

Chapter 29

Corrections and Policing—Planning for Inmate Capacity in Correctional Facilities

1.0 MAIN POINTS

By July 2018, the Ministry of Corrections and Policing implemented three of the six recommendations we made in our 2016 audit of its processes to plan for inmate capacity of its adult correctional facilities. It partially implemented another recommendation and did not implement the other two recommendations.

The Ministry established written guidance for use in planning capacity, completed an analysis of alternatives to meet the needs for facility space, and updated written contingency plans to meet unexpected changes in capacity.

The Ministry continues to work to define how it will determine the facilities' inmate capacity, forecast demand for rehabilitation program space, and develop a written long-term plan to manage inmate capacity.

Having strong processes for facility capacity planning is key to correctional facilities having safe or humane conditions for inmates and correctional officers, and effective rehabilitation of inmates. It also helps avoid inefficient use of public funds or operating over the capacity of the correctional facilities.

2.0 INTRODUCTION

Over the past 10 years, Saskatchewan's adult inmate population has grown by 37%, mainly due to a 66% increase in the number of inmates on remand.¹ This significant growth creates challenges in planning facility capacity for housing and rehabilitating adult inmates.²

Saskatchewan's adult inmate population fluctuates and its adult facilities continue to operate at and, at times, over capacity. At July 31, 2018, the year-to-date average was 1,970 adult inmates (of which 949 were on remand—48%) (August 31, 2016: 1,839 adult inmates of which 46% were on remand).

As of July 2018, the Ministry of Corrections and Policing operated 12 adult correctional facilities owned or leased by the Ministry of Central Services. Corrections and Policing is responsible for promoting safe and secure communities, and providing supervision and rehabilitation services for adult offenders.

Inmate facility capacity planning is complex and involves a large number of variables. This process determines the number of inmates a facility can effectively house and rehabilitate while responding to changing demands. Capacity planning involves a long-term view given building and operating facilities requires a long-term commitment of resources.

¹ Remand is where an individual is lawfully detained (e.g., arrested) or confined and awaiting trial or sentencing by the courts.

² A person who is an inmate, is under the supervision of a probation officer, or is subject to the terms of a supervision order.



This chapter describes our first follow-up of management's actions on six recommendations we made in 2016 about the Ministry's processes to plan for inmate capacity. In our *2016 Report – Volume 2*, Chapter 28, we concluded that the Ministry of Corrections and Policing (formerly the Ministry of Justice) had, except in the areas of our six recommendations, effective processes to plan for inmate capacity of adult correctional facilities.

To conduct this audit engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook – Assurance (CSAE 3001)*. To evaluate the Ministry's progress towards meeting our recommendations, we used the relevant criteria from the original audit. The Ministry's management agreed with the criteria in the original audit.

In this follow-up audit, we discussed actions taken with Ministry management, and reviewed the Ministry's documentation related to planning for inmate capacity such as the Adult Custody Long-Term Capacity Plan Project Charter, contingency plans, and a Ministry work plan.

3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at July 31, 2018, and the Ministry's actions up to that date.

We found that the Ministry implemented three recommendations, partially implemented one recommendation, and did not implement two recommendations.

3.1 Guidance for Long-Term Facility Capacity Planning Documented and Plan under Development

We recommended that the Ministry of Corrections and Policing establish written guidance for use in planning capacity for delivering correctional services and programs to inmates in its adult correctional facilities. (2016

Report – Volume 2; Public Accounts Committee agreement September 21, 2017)

Status – Implemented

Since 2016, as part of its Custody Services revitalization, the Ministry developed a Project Charter that outlines the steps its working group will take to create a long-term plan for adult custody facilities.³

We found the approved Project Charter contains all necessary components for the development of a facility capacity plan. It includes alignment with the Ministry's strategic plan, research for best practice, defined deliverables, and roles and responsibilities.

³ Custody Services Revitalization is an overall project to make changes to the structure and services in the Custody Supervision and Rehabilitation Services Division of the Ministry and includes projects such as Gang Management and Health Services.

We found that, in May 2017, the Ministry had established a Steering Committee and working group to manage correctional facility capacity planning outcomes.

We recommended that the Ministry of Corrections and Policing develop a written long-term plan to manage inmate capacity in its adult correctional centres. (2016 Report – Volume 2; Public Accounts Committee agreement September 21, 2017)

Status – Not Implemented

The Ministry's written long-term plan to manage inmate capacity in its adult correctional facilities is not complete. The Ministry expects to complete the plan by the end of the 2018-19 fiscal year.

We found that the Ministry is making progress on developing a long-term plan; and expects to use the seven steps set out in its Adult Long-Term Capacity Project Charter in its development.

Not having a written long-term plan to manage inmate capacity in its adult correctional facilities increases the risk that Corrections and Policing may not have the right space to provide adequate housing and rehabilitation programs to adult inmates at the right time. Inadequate planning also increases the risk of incurring higher operational or construction costs than necessary.

3.2 Definition of Inmate Capacity Needed

We recommended that the Ministry of Corrections and Policing define how it will determine the inmate capacity of its existing adult correctional facilities to guide facility capacity planning decisions. (2016 Report – Volume 2; Public Accounts Committee agreement September 21, 2017)

Status – Partially Implemented

The Ministry is in the process of defining how it will determine the inmate capacity of its existing adult correctional facilities, and how it will use this information to guide facility capacity planning decisions.

