

Standing against violence: A safety review of BC Corrections

1. Introduction

My Government gave me a task: to consult with Corrections officials within the Corrections Branch of the Ministry of Justice as well as related stakeholders, to tour custodial centres and Community Corrections offices, to hold stakeholder consultation meetings, and to present a report to the Minister of Justice with recommendations to improve safety for the public, for Corrections staff, and for offenders.

My mandate limits my focus to the enhancement of safety in our correctional system, which I define as 'eliminating violence and the threat of violence' from the system. We have the responsibility to aim for a nonviolent system even if we fall short, because we will achieve much more by striving for the ideal than by settling for certain levels of violence - and thereby accepting and condoning some violence.

Throughout the consultative process my mandate was taken seriously and treated with the highest of courtesy and transparency by the Ministry. I had access to any information I requested and any staff or stakeholders (including inmates) I wished to speak to. I was deeply impressed with the sincere passion and commitment by everyone involved with the system, including a demonstrable concern for the welfare of a difficult client population. In turn, I must offer my own respect and thanks to those who place their own safety in jeopardy on a daily basis so that other British Columbians can live secure and untroubled lives. This review should not be taken, therefore, as a criticism of the Corrections Branch, but as a positive aid to assist in improving the safety of all.

The review is separated into three main parts. The first will affirm elements of our present system and provide the statistical context for recommendations that follow. The second will offer incremental safety recommendations that apply to the present system, and the third will address more transformational directions for the longer term.

1. Affirmations and context

a. Continuity with the past

How we deal with those who offend our laws reflects our most deeply-held beliefs about human nature, right and wrong, the rights of victims, and the purpose and limits of discipline. So how do we treat them? What is the framework we use?

Correctional discipline in Western culture is thousands of years old, forming the bedrock on which our prison foundations rest. For most of history when governmental institutions were weak, discipline flowed from the role of the parent; the idea that a child might waver from a good moral path, requiring a father's loving correction in order to get back on the straight way to heaven. Correction could be a simple verbal admonition, while 'sharp correction,' corporal discipline, was seen to be required to correct a more errant child – or a criminal in relatively modern times, where the state has taken a more prominent role. For example, the King's Book (1543) edited by Henry VIII himself, cast the state in a parental role in criminal cases.

As the machinery of government grew ever stronger, England's first Penitentiary Act in 1779 first attempted to generate remorse in serious offenders through hard labour, religious instruction, and long periods of time spent alone, contemplating their crimes. Our prison system still stands on the

foundation built 235 years ago, and although the language has been secularized, the basic elements remain. All sentenced inmates must work. They undergo the spiritual and psychological ministrations of volunteers and staff in a variety of programs, and they spend proportionate amounts of time, including time in solitude, thinking about their deeds in hope that they will decide to change.

Thus the historic disciplinary pattern of our culture remains the same for all: correction is an artificial tribulation inflicted to elicit remorse, followed by forgiveness and restoration. In this way discipline in Western societies is not retributive, it is educative. The motivation of correction is care for the erring one, the method is a difficult educative process, the desired result is remorse leading to sincere change, and the purpose is restoration to wider society.

This is a powerful historical framework, resulting in a less punitive and more humane correctional system, even though punishment born of anger may interject to mar the process. This report acknowledges the deep corrective pathways of our culture, and attempts to place its framework like a grid over our current provincial system in order to reveal changes necessary to strengthen the elements of societal correction - and hence, public safety.

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b. Prison as sanction

History provides only a few options to treat convicted criminals. Society can shame them, do violence to them, kill them, banish them, fine them, or imprison them. Today our main societal sanction for criminal behaviour is the loss of liberty, which exists on a continuum. Prison is the endpoint of the continuum, but there are many degrees of the loss of freedom short of full custody. The Charter of Rights and Freedoms tells us that personal liberty is very important. It should never be removed lightly, and then only in proportion to the offence.

However, even as a negative sanction, confinement does have positive uses. It can protect society, protect criminals from themselves and others, be a place of learning, change and contemplation, and also be a deterrent. Effective deterrence requires that prison, while not a place of torment, not be a desirable place to live, either.

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Statistical context

a. A snapshot of our prison system

The provincial Corrections Branch is responsible for s.13 people; roughly one in 200 British Columbians. But most would be surprised to learn that few of our provincially-sentenced criminals are actually in jail. In fact, our nine provincial prisons in BC house just s.13 prisoners with sentences of less than two years, while 22,000 offenders – a full s.13 – are supervised by s.13 probation officers working out of 55 Community Corrections Offices throughout the province.

s.13 ore have been 'remanded' to provincial prisons which means that they have been charged and denied bail, so they must await their trial in custody. Many of these prisoners are charged with very serious federal crimes, but they stay in provincial jails until their conviction or release. Though the

average stay for a remanded prisoner is just ^{s.13}days, some stay during long, complex trials. Willie Picton, for example, spent seven years in provincial remand.

While about ^{s.13} of remanded prisoners will eventually be convicted, they are all innocent until proven guilty, which means that none can be required to work or attend group sessions. ^{s.13}

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b. Who is safe, and who is under threat?

