

Report 10: December 2011

EFFECTIVENESS OF BC COMMUNITY CORRECTIONS

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The Honourable Bill Barisoff
Speaker of the Legislative Assembly
Province of British Columbia
Parliament Buildings
Victoria, British Columbia
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Dear Sir:

I have the honour to transmit to the Legislative Assembly of British Columbia my 2011/2012 Report 10: *Effectiveness of BC Community Corrections*.

In 2010/11, close to 24,000 adult offenders, or 90% of B.C.'s correctional population, were supervised in the community as opposed to jail. While community sentences and the successful rehabilitation of offenders have several benefits, including immediate cost-savings, there are also significant risks to public safety, as well as potential long-term costs. Given the risks and challenges involved, it is important to ensure that risks are mitigated and benefits, to both the offenders and the public, are maximized.

My eight recommendations are designed to mitigate key risks to an acceptable level, and to help the Community Corrections and Corporate Programs division gain additional information and insight so that it can know whether it has achieved its intended outcomes, as well as what may need to change in order for those outcomes to be achieved. I will follow up on these recommendations through my Office's usual follow-up process.

John Doyle, MAcc, CA
Auditor General

Victoria, British Columbia
December 2011

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JOHN DOYLE, MAcc, CA
Auditor General

In 2010/11, close to 24,000 adult offenders, or 90% of B.C.'s correctional population, were supervised in the community as opposed to jail.

The responsibility for supervising all adult offenders serving a community sentence lies with the Community Corrections and Corporate Programs (CCCP) division of the Ministry of Public Safety and Solicitor General. The division's stated purpose is to contribute to safer communities by assessing and managing the risks and needs of adult offenders.

While community sentences and the successful rehabilitation of offenders have several benefits, including immediate cost-savings, there are also significant risks to public safety, as well as potential long-term costs. Given the risks and challenges involved, it is important to ensure that risks are mitigated and benefits, to both the offenders and the public, are maximized.

My Office conducted this audit to determine the CCCP's success in reducing rates of re-offending among those under its supervision, and to identify particular areas that may be impacting the CCCP's effectiveness.

We found that the CCCP has not sufficiently analysed the role it plays in decreasing the re-offending rate by those who have served community sentences. In addition, the dynamic nature of how the rate is measured makes it difficult to confirm a trend. As a result, we were unable to conclude as to whether the CCCP has achieved its goal of reducing re-offences. Additionally, while the CCCP has a sound model in place to manage offenders, it needs to more fully implement and evaluate its approach.

Currently, only 35% of interventions that are designed to reduce re-offending are ever completed. The lack of completion means potential increased risks to public safety and costs to taxpayers and victims, should offenders re-offend. Most importantly, by not completing their rehabilitation program, offenders are not provided with the opportunity to change.

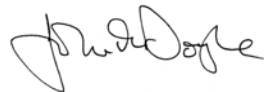
The model also relies heavily on the individual discretion and professional judgement of probation officers, which means that well-trained probation officers, a strong quality assurance program, and thorough documentation are paramount to successfully managing offenders. We found that these practices are not at the level they should be.

The level of caseloads has also increased over the past several years at a faster rate than staffing. However, the division has not comprehensively identified what impact this is having on its effectiveness and long-term sustainability.

I recognize the complexities around attempting to change an offender's behaviour, as a result of having a multitude of stakeholders – such as the court system and police – and other external factors that impact criminal behaviour and subsequent re-offending. The CCCP is quite often the last point of possible intervention.

My recommendations are designed to mitigate key risks to an acceptable level, and to help the CCCP gain additional information and insight so that it can know whether it has achieved its intended outcomes, as well as what may need to change in order for those outcomes to be achieved. I am pleased to see that the ministry has accepted all eight recommendations, and look forward to receiving updates on the implementation of these recommendations through my Office's usual follow-up process.

I thank the ministry and the staff of the CCCP for their assistance and cooperation during this audit. As noted in the "Looking Ahead" section, my Office will conduct further performance audit work on the effectiveness of the justice system.



