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## MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES

### 4.08—Community Services Program

(Follow-up to VFM Section 3.08, 2002 Annual Report)

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#### BACKGROUND

The Ministry's Community Services Program (Program) is responsible for supervising adult offenders (18 years of age and older), and, until March 31, 2004, it was responsible for young offenders (16 to 17 years of age) who were under some form of conditional release—that is, who were on probation, serving a conditional sentence, or on parole (responsibility for young offender services was transferred to the new Ministry of Children and Youth Services on April 1, 2004). The objectives of the Program are to protect the public by monitoring offenders in the community and to rehabilitate offenders through training, treatment, and services that afford them opportunities for successful personal and social adjustment in the community.

At the time of our 2002 audit, on any given day, there were an average of 65,000 offenders (adult and young offenders combined) being supervised by the Ministry in the community. Of these offenders, 95% were on probation, 4% were serving conditional sentences, and the remaining were on provincial parole.

At March 31, 2002, the Ministry employed approximately 770 probation and parole officers throughout the province. In addition, as part of the Program, the Ministry contracts with selected community agencies to provide a variety of counselling and treatment programs. As of April 1, 2004, there were about 1,100 probation and parole staff working throughout the province, of which about 700 were employed by the Ministry. The balance of about 400 staff was transferred to the new Ministry of Children and Youth Services. In 2003/04, total program expenditures amounted to approximately \$95 million (approximately \$82 million in 2001/02).

In 1999, the Ministry initiated a new offender management model, which highlights offenders' correctional needs that should be addressed to effectively reduce the risk of offenders reoffending. In 2002, while we acknowledged that the Ministry was in the process of implementing this new model, we concluded that there were a number of deficiencies in its procedures that hindered the effective supervision of offenders in the community. For instance:

- At the offices we visited, over 40% of offenders who had committed additional "level I" offences while under ministry supervision lacked the required risk and needs assessment and an individualized management plan to identify their risk of

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reoffending and to recommend supervision. (Level I offences include sexual assault, assault causing bodily harm, uttering death threats, and other violent crimes.)

- At the five offices we visited, of the cases involving level I offenders who later committed additional offences while under supervision, we noted that over 30% had not been followed up on a timely basis after the offender failed to comply with the conditions of their supervision.
- We estimated there were approximately 10,000 arrest warrants outstanding for offenders in the community who had failed to report to their probation and parole officers. Some of the warrants had been issued as far back as 10 years. Many of these offenders were assessed as high risk and had committed serious offences, such as sexual assault and assault causing bodily harm. The Ministry did not know how many of the offenders against whom there were arrest warrants outstanding were still at large.

While we recognized that once a warrant is issued, the police—not correctional staff—are responsible for apprehending the offenders, the Ministry and the police needed to work more closely together so as not to expose the community to significant risk.

- According to a ministry report, correctional programs for offenders were often not available in their local community. For example, of the over 3,000 sex offenders being supervised by the Ministry, fewer than 600 received appropriate rehabilitation programs.

We made a number of recommendations for improvement and received commitments from the Ministry that it would take corrective action.

## **CURRENT STATUS OF RECOMMENDATIONS**

The Ministry's Internal Audit Services reviewed the status of action taken to date on our 2002 recommendations. We, in turn, reviewed Internal Audit Services' work and determined that we could rely on it. Based on this review and on other information we received from the Ministry, we found that limited progress has been made on the recommendations from our *2002 Annual Report*. The current status of ministry action on each of our recommendations is as follows.

### ***NEW OFFENDER MANAGEMENT MODEL***

In 2002 we stated that we would follow up in two years on the progress of the implementation of a new offender management model known as the Probation and Parole Service Delivery Model (PPSDM).

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## Current Status

The Ministry had implemented the PPSDM in all of its probation and parole offices (at the time of our 2002 audit, the PPSDM was in place in 35% of the probation and parole offices). Evaluations done by the Ministry indicated that the assessment component (assessing risk and needs) and the stream placement component (placing offenders in one of four intervention service streams to meet their correctional needs) were being complied with at the probation and parole offices. However, the Ministry was still working on expanding the availability of the core rehabilitation program component (see also the Rehabilitation Programs section of this follow-up.)

## ***SUPERVISING OFFENDERS IN THE COMMUNITY***

### **Risk and Needs Assessments and Management Plans**

#### **Recommendation**

To reduce the risk that offenders under ministry supervision will reoffend and to enhance the rehabilitation of these offenders, the Ministry should complete the required risk and needs assessments and management plans for these offenders on a timely basis.

#### **Current Status**

According to the Ministry, risk assessments were done in about 95% of cases, and management plans were completed for about 67% of cases. The Ministry stated that since 2000, it had hired an additional 165 probation and parole officers. However, it needed more supervisory staff to oversee the work of its probation staff. As part of the government's results-based planning process, the Ministry was planning to request approval for additional supervisory staff by fall 2004.