It is interesting to note those who are not under threat in our corrections system. Volunteers who work with offenders in and out of custody enjoy an excellent safety record. During one stakeholder meeting, one society with 500 volunteers told me of just one minor safety incident in the last 25 years. This kind of report was repeated over and over by a variety of volunteer groups at the stakeholder engagement meetings I held around the province, and they attributed their own safety to their position in the system. They are not enforcement-related. They perform a helping role, offering opportunities for learning, personal interaction, spiritual counsel and help in the community. Offenders understand that volunteers are on their side.

In like manner, I was surprised to find that many staff members within custodial institutions are in a similar position. Some interact constantly with high-risk inmates in complete safety, simply because they do not have an enforcement role. One officer who ran an industrial course told me that, in five years, no inmate had ever even sworn at her. School teachers, chaplains, kitchen staff, and librarians all said much the same thing.

Front-line staff tasked with enforcement are more at risk in the system. Even here, BC's method of 'direct supervision,' in which staff work constantly on the floor of prison units side by side with inmates, promotes respect, relationship, understanding, and order. I privately interviewed at least one front-line staff worker in each prison, and every one told me that they feel safe when they come to work in the morning. This does not mean that they are not under stress. As a chaplain put it, 'they must always keep one eye open.'

Those most at risk in the system are inmates themselves. A prison is a volatile mix of people with anger management problems, gangs asserting their dominance, quarrels brought in from the street, ^{s.15}

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A fight can erupt over food, a debt, or an imagined slight, and if an inmate feels threatened, he will come to staff and ask to be put in protective custody. So many request this protection that in some institutions, more are in protective custody than in the general population, and this is in addition to sex offenders and others who are routinely targeted in prison. The inmate population is therefore in constant motion as staff shift people around the institution to prevent contact with those who might pose a threat to them.

c. The safety record – by the numbers

Information about public safety is well known and well covered by the media and academics. Less well-known are safety statistics involving the main actors within the correctional system; offenders and the staff who work directly with them. I asked for detailed information from a number of perspectives in this regard, in order to develop a comprehensive view. I have grouped the results naturally, into in-custody and in-community findings.

In-custody safety

Use of force

One way to judge the amount of violence in our prisons is to look at how force has been used in a given period by Corrections authorities. It should be noted that deadly force is not exercised by BC Corrections staff since there are no guns at all in our provincial institutions. The use of deadly force is reserved to the police. BC Corrections tracks four useful measures of the use of force:

Tasers All correctional institutions have been equipped with tasers since 2003. Statistics record their use 34 times since they were introduced, and just one use in the last five years.

Impact devices s.13 staff person carries a baton, called an 'impact device.' Every institution has an Emergency Response Team (ERT) made up of about s.15 staff members trained and available to suit up in full riot gear, who also carry batons. Impact devices were used s.13 times in the last five years.

Use of restraints If necessary, inmates may be restrained by handcuffs. A 'board' may be used in more extreme cases, which is a system of seatbelt-like restraining straps affixed to a rigid board. Some may also be 'wrapped' in a garment that secures their limbs. Restraints were required s.13 times in the last five years. s.13

Pepper spray In addition to a baton, each staff member also carries pepper spray, technically known as 'OC spray,' named for its chemical composition, oleoresin capsicum. This is the restraint of choice in the system, having been used s.12 times in the last five years. Since 2009 its use has been steadily rising, from 89 times in that year to 145 times in 2013.

Incidents of violence

In our prisons, many with anger management problems live in close quarters. Often they know each other from the street, and they bring their quarrels with them into the prison. Some just like to hurt other people. There is also a certain volatility to group behaviour, particularly for men, as they vie for dominance and seek to protect themselves from others. Finally, increasing numbers are suffering mental health issues which means that they are not fully in control of their behaviour. There are several measures of violence that we will explore.

Violence against staff In our nine institutions there were a total of s.13 incidents of violence or threats of violence against staff in 2013. A third of them took place indirectly when staff broke up a fight between inmates, s.15, s.13 s.13

s.13 Staff have obviously become more active in breaking up fights, because staff were indirectly assaulted in this way 54 times last year but only 20 times five years ago, even though assaults between inmates have not grown proportionately. s.13 s.13 years.

Intensity of violence against staff Acts and threats of violence against staff can be measured by their intensity. Corrections BC keeps detailed statistics on the intensity of violence within institutions, and they show that many of the events recorded as assaults against staff were threats that were not carried out. Of the s.13 reported assaults, s.13 were threats of violence, leaving s.13 actual physical assaults over the five year period. Intensity can also be measured by injury. I received detailed statistics about injuries to front-line staff. Over the past five years, there were s.13 staff injured. While many were treated in custody, s.13 required hospitalization, all of these in 2009.

Violence between inmates It is far more dangerous to be an inmate in an institution than to be a staff member. s.13

Violence between inmates varies by institution. s.13

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Ford Mountain,

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North Fraser Pretrial

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In total, there were s.13 s.13

between inmates over s.13 and they s.13 s.13 Of the s.13 fights and assaults in the past s.13 only s.13 were threats that fell short of violence. This shows that inmates are much more serious about hurting each other than hurting staff.