John Doyle, MAcc, CA
Auditor General
December 2011

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THE RESPONSIBILITY FOR SUPERVISING all adult offenders serving a community sentence in British Columbia lies with the Community Corrections and Corporate Programs (CCCP) division of the Ministry of Public Safety and Solicitor General. The purpose of the division is to contribute to safer communities by assessing and managing the risks and needs of adult offenders. To achieve this, the CCCP has established a goal to reduce re-offending through its case management framework.

Offenders serving community sentences comprise close to 90% of the province's total correctional population: about 24,000 offenders are supervised by the CCCP each day (2010/11) as they remain in the community while serving their sentence.

The offender population in British Columbia is not homogenous, but is rather comprised of individuals with complex needs. In fact, 56% of all offenders under correctional supervision in British Columbia have been diagnosed with substance abuse issues or a mental health disorder. Offenders also differ in terms of their risk and needs level, with roughly 74% of all sentenced offenders under community supervision being assessed as medium or high risk to re-offend. Identifying interventions to address these needs can be a challenging endeavour.

Despite the challenges involved in supervising offenders, the CCCP has a unique opportunity to influence change and produce considerable benefits for both offenders and the public. Successfully rehabilitating offenders so that they do not commit additional crimes has several benefits, including:

- ♦ reduced threat to the safety and security of the community;
- ♦ fewer economic and social costs to the government and the public; and
- ♦ increased social productivity if offenders become contributing members of society.

However, there is the risk that offenders may commit additional

crimes while in the community if they are not closely monitored and/or do not receive the necessary interventions to address their needs and risks. Repeat offenders create significant long-term costs for police, courts and corrections, as well as victim pain and suffering and loss of quality of life.

We carried out this audit to determine whether the Community Corrections and Corporate Programs division is achieving its goal to reduce rates of re-offending for offenders under community supervision and to identify specific areas that may be impacting the program's effectiveness.

We were unable to conclude whether the CCCP has achieved its goal to decrease the rate of re-offending for those offenders under community supervision. Although data on the rate of re-offending is available, the methodology used results in a rate that is subject to increase as offenders who commit further offences are subsequently sentenced in court. Current data shows a slight drop in the most recent year (2010/2011); however, rates of re-offending are only available for the past four years which, coupled with the dynamic nature of the measure, makes it difficult to confirm a trend.

Although we could not conclude on the overall rate of re-offending and, therefore, the division's ability to achieve its goal, we did identify areas that may be negatively impacting the division's effectiveness. These include: the division's performance monitoring and evaluation framework, capacity assessment approach and case management model.

The CCCP has established an evaluation framework to evaluate the effectiveness of its core programs and partnership projects. While some evaluations demonstrate a reduction in re-offending, the CCCP lacks a full understanding of its performance because its evaluation framework excludes some significant areas of activity that impact re-offending, mainly contracted services and community programs.

The CCCP has also not comprehensively determined what its current and future staffing levels should be to enable it to provide adequate programs and services. This is despite the number of cases under supervision increasing at a faster rate than staffing. As a result, the division does not know whether it has sufficient resources in place to be effective and sustainable.

Lastly, while the CCCP has established a model for offender management that is consistent with good practice in the field of community corrections and is assessing offenders' overall risks and needs appropriately, there are areas within the model that require

EXECUTIVE SUMMARY

improvement. Specifically, the audit found that:

- ♦ probation officers do not consistently complete the appropriate training before supervising offenders in the community;
- ♦ probation officers' case management work is not regularly reviewed by local managers to ensure it complies with policy;
- ♦ probation officers do not consistently identify strategies that address offenders' risks and needs and subsequently ensure offenders complete assigned interventions;
- ♦ insufficient documentation is contained in offender files, specifically as it pertains to risk/needs assessments and breach decisions, to confirm the appropriateness of probation officers' judgements.

