

Chapter 10

Justice and Attorney General and Corrections, Policing and Public Safety—Implementing Strategies to Reduce Short-term Remand

1.0 MAIN POINTS

Rising cases of short-term remand is the primary reason for ongoing increases in the average annual count of adults in custody in Saskatchewan correctional centres, making up about 59% of those admitted into custody.¹ Short-term remand refers to accused adults awaiting trial held in correctional centres for 31 days or less.

By February 2025, the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety fully implemented the four outstanding recommendations about their processes to implement strategies for reducing short-term remand.

We found the Ministries completed evaluations for their remand reduction strategies—Early Case Resolution and Rapid Remand Response—and the first-year assessment of the *Īkwēskīcik iskwēwak* program (i.e., the Ministries and Saskatoon Tribal Council's program focused on reintegrating female offenders back into the community).²

The Early Case Resolution and Rapid Remand Response evaluation reports appropriately incorporated contextual information, data limitations, and key assumptions to inform decision-making to reduce short-term remand.

Additionally, we found the evaluation report of the *Īkwēskīcik iskwēwak* program included key strengths, challenges/areas for improvement, and recommendations for improved program delivery.

Routine evaluations and data analysis help to determine whether current remand strategies contribute to desired outcomes such as reducing short-term remand counts and, if not, where timely adjustments may be needed.

2.0 INTRODUCTION

2.1 Background

The Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety have legislative responsibilities to remand people appropriately. While the Ministries have a duty to ensure appropriate use of remand, the choices of the accused (e.g., significance of their actions that bring them before the courts) also affect remand decisions.

¹ www150.statcan.gc.ca/n1/pub/71-607-x/71-607-x2019018-eng.htm (26 March 2025).

² *An Evaluation of Īkwēskīcik iskwēwak Year 1 Report*.



- The Minister of Justice and Attorney General is responsible for administration of public affairs in accordance with the law and providing oversight of all matters connected with the administration of justice in Saskatchewan.³ This includes ensuring people on remand are treated in accordance with *The Canadian Charter of Rights and Freedoms* and *The Criminal Code of Canada*.
- The Minister of Corrections, Policing and Public Safety is responsible for aiding the courts in pre-trial or pre-sentence decision-making and providing correctional services and programs (including assessment, supervision, control, and custody of offenders).⁴

Taking effective measures to reduce the number of people on short-term remand is complex involving the long-term commitment, coordination, and engagement of policing and justice services. It requires balancing competing principles of respecting the liberty rights of the accused and ensuring public safety. Furthermore, it requires operating within public sector financial constraints; recognizing societal and governmental views on law-and-order issues, and tolerance for risk; and the links between the criminal justice system and other social issues, such as poverty and substance abuse.⁵

2.2 Focus of Follow-Up Audit

This chapter describes our second follow-up audit of management's actions on the recommendations we made in 2021.

We concluded, for the 12-month period ended September 30, 2020, the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety had effective processes to implement their strategies for reducing short-term remand in Saskatoon and surrounding area, except for the areas reflected in our six recommendations.⁶ By 2023, the Ministries implemented two recommendations.⁷

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

To carry out this follow-up audit, we interviewed staff responsible for strategies to reduce short-term remand and examined relevant documentation (e.g., manuals, agreements). We also assessed the Ministries' manual for program development and reviewed program evaluations.

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 February 28, 2025, and Ministry of Justice and Attorney General and Ministry of Corrections, Policing and Public Safety actions up to that date.

³ *The Justice and Attorney General Act*, section 9(1).

⁴ *The Correctional Services Act*, section 4(1).

⁵ Adapted from Office of the Auditor General – Manitoba (2014). *Annual Report to the Legislature*, Chapter 6: Managing the Province's Adult Offenders, Winnipeg: Author.

⁶ *2021 Report – Volume 1, Chapter 8*, pp. 91–110.

⁷ *2023 Report – Volume 1, Chapter 13*, pp. 155–162.

