could be made to work if:

- there were sufficient staff to carry out the required functions;
- the principles listed above were sincerely agreed to by all parties; and
- there were a serious commitment by all parties to:
  - achieving the objectives of community corrections,
  - shared decision-making,
  - deferring to correctional experts in substantive matters, and
  - ensuring that resources earmarked for community corrections are in fact allocated to that function.

Of course, as noted above, a healthier infusion of resources to community corrections is also a *sine qua non* for the effective implementation of all of these models.

#### 5.5.1 Advantages of this Option

- **Conformity to existing devolution plans.**

This option has the advantage that, at division, the arrangements would be clear and the resources would already be with the Regional Health and Social Service Boards. This is the GNWT's current model for the delivery of most related services in the Territory. Having community corrections delivered by HSS staff under the control of Regional Boards would maximize the integration of these workers and the program into the other health and social service programs of the GNWT.





### 5.5.2 Disadvantages of this Option

- **Attenuation of correctional objectives and priorities.**

This option preserves the conditions which can cause correctional needs to be overshadowed and superseded by other priorities, objectives, professional perspectives, and administrative requirements. If this arrangement is to continue, closer liaison between the two departments would be essential and the two departments would need to develop, with the Regional Health and Social Services Boards, specific agreements or protocols setting out the division of work between them and standards for how the various types of cases will be handled. In addition, Corrections Division authority to communicate and work with HSS social workers and Health Boards would need to be recognized and its capacity to do so increased. If there were a sincere commitment from all parties to the importance of the community corrections program, agreement on these issues among the parties and an investment in community corrections could make the partnership viable.

- **Support at higher levels for the enforcement of standards and accountability.**

Existing legislative and administrative standards regarding the provision of Territorial community corrections are skeletal, and support at high levels for supplementing them, thereby potentially giving some teeth to the MOU, is weak. (Because the Correctional Service of Canada (CSC) has never relented in its insistence on its detailed supervision standards for parolees, it has continued to be able to ensure its requirements are met.) In addition, the Regional Health and Social Service Boards have already gained a significant measure of independent power and autonomy, and it remains to be seen how far the current plans for creating a stronger accountability framework for them will succeed.

- **Fractioning of institutional and community corrections.**

One of the most serious drawbacks of the *status quo* is that it splits the authority for correctional care between the institutions (which are the responsibility of the Corrections Division) and the community (which are the responsibility of HSS). This is far from ideal in promoting continuity in correctional care for individuals. In addition, it causes problems, documented in Chapter Four, regarding accountability. We also heard numerous examples of “border disputes” between the two Ministries regarding who was responsible for funding certain services required by individual offenders. The real losers in these kinds of squabbles are the members of the community.



## **5.6 OPTION THREE. Health and Social Services responsibility for all of corrections**

A third option is to transfer institutional Corrections to Health and Social Services, thereby creating HSS as the single authority for the provision of correctional services from the beginning of sentence to its finish. Corrections is clearly a matter of justice administration. It is also, profoundly, a matter for social and health policy. The failure to link justice policy with social and health policy is all too often seen throughout Canada and elsewhere. In part, this reflects the way we have chosen to organize government. Departments and bureaucracies tend to work within the confines of their departments' mandates and indeed come to defend the boundaries. It is always more difficult to get departments of the same government to work together than the dispassionate observer or citizen would like.

Partly because of this universal tendency, this third option could make it easier to ensure that the close working relationships that are necessary are in fact achieved. We stress that the close working relationships must include management and staff of the institutions, social workers, mental health workers and those specifically charged with correctional responsibilities in the communities.

### **5.6.1 Advantages of this Option**

- **Conformity with existing devolution plan.**

This option shares, with option two, the advantage that community corrections agreements and resources would easily be transferred when Division of the Territory takes place. Community corrections would continue to be delivered by HSS workers under the authority of the Regional Health and Social Service Boards, which are intended to be more sensitive to local community needs and interests. Correctional workers would be integrated with health and social service networks more than under option one.

