



Reports of Standing and Special Committees

**Standing Committee on
Oversight of Government Operations and Public Accounts**

***Report on the Review of the Auditor General's
2015 Report to the Legislative Assembly on
Corrections in Nunavut***

**Second Session of the Fourth Legislative Assembly of Nunavut
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Introduction

Nunavut's current *Corrections Act* was inherited from the Northwest Territories upon division. The *Corrections Act* establishes the Government of Nunavut's duties and responsibilities related to corrections services within the territory.

Section 2 of the *Corrections Act* provides the following:

- “The purpose of the Corrections Services is the correction and treatment of offenders and the protection of the community by
- a) providing, when requested by a court, information respecting the background of an offender before sentencing;
 - b) offering probation and parole supervision and counselling and aftercare services to offenders;
 - c) providing for the safe custody and detention of inmates in a correctional centre;
 - d) providing supervision, treatment and training of inmates with a view to their rehabilitation; and
 - e) promoting and assisting programs designed to prevent and diminish crime within a community.”

In January 2013, the Government of Nunavut and the federal Office of the Correctional Investigator signed a Memorandum of Understanding for the federal office to assist in conducting a review of the Baffin Correctional Centre, to provide strategic advice on the legal and policy framework of the corrections division and to produce a report highlighting the office's conclusions.

The federal Office of the Correctional Investigator's 2013 *Report on the Baffin Correctional Centre and the Legal and Policy Framework of Nunavut Corrections* indicated that the physical infrastructure of Nunavut's core correctional centre “is not safe for either staff or inmates, and hinders the ability of Nunavut corrections to fulfil its legal mandate of humane custody and rehabilitation.” In its report, the federal office also indicated that its “review of law and policy also suggests that Nunavut corrections is not operating within a rigorous and modern legal and policy framework.”

On March 10, 2015, the Speaker of the Legislative Assembly tabled the Auditor General of Canada's 2015 *Report on Corrections in Nunavut*. Since April 1, 1999, every report of the Auditor General to the Legislative Assembly has been referred to a Standing Committee for consideration. Witnesses from appropriate Government of Nunavut departments, Crown corporations and agencies have been invited to appear in public to account for their responses to the Auditor General's recommendations and the concerns of MLAs.

On March 17, 2015, the Legislative Assembly passed Bill 11, *An Act to Amend the Corrections Act*, which included a number of amendments to bring the legislation into alignment with the corrections division's current operating procedures and the Canadian Charter of Rights and Freedoms. During the Committee of the Whole's consideration of Bill 11, the Minister of Justice indicated that his department is "currently completing a more comprehensive review of the Act with the intent of overhauling it in the long term."

The Standing Committee on Oversight of Government Operations and Public Accounts held its hearings on the Auditor General's 2015 report from May 5-7, 2015. These hearings were open to the public and news media to observe and were broadcast on local cable and satellite television.

Witnesses from the Office of the Auditor General and the Government of Nunavut's Department of Justice appeared before the Standing Committee. The transcripts from the Standing Committee's hearings are in the process of being posted to the Legislative Assembly's website and will be available in both Inuktitut and English.

The objective of the Auditor General's audit was to determine whether the Department of Justice has met its key responsibilities for inmates within the corrections system. Focusing primarily on the Baffin Correctional Centre and the Rankin Inlet Healing Facility, the office examined the department's management of inmates and correctional facilities. In his report, the Auditor General concludes that the department has not met its key responsibilities for inmates within the correctional facilities.

The Auditor General's report presented seventeen specific recommendations. These recommendations addressed the following thematic areas:

- Facility planning
- Oversight of facility operations
- Vision and operating procedures
- Integrating Inuit Societal Values
- Inmate case management
- Rehabilitative programming
- Mental health services
- Staffing

The Standing Committee concurs with the recommendations of the Auditor General and notes that the government itself agreed with all of the Auditor General's recommendations.

It is important to note that the Standing Committee, pursuant to rule 91(5), requests that the government table a comprehensive response to this report within 120 days.

Standing Committee Recommendation #1

The Standing Committee recommends that the Department of Justice provide, in its response to this report, a comprehensive and detailed action plan that includes timelines and specific actions that it will undertake to address each of the recommendations made in the Auditor General's 2015 *Report on Corrections in Nunavut*.

Issue: Facility Planning

The lack of physical infrastructure to appropriately house inmates within Nunavut has been an ongoing concern since the territory was created. Nunavut's core correctional facility, the Baffin Correctional Centre, was originally built to house minimum-security inmates. Despite numerous renovations to increase the security level of certain areas within the facility, the Baffin Correctional Centre still does not have the physical infrastructure to securely house maximum-security inmates.

