

Final report

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FINAL REPORT

OF THE

STEERING COMMITTEE

ON

SPLIT IN JURISDICTION

IN

CORRECTIONS /

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SEPTEMBER, 1978

*Canada. Ministry of the Solicitor General.
= Steering Committee on split in jurisdiction - corrections*

STEERING COMMITTEE

The Steering Committee on Split in Jurisdiction in Corrections was struck by the Continuing Committee of Deputy Ministers responsible for Corrections in October, 1977. The members were:

- A.T. Wakabayashi, Secretariat, Federal Ministry of the Solicitor General, Chairman
- J. Crane, Correctional Services, Dept. of the Attorney General, N.S.
- J. Connor, Correctional Services, Dept. of Justice, N.B.
- M. Gauthier, Ministry of Justice, Corrections Branch, Quebec
- M. Algar, Ontario Ministry of Corrections
- E. Cox, Manitoba Ministry of Correctional and Rehabilitative Services
- B. Robinson, B.C. Corrections Branch, Dept. of Attorney General.

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PART I - BACKGROUND

At their June 1977 meeting, the Ministers responsible for Corrections reviewed the work of two Task Forces on Long Term Objectives in Corrections (the B.C./Federal Study and the Federal/Provincial Study) and requested that the three following options be examined in greater depth:

1. The provinces take over all adult corrections

Under this option each province would have responsibility for all offenders sentenced to incarceration, all community sentences, and all parole decision-making and supervision. This would involve their assuming the responsibilities currently carried out by the Canadian Correctional Service (institutions and parole) and the National Parole Board. The federal government would have no direct responsibilities for adult offenders, and its continuing role in corrections would depend in large measure on the extent to which it were involved in the setting and monitoring of national standards.

2. The federal government take over all adult offenders sentenced to more than six months

This option arises mainly from the recommendations of the Fauteaux Report of 1956 and the Federal-Provincial Conference of 1958. This split in jurisdiction is, like the present one, based on length of sentence, with six months rather than two years being the point of division. The reason the Fauteaux Report preferred this demarcation line is that it permits one jurisdiction to have responsibility for all offenders requiring rehabilitative treatment and programs. Under

this option it is assumed (and rationalized later in the report) that the provinces would no longer need paroling authority, since offenders serving six months or less would not need parole. It is also assumed that both the federal and provincial jurisdictions would retain a community correctional component, and that there would continue to be federal responsibility for parole decision-making and supervision.

3. The establishment of a joint federal/provincial corporation to be responsible for all corrections within a province

Under this option the Federal/Provincial Corporation would have responsibility for all adult corrections, including sentences of incarceration, community sentences, parole, and probation. The provincial government would continue to have responsibility for remand and those activities associated with the administration of justice in the police and courts. Once again, the role of federal and provincial governments would depend on the extent to which legislation gave them a continuing involvement in standard setting, policy planning and co-ordination between the different corporations across Canada.

In October 1977, the Deputy Ministers responsible for Corrections decided that the examination should concentrate on the financial implications of the alternatives, although other implications should also be considered.

In January 1978, the Steering Committee which had been formed to oversee the study had its first meeting, during which the approach

to the study was developed and the following four decision made:

- That the basis for the financial analysis would be an updated version of the data supplied by all jurisdictions to the National Task Force on the Administration of Justice;
- That the study would be conducted by regional teams comprising a representative of each of the following:
 - the province or provinces,
 - the National Parole Board,
 - the Regional Headquarters of the Canadian Corrections Service;
- That the Policy Planning and Evaluation Division of the Secretariat of the Ministry of the Solicitor General would provide the overall co-ordination of the study;
- That two more options should be examined, namely:
 - any combination of the first three options; and
 - the federal government take over of all sentenced offenders.

The inclusion of these two additional options by the Steering Committee (particularly the federal take over), naturally expanded the area of Corrections to be examined. Specifically, it included all institutions for holding inmates (sentences of incarceration), parole, probation, fines, community sentences, community service orders, such as restitution. In short, the Steering Committee deemed "Corrections" to be every relevant area following the sentencing decision by the court. It, therefore, did not include remand (although in certain instances, because of the use of secure facilities for remand, there are implications which, where relevant, were included in the study).

IMPLICATIONS

Although consistent with the directions of the Steering Committee, it was agreed the study should concentrate on the financial implications

of the various options, it was agreed that the following implications would also be taken into consideration:

- Personnel,
- Service Delivery,
- Administration and Organization,
- Standards.

The question of constitutionality was also included as part of the original terms of reference for the study. However, on the basis of a legal opinion by a legal officer in the Department of Justice, the study assumed that all the options were, in fact, constitutional, as were any combination of them. An added caveat is necessary, however, since although the federal government may constitutionally have a role in corrections under Option I, it was not clear to the Steering Committee whether this role could or would be operationalized.

CONDUCT OF STUDY

Consistent with the general directions given by the Steering Committee, a detailed work plan was developed by the Policy Planning and Program Evaluation Division of the Secretariat of the Ministry of the Solicitor General.

Four basic forms were designed to collect comparable data for the federal and provincial institutions within each region. Two forms were concerned exclusively with data pertaining to finance and personnel, consistent with that provided to the National Task Force on the Administration of Justice. Two others, however, were concerned with information pertaining to inmate profiles and program matters, in order to give a further dimension to the study, so that the comparison of costs and staff could be made in the light of a general

comparison of costs and staff could be made in the light of a general knowledge of differences in types of inmates and programs within the respective systems.

This package of four forms was sent out to all regions and provinces in advance of the meeting so that they could be completed beforehand.

The regional meetings were then convened, in accordance with the schedule given below, with two representatives of the Policy Planning and Program Evaluation being present at all of them.

At the meeting, the data pertaining to finance and personnel were first discussed so that an understanding was obtained of any significant variations between the different jurisdictions, and the reasons for such variations. In addition, the implications of each of the options was then reviewed in the light of the data.

Next, a review was made of the information pertaining to inmates and program matters generally, again to determine what differences existed, and to what extent these were governed by differences in program policies or the inmate population.

After each meeting, a report was prepared of the findings and submitted to all participants. These are available upon request. These reports were then consolidated into this present report, which attempts to highlight the significant findings in respect of each option.

SCHEDULE OF MEETINGS

Prairies (Winnipeg)	-	March 2
Ontario (Kingston)	-	March 6
B.C. (Vancouver)	-	March 8, 9
Québec (Montréal)	-	March 13
Atlantic (Halifax)	-	March 16, 17

Following the regional meetings a meeting of the Federal/Provincial Steering Committee on Split in Jurisdiction was held on May 2 and 3 in Ottawa. At this meeting the final report of the group was reviewed and changes suggested.

RELIABILITY OF STATISTICAL DATA

In the written work plan that provided the framework for the study, it was anticipated that the data being collected would be somewhat crude in nature. This, in fact, proved to be the case, as immediately became apparent when cost comparisons were attempted at the regional meetings.

Unfortunately, this problem cannot be corrected in an exercise of this nature. It is too fundamental, springing from differences in nomenclature and methods, particularly regarding the identification and distribution of costs in the various jurisdictions. For instance, the composition of salary payments, which represent the major part of all costs, varies considerably from one area to the next. In some cases, overtime and premiums are not separable from basic salary; in others, fringe benefits are not identifiable, with the result that true comparisons are not possible. Similarly, the grouping of staff positions by major categories is not entirely reliable, due to different definitions and job descriptions. Again, therefore, comparison

of positions by types and ratios cannot be as precise as, ideally, it should be in an exercise of this nature.

This deficiency in the basic data is, of course, a serious one, given the study's emphasis on financial implications. Nonetheless, we feel confident that the exercise was useful in providing a general indication of relative costs, simply because those making the comparisons at the operational level were sufficiently familiar with the respective jurisdictions and their anomalies to draw valid conclusions.

For the future, it is worth pointing out that to correct the problem areas would be a difficult and extended undertaking, as it would involve an extensive restructuring of accounts in some jurisdictions and some adjustments in accounting methods in others. If we accept that comparability and consistency of data are desirable for all jurisdictions, indeed, for determining comparative costs on a national basis, then such an exercise would be well worthwhile. However, it is an undertaking that would rightly fall under the purview of the National Task Force on the Administration of Justice, or some other long-term group which, ideally, should include representation for Statistics Canada.

PART II - SUMMARY OF NON-QUANTIFIABLE FINDINGS

GENERAL

As stated, the study was to concentrate on the financial implications of the various options, although other implications were also to be examined. Indeed, it soon became apparent that the financial implications were to a large extent dependent on the other implications. For instance, it is impossible to determine the costs of any of the options without examining and making certain assumptions about personnel, since salaries represent the major part of all operating costs.

Therefore, the regional task teams, instead of analyzing exclusively the financial data, gathered and systematically reviewed information that was relevant to the full scope of the study. Most of this information was collected in descriptive manner under Form D of the original Work Plan and is non-quantifiable in nature. Nonetheless, it is germane, covering the full gamut of correctional services, and it must be taken into consideration before a complete understanding can be obtained of the implications of making any changes in correctional jurisdiction.

The Steering Committee, therefore, reviewed the findings of the regional meetings regarding these items before drawing its own conclusions, which are given on the following pages.

1. PHILOSOPHY

As was borne out at the regional meetings, there has been in the

past a tendency to assume that a significant variation exists between the correctional philosophies of the federal and provincial systems. The Steering Committee, however, concluded that, in fact, there is no basic difference in philosophy between the two systems, nor, for that matter, between any of the provincial systems.

There are, it is clear, marked operational differences between the federal and provincial systems and between the different provincial systems, but these spring from differences in the respective inmate populations and the very different demands these impose on their custodians.

The inmates in the provincial systems have shorter sentences. Their profiles differ from their federal counterparts and they do not generally pose serious security problems. To the extent possible, therefore, the current provincial emphasis is on community corrections, to permit the inmates to participate in a wide range of activities based in the community rather than in the institution, and thus to develop, maintain and strengthen valuable personal relationships.

By contrast, most inmates in the federal system have much longer sentences and different profiles. They often represent a security risk, which makes community programming unfeasible. And because they are required to work or involve themselves in a variety of programs, including academic or vocational training, these services must be provided within the walls of the institutions, where the appropriate level of security can be guaranteed. Internal security

and concern for the protection of the public have, therefore, become a predominant feature of the federal system, as opposed to the community orientation of the provincial system. However, this difference is, in the opinion of the Steering Committee, a reflection of the operational realities, not of divergent philosophies.