- **Correctional continuity.**

This option could, more than the *status quo*, increase the chances of continuity in the delivery of correctional programs from institution to community, since the same department would be responsible for institutional and community corrections. However, the intervening factor of the Regional Boards could serve to dilute, as with option two, the operationalization of correctional objectives in favour of overall regional priorities for health and social service.



### 5.6.2 Disadvantages of this Option

- **Competition with other health and social service priorities.**

Not just community corrections, but institutional corrections as well, would have to compete for resources with other health and social service priorities of the Territory. Coupled with the strong bias in the Territory against imprisonment, this could result in less, not more, attention to the correctional programming needs of both inmates and offenders in the community. It has already been observed that correctional matters and priorities tend to take a back seat to other health and social service matters when competing for time, funds, and professional recognition. In many respects, this option preserves the conditions which currently lead to the devaluation of correctional needs and objectives within the overall health and social service system.

- **Loss of correctional expertise.**

It seems likely, given the aforementioned disadvantage of this Option, that persons with correctional experience and expertise would be more likely to seek work elsewhere as correctional objectives and ideals become subsumed under a more general framework for health and social services. The end result would likely be the loss of substantive expertise in this specialty area, a loss which would be difficult to regain once it has departed.

## 5.7 Institutional Corrections and Division of the Territory

The imminent problem and opportunity for institutional corrections is the division of the Territory on April 1, 1999. The correctional facilities in the NWT are now unevenly distributed between East and West. This means that at the time of Division, a significant number of Nunavut offenders will be incarcerated in the Western Arctic (or potentially, in the South) rather than in their home Territory.

The study's mandate did not extend to drafting a new capital plan for the NWT Corrections Division. Nonetheless, certain conclusions seem inescapable. First and foremost, the **current overcrowding in NWT prisons will, absent the creation of new facilities, continue to get worse** as the numbers of persons in the "crime-prone" age categories in the Territory continue to grow at a high rate, as the proportion of prisoners convicted or charged with violent offences continues to grow, and their relatively lengthy sentences cause them to accumulate in the institutions. **A recent GNWT review of young offenders trends placed the need for additional youth facility beds alone at 40 to 44 spaces by the year 2011.**

**For adult facilities, assuming no change in current capacity or the use of Southern facilities, we estimate the average daily prisoner count in the year 2006 will be between 107 and 269 inmates above current capacity.**



If it goes unaddressed, this overcrowding will, as noted above, affect both new territories after Division, but in differing ways. This is more than just an overcrowding problem, but, because of the serious and changing nature of the prison population, a management and programming problem of significant proportions. The Territory also has a **serious shortage of “halfway” and “halfway back” facilities** to provide a transition to the community and an alternative to revocation and return to prison or penitentiary following a breach of the conditions of release.

The overcrowding problem is compounded by the **substandard and aging institutions** which the Corrections Division now operates. At least one of these facilities has been, in effect, condemned by the GNWT Public Works and Services Department as unsafe. **The Corrections Division does not, however, have control over the funds required for capital improvements to its own facilities.**

There is no question that, regardless of the precise options chosen, an infusion of territorial capital for new facilities and facility upgrades in the near future is required. An additional, but difficult cost to quantify, is the administrative costs associated with setting up the required correctional programs in Nunavut.

### 5.7.1 Northern Offenders Housed in the North

There are two facilities in Nunavut: the Baffin Correctional Centre, an adult facility and Isumaqsunngitukkuvik, a young offenders facility. Both are located in Iqaluit. There are five facilities in the Western Arctic. The Yellowknife Correctional Centre, the South McKenzie Correctional Centre in Hay River, and the Women's Territorial Correctional Centre in Fort Smith are adult facilities. The River Ridge Youth Centre in Fort Smith and the Dene Konia Youth Centre in Hay River are facilities for young offenders<sup>16</sup>. These facilities, and the programs within them, are described in Appendix Four.