In order to provide offenders from the Kitikmeot region with rehabilitative services closer to home, the department opened the Kugluktuk Ilavut Centre in April of 2005.

The Standing Committee notes that overcrowding at the Baffin Correctional Centre has been a very serious and recurring problem within the facility.

To address the issue of overcrowding at the Baffin Correctional Centre, and to increase its capacity to house inmates within the territory, the department constructed the Rankin Inlet Healing Facility, which opened in January 2013, and the Makigiarvik healing facility, which opened in January 2015. During the course of the Standing Committee's hearings, departmental officials provided the following information on the current capacity of each of the territory's facilities:

“Currently, Makigiarvik is 48 minimum-security beds and only minimum. The Rankin Inlet Healing Facility has 32 medium-security beds and 16 minimum-security beds. And, the Baffin Correctional Centre has, what we have listed here, as 42 minimum-security beds, 18 beds we consider to be slightly higher security, so a medium, and the 6 behavioural unit beds.”

In his report, the Auditor General indicates that, “in 2012, the department predicted that Nunavut would need 268 correctional facility beds by 2026.” The Auditor General also indicates that, at the time of the audit, the Kugluktuk Ilavut Centre, the Uttaqivik Residential Centre and the division's various outpost camps had the capacity to hold 15, 14 and 8 minimum-security inmates, respectively.

According to this information, the current capacity of Nunavut's facilities will fail to meet its future correctional needs and will require approximately 70 additional beds by 2026.

In his report, the Auditor General states that his office found that the department “has not been housing inmates at the Baffin Correctional Centre according to their security ratings, as required by its own directives,” and that “the centre is a minimum-security facility that cannot properly house inmates with a medium- or maximum-security rating.”

The Standing Committee notes with concern that the territory's current correctional facilities may not meet the territory's future correctional capacity needs and emphasizes the importance of comprehensive and strategic planning in this area to ensure that all facilities are properly utilized according to their appropriate capacity and security levels.

During the Standing Committee's hearings, an official from the department stated that:

"We know that in order to properly house and provide a safe and secure environment for the inmates who have been entrusted to us, we must address the core, critical need for maximum-security beds. As Mr. Stewart just described, we're going through the process of the preplanning stage, the design phase, and working up recommendations and options for the decision-makers to make a choice and decision for our correctional facility for maximum-security inmates appropriate for the territory."

The Standing Committee recognizes that the government may have to invest significant financial resources to ensure that inmates can be safely and securely housed and that the corrections division meets its projected facility needs. The Standing Committee looks forward to receiving more information on the department's strategy to address the issue of Nunavut's correctional facility needs and recognizes that the department will be developing these plans in accordance with the government's overall capital planning process.

In his report, the Auditor General notes that the Baffin Correctional Centre "has been the subject of studies and reports dating back to 1996, including a report from the Office of the Correctional Investigator" and that these reports "highlighted operational limitations and safety concerns for the centre's inmates and staff." The safety concerns highlighted in these reports included the lack of programming space, holes in the walls, the presence of mould, poor air quality and non-compliance with the National Fire Code.

In November 2014, the Legislative Assembly approved \$850,000 in capital funding for the Department of Justice's "Baffin Correctional Centre Life Safety Renovations" project. Information provided to Members at that time indicated that this funding includes "costs associated with bringing the facility up to code and does not include the design of including maximum-security beds/cells at this time."

During the Standing Committee's hearings, Members requested an update on how this funding has been allocated. Departmental officials stated that:

"We did get approved for \$850,000 to start up the design work of the BCC life safety renovation. However, due to those external reports and internal reports that we assessed of the building, the mould situation in the building was too critical to not address immediately. We utilized our remaining minor capital money in 2014-15. However, we realized that we were going to need additional funds in 2015-16 to continue and complete the mould remediation. It was decided that due to the emergency nature of the situation, we would utilize the \$850,000 for the design of the lifecycle renovation to address this."

During the Standing Committee's hearings, Members asked questions concerning the presence of mould at the Baffin Correctional Centre and the department's actions to address the facility's non-compliance with the National Fire Code. In response, departmental officials stated that:

"Now, as individual problems have been identified, we have addressed them, fire drills, mould, those various pieces that we're identifying, and we work with Community and Government Services to address those problems, but they're repeating problems as opposed to getting at the core issue, which is a facility that's old, dated, and inappropriate for the housing of inmates."

The Standing Committee notes with approval that the department has taken actions to ensure that required evacuation drills are performed and contingency plans developed for its correctional facilities.