SUMMARY OF RECOMMENDATIONS

We recommend that the Community Corrections and Corporate Programs division:

- 1** publicly reports its performance in reducing the overall rate of re-offending with a discussion of the role the CCCP plays, as well as the impact a performance measure that can change over time has on confirming program effectiveness.
- 2** extends its evaluation framework to understand the effectiveness of contracted service providers and community programs in reducing re-offending.
- 3** completes a comprehensive impact assessment to determine if there are any gaps between its staff capacity and caseload level currently and in the future.
- 4** confirms the courses required to supervise each case type and then update its policies to ensure probation officers complete the appropriate training before supervising offenders.
- 5** strengthens its quality assurance model to ensure it is consistently applied and provides accurate and complete information on the quality of probation officers' work.
- 6** ensures that probation officers thoroughly document their rationale for risk/needs assessment ratings and how offenders' risks and needs will be effectively addressed.
- 7** ensures offenders receive and complete the interventions required in their case management plans.
- 8** ensures that enforcement guidelines are consistently applied, and that all breaches are documented in compliance with policy.

THE COMMUNITY CORRECTIONS and Corporate Programs Division appreciates the Auditor General's *Audit of the Effectiveness of the BC Community Corrections*. As a leader in the field of community corrections the division values an informed review to enhance the effectiveness of the division's programs to improve public safety outcomes. The Community Corrections and Corporate Programs Division accepts the recommendations made by the Auditor General. The division will carefully consider each recommendation and will implement those that are achievable depending on available resources. The division worked closely with the audit team throughout this process, providing staff resources to ensure timely access to information as well as expertise on the division, its evidence-based focus, and how it undertakes its day-to-day work. The Auditor General's work assists the division in further assessing and refining aspects of its business.

The Community Corrections and Corporate Programs Division and the Auditor General agree that the division's case management model is consistent with correctional best practices. The Auditor General's affirmation that Community Corrections staff appropriately assess offenders' risk is welcomed and validates the division's case management approach. Continuing to refine the application of this case management model is an important goal reflected in the division's strategic plan.

Probation officers supervise adult offenders, many of whom are violent and high risk. They assess risk and needs, develop strategies and manage factors associated with criminal behaviour. Where offenders present multiple complex needs, these are prioritized based on risk to reoffend with the goal of reinforcing long term, sustained behavioral change. These actions lead to the refinement of effective case management plans. They deliver evidence-based programming such as the Relationship Violence Prevention Program which has been shown to reduce reoffending by up to 50%. Probation officers are equipped with comprehensive training to undertake this important work.

In keeping with the Auditor General's recommendations the division will continue to track and report its recidivism in a manner consistent with accepted research and ensure the dynamic nature of this data is properly contextualized. As a measure, recidivism provides a benchmark for the justice system, which is a complex inter-connected network. There has been a downward trend in the division's recidivism rates from 28.5% in FY2007/08 to 25.4 % in FY 2010/11. This trend is derived from the division's robust business intelligence system. Consistent with research literature the division's recidivism rate includes individuals arrested and convicted for an offence that occurred within a two year follow-up period.

Program evaluation remains an essential cornerstone of the division's approach to offender supervision. The division regularly evaluates the interventions that focus on engaging clients and reducing reoffending. This provides critical feedback and ensures programs effectively support the goal of mitigating offender risk in the community. Programs such as the Relationship Violence Prevention Program, the Violence Prevention Program and the Integrated Offender Management Program have been proven to have significant impacts on recidivism. The division is committed to continuously evaluating its own programs and, to the extent it is able, participating in evaluations of those offered in partnership with other agencies. The division is implementing the Strategic Training Initiative in Community Supervision (STICS), a gold-standard evidence-based recidivism reduction program. STICS ensures that the risk-needs-responsivity model of offender assessment and management is applied in the context of one-on-one supervision.

The Auditor found the 28% growth in caseload over the last six years has not been matched with resourcing. The complex offender profile, combined with an unprecedented provincial caseload of 24,000 clients presents tremendous challenges for probation officers in their work. In response to the auditor's recommendation the Ministry has commenced work to undertake a comprehensive resource analysis.