Here are our nine institutions,

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North Fraser Pretrial Centre

Fraser Regional Correctional Centre

Prince George Regional Correctional Centre

Kamloops Regional Correctional Centre

Surrey Pretrial Services Centre

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Vancouver Island Regional Correctional Centre

Nanaimo Correctional Centre

Alouette Correctional Centre for Women

Ford Mountain Correctional Centre

Moreover, the tale of injuries suffered by inmates is a sad one indeed. Although there were s.13 events involving assaults, there were s.13 injuries suffered, as more than one person was injured in some events. s.13 of the injuries were serious enough to require medical attention of some kind.

In-custody disciplinary hearings

A final measure of the state of our prisons can be given by disciplinary hearings. In the event of an incident which breaches the Correction Act Regulations, a hearing, which follows the principles of natural justice, is held by a neutral manager in the institution. This can result in a sentence to segregation, intermittent confinement to cell, or the loss of earned remission days. Over the last five years, 19,841 disciplinary hearings were held, for the following, most frequent, reasons:

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| ○ Attempt to obtain, or possess contraband | 3,669 |
| ○ Assault or threaten another person | 3,017 |
| ○ Physically fighting with another person | 2,855 |
| ○ Disobey a direction of a staff member | 2,694 |
| ○ Enter another's cell or living unit without leave | 1,999 |
| ○ Behave in an insulting or abusive manner | 1,641 |

Most hearings dealt with breaches of prison rules while just a quarter of them pertained to actual safety violations. Still, it shows a high degree of antisocial and anti-establishment behaviour in our institutions.

In-community safety

The history of our Community Corrections Centres, which supervise some 22,000 offenders in 55 communities throughout the Province, is radically different, and it doesn't take long to relate. In the last

five years there were a total of 85 assaults between clients in Community Corrections offices, resulting in thirty-one injuries. Thirty-five assaults on staff resulted in two staff injuries. Twenty clients needed medical attention for their injuries, but no medical attention was required for the s.13 staff who were injured. This is remarkable when we consider that 516 probation officers supervise s.13 offenders, while s.13 supervise s.13 inmates in custody.

d. Comparison with other institutions

I requested and received statistics from all five health regions in the province summarizing events of violence and the threat of violence from institutions under their authority. Although the statistics could not be directly compared due to differing levels of detail, baselines and fiscal years, there are some general conclusions we can draw and trends that we can identify.

First, in absolute terms there are many such incidents throughout our health care system. Fraser Health Authority, for example, reported 497 incidents of aggression toward staff in 2012/13; 96 of them verbal and 383 actual physical assaults. Vancouver Coastal Health Authority reported 489 such events; 108 of them verbal and 363 physical.

In calendar 2013, Vancouver Island Health Authority's Health Protection Officers used force 1,381 times to restrain or control a patient or visitor.

The trend in violence is also clear – it is moving upward. Interior Health Authority recorded 581 physical assaults against staff in calendar 2010, but 1,011 in 2013. This is an increase of 74%, and it was a drop from 1,176 incidents the year before. Island Health Authority staff suffered 425 physical assaults in 2012 but 644 in 2013, a 52% increase. Vancouver Coastal Health reported 249 assaults in 2010/11, but 363 in 2012/13. Again, this marks a 46% increase.

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e. Conclusions about safety

I was struck, as I visited each of our provincial institutions, how strange and artificial a situation prison is. Adults move from complete autonomy in society to complete captivity in a subset of society where each citizen wears a red uniform, lives in a very small space, is regulated by the clock and constrained by numerous rules. There is little money to spend and little to buy, little to do and no real earning power, and almost no social contact. It must be a very difficult, humiliating transition.

Perhaps this is why I found that imprisonment engenders behaviours that would seem ridiculous on the outside. Staff pointed out with pride an ordinary vending machine in one institution, regarding it as a daring experiment. Staff and inmates described ingenious methods to hide contraband such as tobacco and other substances that are legal outside of prison, and ways to attack enemies within prison. All of it is juvenile behaviour, albeit with serious consequences. A great deal of time is spent playing a cat and mouse game that Corrections staff can never win, as confinement elicits, as one stakeholder put it, 'the response of a caged person.'

Moreover, I cannot help but think that prisons intrinsically breed violence. While it is true that people in prison are by definition more violent than those on the outside, and while some violence in community between offenders undoubtedly goes unrecorded, the difference between offender safety in prison and in community is stark: s.13 versus 85 in community over five years, and s.13 In fact, our probation

officers may be safer than some health care workers. The greatest contributing factor has to be the close proximity of those in custody versus those in community.

Given the safety risks in custody, is close confinement necessary to meet the educative goals of our correctional system? I would point out that prison is the endpoint along the continuum of captivity, but there are some now in prison who do not pose a safety threat to society. s.13

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As I visited each of our correctional institutions and met with front-line staff, they told me repeatedly in a spontaneous and unsolicited way, that violence has increased markedly over the last two to three years. The statistical record generally echoes this trend. Staff listed various reasons: the concentration of prison populations, gangs in prisons, and most of all the changing character of the typical 'new' offender. In the past there was an understanding among prisoners that older inmates should be given respect. This is now gone. The new, young inmate is purely self-interested without any loyalties, capable of engaging in acts of serious violence with little awareness or concern about the consequences of his actions.