At the regional meeting it was felt that these different emphases - and the characteristics emanating from them - would pose problems if the systems were amalgamated. Regardless of the organizational model chosen, it was felt that the characteristics of the federal system would tend to dominate. There would, therefore, be greater security in the total unified system, but this would be achieved at the expense of community programming.

The Steering Committee, while acknowledging this danger, nonetheless felt that it would be just as likely that the community orientation of the provincial system would influence many aspects of the unified system, with the result that more inmates would benefit from the established pattern of community operations.

All in all, therefore, it was agreed that although it was difficult to predict what the characteristics of the unified system would be, there was no doubt that some of the prevailing practices would tend to be affected one way or another by the merger. The general correctional philosophy would, however, remain unchanged.

2. PERSONNEL - RECRUITMENT AND TRAINING

On the strength of the information received, it is not possible to determine on a national basis any major distinctions between the staff of the federal and provincial systems. It does seem clear, however, that in the provinces with the larger systems (B.C., Ontario and Québec) the profiles of the federal staff correspond almost exactly with their provincial counterparts. This is particularly true in salary, training, specialization and career opportunities. Any merger between the two systems should not, therefore, cause undue difficulties at the personnel level.

In the Prairies and Atlantic region, on the other hand, there is a considerable difference between the federal and provincial personnel in many aspects of their work and conditions of employment. The provincial salaries, for instance, are significantly lower, a factor that would almost certainly become a critical item under Option I. In the opinion of the Steering Committee, the most likely action under this option would be that the salaries of federal employees would be red-circled until the provincial salaries caught up.

In addition, although there is a discernible country-wide trend toward reducing the traditional distinctions between "custodial" and "treatment" staff, this distinction is still much more pronounced in the federal and larger provincial systems, except B.C. Under an amalgamated system, therefore, no serious problems should arise in the most of the larger provinces with respect to the melding of the federal staff with the provincial staff.

Such is not the case, however, with B.C., the Prairies and Atlantic regions, where there is very little distinction at the provincial level between these two categories of employees. Indeed, in some systems the same personnel carry out both functions as part of their routine work. It would, therefore, be much more difficult to meld federal and provincial personnel in these systems, because of the greater specialization of the former.

It was also pointed out at the regional meetings that, although at present the differences in salaries and career opportunities often give rise to inequitable competition for staff, in certain locations these apparent federal advantages are not necessarily regarded as an incentive by provincial personnel who, in many cases, would be reluctant to leave their home districts.

Finally, on this subject of career opportunities, the Steering Committee reached the conclusion that although certain personnel problems would inevitably arise under all options, none of them would be insurmountable. In addition, the committee agreed that even under the present systems there are many opportunities for career development which the various jurisdictions should exploit more vigorously.

3. INSTITUTIONAL FACILITIES

The institutions in the federal and provincial systems vary greatly. This variation is due to such factors as availability of funding, jurisdictional priorities, the age, condition and purposes of the facilities and the evolution of correctional philosophy.

It is not possible, in most instances, to compare facilities on the basis of security, because of the different security designations employed across the country. The most useful distinction, therefore, is with regard to the functions of the institutions. They range from short-term holding centres, which provide very little program activity either inside the institution or the surrounding community, to facilities which provide board and accommodation for residents working or studying in the community, to facilities which provide a broad range of in-house programs on a continuing long-term basis.

The provincial and federal jurisdictions share facilities, although the extent to which this is done varies. In some instances, for example, joint use is made of psychiatric facilities, hospitals and some Community Residential Centres. In other instances, however, both jurisdictions maintain duplicate facilities and there is almost no sharing. This is particularly true of Community Residential Centres, because of the disparities in rates. The provincial rates reflect local costs and practices, whereas the federal rates are national.

Although transfers between jurisdictions are possible via the exchange of service agreements, only limited use is made of this

mechanism, especially by the provinces. Again, the reasons are principally financial. The difference in the per diem rates of the federal operation and those of some provinces often makes it too costly for the provinces to transfer inmates, even though security considerations or geographic location may make such transfers desirable.

Some jurisdictions have developed comprehensive building policies dealing with the establishment, renovation or abandonment of facilities. Other jurisdictions, however, have no such policies and it is not even possible to predict the life expectancy of old or obsolete institutions because the availability of funds has such an important bearing on the question.

It was also stressed at some of the regional meetings - and concurred with by the Steering Committee - that there is a regrettable absence of joint planning with regard to facilities. It was, therefore, agreed that joint planning - or at least consultation - should be embarked on whenever new facilities were being considered, particularly regarding type, size and location of the institution.

It was acknowledged that in some instances where consultation has taken place, the location of the new facilities was ultimately decided by political factors as well as those specific to correctional theory and practice. Nonetheless, the Steering Committee felt that the principle of joint planning and consultation should still be pursued.

In general, there is a greater variety of federal than provincial facilities, and they provide a broader range of services. Although some of the larger provinces (particularly Ontario) provide a comparable variety, the Steering Committee felt that, in general, the question of specialized facilities could pose a problem in a provincial take-over. For instance, a facility such as Millhaven houses dangerous inmates from all across Canada, regardless of province of origin. If, therefore, the provinces took over all correctional responsibility, most of them would be faced with building similar facilities or with contracting services from other provinces, some of which may prove reluctant to accept dangerous or notorious cases who are not their legal responsibility.

It was also pointed out that federal institutions are not, as a general rule, as close to the urban centres as the provincial institutions. However, this is not seen as a critical consideration, particularly where the federal maximum institutions are concerned, because of their very limited temporary absence programs.

4. CLASSIFICATION AND ASSESSMENT

The aims of classification and assessment are, variously, to indicate the most appropriate type of institutional setting for an inmate, and to determine his suitability for programs and, in at least one jurisdiction, his suitability for release to the community to perform volunteer work. In this latter type of classification, the police and community have a direct input in the decision about temporary releases from the institution.

The degree to which classification and assessment functions are provided as sophisticated activities depends on several factors, including: the length of sentence; the range of alternative institutions and programs provided; the availability of resources; and the orientation of the correctional jurisdiction. For instance, a thorough classification and assessment review is undertaken in the initial four to six weeks an inmate spends at a federal reception centre (with further ones taking place with each subsequent institutional transfer) compared with the shorter and less intensive classification which may occur when an inmate enters some of the provincial institutions.

It was suggested in the regional meetings that duplication exists regarding the gathering of information and preparation of reports. This could be due in part to the fact that probation reports may already have been prepared by the provinces prior to the classification that takes place when an inmate is admitted to an institution.

In most jurisdictions, however, the information provided on pre-sentence and post-sentence reports is routinely shared between the federal and provincial systems. Nonetheless, the Steering Committee concluded that (a) under the present systems greater sharing of information would be possible if the coordination between the two systems were improved, and (b) the total elimination of duplication could be more readily achieved under a unified system.

The Steering Committee also concluded that this section of the final report should include information on parole and probation supervision. This is an area where greater co-ordination between the two systems is needed. This is particularly true in the more remote parts of the country, although better co-ordination would also improve efficiency in the more populous districts.

The committee felt that Option I would permit better continuity in the delivery of parole and probation services but that - as with information sharing - improvements are also possible under the existing systems.

CONCLUSIONS REGARDING BASIC SYSTEMS

It was apparent from the regional meetings that, although there are no basic philosophical differences in Canadian corrections, there are in fact several different systems. The provincial systems are all distinguishable from one another in numerous ways. And the federal system, in spite of its central management and uniformity of standards and policies, contains enough regional variations to render it an amalgam of five different systems under a single authority.

The Steering Committee agreed with this general conclusion and pointed out that the differences in the various systems were evolutionary, resulting from the way each had responded to several factors, including: sentencing patterns, nature of inmates, availability of resources, regional disparities, provincial legislation, and proximity to community and resources.

In spite of these differences, it is also evident that the common philosophy and objective of all the systems make collaboration a desirable goal. Regardless of which (if any) of the options are ultimately adopted, it is clear that many improvements are possible - to everyone's benefit - if the various jurisdictions co-operate in addressing some of the problems and duplications identified in this report.

PART III: ANALYSIS OF OPTIONS

As was pointed out earlier, the Continuing Committee of Deputy Ministers directed that the study concentrate on the financial implications of the different options. First, however, in addition to the concerns raised in Part I regarding the quality of the basic data, it is necessary to make some general caveats with respect to the financial evaluation.

In undertaking the financial evaluation, the Steering Committee did not have either sufficiently detailed information or a long enough time period to undertake a detailed costing. Nevertheless, the Steering Committee was able to identify areas of cost saving or additional expenditures and to make some estimate, region by region, of savings or expenditures.

The Steering Committee did not address the way in which such additional costs or savings might be divided between the federal government and the provinces if a different split in jurisdiction in corrections were implemented. In making the financial analysis, however, the Steering Committee did identify the main policy assumptions arising out of the analysis. For example, under Option I, the federal and provincial governments could maintain their same relative portion of financial expenditures, or the provincial governments could pay for all corrections, or there could be an increased federal expenditure in corrections, to cite some of the possibilities.

In the area of capital costs, the Steering Committee felt it was

even more difficult to ascertain the relative federal and provincial responsibilities, both for current facilities and their maintenance, as well as for the construction of new facilities. Where possible, assumptions with respect to capital costs are laid out in the analysis.

Finally, it must be realized that there is often a direct correlation between the cost of Corrections and the level (quality) of service delivery. For example, while it may be that Option I would result in more training for provincial employees (because of the longer training given federal correctional officers), this additional training would cost more to the jurisdiction assuming the responsibility. Consistent with the last caveat, it was found that the financial implications could not be examined in isolation but, in respect of each option, had to be examined vis-à-vis the other implications, namely, organization, personnel, programs, institutional facilities and standards.

While there was some debate as to whether parole and release should be separated from programs, in the end it was decided to include them under the program heading. Because of the lack of probation information collected, the regional task teams were unable to carry out a detailed financial or other type of analysis in this important area. Such points as were available, however, are picked up under the program section.

Option I - Provincial Take-over of all Correctional Services

Many of the benefits listed below under the different areas of examination accrue directly because of the issue raised in Section II,

namely, that the different emphases dominant in federal and provincial Corrections would be combined into one jurisdiction within each province. Thus, transfers would be more readily made since it would not be in the self-interest of either jurisdiction to prevent such transfers.