The division recognizes staff are its most valuable resource and is committed to investing in their development to ensure a high quality and dedicated pool of professional employees. The division has a complex training model that employs a hybrid of face to face and online modalities. As with the case management model, many jurisdictions across the country are looking to British Columbia's probation officer training design and course content to inform their work to develop training for their probation officers. The division has undertaken an internal review of the training for probation officers in BC. The Auditor General's recommendations for a clear

articulation of the link between required training and the assignment of case management responsibilities will assist the division to complete this review. Implemented in 2009, the division's quality assurance process has shown great value. The division is taking steps to strengthen the model and facilitate its consistent application. This will ensure accurate and complete information on the complex work performed by probation officers. Recognizing workload pressures, the division will take steps to support probation officers in the thorough documentation of case management plans, interventions and decision making regarding breach of probation actions.

The Auditor General's recommendations afford the division an opportunity to refine the delivery of its programs and services. The division is committed to contributing to safer communities by assessing and managing the risks and needs of adult offenders. Community Corrections appreciates the comprehensive effort that has gone into a performance audit of a complex area such as this, and looks forward to the Auditor General's follow-up planned for 2012.

BACKGROUND

Sentencing in Canada

When an offender is found guilty of a crime in Canada, the court has several options to consider in sentencing. These options, set out in the *Criminal Code of Canada*, range in severity from an absolute discharge, through intermediate sentences (fines, restitution, probation and conditional or intermittent sentences), to a jail term.

Correctional supervision is required for two broad categories of sentences: custody (jail) and community. Community sentences include conditional sentences, probation, and recognizance orders (the latter of which are issued as a preventative measure). All of these enable offenders to remain in the community while completing the terms or conditions of their sentence.

All community sentences contain a standard set of conditions, defined in the *Criminal Code of Canada*.¹ These include:

- ♦ Keeping the peace and being of good behaviour.
- ♦ Appearing before the court when required to.
- ♦ Notifying the court in advance of any change in name, address or employment.

In addition to those standard conditions, the courts may impose others related to the particular circumstances of the offender, victim or community. Among them: initial and ongoing reporting to a probation officer; attending counselling or a treatment program; ceasing contact with certain people; providing compensation; and adhering to a curfew. Offenders serving a community sentence are expected to meet all of its conditions – standard and case specific.

1 Conditional sentences include two additional standard conditions: reporting to a probation officer and remaining within the jurisdiction of the court.

2 References to “probation officer” include both professional probation officers (SPO24) and para-probation officers (PO14).

When imposing a sentence, the courts must consider a number of different factors, including what the ultimate objective of that sentence should be. The *Criminal Code of Canada* establishes sentencing objectives, including: deterring offenders and others from committing offences; separating offenders from society; helping rehabilitate offenders; and having offenders make reparation for harm done. Community sentences, in particular, have a stronger focus on rehabilitation than jail sentences do. While adhering to the conditions in their sentence, offenders can enrol in programs designed to address the unique factors contributing to their criminal behaviour and reduce their risk to re-offend. Offenders can also remain in the community, maintaining a sense of normalcy and avoiding the disruption of a jail sentence.

Community supervision in British Columbia

In British Columbia, the Community Corrections and Corporate Programs (CCCP) division of the Ministry of Public Safety and Solicitor General is responsible for supervising all adult offenders on a community sentence. The division also supervises adults on bail and those in alternative measure programs, which may be used before the accused goes to court.

The CCCP operates 49 community corrections offices and provides services to 428 communities across the province. It employs close to 670 staff, 450 of whom are probation officers², and has an annual budget of about \$47 million.

The stated purpose of the CCCP is to contribute to safer communities by assessing and managing the risks and needs of adult offenders. This is achieved in part through the CCCP’s goal to reduce re-offending through its case management framework. The CCCP’s mandate and the provisions for community supervision are defined in the *BC Corrections Act* and the *Criminal Code of Canada*.

The CCCP supervises about 24,000 offenders each day (see Exhibit 1). This number represents close to 90% of the province’s total correctional population. The other 10% consists of offenders who are being supervised in a jail.

The community caseload of 24,000 offenders in 2010/11 represents an all-time high for the CCCP. It is approximately 28% higher than the caseload in 2005/06 (Exhibit 2).