### **Monitoring and Enforcing Compliance with Conditions of Supervision**

#### **Recommendation**

*To better ensure public safety, the Ministry should:*

- *take timely and appropriate corrective action when offenders under ministry supervision fail to meet the conditions of their supervision, especially in cases of high-risk offenders; and*
- *ensure probation and parole officers properly document their decisions, including the rationale for not taking enforcement action in cases of non-compliance.*

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## Current Status

According to the Ministry, there were still problems with ensuring timely and appropriate corrective action when offenders fail to meet the conditions of their supervision. These problems included failure to document reasons for not taking enforcement action when offenders were not complying with supervision orders. The Ministry indicated that, in more than half of the cases it reviewed, documentation was lacking when offenders did not comply with treatment, counselling, and restitution orders. The Ministry stated that it needed more supervisory staff to oversee the work of its probation staff and that it would be requesting approval for additional supervisory staff by fall 2004.

## Outstanding Arrest Warrants

### Recommendation

*To better protect the safety of the community and enhance the credibility of the justice system, the Ministry should work more closely with the police to ensure that high-risk offenders against whom there are arrest warrants outstanding are apprehended in a timely manner.*

### Current Status

The Ministry had made some progress in co-ordinating its efforts with those of the police to help ensure that high-risk offenders are apprehended in a timely manner.

As of June 2004, half of the Ministry's area offices had established written protocols with local police regarding the sharing of offender information. However, there was no plan for the sharing of warrants information between the Ministry's Offender Tracking Information System and the Canadian Police Information Centre. The Ministry acknowledged that better sharing of such information is needed for the timely apprehension of high-risk offenders with outstanding warrants.

According to the Ministry, after our 2002 audit, subsequent counts indicated there were about 9,600 warrant files located at the various probation and parole offices across the province. Further review and assessment by the Ministry, in conjunction with efforts by courts and police services, showed that 4,700 of the warrant files were outdated and had since been resolved. The Ministry indicated that it is in the process of dealing with the remaining 4,900 outstanding warrants.

## REHABILITATION PROGRAMS

### Recommendation

*To provide offenders under the Ministry's supervision with better opportunities for successful personal and social adjustment in the community, the Ministry should ensure the availability of rehabilitation programs that offenders need.*

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**Current Status**

The Ministry informed us that it had increased its core rehabilitation programs from three to five. At least one of these core programs was available at 45 of the Ministry's 105 probation and parole offices across the province (programs were available at only 39 offices during our audit in 2002). The Ministry indicated that it was planning to expand the availability of its five core programs to more offices. According to the Ministry, in remote or in some smaller satellite offices offender needs are addressed on an individual basis.

**PROBATION AND PAROLE OFFICERS****Caseloads and Workloads****Recommendation**

*The Ministry should develop workload standards and use them to analyze staffing requirements so that staff can be deployed in a more efficient and effective manner.*

**Current Status**

The Ministry issued a report on how to implement workload measurement for probation and parole staff in February 2004. The Ministry indicated that workload standards would be implemented after the proposed standards have been tested and an information system to import data on workloads has been introduced.

**OFFENDER TRACKING AND INFORMATION SYSTEM**

In our 2002 report, we noted that the Ministry had implemented a new Internet-based Offender Tracking and Information System (OTIS) to replace the former Offender Management System. Our review and discussion with ministry staff at the time indicated that, while OTIS supported the sharing of information with other partners, it did not facilitate case management by probation and parole officers. We also noted that there were inadequate controls to prevent unauthorized access to offender records. We stated that we would follow up in two years on the Ministry's progress towards correcting the problems with OTIS.

**Current Status**

According to the Ministry, OTIS reliability has been improved in that the number of crashes and screen freezes have been reduced. A ministry survey done in late 2003 indicated that the majority of probation and parole officers found OTIS to be helpful in their case management of offenders. Also, more rigorous password controls have been put into place.

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## **FUNDING AND MONITORING COMMUNITY SERVICE AGENCIES**

### **Recommendation**

*To ensure both due regard for economy and efficiency and accountability for service performance, the Ministry should ensure that:*

- *funding to community service agencies that provide programs to offenders is based on a proper assessment of service-level requirements;*
- *payments made to these community service agencies are properly supported by signed contracts; and*
- *services provided by such agencies are monitored to confirm that they adhere to ministry standards and meet the needs of offenders and that funds are used prudently.*

### **Current Status**

The Ministry still did not provide funding to community service agencies based on a proper assessment of the service levels required. The Ministry acknowledged that, as of December 2003 only half of the 176 ministry contracts for adult community services had been signed; however, by March 31, 2004, only seven remained unsigned. The Ministry also acknowledged that due to staffing, there is a continuing lack of quality assurance processes in place to verify that services are provided appropriately. The Ministry stated that it was considering changing its staffing structure and bringing in a competitive selection process for agencies before 2005.

## **MEASURING AND REPORTING ON PROGRAM EFFECTIVENESS**

### **Recommendation**

*The Ministry should implement performance measures to assess the effectiveness of the Community Services Program in contributing to public safety and the rehabilitation of offenders.*

### **Current Status**

The Ministry indicated that it was developing a new Performance Outcome System for community service offenders. According to the Ministry, the performance measures will be developed for implementation later in 2004.