Standing Committee Recommendation #2

The Standing Committee recommends that the Department of Justice provide, in its response to this report, detailed information on the specific actions that it is taking to prepare for the territory's projected capacity needs.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, detailed information on the options that it is currently considering to address the lack of maximum-security beds in Nunavut's correctional system, including any related cost estimates.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, detailed information on any of its ongoing or planned reports and reviews related to Nunavut's correctional facility needs.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, detailed information on the oversight measures that it will implement to ensure all necessary emergency evacuation drills and inspections at the correctional facilities are performed until such a time as the new compliance-oriented position is created and filled.

The Standing Committee further recommends the Department of Justice provide, in its response to this report, a detailed timeline for the completion of the mould remediation project at the Baffin Correctional Centre.

Issue: Oversight of Facility Operations

As a part of its mandate, the Corrections Service is responsible for the safe and secure housing of inmates. According to the corrections division's operating procedures, inmates at the Baffin Correctional Centre and the Rankin Inlet Healing Facility may be placed in segregated confinement to ensure the safety of inmates and staff.

In his report, the Auditor General indicates that the department is required by its own corrections directives to ensure that all placements of inmates in segregated confinement involve appropriate justification, authorization and regular review. However, the Auditor General noted that in both the Baffin Correctional Centre and the Rankin Inlet Healing Facility, the department did not "adequately monitor whether key requirements for those in segregation were followed."

During the Standing Committee's hearings, Members raised questions related to the corrections division's lack of documentation and authorization for administrative segregation placements. In response, departmental officials indicated that the authorizations are being provided in practice, but that the division needs to improve its documentation of segregation placements.

The Standing Committee emphasizes the importance of providing accountability and oversight measures to monitor segregation placements within correctional facilities by ensuring that correctional staff are trained and required to conduct consistent and thorough documentation of all segregation placements within Nunavut's correctional facilities.

The Standing Committee notes that the presence of contraband within facilities may increase the risk of disruptive and violent behaviour within correctional facilities and can lead to security incidents. To ensure the safe and secure housing of inmates and to ensure the safety of staff, the department must have the necessary procedures to remove the presence of unauthorized substances or objects within its correctional facilities.

In his report, the Auditor General indicates that the department "did not adequately monitor whether facility management was controlling contraband at the Baffin Correctional Centre." According to the division's own operating procedures, correctional staff are required to conduct and document a search of cells during each shift. In his report, the Auditor General indicates that searches of cells were conducted irregularly and were not documented.

In his report, the Auditor General states that:

“Although the department had information on the number of contraband-related incidents, it had not analysed related trends, such as the type of contraband, its seriousness, or how it entered the facility. Without such information, the department was not fully informed about where to try to address the centre’s contraband challenges, or about the full impact of contraband in facilities and on inmates.”

To ensure the safe and secure housing of inmates and staff, the facility management must adequately control contraband within facilities. In order to adequately control contraband within facilities, the department must identify the underlying sources of incidents related to contraband, the types of contraband and how contraband is entering the facility.

The Standing Committee notes that analyses can only be completed if correctional staff are conducting regular searches of cells and documenting all searches and results. In turn, the department must implement oversight and accountability measures and train and direct staff accordingly to ensure that this procedural documentation is occurring according to the necessary requirements.

During the Standing Committee’s hearings, departmental officials stated that:

“[W]e are working on an electronic system that will track all the types of contraband. Through that, we will be able to do better analyses. Realistically, until we have a building that you cannot penetrate, we are still going to have a problem. We are keeping track the best we can with this.”

The Standing Committee recognizes that utilizing modern technology will allow for the clear and efficient tracking of information within correctional facilities. However, the Standing Committee also recognizes that correctional staff must have the ability to begin documenting incidents immediately and quickly in order to meet the demands of a high-pressure environment such as a correctional facility.

For this reason, the Standing Committee emphasises the importance of providing correctional staff with the resources and direction to begin documentation of segregation placements and incidents related to contraband at the earliest opportunity and, if necessary, in writing, until such a time as the electronic tracking system becomes fully operational.

Standing Committee Recommendation #3

The Standing Committee recommends that the Department of Justice provide, in its response to this report, the oversight measures that it will implement to ensure that all correctional staff are performing and documenting the required justification, authorization and regular review of segregation placements, until such a time as the new electronic system is fully operational.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, the oversight measures and tracking methods that it will implement to ensure that correctional staff are performing and documenting regular searches of cells and tracking incidents and types of contraband entering the correctional facilities.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it will undertake an analysis of trends related to contraband within the correctional facilities.