It should be pointed out, however, that in such areas as special facilities (for example, special security institutions such as Millhaven) there would continue to be problems since it would be necessary to have interprovincial exchange of inmate agreements unless all provinces were to build such facilities. The very limited use of the existing exchange of service agreements suggests that such agreements would not answer this problem completely since, as was pointed out in the B.C. regional meeting, most jurisdictions like to handle their own problems and might not, therefore, take full advantage of interprovincial exchange agreements.

A. FINANCES

While there were a number of areas identified where financial expenditures are different and some changes might result, it seemed to be generally true in the different regional meetings that, although the federal inmate costs are higher almost uniformly across the country (with some few exceptions, depending on security level and province), the higher costs were due to:

- a) More capital intensive programs in the federal system and more internal programs, due to the longer stay of the inmates;
- b) The increased staff training and specialization necessary for such facilities;

- c) The higher staff/inmate ratios necessary in the federal institutions;
- d) The small facilities and specialized institutions in the federal system, which were necessary because of the longer stay of inmates;
- e) The fact that the federal system has higher risk offenders for a longer period of time and thus has higher security costs (for example, over one-third of the staff at Stoney Mountain Institution and over two-thirds of the staff at Saskatchewan Penitentiary are security officers engaged in static security);
- f) The extra health care in the federal institutions, due to the longer stay of the inmates.

It should be pointed out, however, that the Atlantic provinces saw Option I as being basically financially unfeasible since each province (except New Brunswick) already experiences difficulty obtaining sufficient financial allocations to run the present system. Even with federal funding for the relative portion of an expanded provincial system, it is felt that the allocations would still be inadequate since this option would bring increased pressure to upgrade the existing provincial system, and the resources are not available. The province of British Columbia, on the other hand, definitely regards Option I as financially feasible and, in fact, prefers this option.

It should also be pointed out that, in the Atlantic region and the Prairies, it was difficult to divide the federal costs between the

different provincial governments. The difficulty lies in ascertaining whether new provincial facilities would be built in certain provinces or if the provinces would simply share the existing federal facilities. Data are available on the origin or province of residence of inmates sentenced to federal institutions, and this was used to divide costs between the four provinces. However, this does not address exactly how the provinces would distribute the costs for their provincial inmates, whether through exchange agreements with the other provinces or by building the facilities themselves. This issue was particularly relevant in provinces such as Manitoba or Nova Scotia, which do not have a maximum security facility.

Costs were examined in the following areas:

(1) Headquarters Costs:

The Steering Committee agreed that in the provincial take-over of Corrections, the regional headquarters (federal corrections) costs would be cut 50%.

In addition, it was assumed there would be 50% saving in the national headquarters. Thus, this would amount to a total saving of \$12,540,000. (The distribution of these costs is shown in the detailed financial figures for Option I, in Annex "A").

It should be noted, however, that this potential saving would depend, in part, on the extent of the additional resources necessary in the new provincial correctional systems to communicate with Ottawa in terms of standards for release, parole and possibly maintenance of institutions.

(2) Personnel:

Salaries were different between the federal and provincial jurisdictions in all provinces (except British Columbia, Québec and Ontario). The option would possibly permit the federal government to disband its correctional services, so that the provincial governments need hire only at the prevailing provincial rate (with former federal employees receiving the first chance of employment). A detailed financial costing of the cost savings if federal employees were hired at the typically lower provincial rates is shown in Annex "A".

The total amount of cost saving across Canada (with the exception of Alberta) would be \$10,895,000. However, because of pressures for higher salaries, such savings might prove only short-term for the governments concerned.

It should be noted that in order to distribute the personnel costs and determine the cost saving in each provincial system, it is necessary to assume that the number of federal inmates currently held in each province would remain the same.

An examination was made of the number of federal offenders and their province of residence in the federal system (see Annex "A"). For Ontario and the Pacific Region, the number of persons from outside the province balanced the number from that particular province who had been sent to another province (in the federal system). The Atlantic region contained slightly more offenders than originated from that region. Québec, on the other hand, had 150 fewer. For this reason we did not re-adjust the costing

figures since the number of inmates seemed sufficiently small not to have a major effect on the analysis.

In addition, in the Prairie and Atlantic regions it was necessary to distribute the federal inmates among the different provinces (based on the province of residence). Certainly, this is a major assumption since it is unclear exactly how each province would divide up those costs, whether by building their own facilities or by contracting with another province for the use of facilities.

It should be noted that the above personnel costs are the maximum savings likely. If, however, we can make the assumption that the salaries of federal employees joining the provincial system would be red-circled and held constant until the provincial salaries caught up with them, there would be a smaller saving (although still some saving) than is reflected in the figures above. It must, therefore, be assumed that, in the joining of jurisdictions within each province, there would be a net cost saving to the provinces due to the lower salaries paid to personnel from the federal system.

(3) Long-term Savings:

It was agreed that there may be long-term economies resulting from more effective use of programs, particularly those currently in the federal jurisdiction, and in a higher utilization rate of facilities. However, it appears that most governments already

have high utilization costs and it is not clear whether these could be improved:

	<u>Province</u>	<u>Utilization Rate</u>
*	British Columbia (1977)	91%
	Alberta (1978)	81%
**	Saskatchewan (1977)	85%
*	Manitoba (1977)	106%
*	Ontario (1978)	94%
*	Québec (1977)	83%
**	New Brunswick (1977)	95%
**	Nova Scotia (1977)	57%
**	Prince Edward Island (1977)	49%
*	Newfoundland (1977)	100%

* average for the year

** average on December 31st of the year

<u>Federal Region</u>	<u>Beds</u>	<u>Inmates</u>	<u>%</u>
Pacific	1342	1357	101
Prairies	1864	1718	92
Ontario	2208	2178	99
Québec	2933	3041	104
Atlantic	956	870	91
Total	9303	9164	98

Note: 1. Beds include normal association, dormitories, cubicles, protective custody and special handling units.

2. Inmates on register as of 17 October, 1978.

Federal/provincial coordination costs would be reduced since the federal government would have no direct administration of corrections. However, there would presumably be some involvement of the federal government in standard setting and implementation. Nonetheless, these new costs would presumably not be as great as the current costs of coordination between federal and provincial governments.

(4) Community Corrections:

The Steering Committee felt that there would be an additional saving on parole and probation contracting since it would be unnecessary for the federal government to contract with probation services for parole services. Thus, in fact, there would be better utilization of the community supervision resources.

(5) In the classification area the Steering Committee saw savings both in terms of better sharing of information, as well as possible joint use of classification facilities depending on the objectives of the federal and provincial classification processes concerned.

The total financial expenditure by the provinces would be \$254,725,615, the 1976/77 budget of CPS, NPS and NPB. The net cost saving (although possibly short-term) would be \$23,435,000. These, then, were seen to be the main financial implications of Option I. The analysis which we presented above, however, leaves open a number of issues. Thus, it would seem important that ministers and officials address the following policy assumptions in reaching a decision about a split in jurisdiction or undertaking further analysis.

(a) What would be the relative federal and provincial financial responsibility for the new unified correction system. Moreover, in what way would implementation of the transfer of jurisdiction take place.

(b) How would the funding of capital facilities be handled, regarding both the transfer of present facilities and the building of new facilities. This latter point is particularly relevant for such provinces as Manitoba, since the federal government is considering building new federal institutions in the near future. Clearly, closer examination is needed of both the means of transfer of institutions and the ways in which salaries would be adjusted in order to ascertain what net financial savings could be realized.

(c) Depending on the agreed-upon federal and provincial shares for operating and capital funding, there would be a need to escalate these figures according to some formula, whether linked to a block funding or some measure of correctional workload, such as number of inmates admitted, number of inmates admitted, number of crimes, etc.

(d) The exact extent to which cost savings (if any) would be realized is unclear because of potential savings in a more efficient use of programs in the new provincial jurisdictions, a better utilization rate of facilities and reduced co-ordination costs between the federal government and the provinces, better use of parole and probation services and better use of classification services. (On the other hand, interprovincial co-ordination costs would likely increase).

(e) A study is needed to determine the extent of the savings in personnel costs (by decreasing federal salaries or red-circling salaries until provincial salaries had raised to that level).

(f) The actual saving in federal headquarters costs needs to be further examined. (The Steering Committee assumed a 50% saving in both regional and national headquarters costs).

B. ORGANIZATION

The most obvious immediate implication of the new correctional jurisdiction is that it would have to re-organize the current federal regional headquarters, federal national headquarters and provincial headquarters into new provincial headquarters. In addition, it may be necessary to establish a new classification or hierarchy of correctional institutions since currently the minimum, medium and maximum security classifications used for inmates in the federal system do not pertain to the provincial system (where inmates are placed in open or secure custody).

It would be unnecessary to contract parole services to probation personnel and it would be unnecessary to have federal/provincial exchange of service agreements.

Although it would appear that the personnel who administer these agreements would be redundant, these are few in number and it is not clear to what extent they would be required for the administration of any interprovincial transfer agreements that may be reached.

A major organizational issue which would need addressing by both the federal government and each of the new provincial correctional systems is what, if any, the federal role in Corrections should be. (For example, the Steering Committee felt the federal headquarters costs would be reduced by 50%. However, if there were a major federal role in funding and/or standard-setting, this may not, in fact, be true).

Under this option, the federal legislative authority would remain with respect to release decisions from correctional institutions. However, the parole decision authority and supervision of such offenders would be transferred to the provinces. While the federal government could, presumably, exert some authority in standards in the maintenance and management of correctional institutions through funding or other mechanisms, the Steering Committee generally agreed that it would be very difficult for the federal government to have a major role in either setting or implementing standards in corrections. Indeed, it was felt that the federal role in such a circumstance would be mainly advisory to the provinces, with some possible co-ordination and provision of common services in such areas as research and information. It would, however, have no real influence in the direct operational delivery of correctional services in Canada. It could be assumed that at least some small part of each provincial jurisdiction would be devoted to communication with Ottawa

regarding these latter activities. However, the Steering Committee felt that such activities would not take a major part of the provincial administration of corrections.

C. PERSONNEL

As can be seen from the regional task team reports, the training given correctional personnel differs substantially between the provinces and the federal government. In, for example, Manitoba or most of the Atlantic provinces, provincial training consists of one week initial training with some follow-up instruction. This compares to a three to four-month period of training for federal correctional officers. On the other hand, in British Columbia there is a much more extensive training of probation personnel than there is of federal parole personnel.