Front-line staff as well as stakeholders involved with the health and welfare systems uniformly told me that violence is also closely related to mental health, most often caused or exacerbated by drug addiction. For example, when an addict resorts to the cheapest of intoxicants like hairspray and hand sanitizers, bizarre and unpredictable behaviour results.

Given the observed trends across our system, a serious safety incident could be on the horizon in custody. Where there is a concentration of increasingly remorseless inmates, steps can and should be taken to mitigate safety risks. I will therefore begin with in-custody recommendations. Happily, there is a comparatively low risk in community, though some incremental improvements can be made. I will also offer some recommendations in this regard.

3. In-custody recommendations

Enhancing prison safety

The Classification Officer in each institution fills a vital role. This person interviews every new inmate and decides, on the basis of this interaction as well as the inmate's detailed record in CORNET, whether that person should be placed in Maximum, Medium or Open Custody. A mistake made here could have serious safety consequences. Happily, officers are very accurate and mistakes are rarely made. However, it was suggested to me by an inmate that incompatible inmates are sometimes placed in cells together, such as a longer-term inmate with one suffering from withdrawal symptoms. This results in safety risks.

It is recommended that more attention be paid by Classification Officers to the compatibility of cellmates.

The BCGEU expressed concern to me about inmate to staff ratios, and this was echoed by the media. Union representatives said that ratios of inmate to staff were once set at 20:1, and are now more than

double that. When I asked front-line staff about their views I received mixed responses. All felt that ratios have increased in recent years and that higher ratios could be less safe, but none actually felt unsafe in their current environment. I think it is simple common sense that a higher inmate to staff ratio would normally be a less safe environment for staff and inmates, unless targeted measures are taken.

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I found that Corrections BC now takes a risk-based approach when deciding how to allocate staff. Inmate to staff ratios are adjusted according to risk assessments made by the Classification Officer. When higher-risk inmates are placed together, inmate to staff ratios can be set as low as ten to one. For example, at Vancouver Island Regional Correctional Centre the ratio of inmates with mental disorders to staff is currently 12:1.

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There is a lively drug trade in prisons. One only has to look at the 3,669 disciplinary hearings over the last five years for those trading in contraband, much of which is illegal or prescription drugs, and these are only the ones who are caught. Front-line staff told me that they sometimes smell drugs in a unit or see a prisoner high, without finding the source of the drugs. They simply don't know what they don't know.

Part of the problem is the trade in prescription drugs like methadone, which is given out in prison. Officials admit that it is traded even after being ingested by inmates, and they discourage its use, filling but refusing to renew prescriptions given on the outside. I was told that Ford Mountain institution does not allow methadone at all, and is so desirable a place to go in our provincial system that inmates will get off methadone in order to be placed there. When prisoners trade in drugs like this, they incur debts that result in violence.

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The provincial justice system has a maximum sentence of two years less a day, and most inmates have sentences much shorter than that. However, the Criminal Code has stronger sanctions for violence in the federal system. For example, under S. 264.1 a threat of death or bodily harm can result in a sentence of five years. Section 266 of the Code also provides for five years' imprisonment for an assault and if a weapon is used, ten years. Aggravated assault in Section 268 carries a maximum penalty of fourteen years.

As we have seen, there are many assaults in prison, some using weapons and some causing serious bodily harm. If inmates knew that they would be prosecuted to the full extent of the law for violence or threats of violence, thus carrying the potential of more serious time in the federal prison system, it might act as a deterrent. As I moved about the provincial prison system, I did not see signage that

clearly warned incomers that violence will not be tolerated, as I have noted in provincial hospitals and other public institutions. Notices should be placed conspicuously, and supported by action.

It is recommended that signs be placed, and inmates be warned, that violence and the threat of violence will be prosecuted to the fullest extent of the law.

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I was told that a fight within prison used to be an affair of honour, but that is no longer the case. An enforcer within prison will now order several prisoners to assault another, although they have no personal disagreement with him. These cowardly acts may only take a few seconds but can result in serious injury, and make new enemies between people who were previously unknown to each other. This is a significant safety risk. I would point out that there is no 'third man rule' in the Correction Act Regulations as there is in hockey. If a second and subsequent attacker were to be identified and treated more severely according to the regulations, it might deter multiple aggressors.

It is recommended that a 'third man rule' be added to the Correction Act Regulations, treating a second and subsequent aggressor more severely than the first.

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Human society craves order. No one, including criminals, want a society where they can be assaulted at will. Our desire for collective security as expressed in the creation of police forces has provided remarkably good adherence to law and order. However, as the data shows, offenders too often find an environment where a prison unit is effectively ruled by a 'heavy' or 'alpha dog' inmate instead of Corrections officers. Such prison hierarchies are a safety risk, since a 'heavy' may require others to

assault an inmate for a debt or any other reason. Justice ought to extend to all corners of society, including the interior of prisons.