As noted in earlier chapters, the facilities (particularly the adult facilities) are seriously overcrowded. Together, they have a rated capacity of 241 beds but are routinely called upon to house approximately 350, with occasional peaks that go even higher.

The uneven distribution of facilities between East and West means that **the facilities in Nunavut are not adequate to accommodate inmates from Nunavut.** The Baffin Correctional Centre was not designed to accommodate inmates requiring medium or maximum security. Consequently, the Yellowknife Correctional Centre houses a significant number of adult male Inuit. There is no women's institution in Nunavut and the Young Offender facility, Isumaqsunngitukkuvik, cannot accommodate all Inuit youth committed to custody.

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<sup>16</sup> There are several community residential centres for adults and for young offenders (open custody facilities) in the NWT, but more of these are in the West as well





Coincidentally, the degree of overcrowding in NWT facilities is roughly equal to the number of Inuit inmates housed in Western facilities. For example, in April 1997, the NWT facilities were about 100 inmates over capacity, and there were 77 Nunavut offenders incarcerated in Western Arctic facilities.

**Thus, if a new facility or facilities were to be built in Nunavut and offenders from the East were all able to serve their sentences in their own territory, overcrowding would be alleviated in both territories.** Given 1997 counts, new Nunavut facilities would need to house an additional 80 adult male offenders, another 10 young offenders, and approximately 6 female offenders. Given the forecasts in Chapter Two, it may be prudent to consider larger facilities.

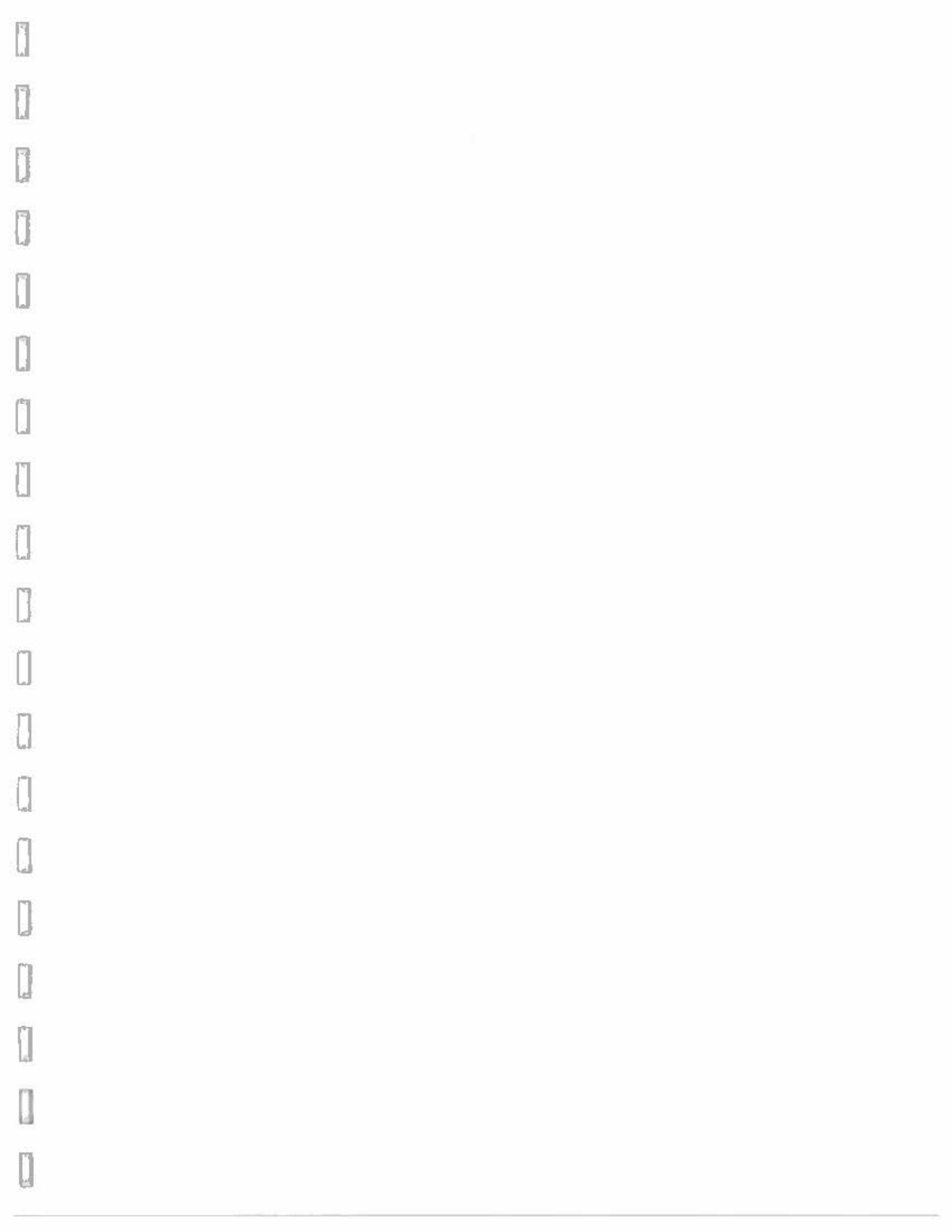
### 5.7.2 Northern Offenders in Penitentiaries