While there would undoubtedly be more joint use of training facilities, primarily of those existing in the federal jurisdiction, questions would have to be raised as to how the federal regional training facilities would be divided in the Prairies and Atlantic regions, and the extent to which the longer training periods are really necessary for correctional officers in the provincial correctional system (who deal with a basically different type of inmate staying for much shorter period of time).

With respect to the recruitment of personnel, grade XII is generally the minimum requirement in all correctional jurisdictions

for correctional officers at the present time. Parole and probation officers in almost all jurisdictions generally require a university degree. Thus, there would seem to be no problem of consistency in recruitment standards (with the exception of Nova Scotia where there are municipal jails and a provincial take-over of corrections would provide difficulties in this area). In addition, there is not much competition between the federal and provincial governments because of the difference in location of their respective institutions.

As was pointed out under the financial implications, salaries of federal and provincial personnel differ substantially, especially between the smaller provinces and the federal government (salaries in British Columbia, Ontario and Québec were roughly similar to those within the federal system). Thus, an amalgamation of the jurisdictions might remove some of the resentment currently felt by provincial employees but would not generally provide the career opportunities which the current federal system offers to its employees. The Steering Committee felt it important to point out, however, that neither the federal nor provincial jurisdictions appeared to be utilizing the full range of career opportunities that should be used in motivating correctional personnel.

Concern was expressed in a number of the regional meetings regarding the development of a professional category in corrections which would amalgamate the program and security functions. This has been done within the province of British Columbia and it was

generally felt that, under Option I, the smaller jurisdictions would find it more difficult to amalgamate the two functions of custody and program, because of the large number of federal personnel (with traditionally separate categories) who might possibly be added to this jurisdiction. However, to the extent that the enlarged Ontario and Quebec jurisdictions would be comparable in size with the current federal jurisdiction, it would seem that this would make the amalgamation of the two categories even more difficult in those provinces.

Some of the policy questions arising out of the analysis of personnel for the new correctional jurisdictions would include:

- (a) To what extent would economies be realized in the training of correctional personnel in the new joint jurisdictions;
- (b) Would the melding of the program and security functions in corrections be easier in the new provincial correctional jurisdictions, (given the size and relative diversity of services which would be offered);
- (c) What exact means would be used to recruit current federal personnel into the provincial jurisdictions, whether using current federal salaries, current provincial salaries or a mechanism such as red-circling of the federal salaries. As well, the more substantive issue of exactly how job descriptions and categories would be melded would have to be addressed.

D. PROGRAM

Perhaps the major issue raised by the Steering Committee with respect to program was the determination of the dominant emphasis in the new provincial correctional jurisdictions. While the Steering Committee agreed that the same basic philosophy was held by both federal and provincial correctional systems at the present time, the emphasis in the federal system, due to the demands of the type of inmate and the nature of their offences, was towards security, compared with a more community emphasis in the provincial correctional systems (again in response to the type of inmate). Moreover, it was felt that different provincial systems also had different emphases. Members of the Steering Committee had differing opinions as to whether the community orientation would assume a second priority in the new provincial correctional systems. Examples were given where, when resources were cut in correctional systems, the community program was the easier one from which to remove resources. However, the Steering Committee reached no consensus as to whether either one of the emphases would become dominant in the new provincial correctional systems.

It was generally felt that there would be better utilization of programs in both federal and provincial systems (although primarily with the provinces utilizing previously federal programs because of the different length of stay of the inmates). Programs in the current federal and provincial systems differ not only in degree (numbers) but in type, since, for example, the types of training

given in the federal training system can be more complex (as indeed can the industries) because of the longer stay of inmate.

The Steering Committee did feel, however, that the variety and number of community programs offered by the provincial correctional systems was proportionately larger than under the federal system, and that the federal programs were typically institutional ones provided on site within the facility.

It was also pointed out that the federal government is finding it more economical to contract personnel to provide institutional programs rather than to retain permanent staff for this purpose. This suggests, therefore, that future savings in this area may be limited. Any saving which did occur, however, would accrue to the province to which the federal jurisdiction was transferred and the added flexibility of contracting for such programs would also be of benefit to the new provincial correctional jurisdictions. It was pointed out that some of the current sharing of services (for example, the Regional Psychiatric Centre in British Columbia) is beneficial to the provincial and federal systems (although the existence of a different emphases for each system may prevent further sharing of such facilities under the current split in jurisdiction).

Certain of the types of programs and facilities offered within the federal system would undoubtedly be more difficult to obtain with the ten different provincial correctional systems.

Examples which the Steering Committee thought were important were the special handling facilities such as Millhaven and the Regional Psychiatric Centres. Currently special federal facilities have a number of "out of province" inmates. Examples are:

<u>Facility</u>	<u>%¹ "out of province" (and number)</u>
Dorchester	22% (80)
C.D.C. (Que.)	13% (10)
Laval	6% (30)
Millhaven	30% (85)
R.P.C. (Ont.)	24% (20)
B.C. Pen/RRC Pac.	19% (60)
R.P.C. Pac.	34% (30)

¹ Excluding inmates from out of the country and those with no fixed address.

While smaller facilities could undoubtedly be built in some of the provinces or interprovincial exchange of service agreements could be developed, it was felt that both of these options were either more expensive or more difficult than the current system of simply making internal transfers within the federal penitentiary system. Thus, this was seen as one of the costs of dividing corrections into the ten different jurisdictions provincially.

Another issue raised with respect to programs is that there would be less difficulty with other provincial departments. Two

examples were furnished. First, in the B.C. regional meeting, where it was pointed out that the federal and provincial correctional systems currently both operate forestry camps. A new correctional jurisdiction, as envisaged under this option, would eliminate such duplication (if it is dysfunctional). Secondly, with respect to the Prairies, there are currently some difficulties in obtaining provincial accreditation of training offered in the federal facilities. Under Option I, the difficulty should be alleviated to some extent.

It was pointed out, however, in the Atlantic regional meetings that the provincial correctional systems feel closer to the federal correctional system than to other provincial departments. The exception to this was the Province of Prince Edward Island, where there is a great deal of utilization of other provincial department facilities in training, both for staff and inmates, and in work for inmates.

A counter-balancing effect may also be felt in the development of independent provincial correctional systems in that this may result in less motivation for other federal departments to work with corrections. The Department of Supply and Services, for instance, which currently purchases goods from the federal penitentiary industries may not be as eager to purchase the same goods from provincial correctional systems. In such cases, the provincial systems would undoubtedly either have to develop new markets or re-affirm relationships with other federal departments.

It was also clear, for example, in the Ontario regional meeting, that current problems with program delivery, (for example, vocational training), arise independent of the split in jurisdiction of corrections. Indeed, it was agreed in the Ontario regional meeting that both the federal and provincial systems needed to look at vocational training with respect to:

- a) An improvement in the classification so as to make better use of training facilities.
- b) An examination of the needs of the types of inmate presently being received (it was suggested that many are not held a sufficient length of time to participate meaningfully in the programs).
- c) An examination of the market for the industrial products of an institution (co-ordination of this effort could, of course, be beneficial to the new provincial correctional systems).

A benefit under this new split in jurisdiction would be a greater opportunity and improved motivation (removal of the different emphases) to share classification information and, possibly, to make joint use of a more extensive federal classification facilities. It was, however, pointed out that the more extensive federal classification was necessary because of the longer stay of the inmate and that this might not be of great use to the provincial correctional systems.

Under a new single provincial correctional system there would be consistent relations of the federal and provincial governments with private sector in such areas as community residential centres. Thus, there would not be different federal and provincial rates for CRC's in provinces such as British Columbia and Ontario and this would remove the difficulties in the utilization of these facilities on both federal and provincial sides. However, at least in B.C., the province views such competition for use of C.R.C.'s as healthy, and the existence in that province of the Community Based Residential Association and the Federal Provincial Accreditation Committee speaks against the above difficulties.

However, it was pointed out in the smaller provinces, particularly the Atlantic provinces, that the economic viability of C.R.C.'s at the present time is very tenuous because of the small numbers of eligible inmates and the variability in these numbers. Thus, it was not clear that even the smaller provincial systems would have sufficient numbers to make C.R.C.'s economically viable.

The benefit of a single jurisdiction (assuming a small number of interprovincial transfers) would be the opportunity for gradual release. One single jurisdiction would undertake such release, including the decision-making and supervision and the continuous delivery of correctional services to the offender throughout the term of his sentence.

Another benefit of the different provincial correctional systems under Option I was seen to be the separate administration of the different correctional systems. Where a crisis develops in one system, this would not necessarily spread across the country (as currently happens in some cases within the federal penitentiary system). For this reason, although a tightening up of security would probably extend throughout the province, it is unlikely that it would spread beyond that.

Particularly in the province of Ontario, it is felt that this single jurisdiction would provide better co-ordination of research and information systems than currently exists between the federal and provincial governments.

It was pointed out at the Prairie regional meeting (though not agreed to by Manitoba or other regions) that a single parole authority for each province may produce uniformity (within the province) in terms of the release decisions but may also be much more politically sensitive to current public pressures and, as such, may not be as effective in the delivery of correctional services.

It was felt, therefore, that ministers and senior officials would have to address some of the following assumptions in making a decision in terms of the split in jurisdiction:

- a) The extent to which either the community orientation or security would be the dominant emphasis in the amalgamated corrections system.

- b) The impact of Option I on current relationships with other provincial departments (these should improve) and on other federal departments (these could decline).

- c) An assessment would have to be made as to the real benefit of increased co-operation on programs, classification, research and information in the new joined provincial correctional systems. Included here also would be the extent to which an improvement in relations with the private sector would occur because of this split in jurisdiction.

- d) An assessment would have to be made of the way in which special facilities such as Regional Psychiatric Centres and special handling units could be utilized by the provincial correctional systems, whether through building smaller units within each province or developing inter-provincial exchange of inmate agreements.

E. INSTITUTIONAL FACILITIES

While it was agreed that there would presumably be better utilization of existing facilities by the new provincial

correctional system (although this does not apply to the Prairie and Atlantic regions) it was also suggested in the Pacific regional meeting that there may be a need to create special facilities (such as the super-maximum Millhaven facility) in each province or to have new exchange agreements between the provinces to take advantage of the existence of such facilities in one or two locations in Canada.

This problem would be exacerbated in the smaller provinces, where, (for example, in Manitoba) there is no maximum security facility at the present time; the province would therefore have to obtain exchange agreements or build such a facility in the future. Thus, the difficulties to be overcome in this area in the Prairie and Atlantic regions are substantial.