Issue: Vision and Operating Procedures

On January 25, 2013, the Government of Nunavut issued a news release to announce the official opening of the Rankin Inlet Healing Facility. The release indicated that:

“The facility will offer many opportunities and benefits to inmates, staff and to the community ... Inmates will be expected to participate in programs aimed at a rehabilitative objective and focusing on community-based programming such as spousal assault and literacy.”

The Standing Committee notes that the Rankin Inlet Healing Facility was constructed to alleviate the overcrowding at the Baffin Correctional Centre and that its purpose as a minimum-security facility would be to provide rehabilitative programming to inmates within the territory.

In his report to the Legislative Assembly, the Auditor General indicated that the Rankin Inlet Healing Facility did not have its own standing orders when it opened and instead “operated with, and eventually adopted, the standing orders in place at the Baffin Correctional Centre.”

During the Standing Committee’s hearings, Members raised concerns related to the importance of developing distinct standing orders for the Rankin Inlet Healing Facility. Witnesses from the Office of the Auditor General stated that:

“[G]iven that the facility was built as a healing facility, we expected it to have its own unique procedures. Without aspects to how it will operate, it is unclear to us how it will live up to its goal of being a healing facility and differentiate itself from BCC.”

The Standing Committee notes with concern that the department has yet to develop a vision or standing orders specific to the Rankin Inlet Healing Facility.

The Standing Committee recognizes that the department has recently developed an overarching vision for the corrections division, which is to “actively promote safe and healthy communities through fostering responsibility and self-reliance of Nunavummiut in conflict with the law by managing risk in the least restrictive manner.”

However, during the Standing Committee’s hearings, departmental officials made it clear that the Rankin Inlet Healing Facility receives only minimum- and medium-security inmates and may refuse to accept inmates on the basis that their behavior does not align with the facility’s vision as a healing facility, despite not having a vision that is distinct from other facilities in the territory.

The Standing Committee notes with concern that the Auditor General’s report indicated that the average rate of occupancy at the Baffin Correctional Centre during the time of the audit was above that of the facility’s capacity, while the average rate of occupancy at the Rankin Inlet Healing Facility was below that of the facility’s capacity. During the Standing Committee’s hearings, Members raised questions concerning the discrepancy in the distribution of inmates across the facilities. In response, departmental officials stated that:

“My colleague has indicated that right now the average is around 42 at Rankin Inlet. That varies from week to week, as inmates are moved into that facility. We don’t want to undermine our vision as a low-risk healing facility by moving in individuals that are not appropriate for that facility.”

The Standing Committee emphasizes the importance of developing visions and operating procedures for each of Nunavut’s facilities that will provide clear objectives for the employees and management within each facility. If the department’s current operations are such that the Rankin Inlet Healing Centre may refuse inmates based on requirements aside from an inmate’s security level, then these requirements should be made clear to correctional staff and should be founded in operating procedures that are specific to that facility.

On May 1, 2015, the Department of Justice issued a Request for Proposals titled *Staffing, Overtime and Organizational Review of the Nunavut Corrections Division*. This Request for Proposals indicates that the corrections division is currently facing a number of staffing challenges, including “high rates of turnover.”

The Standing Committee recognizes that although all correctional facilities in Nunavut may share the overarching goals of the corrections division, it is clear that each correctional facility in Nunavut has distinct capacities, security levels, programming and community supports. It is especially important that management in the corrections division have an established set of goals and objectives in order to provide consistently high levels of service, while struggling with issues such as high rates of staff turnover.

For this reason, the Standing Committee emphasizes the importance of developing distinct visions and specific operating procedures for each facility.

Standing Committee Recommendation #4

The Standing Committee recommends that the Department of Justice develop facility-specific visions and operating procedures at the earliest opportunity and provide, in its response to this report, a detailed timeline by which it will develop and implement these visions and operating procedures.

Issue: Inuit Societal Values

During the Standing Committee's hearings, Members raised a number of concerns related to the corrections division's initiatives to integrate Inuit Societal Values into its case management process and rehabilitative programming. In response, departmental officials indicated that the corrections division currently works with elders who provide counselling services to inmates and provides an Inuit Skills Cultural Program, which prepares inmates for participating in the division's outpost camp program.

In his report, the Auditor General stated that:

"The corrections directives provide some guidance on incorporating cultural aspects into programming, particularly by involving elders and offering programming on the land. However, the directives contain little guidance on how Inuit Qaujimajatuqangit can be incorporated into other aspects of the corrections system."

During the Standing Committee's hearings, departmental officials stated that:

"We want to make sure that the new legal framework will make sense for Nunavut, that it will reflect the Inuit societal values and it will reflect the unique nature of this part of the world to ensure there is a grounding here for our population."