This is a policing problem. In a fascinating book on the history of modern police, Charles Reith relates that the control of crime in London used to be vested in the military, which would respond after a crime with harsh assaults on supposed perpetrators by a corps of soldiers, who would then withdraw. The military approach was a blunt instrument that was ineffective because it alienated and angered the general public. By contrast, the first police force was created in 1829 with great success, using an entirely different set of principles:

- Police were first and foremost to prevent crime rather than arrest criminals.
- They depended on public approval and assistance to prevent crime.
- They secured public approval by impartially demanding observance of law, by befriending all, and by seeking to preserve and protect the lives of all.
- Force was used only as a last resort, and then at a minimum.
- Police were ordinary citizens, drawn from the community to be policed.
- The police never punished, leaving that responsibility to the courts.

One could think of a prison as a little society that also craves order, to which the principles of good policing can apply. Corrections staff have already done well in adopting most of them by following a 'direct supervision' model in which staff are constantly on the floor of each unit in direct contact with inmates. In my conversations with inmates I found that by acting in an impartial manner, treating inmates with respect, using verbal skills to de-escalate situations of conflict, and minimizing force, staff enjoy a high degree of respect among their clients, so much so that most inmates I spoke to said they would assist staff who found themselves in an unsafe situation.

However, it is obvious from the number of disciplinary hearings that an 'us versus them' mentality still exists, which makes staff less effective in their most important policing function: preventing crime within the institution. Because they are not drawn from the general inmate population, staff often miss what is going on behind their backs. They rely on artificial means, like random searches and installing wall baffles that dampen sound on units so that conversations can be easily heard.

Safety could be further enhanced if Corrections staff could draw anonymously on the prison population for information to prevent crime. Staff told me that they often receive hints from friendly prisoners about upcoming problems on the floor. Inmates will have a word with an official or slide a 'kite' - an anonymous note - under a door.

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There are 221 RCMP intelligence officers in BC.

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Work

For hundreds of years work in prison has been regarded as rehabilitative because it occupies time, engages the mind, develops habits of discipline, builds skills, and fulfils an inner desire to be productive. Indeed, Corrections BC makes work mandatory for all sentenced prisoners who are capable of it, and throughout all our institutions I found opportunities for work.

Not only do inmates clean institutions and do kitchen duty, there are large and well-equipped carpentry, metalworking, and tailoring shops (for example, all the red prison uniforms are made by inmates) and other work venues inside and outside. Inmates repair and build a variety of items for charity and sale, and even do work for other government ministries. Some of their work displays great skill, and some is really inspiring.

As I talked to staff who run shop programs dealing with sharp metal objects and dangerous machines, none felt that their safety was in jeopardy. Inmates are on their best behaviour while working. If more prisoners worked, and worked longer days, our institutions would be safer.

However, there are always long waiting lists for work programs, and the sentiment was universal; more work is needed. This is especially important as offenders transition back to open society. Without an occupation most will revert to what they know - making a living through crime. New skills offer an opportunity for a legitimate lifestyle.

At times Corrections staff are hard-pressed to find meaningful work for inmates to do. One institution with a metal working shop has taken on a private subcontract where steel fences are brought into the shop for repair by inmates. This is an excellent example of effective work. If a social enterprise corporation was begun by Corrections BC, similar subcontracts could be sought at commercial rates (to discourage unfair competition with the private sector) and workers could be paid something closer to a commercial wage. The contract would be self-sustaining.

It is recommended that BC Corrections establish a Social Enterprise Corporation to seek out and execute self-sustaining subcontracts at commercial rates to provide more work opportunities within prisons.

It so happens that British Columbia is currently in need of skilled workers in the trades. Our upcoming LNG industry forecasts a need for 100,000 workers, and under the care of Corrections BC we have a potential workforce of s.13 under-employed British Columbians, mostly men.

I found that training intentions in prisons were good, but more could be done to equip inmates with an identifiable skill leading to an attractive wage in the job market. I met with staff at the Trades and Technical Training institution at Fraser Valley University, who were eager to help inmates serving longer sentences begin the 32-week in-class portion of Red Seal apprenticeships. Inmates could be brought to UFV for classes, or staff could travel to institutions to teach on a contract basis. There are other more elementary certifications that take less time. For example s.13

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It is recommended that Corrections BC explore certifiable trades training within correctional institutions with nearby universities, and that staff seek out, list and offer training in shorter-term certificates to equip inmates with job-ready skills.

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Finally, employers are often wary of hiring people with a criminal past. More and more employers are requiring a criminal records check, which narrows the chances of finding a job on the outside, thus the chances of a successful transition. At a public function I met s.13, s.22

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When I told him of my desire to help inmates find work, he was eager to help. 'These are British Columbians who deserve a chance,' he said, offering a free set of s.13 or training purposes inside an institution, and well-paying jobs when they come out. Particularly in our tight job market, there must be more employers who would be willing to hire someone who needs a new start.

It is recommended that Corrections BC maintain a registry on its website for employers who are willing to hire an inmate.

Transition

The 'first day' out of prison is the hardest day. Where does a newly-released offender stay on that first night away from the institution? Does he have any social supports, proper meds, money, personal identification, or job prospects? The answer to all these questions is often 'no', and thus the offender is almost sure to revert to what he does know; the criminal lifestyle, and quickly finds himself back in prison. If there were better assistance provided for transition, there would be fewer relapses into the criminal lifestyle.