Presumably, under this new provincial correctional system there would be better utilization rate of facilities (as was documented in the study of the feasibility of joint Federal-Newfoundland facilities). However this benefit must be questioned in respect of the smaller correctional systems which would exist in each province, unless operative exchange agreements existed between the provinces (the experience to date with the federal/provincial exchange of inmate agreements does not make the extensive use of such agreements likely).

Moreover, as shown under the financial analysis, utilization rates, federally and provincially are generally already high. Presumably each new provincial correctional system would have better facility planning, since it would be co-ordinated between what were formerly the federal and provincial correctional systems.

In addition, for the larger provinces, the new provincial correctional system would provide more secure facilities for remanded inmates (where currently some of the provinces have difficulties in providing the necessary level of security). It should be pointed out, however, that remand inmates are significantly different from federal maximum security inmates, simply because in the federal system it is necessary to supply internal programs because of the longer terms of stay (inmates, for example, in one Ontario maximum security jail stayed only an average of sixteen days).

It would seem important, therefore, that the following policy questions be addressed:

- a) To what extent would secure facilities be used more efficiently by the larger provinces particularly with respect to remand.

- b) What would be the exact decrease in cost because of better joint utilization rate of facilities in the new provincial systems (presumably the utilization rate in the smaller provinces would not be as great but this remains to be seen).

- c) To what extent would the use and cost for specialized facilities such as special handling units and psychiatric centres be increased with the ten new provincial correctional systems.

F. STANDARDS

It was agreed that the existence of single provincial correctional jurisdiction would ensure province-wide standards and that this was germane in a number of areas. For example, in the Prairies and Ontario there already is good co-operation on standards of probation and parole, and other regions, such as Quebec, wish to see greater co-operation and standardization in these areas. A single jurisdiction would also remove the disparity in rates for community residential centres especially in Ontario and B.C.

It must be pointed out, however, that standards in such areas as temporary absence or the classification process may be difficult to achieve, simply because the provincial system has

a basically different operational emphasis than the federal system. Thus, in fact, there may not be a complete standardization of the delivery of correctional services in the new single provincial correctional jurisdiction. Further, standards in areas such as inmate pay (Alberta pays a high of \$5.00 per day, the federal between \$1.00 and \$2.00, and some provinces, for example, P.E.I. have no stipend at all), may in fact not be desirable because of the different intent of the different correctional facilities. (A further factor is the minimal effect of such rates, as they are directly related to canteen prices within the institution - if incentive allowance goes up then it may simply increase the canteen prices). Therefore, as far as unification is concerned, the current provincial variations would give rise to different degrees of difficulty in different provinces.

The Steering Committee had extensive discussion on both the concept of standards and the operational means by which they might be implemented within the new provincial correctional systems. A number of issues seem to be very important:

- a) Exactly what authority the federal government would have with respect to standard setting.

- b) What type of standards would be covered by this, whether operational, policy or otherwise.

- c) What leverage exists for implementing standards (especially if the federal contribution was made via mechanisms such as block funding).

Overall, the Steering Committee felt that the most probable role for the Federal government would be largely as a technical advisor, supplying research information and coordination between the different provincial correctional systems on policy development in areas of mutual concern. Its more direct role in standards would be with respect to the release decisions from institutions, where standards and regulations such as on parole eligibility could be implemented through legislation and regulations.

For this reason then a number of policy questions need to be addressed further:

- a) Is there a federal role in national standard setting and by what ways and means could such a federal role be implemented (whether through funding or other mechanisms).
- b) To what extent are standards really necessary in the new provincial correctional systems. In this case, areas such as temporary absence, classification and parole hearings were seen as issues where complete standardization within the new provincial correctional systems might not be a benefit.

Option II - Federal Government Take-over of all Federal
Offenders Sentenced to over 6 Months

A. FINANCES

Generally the Steering Committee felt that the six-month split was in some sense a more "rational" system because for the most part it would keep the minor offenders in the provincial system (for such sentencing purposes as non-compliance in the payment of fines or short denunciatory sentences) and the major denunciatory and separation sentences in the federal system. Furthermore, it was felt by several members that the six months split was in effect the two year split of yesteryear redefined in terms of contemporary sentencing practice. Therefore, the provincial system could seem to be more of a system of county jails with a high turnover of offenders, while the federal system holds offenders for a longer period of time and for more serious offences.

The reason behind this preference in Nova Scotia is the need for additional resources in corrections; this is seen as the only way of improving standards in institutional services in corrections. The rationale in Newfoundland is the real need for an additional correctional institution on the island, which would permit the current 100 federal inmates on the mainland to serve their sentences in Newfoundland itself. However, P.E.I. was not in favour of this split.

It should be pointed out that, even if there were a federal take-over of any provincial facility, it would probably involve an extensive renovation of the facility because of the higher federal standards (see Option I discussion on the rationale for higher costs of federal service delivery).

It is possible there would be some saving in correctional expenditures, at least in the short term, where, for example, the maximum security offenders currently within the Ontario provincial system could be absorbed within the current federal correctional system and the 79 inmates in the N.S. system sentenced to over 6 months might be absorbed in the current federal correctional system. It should be pointed out, however, that this would not be a long-term saving since there would be annual increases in the number of these inmates.

The new federal correctional system would require significantly greater expenditures for both operating and capital for inmates sentenced to between six months and two years. Annex B provides detailed costing for the number of inmates who would be transferred to the federal jurisdiction from each province.

If we assume that the transferred inmates would be housed in medium¹ security facilities at \$45.00 per day, this would result in a total additional expenditure in the federal system

¹Figures by security levels were not available except in the provinces of Ontario and Manitoba.

of \$68,791,055. Further due to the higher costs in the federal facilities, it would result in an additional expense of \$7,950,954.

It should be noted that in making these calculations a number of different figures were used to assess the average number of inmate years transferred, with those from Manitoba and Québec being slightly higher than they should be due to the nature of the available data. In making the calculations, sometimes the number of admittances was multiplied by the term of sentence (reduced by one third for remission). In addition, a 5% reduction was made for these figures in respect of parole. (See Annex B for a detailed rationalization of this figure). By basing the calculations on inmate man years it was felt that this would automatically readjust salaries to the higher average federal level (salaries for correctional staff are higher in all provinces except B.C., Québec and Ontario). In addition, this allows an implicit costing of the increased number of facilities which would be available within the federal correctional system to the formerly provincial inmates.

There presumably would be some higher utilization of correctional facilities in the federal system because of its greater size and therefore faster growth rate. This might result in some cost savings but a further study of relative growth rates in current federal and provincial systems would have to be made before any concrete statements could be made here.

It should be pointed out, however, that because the federal system would now contain a number of inmates sentenced to between 6 months and 2 years, the pressure may be on the federal government to increase its allocations, both absolutely and relatively, to community correctional programs for the gradual release of such offenders, which they had received within the provincial system. (For example, it may be necessary to have parole hearings for the new federal inmates).

Overall, it is felt that this option would be more expensive simply because federal services to inmates are more expensive (see reasons given in Option I). The regional teams felt it was unlikely that the federal system would be able to provide less service to inmates sentenced to between 6 months and 2 years than to inmates sentenced to 2 years or over, if all were within federal jurisdiction. Thus, there would be a net increase in costs of classification programs, parole hearings, etc., of over seven million.

The financial analysis then raises a number of questions which need to be addressed:

- a) Exactly in what way would the federal and provincial governments divide financial responsibility for the new federal correctional system.

- b) By what means would capital facilities be transferred to the federal government and what costs would be shared for the funding of future capital facilities in the federal system (those capital facilities for inmates sentenced to between six months and two years). Also, the issue would have to be addressed as to how many provincial facilities would be transferred to the federal jurisdiction and what type of renovations would be needed.

- c) To what extent would there be a need for a much greater community correctional orientation within the federal correctional system.

- d) To what extent would there be a real increase in costs of holding offenders sentenced to between six months and two years (the preliminary estimate was a total increased expenditure of \$68,791,055 and a net additional expense of \$7,950,954).

- e) What type of costs were used, whether average, incremental or another formula.

B. ORGANIZATION

Clearly, in all of the regions in Canada there would be a need for some extra facilities and headquarters expenses in the federal system. (With perhaps a commensurate decrease in the larger provincial headquarters).

Most interesting perhaps is the fact that the provincial system would have very few secure institutions for sentenced offenders (maintaining only institutions for remands) and thus could concentrate its resources on community programs and community release. This would naturally have implications for the type of training in the provincial system and on the functional division of the organization itself. Complementarily, the federal system would be seen perhaps to have a greater community orientation, particularly for those offenders sentenced to between 6 months and 2 years. The community arm of the organization would therefore be proportionately larger than at present.

Since the provincial correctional systems would only have inmates sentenced to under six months there would probably be no requirement for either a Parole Board or parole supervision in the provincial correctional systems, although some form of gradual release (e.g. temporary absences) would still be required.

C. PROGRAM

As was pointed out in the Ontario regional meeting, it would be possible under this option to transfer the hard core offenders from the provincial to the federal system and for the province to concentrate on community release and programs. However, the Pacific regional meeting pointed out that this benefit may

be more than balanced by the fact that the offender receiving a sentence between 6 months and 2 years can no longer take advantage of the greater community orientation of the current provincial correctional system.

The protective custody cases within the federal system could be better distributed through a larger federal system with more institutions. This could be seen as an additional advantage.

Presumably there would be better utilization of federal programs within the enlarged federal system. This would also eliminate such competition as exists for community residential centres since, as was suggested in both the Ontario and Pacific regional meetings, the province would likely no longer fund community residential centres (since it would have relatively few institutional offenders using such facilities).

A single parole authority would be maintained since the province would, presumably, have no need to parole those offenders sentenced to 6 months or less. This should encourage better national standards in parole release and supervision and less travel for board members (this is assuming that the provinces take over parole for offenders released from provincial institutions under the current split in jurisdiction in corrections, as they are able to do under Bill C-51). However,

certain provinces may wish to use parole rather than temporary absence as the other method of gradual release - this would depend on each provinces preferences.

E. INSTITUTIONAL FACILITIES

Although, as has been pointed out, the province would be almost totally community-oriented in its correctional services it would be necessary for it to maintain a certain number of secure facilities for remand.