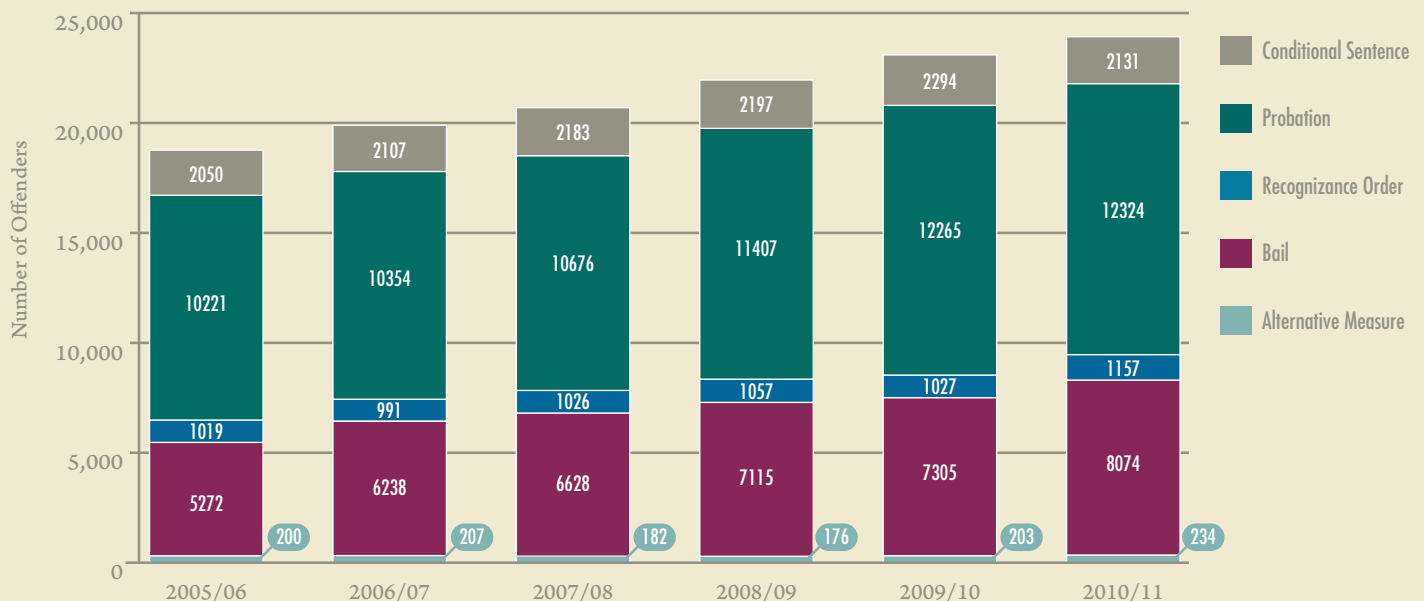
DETAILED REPORT

Exhibit 1: Community orders, by supervision type, in British Columbia, September 2011

Supervision type	Description	Number supervised	(% of total)
Conditional sentence	A jail sentence that is served in the community, instead of in jail.	2,131	(8.9)
Probation order	A court order that requires an offender to follow certain conditions in the community for a set amount of time, not exceeding three years.	12,324	(51.5)
Recognizance order	A court order (referred to as a peace bond) requiring the defendant to keep the peace and be of good behaviour. Additional conditions may be attached to ensure good conduct. Often these orders require the defendant to avoid contact with the person for whose protection the order was issued.	1,157	(4.8)
Bail	A court order issued to an individual accused (but not yet convicted) of an offence, requiring that individual to appear in court at a designated time and to abide by certain conditions.	8,074	(33.8)
Alternative measure	A program that diverts individuals who commit less serious crimes away from the courts.	234	(1)
		Total	23,920

Source: BC Corrections Branch, September 2011.
Note: Figures have not been audited.

Exhibit 2: Community orders, by supervision type, in British Columbia, 2005/06–2010/11



Source: BC Corrections Branch, September 2011.
Note: Figures have not been audited.

DETAILED REPORT

The job of supervising offenders, especially with the goal of changing their behaviour, is a complex responsibility. The unique traits of offenders require varied approaches to supervision and to treatment, and assessing the key factors related to a person's criminal behaviours can be very challenging. This is especially true for high-risk offenders, such as those who have an extensive and violent criminal past as well as substance abuse and mental health issues.