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I found that many inmates leave prison with no money for food, shelter or other necessities. A recent province-wide protocol for the Ministry of Social Development and Social Innovation requires an SDSI official to attend each institution regularly to make sure that every inmate who requests one, has an open welfare file and a cheque in hand when they leave.

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Often people are discharged from prison with no identification other than a letter of discharge from Corrections BC.

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Many stakeholders expressed frustration that offenders with serious mental health issues are discharged without the proper prescription medications. When they go off their meds they become vulnerable to further criminal behaviour.

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At times inmates lack social supports in the community. Given that there is a wealth of voluntary agencies that provide services to inmates, more should be done to encourage connection with voluntary groups on the outside. This means inviting them on the inside to establish relationships. I think particularly of NOLA (No One Leaves Alone) by the stakeholder group M2W2, which told me that for the sex offenders who have participated in their NOLA program, none have experienced a relapse.

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The federal system of parole has been created because data has shown that staged release to society is effective. As the Parole Board of Canada Policy Manual states: 'Supervised release increases the offender's potential for successful reintegration and, thereby, contributes to the long-term protection of

society. ' This principal of staged release could be applied to our provincial institutions in the following way.

Our institutions are divided into three security categories: Maximum security, Medium Security, and Open Custody. Open Custody arrangements are decidedly relaxed, with inmates living in a dormitory-style settings, allowed more freedom on prison grounds and encouraged to participate in work crews that travel periodically outside the prison.

Open Custody could be organized under the Right Living concept, and granted to those willing to adhere to the Right Living philosophy. Open Custody could then be separated from the rest of the prison and operate similar to a halfway house, where all inmates spend the night in the institution but attend school or work in the community during the day. They could also use this time to establish relationships within the community and make arrangements for housing and employment. In this way the transition to community would be more gradual and natural. The penalty of the breach of Right Living principles would be a return to Medium Security, but only after a period in a 'dry cell' to remove the incentive to breach the rules intentionally in order to bring drugs back into the prison, by hiding them inside the body.

It is recommended that Open Custody follow the Right Living model, be separated from the rest of the prison, and allow daily work or study in community followed by custody each night.

Programming: A survey of studies of various programs will be discussed, showing that they all work to a degree, but that the central element of each is an enhanced relationship with the inmate. If that is true, there is no program 'magic bullet'; we simply need to promote relationship wherever possible, and this in particular includes relationships with those on the outside, often volunteers, who can help inmates make a good transition.

Mental health: A description of MDOs in BC's system, particularly to assess the magnitude of the problem (i.e. how many?). Some have such severe mental disorders that they must live in an institutional setting. The closure of some health institutions has caused them to find their way to the institution of last resort, our correctional system. It is recommended that better-equipped mental health units, supported by the BC Health, be established within the corrections system until such time as proper health facilities can be found for them. Alternatively, that more offices such as Vancouver's Intensive Supervision Unit, be established, to manage these people in community.

In-community recommendations

We have already noted the excellent safety record of Community Corrections offices. I toured nine offices throughout the province and met with all available staff at each one. Standard provisions in each office are a waiting room, at least one secure interview room with plexiglass separating the interviewer from the client, an administrative area, and offices of probation officers leading to a back door. In every location clients are brought through the hallways into private offices for interviews with officers that last at least half an hour.

Probation officers once concentrated on enforcing the conditions of probation set by the courts; catching clients who breached their conditions and returning them to prison. About a decade ago this perspective shifted toward a helping role. While still tasked with breaching clients who behave badly, officers now see themselves more as social workers with an ongoing caseload of about 55 clients each. They regularly interview them at length and help them get to a better place. Officers were passionate about their jobs and convinced that they were effective in achieving change.

When I asked a group whether they would like to have OC spray at their desks, one officer said that she would quit rather than work under such circumstances. At every turn they discouraged security arrangements that would place clients at arm's length, saying that such structures can actually provoke outbursts by giving officers a false sense of security, leading them to use provocative language. They universally attributed their safety to their verbal skills and the relationships they develop with their clients. I was impressed with their skill, courage and dedication.

Various safety precautions are routinely taken. Staff follow clients, not the other way around. Some require them to leave backpacks in the waiting room. Most don't leave heavy items on their desks or place family pictures on their walls. All officers have panic buttons at their desks connected to a central panel in the administration section; these have rarely been activated except by accident. If a client raises his voice in an office, other officers immediately congregate on the scene to help. Officers who teach courses in the evenings never do so alone. None said that they felt unsafe in their workplace, which is not to say that they had no concerns. Various minor security improvements were requested.

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Each office has a safety plan that is updated yearly. I reviewed several and found them to be adequate, but saw a crucial difference between in-custody staff and probation officers. Custodial staff in prisons are more prepared for violence because it is more routine, but because of the relative peace that reigns in Community Correction offices, probation officers are less prepared for a one-off act of more extreme violence. It is not the routine bad attitude that they need to prepare for, it is the very rare occasion of a serious violent threat.

It is recommended that each Community Corrections Office conduct one annual live 'serious incident' exercise involving all staff, using a scenario provided by head office and followed by a debriefing.