In Newfoundland it would be necessary to build an institution (since currently there are 100 federal offenders from Newfoundland and this would increase to 200 under this new split in jurisdiction). Offenders could therefore serve their sentences in Newfoundland itself. As was pointed out in the Atlantic Regional meeting, this may be the only way, especially for the small provinces (except New Brunswick and P.E.I.) of increasing the quality of institutional correctional services for offenders currently sentenced to incarceration in the provincial correctional system.

F. STANDARDS

It was suggested under Institutional Facilities above that this may provide an impetus for better national standards in delivery of institutional services in corrections but there would still be differences within each province, particularly

in the community supervision of offenders (since this is still under provincial jurisdiction). Indeed, it would be necessary for the new federal correctional system to immediately address the question of standards in:

Temporary Absences (the current criteria are different in the federal and provincial systems);

Classification Process (currently different federally and provincially);

Parole Hearings (currently mandatory only for federal inmates)
etc.

It seems clear, therefore, that if the decision were to offer the current level of federal services to the additional federal inmates (those sentenced to between 6 months and two years) the result would be a great net increase in institutional and parole costs in Canada.

Option III - Joint Federal/Provincial Corporation for
Corrections

A. FINANCES

The same basic implications would arise as with Option I. However, the issue of the extent and type of financial responsibility would be raised, not only with respect to the federal government but for both federal and provincial governments.

The Steering Committee felt that a separate corporation would likely have higher personnel costs than the provincial take-over of Corrections simply because corporations tend to have salaries more comparable with the federal salaries than the provincial salaries (and the federal salaries in most provinces are higher). Thus, it was felt that the cost-savings described under Option I with respect to personnel would certainly not be realized to the same extent with ten separate federal/provincial corporations in Corrections.

Although such an agency might save in its costs of relating to other federal and provincial agencies, in such areas as personnel recruitment and classification, it presumably would have to supply such services internally and would not realize any net cost-saving.

This alternative would seem to provide a streamlined administrative model in the elimination of duplication of services. It would then follow that this should generate a clearer policy definition, and make possible better strategic planning, objective setting and evaluation: resulting in greater cost effectiveness and efficiency in service delivery.

B. ORGANIZATION

The implications would seem to be generally the same as with Option I, with some exceptions.

The means by which accountability could be insured for such an agency to both federal and provincial governments raises a difficult question. Whether this could be done, as was suggested in the original British Columbia/Federal Government Long-Term Objectives Task Force Report, by having a Board of Directors, selected from a variety of jurisdictions or through some other means, would have to be addressed. Indeed, the difficulty the organization would have relating to the federal and provincial governments would probably be an on-going one that would take some part of the organization's time, (for example, with respect to national standards to the federal government). On the other hand, such an organization, through its distance from the governments, might act as a lightning rod for some of the political problems which arise out of corrections and thereby divert these from the governments themselves.

As was pointed out under the financial implications, such an agency would of necessity supply its own personnel, purchasing, contracting and other types of services. Presumably, therefore, there would be no net increases in costs but the agency organization would have a different structure.

Federal and provincial legislation would be required to create the corporation and undoubtedly a number of legislative

questions would arise with regard to federal/provincial jurisdiction. The cost-shared program that would result would necessitate significant re-organization with regard to structure, program and administrative planning, as well as extensive role definition for federal and provincial personnel.

C. PERSONNEL

The implications would generally be the same as under Option I, except that the conditions of employment pertaining to a crown corporation would permit greater management control for several reasons, including improved disciplinary and dismissal proceedings.

D. PROGRAM

Once again the implications would seem to be the same as under Option I, except that it might be harder for this agency to co-ordinate with the different federal and provincial departments, particularly those involved in the administration of justice, since the agency would no longer be directly linked to the federal and provincial governments.

One advantage would be the possibility that more scope would be given to a diversified approach in corrections philosophy and choice of program strategies than is presently the case within the constraints of government bureaucracy.

E. INSTITUTIONAL FACILITIES

The implications would be the same as under Option I, except that the province would still have to maintain its own remand facilities and, presumably, there would be relatively little sharing of such facilities with each federal/provincial corporation.

F. STANDARDS

It should be possible to specify exactly in legislation the jurisdiction of the federal and provincial governments in this area. In this case there should be more pressure for the two governments to agree on the way in which they will co-operate to ensure that the agency meets jointly agreed-upon standards.

Option IV - Mixed Models for the Split in Jurisdiction in Corrections

This model was not seen as having any additional implications for the provincial correctional systems. However, from a federal perspective such a mixed option was seen as incurring substantial costs, both monetary and other. The need for having a federal agency (or agencies?) which would set standards and plans with some totally provincial correctional system, jointly administer corrections and co-ordinate with other provinces and maintain essentially all long-term (over 6 months) facilities for other provinces would make:

- a) Conflicting demands on the federal agency.
- b) Constant demands for equity by the provinces.
- c) A duplication of some or all of the organizational parts because of the different orientation of each of the provincial correctional systems.
- d) Greater administrative costs for the federal government.

In spite of the difficulties which would be incurred by such a federal agency, the Steering Committee felt that it would be possible for the federal government to maintain several different types of relationships with the different provinces, as long as there was realistic understanding before implementation of the difficulties described above.

Option V - Federal Responsibility for all Offenders Sentenced to Incarceration

This option was basically seen as an extension of Option II, with the same basic financial implications (although greater in size). In such a situation only offenders sentenced to community service, probation or fine would be within provincial jurisdiction (in addition to those persons on remand).

Since all offenders sentenced to incarceration would be within the federal jurisdiction, the much higher turn-over rate of currently provincial incarcerated offenders was seen to be a major change in the federal correctional system. This would necessitate

different classification, admitting and release procedures within such institutions and the federal system would have to reach some kind of compromise regarding the services and standards for incarceration of the two different types of offenders. (Long-Term vs Short-Term).

One of the general implications of the option is that national standards could be applied more easily to institutional correctional services since they would all be within one jurisdiction. The organization and administration of resources would presumably be easier on the basis that one regional headquarters would apply standards and directives to the total correctional system in that region. However, the implementation of the unification of all corrections would likely mean some major realignments in some provincial correctional systems because of their significant differences from the federal system.

Regional distinctions could be resolved by the regional administrations and the system would not be so immediately susceptible to the impact of localized criticism; on the other hand, perhaps it would not reflect local values as easily.

The unfortunate implication of this option is that, because of a single administration, there may very well be an attempt to standardize the correctional system in terms of one basic approach, and this would be achieved at the expense of other strategies that might arise in a jurisdiction that was open to the influence of differing philosophies in operating principles. This form of monopolistic control could also be a deterrent to the influences for change which are fostered now by the impact of differing systems in the field.

PART IV: PRESENT RELATIONSHIP IN FEDERAL/PROVINCIAL CORRECTIONS

Throughout the regional team meetings, there was agreement that federal and provincial systems have different correctional emphases in response to their operational realities. The provincial system tends to be more oriented towards de-institutionalizing offenders and supplying community correctional facilities and community release programs. The federal corrections, because of the longer term offender, places a higher priority on the protection of society and the provision of secure facilities. Moreover, there are different emphases between the provincial system depending on the operational demands.

It was felt in the regional meeting in the Pacific that these 11 emphases (10 provincial and one federal) might be lost in a combined correctional system. This view was supported in the meetings in the Atlantic Provinces and the Prairies, where the provinces (except New Brunswick, Alberta and P.E.I.) seem to give a lower priority to corrections than the federal government. An integration of the two systems, therefore, could result in any federal correctional monies that might be forthcoming being diverted to other provincial programs. The other regional meetings (in Ontario and Quebec) did not feel that an integrated system would result in a loss of the dual orientations in corrections.

Nevertheless, the existence of eleven separate correctional systems, each with its own emphasis, brings out one major rationale for a two-year split in corrections (or at least a time-dependent split greater than 6 months). Some Steering Committee members felt that if there were only one

correctional system (an integrated one), the community correctional component might become a second priority, whereas with a six-month split (or a split of less than 2 years) offenders sentenced to between six months and two years would lose the opportunities for participating in a greater community-oriented correctional system.

In spite of this advantage in the current two-year split in corrections, all of the regional meetings identified areas where it was felt that the delivery of correctional services could be improved even within the present split in corrections. However, it should be realized that, as long as there are separate correctional systems, there would be less than optimal pressure for co-ordination. This is perhaps exemplified best by the lack of use of the exchange of service agreements and can be rationalized simply because, in the ultimate extreme, each system will not want the problems of the other.

Eleven areas were identified where greater federal and provincial co-operation in corrections is possible. We will examine each one briefly and highlight any regional variations peculiar to it.

However, first it should be pointed out that throughout the discussions the Prairie region and Atlantic region seemed different from the other three regions in that the provincial governments appeared to devote a lower priority to corrections (with the exception of New Brunswick, P.E.I. and Alberta). Therefore, finances and additional resources were a major consideration in these regional meetings. The means by which additional resources could be input to the provincial correctional system was seen as

important. Indeed, in the Maritimes this was seen as the only way in which facilities and correctional services generally could be improved to the level of the current federal standards.

With these thoughts in mind, then, we will deal with each of the areas, starting with those where co-ordination appeared to be needed most throughout all the regions, and then dealing with those where there already appears to be a degree of existing co-operation, although the extent varies from region to region.

1. PROGRAMS

Although the existence of a federal correctional system allowed economies in the provision of special facilities, such as the Millhaven Super Maximum Security Section, it was felt there should be further co-operation between federal/provincial corrections in all the regions. An excellent example of the need for such co-operation was in the provision of forestry camps in British Columbia, where both the federal and provincial correctional systems provided these camps.

However, in British Columbia it was pointed out that good joint was already made of the regional psychiatric centre and of a surgical ward in the Vancouver hospital provided by the province.

2. FACILITY PLANNING

In all of the regions in Canada, without exception, it was felt that there was a need for greater co-ordination and co-operation in the planning of facilities. This was particularly highlighted in the Maritimes, where a

recent decision on the part of the federal government for the placement of a facility conflicted with the recommendation of the Joint Regional Committee.

3. JOINT TRAINING

All of the regions in Canada felt that there was a need for greater co-ordination and use of joint training programs by the federal and provincial governments in each region.

In addition, it was felt that all jurisdictions could benefit by studying the training programs of one another, as several have features that could be adopted by all.

In both the Prairies and the Atlantic region, although, a need is seen for greater co-ordination of training programs and their joint use by federal and provincial corrections, a much greater need is seen for the use of the federal facilities, with the possibility in the Maritimes of the federal government providing a mobile training facility which could be used by provincial corrections.