3.1 Evaluations of Remand Reduction Strategies Completed

We recommended the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety focus on collecting data for key measures, and establishing associated data definitions, for evaluating the strategies to reduce short-term remand. (2021 Report – Volume 1, p. 100, Recommendation 1; Public Accounts Committee agreement March 2, 2022)

Status—Implemented

We recommended the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety collect and analyze key information from external partners when evaluating strategies to reduce short-term remand. (2021 Report – Volume 1, p. 102, Recommendation 3; Public Accounts Committee agreement March 2, 2022)

Status—Implemented

We recommended the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety include context, data limitations, and key assumptions relevant to making informed decisions within evaluations of the strategies to reduce short-term remand. (2021 Report – Volume 1, p. 105, Recommendation 4; Public Accounts Committee agreement March 2, 2022)

Status—Implemented

We recommended the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety routinely analyze data for key measures associated with the strategies to reduce short-term remand. (2021 Report – Volume 1, p. 105, Recommendation 5; Public Accounts Committee agreement March 2, 2022)

Status—Implemented

The Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety collected appropriate data to evaluate their strategies related to reducing remand and inform decision-making. In 2024, the Ministries evaluated their two key strategies—Early Case Resolution and Rapid Remand Response—directly aimed at reducing remand and one key program (i.e., *īkwēskīcik iskwēwak*) aimed at reducing returns to custody.

The Ministries continue to use their Research and Implementation Branch Guidelines and Standard Operating Procedures for Program Design and Monitoring Manual to guide in assessing their remand reduction strategies. The Manual includes requirements to document strategy context (e.g., time constraints, extent of analysis), data limitations (e.g., data excluded from analysis), and key assumptions used when conducting evaluations.

The Ministries completed their evaluation of the Early Case Resolution and Rapid Remand Response strategies in June 2024.⁸ We found the evaluations used courtroom and custodial corrections data provided by the Ministry of Corrections, Policing and Public Safety to evaluate courtroom and custody strategies aimed at reducing short-term remand. The evaluations focused on key measures like final dispositions on first court appearances, bail hearings on the same day following first appearances, release orders on the same day as first appearances, length of time served in remand, and avoided or reduced incarceration days. The evaluations concluded on areas (e.g., Saskatoon) that saw success due to the strategies and highlighted the limitations to those successes (e.g., limited impact on first-day bail hearing dispositions). Management noted the evaluations confirmed the Early Case Resolution and Rapid Response strategies demonstrated success.

In addition, we found the evaluation reports included appropriate context, data limitations (e.g., only examined first appearances for bail hearings), and key assumptions (e.g., for each weekend remand admission, assume a higher number of releases on first business day following the weekend), as required by the Manual.

We note that since our initial performance audit in 2021, the Ministries shifted focus to reducing returns to custody, which can also reduce short-term remand if the programs help offenders successfully reintegrate back into their communities (e.g., not commit future crimes). One strategy to reduce returns to custody is the *Ikwēskīcik iskwēwak* program.⁹

The Ministries completed a first year evaluation of the TkwēskTcik iskwēwak program in April 2024 relating to the first nine months of the program to determine its strengths and challenges. The Ministries intend to conduct an annual evaluation of the program. We found the first year evaluation comprehensive, providing a detailed description of the program, parties involved, and a program analysis using the Ministries' established performance measures (e.g., family reunification, stable housing). The first-year evaluation report also included key strengths and challenges of the program, and recommendations for improving program delivery. We found staff shared these evaluation results with senior decision-makers in the Ministries.

We also found the Ministries analyzed offender data monthly from its *Tkwēskīcik iskwēwak* program partner's (Saskatoon Tribal Council) IT system on key measures (e.g., percentage of clients receiving addictions support) to identify necessary program adjustments that help in reducing returns to custody.

Routine analysis of robust and concise data to determine whether strategies operate as intended can assist the Ministries in making informed decisions as necessary to reduce the number of people on short-term remand.

⁸ The Early Case Resolution strategy involves a prosecutor and Legal Aid duty counsel meeting on Sundays to review weekend arrest files to identify and prepare cases that could be concluded or advanced on Mondays. The Rapid Remand Response strategy consists of a dedicated prosecutor who identifies new arrest cases for possible rapid resolution daily.

⁹ In October 2022, the Ministry of Justice and Attorney General and the Ministry of Corrections, Policing and Public Safety partnered with Saskatoon Tribal Council (service provider) to deliver a program focused on reintegrating female offenders back into the community. The program, called *ikwēskickik iskewēwak* (pronounced “ah-gwee-ski-chick isk-way-wuk”), is Cree for “women turning their lives around.” The program provides up to 18 months of support, such as mental health and addictions support, transitional housing, and training and education to females with multiple custody admissions.