Officers conduct home visits that follow a protocol: they never go alone, they do not visit unannounced, they call the office before and after each visit. If necessary they bring a police officer along, but most do not visit if they feel they need an officer in attendance. Instead, they deal with more provocative subjects in the office. While none expressed safety concerns during the meetings, one officer told me privately that visits announced ahead of time are of little use, while those which are unannounced can be dangerous.

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Community coordination: There are huge community resources expended by many passionate and well-meaning volunteers and para-government organizations, but in some places there is little community coordination. More coordination would increase efficiency in dealing with a difficult marginal population, resulting in lower costs and effort.

What about the s.13 offenders who are serving their sentences in community? Although some have jobs, more work would help them, too.

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It is difficult for a person who may have been under-employed for a long time to approach an employer. I met with the BC Construction Association, which operates the Skilled Trades Employment Program (STEP), funded by the Province of BC. This unique program seeks to match employees with employers. They have representatives in 14 communities and are in touch with 4,000 employers in the construction industry. They know where the jobs are and have the capacity to connect workers to them. Moreover, their mandate is to serve four particular groups, and they also have an Innovation Fund which can help to remove obstacles that often plague Corrections clients, such as transportation to a job or the necessary work tools. BCCA and STEP officials were eager to help.

Offenders doing 'community time' are required to be in constant contact with their probation officers. If probation officers were to formally link to STEP officials, job-ready clients could be streamed to STEP officials to be placed into jobs. I do not expect that all would find jobs this way because some already have jobs and others are not job-ready. However, I anticipate that many could be placed through this very practical program.

It is recommended that Corrections BC complete a Memorandum of Understanding with the STEP program, to enable probation officers to stream job-ready clients to STEP officials for job placement.

4. Transformational recommendations

So far I have offered a menu of recommendations for immediate change that are practical, fairly simple and cheap. They are incremental changes that offer incremental benefits. However, there is a more ambitious menu for change that could result in transformational change in the system that could play out in the future. Rather than teasing out the tiny changes that would result in a tiny improvement in the system, paying more attention to the root causes of crime could bring about a more wholesale improvement in our society over time, offering the hope for more dramatic improvements in areas that include safety.

a. Recidivism the problem of the system

During my consultations I heard constant anecdotes from everyone - staff, stakeholders and offenders alike, about the 'revolving door' of our Correctional system. A female guard related that when she began her job, she became friendly with an inmate and shed a tear when she was released, not realizing that she would soon return, over and over again. Some guards deal with the same prisoners in and out of custody for their entire careers. How can we quantify the revolving door, known as the rate of recidivism?

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The published rates in the latest Service Plan of the Ministry of Justice say that 23% of offenders supervised in community reoffend within two years. In custody, where offences are more serious, the numbers are also worse: s.13 of offenders released from jail reoffend within two years.

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On my further request, BC Corrections took a snapshot of all 18,926 people sentenced in 2012, and looked at their involvement with the provincial justice system over the preceding decade. Here is what they found:

had received more than one sentence

had received more than five sentences

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had received more than ten sentences

had received more than twenty sentences

2 people had received 64 and 65 sentences, respectively

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s.13 Bearing in mind that most offences constitute a violation of another's safety in some way, these figures are very troubling. s.13

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Criminal behaviour is not the fault of Corrections BC, but the system has a part to play. When people are allowed to be convicted s.13 something is wrong with the system; it is not motivating people to stop reoffending. Indeed, it appears to be quite the opposite s.13

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b. The reason for recidivism - addictions

Why are our institutions a revolving door? The answer is simple. Crime in BC is driven almost entirely by addiction to drugs and alcohol. I heard this, literally, from every Corrections official and stakeholder I met. As one put it, 'Drugs don't drive the system. They ARE the system.' Almost all property crimes are committed by those seeking funds to buy drugs or alcohol. Much spousal violence results from alcohol abuse. Gangs thrive on the drug trade, with all of their attendant violence. Prolific offenders are nearly always addicts, and they can commit dozens of crimes in a single day.

This is buttressed by the figures. In 2012 Statistics Canada reported that 92% of those admitted to correctional facilities in five provinces were addicted to drugs or alcohol.

Correspondingly, Corrections BC analysts put together figures for offenders with more than ten convictions. They show that 45% of all sentences are for property crimes and another 28% are offences against the 'administration of justice,' such as failing to appear in court when required, or breaching conditions of probation. These kinds of figures are consistent with drug-induced behaviour. Only 13% of crimes are committed against people.

In a sense the crime problem in our society is less spurred by sinister malevolence than by people who are out of control; whose will is in bondage to a chemical. Inmates told me that when people need to get a fix, they have no conscience, and will do literally anything to get drugs. Their rationality, and their conscience, only returns once they are clean.

This does not mean that they are not responsible for their actions. While most commit crimes in order to obtain drugs, I was told that some take drugs in advance of crime, in order to bolster their courage and erase their conscience. A study by the Canadian Centre for Substance Abuse in April 2002 found that 54% of offenders in federal prisons had been intoxicated when they committed their most serious crime.

c. The response to recidivism - long-term treatment

Inmates and Corrections staff alike told me that addicts are at their best in prison; that many lives have been saved by requiring abstinence from drugs in custody. Because of the prevalence of drugs in the commission of crimes and the prevalence of addicts in prison, I observe that BC's correctional service is effectively an involuntary drug treatment system, less about the moral function of rehabilitating criminals and more about the health function of cleaning up addicts.