4. EXCHANGE OF SERVICES AGREEMENTS

A comment was made that, at the present time, the exchange of services is used mainly by the federal government, (for example, in Quebec, where it is used to a large extent for female offenders and for the transfer of psychiatric offenders to the Pinel Institute). However, it was not felt that this agreement was working well generally across Canada. Two reasons for this were given at the Pacific regional meeting:

- a) that the provinces like to handle their own inmates, and
- b) that, under the old agreements, it was not clear whether the consent of the inmate would be needed.

While it was agreed that the passage of Bill C-51 would remove the latter constraint, it was still felt that the difference in per diems (particularly in the Prairies and Atlantic regions) and the high-capacity utilization of the provincial systems would provide barriers to greater use of the exchange of services agreements. It was, nonetheless, felt that there was a need for an examination of the exchange of services agreements, since these have a great potential for improving effectiveness and operating efficiencies in corrections in the different regions.

Such an examination might include the extension of the exchange of services to "purchase of service" agreements or sharing resources or expertise as, for example, in the areas of staff recruitment.

5. PROTECTIVE CUSTODY CASES

In three of the regional meetings, the Prairies, Quebec and the Atlantic regional meeting, it was felt that there should be greater co-operation and co-ordination so that the federal government, in particular, might distribute protective custody cases between both the federal and provincial correctional systems.

6. CLASSIFICATION

This issue was broken into two areas: First, the joint use of classification information, including pre-sentence reports by provincial

probation, post-sentence reports by, for example, federal corrections, and classification reports by either federal or provincial corrections. In both the Pacific region and the Atlantic region, it was felt that there was good sharing of information. However, in the other three regions, it was felt that there was a greater need for co-ordination in the use of this information.

A second area, with respect to classification, was the joint use of federal classification facilities which, because of the longer term of stay of federal inmates, are much more extensive than provincial classification facilities. It was felt, however, that there was a need for greater sharing of classification information before this area could be investigated.

7. COMMUNITY RESIDENTIAL CENTRES & COMMUNITY PROGRAMS GENERALLY

At the present time, community residential centres are not seen as economically viable in the Atlantic region because of the small numbers of inmates sent to such centres.

While there is a good co-operation and co-ordination in the use of community residential centres in both the Prairie and Quebec regions, there are different per-diem rates paid in both of these regions. However, the Joint Federal/Provincial Accreditation Committee in the Prairie region was seen as an ideal means for co-operation in the use of privately run community residential centres.

In the Pacific and Ontario regions, however, a great need was seen for increased co-operation and co-ordination in the use of community

residential centres (indeed, in the Ontario region there are not only different rate structures but the provincial contracts for such centres contain a clause excluding federal inmates from the centres). However, in the Pacific region through the C.R.C. Association and the Federal Provincial Accreditation Committee, good co-operation is already taking place.

With respect to the Pacific region, the rates were seen as being set nationally by the federal government and, because of this, do not take into consideration the specific economic situation in British Columbia.

8. CO-OPERATION WITH OTHER PROVINCIAL AGENCIES

A need was seen for greater federal correctional co-operation with other provincial agencies, but also for greater co-operation between provincial corrections and provincial agencies. While Prince Edward Island was seen to have good co-ordination in the provision of its programs and training facilities with other provincial agencies, the other provinces lacked such co-operation. Co-operation seems good in the Pacific Region, in the use by federal and provincial corrections of forestry camps contracted with the Provincial Department of Forestry. However, in the Prairie Region, there were difficulties in obtaining provincial certification of training programs given in the federal institutions.

9. PERSONNEL SALARIES

In both the Pacific and Quebec regions, the salaries of personnel were roughly similar between federal and provincial corrections. In Ontario, however, the federal parole salaries were approximately \$5,000 lower than the provincial probation salaries. In both the Prairies and Atlantic

Region, the provincial salaries were significantly lower than those for the comparable federal categories. This was seen as presenting attitudinal problems, particularly on the part of provincial correctional employees, since they felt that it was unfair that federal employees should have greater salaries and greater career opportunities.

10. RESEARCH AND INFORMATION SYSTEMS

This was an area highlighted in the Ontario Regional Meeting for greater co-ordination.

11. PAROLE AND PROBATION SUPERVISION

Although, in both the Prairie and Ontario regional meetings, this was pointed out as an area where, at the present, there was good co-ordination, the Quebec regional meeting stressed the need for uniform standards in supervision in the province.

PART V - CONCLUSION

In conclusion, the Steering Committee agreed that there were many current mechanisms for co-ordination, including the Joint Regional Committees and the Continuing Committee of Deputy Ministers responsible for Corrections. However, they felt that, at least within the areas identified in section 4, these mechanisms for co-ordination might be re-examined and possibly other explored to see if co-ordination could be improved. For this reason, the Steering Committee recommends that:

serious consideration be given to further exploring better co-ordination in the areas identified in section 4.

At the same time, the Steering Committee felt that:

before any final conclusion could be reached about a new split in jurisdiction in Corrections that the Ministers and Deputy Ministers should give serious consideration to a more indepth examination of the five options evaluated in section 3.

Such an indepth examination might concentrate on the policy assumptions which are laid out in the section 3 evaluation. It should probably also include a more detailed costing and examination of the federal and provincial correctional system and of the implementation of the option which officials feel is most appropriate.

Naturally a combination of the two recommendations might be selected with better co-ordination being a short term activity and a different split in corrections a possible longer term objective.

ANNEX "A"Financial Analysis of Option I:A.I - Introduction:

In analysing the financial implications of Option I, it was necessary to determine the number of inmates within each federal region who were from other regions, and the number from that region who were incarcerated in federal penitentiaries outside the region. This was done in order to ascertain whether, when each of the provinces takes over the administration of corrections, there would be a net increase or decrease in the inmate population (for which that province would be responsible).

In order to do this analysis two categories of offenders in the federal system were left out: those from countries outside Canada, and those with no fixed address. It was assumed these would be distributed according to present figures across the country.

The analysis reveals that Quebec would have a net increase of 150 upon taking over corrections, with the Atlantic Provinces and Ontario having net decreases of 50 inmates each and British Columbia and the Prairies, a net decrease of 30 and 20 inmates respectively. Thus the increases are only really significant for Quebec, the Atlantic Provinces and Ontario. However, Northern Ontario is at the present time included in the Prairie federal region and for this reason it is likely that there would be more than sufficient numbers from that region added to Ontario to cancel out its net decrease of 50. Thus, the conclusions would seem to indicate that there would be a significant net increase

A.2

in Quebec and a decrease in the Atlantic Provinces.

In order to determine the reduction in headquarters costs it was assumed by the Steering Committee that regional and national headquarters costs of the Canadian Correctional Service would be reduced by 50%. These costs were distributed across the provinces according to the percentage of inmates held in that particular province (regional headquarters costs were only distributed among the provinces contained in that region).

With the exception of Ontario, there was no specific financial analysis directed towards capital expenditures. In the case of Ontario, the Regional Task Team felt that there would be \$75,000,000 to upgrade present provincial facilities and another \$425,000,000 for the purchase of federal facilities. We have not included this sum in the analysis in the main report because there are a number of unanswered questions regarding the way in which the capital transfer would take place. These are given in the policy assumptions for the financial analysis of Option I.

A.2 Provincial Analyses:

The following are the analyses by provinces:

1) British Columbia - Pacific Region

Salaries

Custody - ¹ 247 x \$6,000 =	\$1,482,000
Program - 297 x \$5,000 =	\$1,485,000
Admin Supervisory - 124 x -\$4,000 =	-\$496,000

¹The 247 refers to 247 custody personnel currently within the federal system. It is assumed that these positions would be transferred to the province (whether the persons would be transferred or not, is a policy assumption to be made). The \$6,000 is the salary differential between the current federal and provincial salaries - in this case it represents \$6,000 more that custody personnel are currently paid in the federal system than in the provincial system. Thus, this might be a total cost saving, if indeed federal salaries were reduced to provincial salaries.

A.3

Parole - 50 x -\$3,000 =	-\$150,000
Total	\$2,321,000
Headquarters (Regional) .5 x \$2,500,000 =	\$1,250,000
National Headquarters	\$100,000
<u>Total possible cost-saving</u>	<u>\$4,671,000</u>

2) Alberta

One half of federal inmates in the Prairie Region are from Alberta, therefore we used one half of the federal personnel which would be directly paid or paid by exchange agreements.

Salaries

Custody 280 x \$2,000 =	\$560,000
Program 140 x \$6,000 =	\$840,000
Admin Supervisory 110 x \$1,000 =	\$110,000
Admin Support 50 x \$1,000 =	\$50,000
Regional Headquarters	\$500,000
Ottawa Headquarters	\$550,000
<u>Total</u>	<u>\$2,610,000</u>

3) Saskatchewan

One eighth of federal inmates in the Prairie Region.

Salaries:

Custody 60 x \$5,000 =	\$300,000
Programs 35 x \$9,000 =	\$315,000
Admin Supervisory 30 x \$3,000 =	\$90,000
Admin Support 10 x \$5,000 =	\$50,000
Parole 10 x \$3,000 =	\$30,000
Regional Headquarters	\$200,000
National Headquarters	\$160,000
<u>Total</u>	<u>\$1,145,000</u>

4) Manitoba

Three-eighths of federal inmates in the Prairie Region.

Salaries:

Custody 180 x \$4,000 =	\$720,000
Program 105 x \$9,000 =	\$945,000
Admin Supervisory 90 x \$3,000 =	\$270,000
Admin Support 36 x \$3,000 =	\$108,000
Parole 36 x \$3,000 =	\$108,000
Regional Headquarters	\$300,000
Ottawa, Headquarters	\$160,000
<u>Total</u>	\$2,611,000

5) Ontario

All salaries were comparable except for parole

Parole 200 x \$5,000 =	\$1,000,000
Regional Headquarters	\$1,750,000
Ottawa Headquarters	\$1,300,000
<u>Total</u>	\$4,050,000

Figures were included in the analysis of the Ontario Region to indicate that there would be costs for up-grading the provincial facilities and possibly a capital expenditure to buy the federal facilities. These are not included here, as the Steering Committee did not agree on any policy assumption with respect to the capital costing.