However, Members did not receive any specific information to demonstrate that the division has practicably integrated Inuit Societal Values into rehabilitative programming, case management and release plans and other aspects of the corrections system.

Standing Committee Recommendation #5

The Standing Committee recommends that the Department of Justice provide, in its response to this report, a comprehensive and detailed action plan, including detailed timelines and specific actions, by which it will integrate Inuit Societal Values into all aspects of the corrections system.

Issue: Inmate Case Management

The Corrections Service has the responsibility to safely house and provide rehabilitative and treatment services for inmates within the territory. Rehabilitation and treatment is provided to inmates within a correctional facility through a case management process and by offering rehabilitative programs to inmates.

In his report, the Auditor General notes that:

“The case management process in Nunavut facilities includes specific requirements related to assessment of inmates’ needs and risks, development of case plans for inmates, inmates’ access to rehabilitation programs and mental health services, monitoring of inmates’ progress, and planning for inmates’ release back into the community.”

The Standing Committee notes with concern that the corrections division is failing to provide adequate services related to the assessment of inmates’ needs, the development of case plans, providing consistent and relevant rehabilitative programming, monitoring inmates’ progress against their case plans and preparing release plans to prepare inmates for successful reintegration into the community.

The Standing Committee notes that the corrections division is currently only providing initial assessments of inmates at the Baffin Correctional Centre, due to the fact that there are currently no correctional staff members trained to perform these assessments at the Rankin Inlet Healing Facility. During the Standing Committee’s hearings, departmental officials stated that:

“Eventually, we do plan to have some people in Rankin Inlet trained in assessment to be able to take direct admission, but we are not there yet. It’s part of the training that’s ongoing and that’s going to be coming up.”

In his report, the Auditor General stated that during the 2013-2014 fiscal year, the average length of stay for inmates at the Baffin Correctional Centre and the Rankin Inlet Healing Facility was 75 days and that inmates within the sample of the audit had to wait an average of 13 days to be assessed.

The Standing Committee emphasizes the importance of completing inmates’ assessments in a timely manner to enable staff to develop and utilize case plans that will guide inmates in their rehabilitation. The Standing Committee notes that performing initial assessments will require more trained staff and encourages the department to provide the necessary training to its current staff at the earliest opportunity.

During the Standing Committee's hearings, the Auditor General stated that:

"[W]e found that serious case management deficiencies at the Baffin Correctional Centre and the Rankin Inlet Healing Facility limit the department's efforts to rehabilitate inmates and prepare them for release back into the community. For example, none of the inmates sampled had a completed case plan to guide their rehabilitation. In addition, access to rehabilitative programs and mental health services was inadequate, and limited planning was done to help prepare inmates for release."

In his report to the Legislative Assembly, the Auditor General notes that staff at the Rankin Inlet Healing Facility were not trained to complete case plans and that all plans were completed at the Baffin Correctional Centre. The Auditor General also notes that case plans developed at the Baffin Correctional Centre were incomplete and lacked critical elements such as goals to address inmate's need and recommendations for programs and services to fit those needs. The audit also found that there was "a lack of monitoring of inmates progress against inmates' case plans and limited planning for inmates' release."

The Standing Committee notes that the development and review of case plans for inmates is essential to ensuring inmates' needs and risks are identified and that progress can be effectively assessed throughout the duration of their stay at a correctional facility. Comprehensive case plans specific to each inmate allow both staff and inmates to identify measurable goals and benchmarks for success. Regular, documented reviews of inmates' case plans also allows for staff and inmates to track inmates' progress and to adjust programming and services as inmates' needs and risks evolve during their stay at a correctional facility.

The Corrections Service is responsible for preparing inmates for release and reintegration into the community. In his report, the Auditor General states that his office "found that the corrections directives contain little guidance on ways to plan for an inmate's release, despite indicating the importance of such planning." Further, the Office of the Auditor General found that a release plan had been completed for only one of the twenty-one files sampled in its audit.

During the Standing Committee's hearings, Members asked a number of questions concerning the corrections division's specific guidelines for preparing release plans and planning for an inmate's reintegration into the community. While government witnesses made a number of references to programming and indicated that staff members discuss inmates' release in undocumented conversations, Members did not receive clear information on specific actions that correctional staff must take in order to prepare inmates for their release from a correctional facility.