A snapshot of the community corrections population in British Columbia, as shown in the sidebar, reveals some of the challenges faced by the CCCP.

The British Columbia case management model

One of the cornerstones of community supervision and effective offender rehabilitation is case management. Case management first requires a valid assessment of the factors contributing to criminal behaviour (termed risks and needs), then linking these factors to a case management plan, implementing the plan and monitoring offender progress.

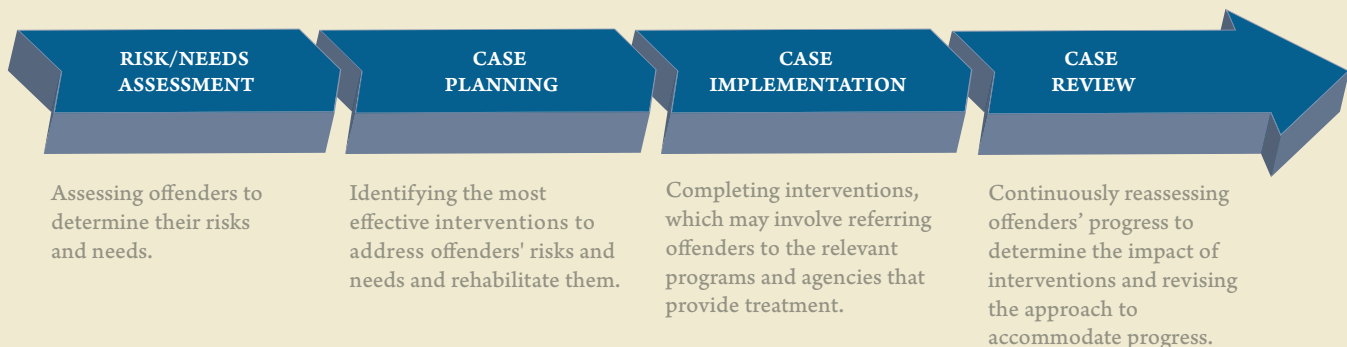
In 1997, the CCCP established a case management model to enhance the division's effectiveness in working with offenders under community supervision – the ultimate aim being to reduce their likelihood to re-offend. The model has four main stages (as shown in Exhibit 3):

A snapshot of the community corrections population in British Columbia

- ◆ Medium and high-risk offenders account for about 74% of all sentenced offenders under community supervision who have been assessed.
- ◆ About 56% of all offenders under correctional supervision (for custody and community sentences) have been diagnosed with a substance abuse issue or mental health disorder.
- ◆ About 4,400 offenders under community supervision have been convicted of a domestic violence offence and 1,300 have been convicted of a sex offence.
- ◆ Offenders who have committed crimes against people account for about 40% of the community corrections population, compared with 25% of offenders who have been convicted of crimes against property. The remaining 35% are comprised of a variety of offence types.

Risk/needs assessment – Several risk/needs assessment tools are available in British Columbia for assessing offenders serving community sentences. These tools vary by offence type, and include a general risk/needs assessment tool (called the Community Risk Needs Assessment), a spousal assault assessment tool (called the Spousal Assault Risk Assessment) and a series of sex offender tools.

Exhibit 3: Overview of the case management model used by the Community Corrections and Corporate Programs division



Source: Community Corrections and Corporate Programs division, May 2009.

The risk/needs assessments tools used by the CCCP are guided professional judgment tools that screen offenders for factors shown to predict future criminal involvement. These tools also provide guidance in determining the level and type of intervention required to reduce an offender's potential to re-offend.

Case planning and implementation – After a risk/needs assessment has been completed for an offender, probation officers develop a case management plan that sets out the level and type of intervention considered to be most effective in addressing the offender's risks and needs.

Probation officers can choose from a wide range of interventions. For example, they can refer offenders to counsellors, forensic services or community resources; engage them in one-on-one problem-solving sessions; or enrol them in core programs. Used in combination, interventions are intended to result in a reduction of the offender's likelihood of re-offending.