6) QuebecSalaries

Custody	1031 x \$2,000 =	\$2,062,000
Program	309 x \$1,000 =	\$309,000
Admin Support	167 x \$2,000 =	\$334,000
Headquarters (Regional)		\$2,250,000
National Headquarters		\$1,800,000
<u>Total</u>		\$6,755,000

7) New Brunswick

One-third of federal inmates held in the Atlantic Region.

Salaries

Custody	100 x \$2,000 =	\$200,000
Programs	50 x \$3,000 =	\$150,000
Admin Supervisory	5 x \$8,000 =	\$40,000
Admin Support	15 x -\$1,000 =	-\$15,000
Parole salaries are comparable		
Headquarters (Regional)		\$250,000
National Headquarters		\$160,000
<u>Total</u>		\$785,000

8) Nova Scotia

Two-fifths of federal inmates held in the Atlantic Region.

Salaries

Custody	120 x \$3,000 =	\$360,000
Program	60 x \$6,000 =	\$360,000
Admin Supervisory	6 x \$9,000 =	\$54,000
Admin Support	30 x -\$1,000 =	-\$30,000
Regional Headquarters		\$300,000
<u>Total</u>		\$1,104,000

9) Newfoundland

One-sixth federal inmates held in the Atlantic Region.

Salaries

Custody 50 x \$1,000 =	\$50,000
Program 25 x \$4,000 =	\$100,000
Admin Supervisory 3 x \$10,000 =	\$30,000
Admin Support 8 x \$1,000 =	\$8,000
Regional Headquarters	\$125,000
National Headquarters	\$120,000
<u>Total</u>	\$433,000

10) Prince Edward Island

One-tenth of federal inmates held in the Atlantic Region.

Salaries

Custody 30 x \$1,000 =	\$30,000
Program 15 x \$5,000 =	\$75,000
Admin Supervisory 2 x \$8,000 =	\$16,000
Admin Support 5 x \$1,000 =	\$5,000
Regional Headquarters	\$75,000
National Headquarters	\$30,000
<u>Total</u>	\$221,000

A.3 Conclusion

The total additional expenditure necessary by the provinces is \$254,725,615.

The cost saving which is possible for all provinces is therefore \$23,435,000.

(However, because of pressures for higher salaries, the personnel saving is likely to be short term.)

ANNEX "B"Financial Analysis of Option IIB.1 Introduction

In undertaking an analysis of the six months split, it was necessary to make several assumptions.

First, it was clear that while certain of the federal regions may be able to absorb without cost some of the new inmates (those coming from the province who have been sentenced to between six months and two years), in the long term they will need the operating and capital expenses based on average cost. For this reason, the cost formula used for determining the federal responsibility is the operating costs (determined from average cost of inmates in the federal system) plus 40% for capital facility cost. If incremental costs were used rather than average costs all estimates would be much higher than the actual costs.

Secondly, the computation of inmate man years to be transferred should really be a daily count or an average of that daily count. However, in a number of situations only admittances were available for different sentence lengths. In such cases the sentence length (sentence handed down) was multiplied by two-thirds, to take account of remission and used as a number of inmate man-years to be transferred.

Third, it was impossible to determine the current rate of parole of inmates from the provincial system, particularly those inmates sentenced to between six months and two years. It was therefore assumed that about 20% get parole, which is a decrease from two-thirds

B.2

of their sentence to one-half served. This averages out to about a 3.2%. As a result, we have used a figure of 5% as a net decrease in inmate man-years.

Finally, the federal cost of absorbing the inmates was assumed to be at the level of medium security (except in the case of Ontario and Manitoba, where we were able to obtain accurate figures by levels of security). Clearly, the actual cost would depend on many factors, including security, programs and other variables. However, we have made the assumption of security for federal absorption of the inmates.

B.2 Provincial Analysis

The following are the analyses for each province:

1) British Columbia - Pacific Region

Currently the province holds 530 inmates sentenced to between 6 months and two years who occupy 48% of the bed space but take only 19% of total admissions.

If we use the cost per inmate man year of \$16,425 (which is exactly the same as the current medium security costs in British Columbia to the province) the total federal cost, including 40% overhead for the 530 inmates would be:

\$12,187,350 which is no net increase or decrease over current provincial expenditures.

2) Alberta

We have estimated that currently the province holds:

180 inmates sentenced to between 6 months and 1 year,
165 inmates sentenced to between 1 year and 1.5 years,
114 inmates sentenced to between 1.5 years and 2 years.

If we use the cost per inmate man year of \$16,425, and given the current provincial costs of holding such inmates is approximately \$12,225 (calculated by adding all operating expenditures for the province and dividing by the average inmate population) this would result in a total cost increase (including capital expenditures) to the federal government of \$10,580,000.

This total compares to a current provincial expenditure (including 40% overhead) of \$7,872,900, giving a net cost increase (due simply to the transfer) for the incarceration of such inmates in the federal system, of \$2,707,100.

3) Saskatchewan

At the present time (for the calendar year 1976-77) the province holds 310 male inmates, plus 11 female inmates, sentenced to between six months and 2 years (this is an average of six daily counts) giving a total of 320 inmate years.

Assuming an average inmate cost per year of holding such inmates at \$16,425, and given that the current provincial costs for holding such inmates is \$8,225, this would result in a total cost increase to the federal government of \$7,381,395.

This compares to a current provincial expenditure (including 40% overhead) of \$3,696,315, giving a net cost increase (simply due to the transfer) in incarcerating such inmates into the federal system of \$3,685,080.

4) Manitoba

At the present time (1978) the province holds

16 inmates serving 6 months or over in maximum security¹

216 inmates serving 6 months or over in medium security¹

39 inmates serving 6 months or over in a minimum security¹

The current federal costs are \$13,140 for maximum security, \$16,425 for medium security and \$8,760 for minimum security (per inmate year). Thus the total additional federal cost increase would be \$5,725,552 (including 40% overhead). This represents a net cost increase over current provincial costs of \$11,000 (per inmate year) of \$1,552,152 (including 40% overhead).

¹It is impossible to separate figures for persons held only 6 months thus this is an over estimate of the number of inmate man years transferred.

5) Ontario

The figures for Ontario were available by level of security. There are at present 40 maximum security inmates, 432 medium security, 431 minimum security inmates who have sentences between six months and two years. The cost for holding such inmates and the net increase in costs is as follows:

Maximum Security - Federal cost	$\$24,455 \times 40 =$	\$978,200
Provincial Cost	$\$15,000 \times 40 =$	\$600,000
Net increase in costs of	$\$9,500 \times 40 =$	\$380,000
Medium Security - Federal cost	$\$16,425 \times 432 =$	\$7,095,600
Provincial cost	$\$15,000 \times 432 =$	\$6,480,000
Net increase	$\$1,500 \times 432 =$	\$648,000
Minimum Security - Federal costs	$\$12,045 \times 431 =$	\$5,191,385
Provincial costs	$\$15,000 \times 431 =$	\$6,465,000
Net decrease in expenditures for holding inmates in the federal system	$\$3,000 \times 431 =$	\$1,293,000

If 40% overhead is added to the above expenditures, the total federal expenditure is then \$18,570,433. The current total provincial expenditure is \$18,963,000.

This results in a net decrease in costs of \$393,400

6) Quebec

Using figures on admissions and multiplying by average length of sentence, we have:

Six months¹: 271 inmates admitted (serving two-thirds of their sentence) = 90 inmate years.

Nine months: 67 inmates admitted (serving two-thirds of their sentence) = 33 inmate years.

One year: 150 inmates admitted (serving two-thirds of their sentence) = 100 inmate years.

One and one-half years: 83 inmates admitted (serving two-thirds of their sentences) = 83 inmate years.

Two years less one day: 29 inmates admitted (serving two-thirds of their sentence) = 39 inmate years.

Total 345 inmate man years.

This is reduced by 5% for parole, giving 325 man years.

At average inmate costs in the federal system of \$14,600, and adding 40% overhead, the total federal costs would be:

\$6,643,000.

The current provincial costs are \$18,250 (adding 40% overhead) gives current provincial costs of \$8,303,750.

As a result, if the federal government were to take over offenders sentenced to between six months and two years, there would be a net decrease in expenditures of \$1,660,750.

¹It was not possible to separate those sentences of over six months, so this figure is, of necessity, an over estimate in man years.

7) New Brunswick

Current estimates are that there are 140 inmates sentenced to between six months and two years held in New Brunswick institutions.

At a current cost per inmate of \$16,425 for the federal correction system (plus 40% overhead) the total federal cost would be \$3,219,300. This compares to current provincial costs of \$10,950 per inmate man year (adding 40% overhead) gives a total provincial cost of \$2,146,200.

As a result, with the federal take-over of these offenders there would be a net increase of expenditures of \$1,073,100.

8) Nova Scotia

At the present time 75 inmates sentenced to between six months and two years are held in Nova Scotia provincial institutions.

At a cost per inmate within the federal corrections system of \$16,425 (plus 40% overhead) the total federal cost is \$1,724,625. This compares to a current provincial cost of \$9,855 (plus 40% overhead) for a total of \$1,034,775.

As a result, if these inmates were transferred to the federal jurisdiction, there would be a net increase in costs of \$689,850.

9) Prince Edward Island

At the present time there are 10 inmates in Prince Edward Island, serving sentences of between six months and two years.

At a current federal cost of \$16,425 per inmate (plus 40% overhead) this results in a total federal cost of \$229,950. This compares to a current provincial cost of \$15,227 per inmate man year (plus 40% overhead) for a total provincial cost of \$213,178.

As a result, if these inmates were transferred to federal jurisdiction there would be a net increase in cost of \$16,772.

10) Newfoundland

At the present time there are 110 inmates serving between six months and two years in the Newfoundland provincial correctional system.

The total federal costs if such inmates were transferred to federal jurisdiction would be \$16,425 per inmate operating cost (plus 40% overhead) for a total of \$2,529,450. This compares to a current provincial cost of \$14,600 operating cost per inmate man year (plus 40% overhead) for a total of \$2,248,400.

As a result, if such inmates were transferred to federal jurisdiction there would be a net increase in costs annually of \$281,050.

B.3 Conclusion

The total additional cost to the federal government of this option would thus be \$68,791,055. Moreover of this sum \$7,950,954 would be additional net cost due to the federal takeover (with more expensive service delivery). It is interesting to note that this \$7,950,954 arises from additional net costs of \$10,005,204 for the inmates in Saskatchewan, Manitoba, N.B., N.S., P.E.I. and Newfoundland and a net decrease in cost of \$2,054,150 in Quebec and Ontario.