During the Standing Committee's hearings, Members also asked a number of questions concerning the division's specific process and timelines for preparing inmates for their release from correctional facilities. In response, departmental officials stated that:

"My understanding is that there's no regulated time period and there's no regulated framework, but rather, the transition into the community starts from the very day the individual comes into our facilities, is assessed, a case management plan is ideally put in place, and we start offering the programming to the individual, including working with the elders and the counselling and the mental health services, all of those things."

The Standing Committee recognizes that planning for an inmates' release is embedded within the case management process. However, the corrections division must ensure that it is providing clear guidance for staff concerning required documentation and actions that must be taken in preparation for inmates' release from the correctional facility and that release planning is effectively preparing inmates for their reintegration into the community.

The Standing Committee notes with concern that ineffective case management may prevent inmates from accessing rehabilitative programs, such as anger management or substance abuse, and therefore prevents inmates from receiving support that may have assisted them with successful rehabilitation.

The Standing Committee also notes that the compliance-oriented position that the department intends to create will also be responsible for conducting "annual audits on the completion of assessments and case management plans."

Standing Committee Recommendation #6

The Standing Committee recommends that the Department of Justice provide, in its response to this report, the oversight measures that it will implement to ensure that correctional staff are performing inmate assessments in as expeditious a manner as possible to provide inmates and staff with sufficient time to address any concerns identified in the assessments.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, the oversight measures that it will implement to ensure that correctional staff are developing case plans specific to each inmate and which include benchmarks for progress and identify any mental health needs until such a time the new compliance-oriented position is created and filled.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, the oversight measures and tracking methods that it will implement to ensure that correctional staff are performing regular reviews of inmates' progress against their case plans.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it will produce clear procedures for the development of inmate release plans.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it will have provided training to its staff to increase its capacity to perform intake assessments.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it will have provided training to its staff to increase its capacity to develop case plans, release plans and perform regular progress reports.

Issue: Rehabilitative Programming

Under the *Corrections Act*, the department is responsible for providing programs to inmates within the correctional system to aid in their rehabilitation and reintegration to the community. In his report, the Auditor General states that the rehabilitative programs offered to inmates are intended to “minimize the negative effects of imprisonment, help their personal development, and prepare them for successful reintegration into the community. “

During the Standing Committee’s hearings, government witnesses made reference to a number of rehabilitative programs that are currently offered within Nunavut’s correctional facilities, including programs to address substance abuse, spousal abuse, anger management, educational upgrading, counselling and the outpost camp program.

In his report, the Auditor General indicates that his office found that “inmates did not have adequate access to rehabilitative programs at the Baffin Correctional Centre and Rankin Inlet Healing Facility.”

According to the corrections directives, correctional facilities must have program plans that clarify program schedules, space, resources and costs and establish goals and objectives which provide measures for success for each program. In his report, the Auditor General states that “without a program plan, including financial and human resources to provide programming to inmates, it was difficult for facility staff to monitor access and delivery.”

During the Standing Committee’s hearings, Members asked a number of questions related to programs offered within the territory’s correctional facilities. In response, departmental officials indicated that programs are offered based on the needs of inmates within the facility and differ throughout the course of a year. However, the Standing Committee notes with concern that the department did not provide clear information on how the department determines program schedules, and financial and human resources required to operate programs.

During the Standing Committee’s hearings, Members asked questions concerning the department’s efforts to assess the effectiveness of its programs. The issue of recidivism has been raised in the House on a number of occasions. The Standing Committee notes with concern that the department still does not have the capacity to measure the rate at which offenders reoffend.

In his report, the Auditor General states the following:

“We also found that the Department had not assessed whether it was addressing the needs of the overall inmate population with its programming, nor had it reviewed the programs that it offers to see how much they help to rehabilitate inmates. Currently, programs at the Baffin Correctional Centre are based on existing programs or materials from external sources, but it was not clear how these have been tailored to inmates’ backgrounds.”

The Standing Committee recognizes that recidivism, as a concept, is difficult to define and that clearly and comprehensively measuring recidivism may require a significant allocation of time and resources. However, the Standing Committee strongly encourages the department to determine a method by which it can assess its rehabilitative programming to ensure that it remains relevant to the inmates and that any gaps in the corrections division’s current programming are identified and addressed.

In order to adequately evaluate the current programming that is being delivered, the corrections division must also ensure that it is keeping comprehensive documentation related to programming schedules, attendance and inmates’ progress.

The Standing Committee notes that in response to recommendations made by the Auditor General concerning mental health services, the department has indicated that it has been preparing a request for proposals “to assess current programs and services in relation to incarcerated Nunavummiut’s risks and needs in Nunavut correctional facilities.” The Standing Committee looks forward to ongoing updates on this initiative.