Core programs are a strategic priority of the CCCP. They are designed and developed by the division to help offenders acquire the skills they need to change their criminal behaviour. These programs are facilitated primarily by probation officers. The list of core programs is provided in [Appendix A](#).

Once interventions have been identified, probation officers must then work to implement them and ensure completion.

Case review – To ensure interventions are effective and appropriate, offenders' files must be reviewed regularly. At a minimum, probation

British Columbia's use of "structured professional judgment"

The Community Risk Needs Assessment and Spousal Assault Risk Assessment tools used in British Columbia rely on the structured professional judgments of staff. In this sense, the tools do not dictate what the overall supervision level should be, but rather provide a framework through which to assess the risks and needs of offenders.

In contrast, most other provinces use actuarial assessment tools when assessing offender risks and needs. These are quantitative tools that produce a final rating based on the responses to individual questions. Actuarial assessments are largely numeric and involve a lower level of professional judgment.

Both sets of tools have proven effective in predicting the likelihood of future re-offending.

officers in British Columbia are required to evaluate each offender's progress every six months or whenever a change in the offender's circumstance occurs. At that point the process begins again: an updated risk/needs assessment is completed and, if the assessment changes or previous interventions appear to be ineffective, the case plan is revised.

The benefits of community sentences

Community sentences can help offenders change for the better by giving them opportunities to enrol in programs that are designed to address their criminal behaviour and reduce their likelihood to re-offend. Successfully rehabilitating offenders so that they do not go on to commit additional crimes has several benefits, including:

- ♦ reduced threat to the safety and security of the community;
- ♦ fewer economic and social costs to the government and the public; and
- ♦ increased social productivity if offenders become contributing members of society.

Community sentences also provide a substantially less costly alternative to jail sentences. In British Columbia, the average cost of supervising an offender in the community is \$7 a day, compared with supervising an offender in jail at \$194 a day.

As well, allowing offenders to remain in the community enables them to retain employment and living accommodation. This in turn enables them to continue to support themselves and their families, and increases the likelihood that the individuals will, as applicable, pay their fines or compensate their victims.

The risks from inadequate offender management

If offenders are not closely monitored to ensure they are responding to interventions and abiding by the conditions in their sentence order, they may commit additional crimes while in the community, inflicting further harm on their victims or the community at large.

In addition to these public safety risks are the long-term costs associated with inadequate supervision. If offenders completing community sentences do not receive the necessary interventions to address their offending behaviours, they are at an increased risk of becoming repeat offenders, perpetuating the "revolving door" phenomenon. According to a Canadian study³ completed by the Department of Justice Canada in 2008, the tangible costs of crime, which are those resulting directly from

3 Department of Justice Canada (2008). *Costs of Crime in Canada*. See http://www.justice.gc.ca/eng/pi/rs/rep-rap/2011/rr10_5/index.html.

responding to the offence (that is, by the police, courts and corrections), are estimated to be around \$30 billion a year. When intangible costs, such as victim pain and suffering or loss of quality of life, are added to the list, the costs of crime are much higher.

The CCCP has a unique opportunity to influence change and produce considerable benefits for both offenders and the public. Inadequate supervision that fails to reduce re-offending not only represents a missed opportunity to improve an offender's future, it also has broader implications for the general public in terms of public safety and costs.

AUDIT OBJECTIVES AND SCOPE

We carried out this audit to: 1) determine whether the Community Corrections and Corporate Programs (CCCP) division is achieving its goal of reducing rates of re-offending for offenders serving community sentences; and 2) identify specific areas that may be impacting the program's effectiveness.

To determine this, we examined whether the CCCP is:

- ♦ reducing rates of re-offending for community corrections;
- ♦ monitoring, evaluating and continuously improving its activities to ensure they are effective in reducing rates of re-offending;
- ♦ managing its human resources effectively to ensure the program's success and sustainability; and
- ♦ implementing the case management model effectively.

We developed the audit criteria based primarily on the *Community Corrections Policy Manual*. We also consulted the research literature and audits from other jurisdictions, both within Canada and the broader international community, to identify national and international good practice principles for effective supervision.