As our 2016 audit indicated, there is no internationally accepted standard for living and program space for an inmate.

We found that, since 2016, the Ministry researched how to define inmate capacity. In addition, the Ministry compiled facility inventories (e.g., the number of beds, toilets, showers, and sinks; and the physical measurements of cells and program spaces).

The Ministry is using its research to define acceptable standard space (living and program) for an inmate. The Ministry expects to use the research and inventories, along with its definition of acceptable space per inmate to determine the optimal number of inmates to place in each area of a facility.

Not defining the inmate capacity of its existing adult correctional facilities makes long-term capacity planning difficult. It increases the risk that the Ministry may not make



effective decisions about utilization, modification, or construction of facilities. It may result in inmates in different facilities having differing and insufficient space available for living and programs. Poor facility decisions could potentially result in inhumane or unsafe conditions for inmates or correctional officers, ineffective rehabilitation of inmates, or inefficient use of public funding.

3.3 Analysis of Alternatives Complete

We recommended that the Ministry of Corrections and Policing promptly complete its analysis of alternatives to meet needs of adult correctional facility space, including those alternatives that do not require major construction or renovation of the facilities. (2016 Report – Volume 2; Public Accounts Committee agreement September 21, 2017)

Status – Implemented

In 2017, the Ministry completed its analysis of alternatives to meet the need for adult correctional facility space through finalizing its Custody Services Review. The Ministry's analysis indicated short-term remand was a driving force behind the capacity pressures at facilities. Short-term remand is where a lawfully detained individual is in custody for a short period of time, most commonly over a two to three day period.

The Ministry continues to develop and implement strategies to reduce capacity demands. For example, we found that the Ministry implemented reintegration leaves. Reintegration leaves allow a prisoner to be released before the end of the sentence, and assist offenders in their transition back into the community. The related approved policy provides standards for approving the release and monitoring of inmates for the Reintegration Leave program.

Other related actions that we noted include Early Case Resolution, and Community Alternatives to Remand. Early Case Resolution involves prosecutors managing cases on the weekends to move remanded individuals through the justice system faster. Community Alternatives to Remand involves providing alternative housing options to remanded individuals deemed low risk. We also noted that the Ministry continues to research other alternatives.

3.4 Rehabilitation Program Demand Not Forecasted

We recommended that the Ministry of Corrections and Policing promptly forecast demand for rehabilitation program space in its adult correctional facilities. (2016 Report – Volume 2; Public Accounts Committee agreement September 21, 2017)

Status – Not Implemented

The Ministry has not forecasted demand for rehabilitation program space in adult correctional facilities. While the Ministry continues to forecast inmate capacity and average daily population, it does not forecast the nature and extent of rehabilitation programs needed. Rehabilitation programming (e.g., effective decision-making, drug and

alcohol treatment) is aimed at reducing reoffending and preparing inmates to reintegrate back into their communities.

Inmate capacity planning includes considering space required for housing inmates along with the space required for rehabilitation programs. This includes determining the nature and extent of programs the Ministry delivers now and plans to deliver.

Since 2016, the Ministry has researched forecasting program space, but found few examples of standard practices. The Ministry plans to continue work on this in the fall of 2018.

Not having timely forecasts of demand for rehabilitation programs increases the risk that Corrections and Policing may not have sufficient and adequate space when needed to rehabilitate inmates.

3.5 Facility Contingency Plans Complete and Centrally Collected

We recommended that the Ministry of Corrections and Policing regularly update written contingency plans to meet unexpected changes in demand for living and program space in its secure-custody adult correctional facilities. (2016 Report – Volume 2; Public Accounts Committee agreement September 21, 2017)

Status – Implemented

Since 2016, management of each of the four secure-custody adult correctional centres developed and submitted written contingency plans for living and program space in their facilities to other officials within the Ministry.^{4,5} Those ministry officials verified each plan is complete and appears workable. The responsibility for the currency and implementation of contingency plans remains with management of each correctional centre.

The Ministry indicated that it centrally reviews the contingency plans annually, and correctional centres are to update the plans as needed. Centres are to update the contingency plans due to renovations, incidents, or other factors in the facility.

We noted that each of the contingency plans intend to maximize the use of dorms and units to house inmates before using space from gyms, chapels, program areas, or other non-dorm areas. Each plan indicates these non-dorm contingency options would only be used if all dorm options are filled.

By having effective and written plans to address unexpected changes in demand, Corrections and Policing reduces the risk of the Ministry not providing inmates with adequate housing or rehabilitation programming.

⁴ Secure-custody facilities are designed to restrict and monitor the movements and activities of inmates, while supporting the delivery of rehabilitation programs.

⁵ At July 2018, the Ministry of Corrections and Policing operated five secure-custody facilities (three for men, two for women) comprised of four provincial correctional centres and one remand unit; and seven reduced-custody facilities (six for men, one for women) comprised of one community correctional centre, five training residences, and one camp. Reduced-custody facilities accommodate sentenced inmates who are low risk and can leave the facilities to attend programming in the community (e.g., education, employment) designed to help the inmates reintegrate into society.