Standing Committee Recommendation #7

The Standing Committee recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it will have developed and implemented comprehensive program plans for each of its correctional facilities.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, detailed information on timelines and specific actions by which it will determine and implement methods to assess the effectiveness of its rehabilitative programs in reducing the rate at which offenders reoffend and re-enter the corrections system.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, the oversight measures that it will implement to ensure that correctional staff are developing schedules, tracking attendance and evaluating outcomes for rehabilitative programming that is delivered in its correctional facilities.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it intends to issue a Request for Proposals for the review of its rehabilitative programming and table a report on the findings of this review in the Legislative Assembly.

Issue: Mental Health Services

As a part of its mandate to provide treatment and rehabilitation to inmates, the Corrections Service is responsible for providing mental health services to inmates when necessary. In many cases, the criminal behaviour of offenders is related to underlying mental health issues. In these cases, the inmates' successful rehabilitation relies on the correctional services' ability to identify and address inmates' mental health needs.

During the Standing Committee's hearings, Members raised many concerns related to the corrections division's efforts to provide mental health services to inmates. In response, departmental officials indicated that the corrections division provides mental health services through psychological services, counselling from correctional staff and elders and a number of rehabilitative programs.

During the Standing Committee's hearings, Departmental officials indicated that the corrections division has one psychologist at the Baffin Correctional Centre and that the department provides training for all correctional staff in Mental Health First Aid for Northern People. Departmental officials also indicated that the division currently does not have the resources to provide adequate mental health services to inmates in the territory.

In his report, the Auditor General stated that:

“We found a program in place at the Baffin Correctional Centre for inmates with higher mental health needs. Despite this, we found that inmates whose files we reviewed did not receive adequate access to mental health services. Of the 12 inmates in our sample who were identified as requiring psychological services, only 2 received referrals to the psychologist and 2 had access to a psychiatrist on one occasion.”

In his report, the Auditor General noted that inmates at the Rankin Inlet Healing Facility “did not have access to the psychologist but could use community supports.” During the Standing Committee's hearings, Members asked a number of questions related to the specific counseling supports that are provided at the Rankin Inlet Healing Facility. In response, departmental officials indicated that local elders and support groups, such as the regional men's support group, Angutiit Makigiarnngingit, often provide counseling to the inmates.

Departmental officials recognized that the division needs to improve its documentation and tracking of mental health services currently provided to inmates and indicated that it is currently planning to perform an analysis of its mental health services in all correctional facilities.

The Standing Committee notes that the division is working with the Department of Health's mental health division to identify ways to improve services for inmates during their stay in the correctional facility and after their release.

The Standing Committee recognizes that mental health is an ongoing concern for individuals and groups throughout the territory and encourages the department to ensure that inmates' mental health needs are identified and to explore ways to improve its delivery of mental health services within the corrections system.

Standing Committee Recommendation #8

The Standing Committee recommends that the Department of Justice provide, in its response to this report, detailed information on the oversight measures that it will implement to ensure that inmates with identified mental health needs receive necessary services.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, detailed information on the oversight measures that it will implement to ensure that correctional staff complete the required documentation related to mental health services provided to inmates.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, detailed information on its initiatives to enhance the psychological services currently offered at the Rankin Inlet Healing Facility until such a time as the corrections division's mental health services are comprehensively reviewed.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it intends to issue a Request for Proposals for the review of its mental health services and when it plans to table a report on the findings of this review in the Legislative Assembly.

Issue: Staffing

The Office of the Auditor General found that the department has been inadequately managing its staffing of the Baffin Correctional Centre and the Rankin Inlet Healing Facility. Specifically, the department did not have a fully trained staff complement and is relying on casual employees and overtime, while failing to manage and monitor overtime usage.

The Rankin Inlet Healing Facility officially opened in January 2013; Makigiarvik has been open since January of 2015. In his report to the Legislative Assembly, the Auditor General indicates that the department did not perform comprehensive staffing analyses to prepare for the opening of the new facilities. As a result, the Rankin Inlet Healing Facility was opened before it were fully staffed and before staff was fully trained to undertake the duties required of their positions.

To address the staffing shortages in each of these facilities and the staffing challenges at the Baffin Correctional Centre, the division has had to rely on casual employees and overtime, at a great cost to the department. In his report, the Auditor General notes that the department received \$2.8 million in funding to “cover a shortfall in salary expenses for overtime and casual staff in the 2013-2014 fiscal year.”