What has brought this about? Our society has become extremely tolerant of destructive behaviours caused by drugs and alcohol, and therefore too tolerant of the past and future victims of those who bear the brunt of crime initiated by addiction. People are free to be addicted in our society, but the moment they commit a crime fueled by drugs or alcohol, their addiction becomes a safety issue that directly impacts their victims, and indirectly victimizes all of society.

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In this regard I wish to underscore the importance of abstinence-based treatment. Although much is made of the evidence-based nature of harm reduction, this takes a narrow view of the evidence, as does the evidence for the impact of individual programs on recidivism. The broad view that takes all evidence into account points clearly to the fact that it is best for human health not to be addicted to drugs or alcohol. Therefore, all public policy, including harm reduction, should be directed toward freedom from addiction to drugs and alcohol.

The proponents of harm reduction are well-intentioned and it is recognized that there are a small subset of addicts who have little hope of breaking free, but for the vast majority of addicts the harm reduction philosophy sets the bar too low by accepting levels of addiction, by winking at resultant criminal behaviour and the victimization that flows from it, by accepting sub-optimum health outcomes, by hampering progress toward a drug-free lifestyle, by enabling a drug-fueled culture, and by hindering the full development of human potential.

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Further, the spectrum of harm reduction programs are enormously costly, resulting in a crowding-out of funding for long-term treatment. For example, methadone maintenance programs alone service 13,984 patients in BC at a cost of \$57 million per year, according to a 2011/2012 report of the Office of the Provincial Health Officer. For the cost of this program alone, every one of the 21,000 provincial offenders addicted to drugs or alcohol could enjoy a one-year program of treatment within a decade. Put another way, since X people are sentenced each year, this level of funding would provide a year of addictions treatment to every provincial inmate newly sentenced in BC, on a permanent basis.

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Conclusion and thanks

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Human nature and the limits of change

Societies have always experimented with changing criminal behaviour, and particularly so in modern times, by altering the environment of the criminal - but the record is replete with failure. The persistence of crime even in the face of well-intended programs suggests that human nature is, to some degree, resistant to one's environment. But if the interior life is independent of one's environment, there is also hope for change even in a bad environment.

Expectations of change, therefore, should be modest and incremental. There is no magic bullet. Crime is not going away, and a too-sanguine view of human nature will lower our resistance to crime. On the other hand, there is some hope for change and, since each convict will return to British Columbian society in less than two years, we have little choice but to offer a path toward positive change, and put in place the incentives to encourage it.

Must a change in behaviour be sincere? Ideally, but not necessarily. Even if a person disagrees with the rules of the road, obeying them out of a desire to avoid a ticket makes the roads safer for everyone. Compliance is good enough.

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Sentencing

Throughout my consultations I was told that sentencing is part of the problem, not the solution; that offenders look upon short custodial sentences as a minor 'cost of doing business.'

Offenders who driven by drug addictions commit crimes or breach the conditions of their sentences numerous times, but are given penalties that are far too short to make a difference in their lives. Such sentences are a standing joke to other offenders and a discouragement to everyone involved with the justice system. I was told that in one case, a prolific offender hit 150 cars in one day and received a sentence of twenty-one days in jail. To police it is 'almost comical' to arrest a person and have to re-

arrest him the very same day. Locking up people for just a few days can actually destabilize an offender and raise the safety risk to society, because they can lose their housing in the short time they are in prison.

We must raise the cost of doing business for offenders, in part as a measure of fairness to them. One 46 year-old inmate told me that he has been in and out of prison 50 times since he was in high school, and I was told by stakeholders that many offenders do 'life on the instalment plan.' Surely the system is not serving society or this person well, if it allows him to return again and again for short stays without helping him to break free from his addiction.

The Drug Treatment Court keeps addicts out of the justice system by offering long-term treatment as a condition of bail, moving forward with charges only if the offender chooses them, or fails treatment.

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Volunteer resources

We have a wealth of volunteers, and we need to value them more and give them more responsibility, not leaving everything to high-priced professionals. NOLA - no one leaves alone, should be supported. Anger management counselling should be offered by volunteers in the community, and offenders should be required to attend.

Every community should have what Prince George has - a monthly meeting to talk about the people and services they provide, and provide a one-stop shop, patterned after Chilliwack Youth Committee's 'Every door the right door' structure.

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While offenders deserve the full weight of the law, we need to treat them the way we would want to be treated, because they are all fellow British Columbians.

Conclusion

It was a tremendous privilege to travel throughout the Province of BC meeting hundreds of people who work with some of the most difficult populations in the country. I was deeply impressed with the quality of character of those engaged in this often-thankless enterprise. They do their work on a shoestring; eagerly, joyfully, and passionately. When I visited VISU, the Vancouver Intensive Supervision Unit, the young people who work there helping the most challenging offenders on the Downtown East Side told me how they loved their work. When I left, I asked what the vessel with the wand was near the door. 'We use it to disinfect the chairs after our clients visit,' they explained. They don't get paid extra for that. This report is in large part a tribute to these and so many others who give unstintingly day after day on a paid or voluntary basis, to help those who have wronged others.