The question of Northern offenders in Southern penitentiaries adds more complexity. **There are approximately 150 Northern offenders in federal penitentiaries, all of which are in the South.** Some of these offenders have mental illnesses or other special needs that can only be addressed in facilities such as the Regional Psychiatric Centres of the Correctional Service of Canada (CSC). Most if not all of them require and can benefit from the more intensive programming available in CSC facilities. Some CSC programs are in fact designed and delivered specifically for Northern offenders.

The housing of Northern offenders who are given federal-length sentences (two years or more) in Southern facilities is problematic on a number of fronts. While the distances between most communities and the prisons of the NWT are large, the distances to Southern facilities are even greater, and the opportunities for contact with families and community reintegration are correspondingly affected. The considerable cost of transporting offenders to Southern penitentiaries, formerly borne by the RCMP, is now being shifted onto the Corrections Division. Northern offenders are particularly unsuited to life among the relatively criminally sophisticated and predatory inmates of Southern penitentiaries, and they often return more criminalized or more damaged than when they left. Transfers create opportunities for the importation of unhealthy influences. Language is a barrier for many.

Of course, it should be recognized that the reverse is also true. **The housing of Northern federal offenders in NWT facilities under Exchange of Service Agreements with CSC also creates problems,** in that the Northern facilities currently do not have the same level as CSC of resources, programs, training (or even, given current overcrowding, the room!) to address the continuing risks and needs which these offenders present.

An offender survey carried out by a joint federal and Territorial group in 1994 determined that 120 Northern offenders could be considered for repatriation — if space and programs were available. The question of a Northern penitentiary or joint federal/territorial facilities in the North has been addressed repeatedly. In 1994 and 1995 the issue was again explored by a federal/Territorial task force. Nine options were examined and jointly owned and operated facilities were recommended which could house both federal and territorial inmates.



This option would have seen the expansion of the Baffin Correctional Centre, the re-development of the Yellowknife Correctional Centre, construction of a new facility in Inuvik, and additional Regional halfway house beds. The federal government estimated the capital costs alone for this option to be \$52,000,000<sup>17</sup>. The federal Treasury Board considered the recommendation in late 1995 and decided against capital expenditures in the North. The Board did approve the purchase of a facility from Alberta, which solved an immediate accommodation problem for CSC in Western Canada.