During the Standing Committee’s hearings, Members raised a number of questions concerning the department’s failure to fully train its staff in its correctional facilities. In response, departmental officials indicated that the initial staffing of the Rankin Inlet Healing Centre and Makigiarvik were undertaken without the time or resources normally required of staffing a correctional facility due to the overcrowding and mould remediation at the Baffin Correctional Centre. In fact, during the hearings, departmental officials indicated that the department had not yet completed its recruitment for staff at the Makigiarvik centre.

The department also indicated that it is currently facing high rates of turnover that require the department to provide ongoing training to new employees.

The Standing Committee notes with concern that the Auditor General’s report has highlighted a number of inconsistencies between the corrections directives and the division’s daily operations, including requirements related to segregated confinement and case management. The Standing Committee recognizes that the department is currently working on a comprehensive review of its legislation, policy, directives and operating procedures.

The Standing Committee strongly encourages the department to ensure that its directives are relevant, detailed and comprehensive, so as to provide staff with clear direction on the division’s expectations and operating procedures, especially given that it is currently facing challenges with staff turnover.

The Standing Committee also strongly encourages the division to ensure that correctional staff receive the necessary training to fulfil their mandated responsibilities under the corrections directives.

In his report, the Auditor General notes that the division has recently developed a new training regime that required all correctional staff to take newly mandated training. As a result, many correctional staff had not completed the key mandatory training. The department has indicated that it may take up to two years before all correctional staff members are fully trained.

The Standing Committee notes that the department is currently implementing a new electronic system to track training that has been completed by its correctional staff. The Standing Committee emphasises the importance of ensuring that all correctional staff receive the necessary training to undertake their duties in a way that provides a safe and secure environment for inmates and staff within correctional facilities.

The Standing Committee recognizes that the department has recently issued a Request for Proposals for a *Staffing, Overtime and Organizational Review of the Nunavut Corrections Division* and that the purpose of this analysis is to identify the underlying causes of staffing challenges within the division and determine solutions to address these issues. The Standing Committee looks forward to ongoing updates on this work.

During the Standing Committee's hearings, Members also raised concerns in relation to the division's current initiatives to increase Inuit employment within the division. In response, departmental officials indicated that the department has undertaken a number of recruitment events within the communities. The Standing Committee encourages the department to explore ways in which it can improve its efforts in this area.

Standing Committee Recommendation #9

The Standing Committee recommends that the Department of Justice provide, in its response, to this report detailed information on the number of indeterminate, term and casual employees and vacant positions in the corrections division, broken down by facility, as of April 1, 2015.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, the total amount of expenditures that it has allocated to overtime and casual employment in the corrections division for the 2014-2015 fiscal year.

The Standing Committee further recommends that the Department of Justice provide, in its response to this report, a detailed timeline by which it intends to table a report on its *Staffing, Overtime and Organizational Review of the Nunavut Corrections Division* in the Legislative Assembly.

Conclusion

In recent years, Members of the current and previous Legislative Assembly have asked a number of detailed written questions to the Minister of Justice, requesting specific information related to the corrections division's staffing, programming and services.

It is important that the government provide detailed and updated information on its actions and initiatives to fulfil its responsibilities as mandated by territorial legislation. This transparency is especially important when the legislation has been created to protect and serve vulnerable sectors of society. For example, under the regulations of the *Family Abuse Intervention Act*, the Minister is required to table an annual report that must contain information on applications received, recommendations for counselling, summary reports of the government's initiatives to address and prevent family abuse and outstanding needs of the communities.

Given that inmates are wards of the territory and are protected under the *Corrections Act*, it is equally important that the Minister of Justice provide detailed and updated information on the actions that his department undertakes to fulfil its responsibility to safely house inmates and guide their rehabilitation and successful reintegration into the community.

Standing Committee Recommendation #10

The Standing Committee recommends that the Minister of Justice begin the practice, starting with the 2015-2016 fiscal year, of tabling a comprehensive report in the Legislative Assembly on the administration of the *Corrections Act*, and that this annual report include detailed information concerning such matters as:

- The number of inmates in each facility, including a breakdown of the number of inmates at each security-level (i.e. minimum, medium, maximum),
- The number of cell searches and contraband incidents at each facility and initiatives to analyse trends related to contraband within the facilities,
- The number of segregation placements, broken down by the types of segregation placement,
- The number of indeterminate, term and casual employees and vacant position in the corrections division, broken down by facility,
- Expenditures related to overtime and casual employees in the corrections division,
- The rehabilitative programming that is delivered to inmates, broken down by facility and type,
- Initiatives to assess the effectiveness of rehabilitative programs in reducing the rate at which offender reoffend,
- The mental health services provided to inmates and individuals recently released from correctional facilities, broken down by facility, and
- Initiatives to integrate Inuit Societal Values into the Corrections Service.