The creation of two territories in 1999 and the continued growth in federal and Territorial prison populations does, however, create another opportunity to re-open this question. The federal government is responsible for the creation of two territories and has a responsibility to ensure that the two new governments in the North can address the problems they face, some of which are consequences of Division. **We recommend therefore that negotiations begin as soon as possible for joint facilities in the North. Possibly this should form part of an overall consideration by the federal Cabinet of questions related to Division.**

Joint facilities would have a number of advantages for the federal and territorial governments. CSC acknowledges that it has difficulty providing appropriate and adequate programs for many Northern inmates and everyone agrees that, if possible, they should be placed nearer their families and communities. In addition, the transportation costs of transferring prisoners south and returning them North are significant and could be substantially reduced if there were Northern facilities.

Joint facilities also would make possible some savings in staffing and in program delivery. As noted in Chapter One, NWT inmates, in their criminal histories and risks, more closely resemble federal inmates than they do provincial inmates. They need similar programs and supports and it would be more efficient and effective to jointly run the programs. A territorial or a federal institution by itself may not have sufficient staff or inmate numbers to offer the full range of needed programs. Operated jointly, however, more programs could be offered at less cost.

For the Territorial governments, joint facilities would have a series of additional advantages. While 350 inmates are significant, it is not a large enough number to allow the full range of programs and functions that a correctional system requires. This will only be made more difficult following the creation of two Territories. Joint facilities would allow the two territories to benefit from CSC's infrastructure, at very little cost to CSC.

Program development, planning, training, research, evaluation, and computer systems could, for example, be shared with the Territories and would facilitate continuing improvement of corrections in the North — for both federal and Territorial offenders. Sharing of these core functions should be part of the negotiation process.

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<sup>17</sup> Likely an underestimate: construction in the north is more expensive than southerners think and the federal figure does not include housing and other community facilities and services that would be required.



**The key questions about this model involve practical questions of resourcing and staffing.** The negative opinion about the use of imprisonment held by so many Aboriginal people, especially in the North, will make it difficult to staff new institutions with Inuit, Indian and Metis workers. This would preserve the current and less than ideal situation in which non-Aboriginal workers are principally involved in staffing institutions which house offenders who are principally Aboriginal. Attempts to attract expert staff from the South have also tended to fall far short of the ideal. Transfers of CSC staff from the South to work in Northern institutions for a two-year period cannot be expected to provide much of a stopgap. This is one of the realities of corrections in the North. However, the alternative, which is to live with the current levels of overcrowding, inadequate programming, and consequent risks to public safety, is unacceptable.

### **5.7.3 Interim Arrangements**

Even if negotiations were to begin soon, it is clear that it will be years before new facilities are operational. It could easily be six or seven years; negotiation, planning, design, and construction will all take substantial time and effort. **This delay will require the Government of Nunavut to enter into interim agreements with other jurisdictions to assist with Nunavut offenders.** One option is to continue with the current arrangements under a new agreement with the Western Territory and an Exchange of Service Agreement with CSC modelled after the current agreement between CSC and the NWT. Given the geographical issues and the serious needs and risks presented by Northern offenders, this option is likely to be the best among a series of options which are less than ideal.

Another option would be to consider an agreement with one or more provinces. The NWT has the highest operational costs of any Canadian correctional jurisdiction, and it may be advantageous for Nunavut to have interim arrangements with a province or provinces, at least for some offenders.

### **5.7.4 Incarceration and Community Alternatives**

Chapter One describes the use of incarceration in the North. In the NWT, the incarceration rate per 10,000 adult population is approximately 75 - by far the highest in the country. Yukon's rate is approximately 35. Among the provinces, only one, Saskatchewan, is over 15 per 10,000 adult population. These are substantial differences. If, however, the rate per 10,000 adults charged is examined, the picture is quite different. The rate for the NWT is still high at approximately 380 per 10,000 adults charged, but it is similar to the other provinces and lower than Quebec. Thus, given crime rates and the seriousness of offences (which as we have seen show a preponderance of violent and sexual offending), incarceration in the NWT is not dramatically overused when compared to other Canadian jurisdictions. At the same time Canadian rates are high when compared to other countries.

Nearly everyone the project team spoke to would like to see less use made of incarceration, especially since it is seen by most Northerners as an option which currently offers little or no help to inmates with their criminogenic problems. This includes the judiciary. At the same time, crimes that are more serious are coming before the courts and more offenders have records including violent offences.



Judges are, of course, bound to follow the laws of Canada and Courts of Appeal further limit their discretion. Nonetheless, as argued in Chapter Four, there is scope for more community alternatives, both instead of a prison sentence and to facilitate early release. First, however, provision needs to be made for community-based resources and initiatives which can address the significant risks and needs presented by offenders who are now sent to prison and penitentiary. Judges and the public need to be convinced that there are resources and effective programs in the community if alternatives are to be used. And Corrections will, appropriately, be reluctant to use early release if communities are not equipped or are unwilling to deal with offenders in the community. Therefore, more community resources have been recommended.

The development of community justice committees is encouraging. So too, is the number of communities that are beginning to take more responsibility for their social problems and be more involved in justice issues. Nonetheless, a caution is warranted. The experience of other jurisdictions shows that most alternatives sentences work best for property offenders and, too frequently, alternatives are an “add-on”. That is, they are used for offenders who would not have gone to jail in any event. We think that there is scope for alternative measures for some cases, but it seems unlikely that this can make a dramatic difference in incarceration rates. **It is more likely that successful community programs will merely slow the rate of increase in the prison population.** This is very significant but it does not hold the promise that rates of incarceration will come down quickly.

The majority of the offenders in the system now are, in the right circumstances, dangerous. Most have lengthy records. It is too much to expect that many of them could have been handled without incarceration in a different system, without further jeopardizing their victims. It is also too much to expect that they can rebuild their lives without significant assistance, both while incarcerated and when released to the community.

## 5.8 The Long Term

Although it is beyond the terms of reference of this study, **it is worth urging that more community effort and government resources be devoted to prevention.** In the long term, the social and economic challenges in the Territory require a strategic approach which places less emphasis on solutions within the framework of the justice system, and more emphasis on a broad-based approach to addressing the deep-seated social and economic problems which ultimately result in crime.

It is significant that, in contrast to fifteen or even ten years ago, justice system workers in the North (and elsewhere, but especially those justice system workers in remote and Aboriginal communities) now talk openly about the failure of the justice system to effectively address the problems of crime and victimization which it was intended to address. Community and justice workers told the researchers about multigenerational histories of abuse of various kinds which reach far beyond the capacities of the justice system to address. One worker told of his experience trying to work with a man who was charged with sexually assaulting each of his nine children. This offender, in turn, had been one among nine children sexually assaulted by a family member when he was young.





## Chapter 5. Service Delivery and Division

How, asked the worker, can the justice system hope to solve the problems presented by these cases, problems which stretch backward and forward in time, multiplying in number as they progress, problems which touch on every aspect of human life?

The problems of all the governmental and non-governmental community and regional workers are, at some level, the same. The family on social assistance whose teenage son is charged with criminal mischief is the same family in which there is an ongoing child welfare investigation and a sexual assault charge against the father. The child who is getting beaten up at home and is failing in school is the adult who is sent to prison twenty years later. Since community resources are so scarce, it may make sense for each community to make a collective decision around a mandate for community safety (or some other goal), and pool its existing paid and voluntary resources to work cooperatively towards the same objectives. In this scheme, workers would have official permission to step outside the confines of their own home organizations' mandates, and to work flexibly with others to achieve mutual goals.



## **Appendices**

- 1. Statistical Profiles and Information Systems to Support Correctional Planning in the Northwest Territories A1:1**
- 2. Summary of Comments: Workshop on Forecasting and Community Programming for NWT Correctional Populations, November 24, 1997 A2:1**
- 4. References A3:1**
- 4. Territorial Correctional Facilities: Programs and Employment for Offenders A4:1**