The focus of our audit was the CCCP, but we also considered the role of the broader criminal justice system in supervising offenders. We did not audit court services, pre-sentence activity, victim services or the operations of the federal correctional system, including parole.

Our audit conclusions are based on information from 2008 to 2011. To conclude on a number of criteria, the audit relied on a sample of files selected on a random basis. These included offender files, training plans and contracts. We also reviewed documentation from a number of different sources and interviewed CCCP staff from each of the five regions as well as from headquarters to assess the level of compliance against our audit criteria.

We conducted the audit in accordance with section 11 (8) of the *Auditor General Act* and the standards for assurance engagements established by the Canadian Institute of Chartered Accountants.

AUDIT CONCLUSION

We were unable to conclude whether the CCCP has achieved its goal to decrease the rate of re-offending for those offenders under community supervision. Although data on the rate of re-offending is available, the methodology used results in a rate that is subject to increase as offenders who commit further offences are subsequently sentenced in court. Current data shows a slight drop in the most recent year (2010/2011); however, rates of re-offending are only available for the past four years which, coupled with the dynamic nature of the measure, makes it difficult to confirm a trend.

While the CCCP has established a framework to evaluate the effectiveness of its core programs and partnership projects, the framework excludes some significant areas of activity that impact re-offending – mainly contracted services and community programs. As a result, the CCCP lacks a full understanding of the impact its activities have on re-offending.

The CCCP has also not comprehensively determined what its current and future staffing levels should be to enable it to provide adequate programs and services. The division, therefore, does not know whether it has sufficient resources in place to be effective and sustainable.

While the CCCP has established a model for offender management that is consistent with good practice in the field of community corrections and is assessing offenders' overall risks and needs appropriately, there are areas within the model that require improvement. Specifically, the audit found that:

- ♦ probation officers do not consistently complete the appropriate training before supervising offenders in the community;
- ♦ probation officers' case management work is not regularly reviewed by local managers to ensure it complies with policy;
- ♦ probation officers do not consistently identify strategies that address offenders' risks and needs and subsequently ensure offenders complete assigned interventions;
- ♦ insufficient documentation is contained in offender files, specifically as it pertains to risk/needs assessments and breach decisions, to confirm the appropriateness of probation officers' judgements.

KEY FINDINGS AND RECOMMENDATIONS

Monitoring and Evaluating the CCCP's Effectiveness

For an organization to know whether it is successful in achieving its goals, it needs to monitor and evaluate its performance regularly. Doing this allows the organization to understand how various changes and risks in its operating environment might affect its performance and where improvements can be made to better achieve goals.⁴

One of the primary goals of the Community Corrections and Corporate Programs (CCCP) division is to “reduce re-offending through purposeful case management of a diverse offender population.” We therefore expected to find evidence of a decline in the rate of re-offending by those offenders under community supervision, as well as evidence that the CCCP is monitoring the effectiveness of its programs and services in achieving those reduced rates.

Monitoring organizational performance in reducing the overall rate of re-offending

We were unable to conclude whether the CCCP has achieved its goal to decrease the rate of re-offending for those offenders under community supervision. Although data on the rate of re-offending is available, the methodology used results in a rate that is subject to increase as offenders who commit further offences are subsequently sentenced in court. Current data shows a slight drop in the most recent year (2010/2011); however, rates of re-offending are only available for the past four years which, coupled with the dynamic nature of the measure, makes it difficult to confirm a trend.

Despite our inability to conclude on the overall rate of re-offending, the division's approach to monitoring its performance in reducing the rate is not enabling it to determine its overall impact. The CCCP does not view the overall rate of re-offending as a key performance indicator, saying that the impact of external influences undermines the re-offence rate's meaningfulness with regard to the division's effectiveness. While the CCCP is not solely accountable for increases or decreases in the rate of re-offending, the division's case management model provides a strong means of contributing to the division's effectiveness in reducing re-offending. Furthermore, the CCCP's goal is to reduce re-offending through its case management work.

Measuring the rate of re-offending in British Columbia

The BC Corrections Branch calculates re-offending based on a two-year follow-up period. That is, offenders under supervision in a particular year are followed for two years afterwards to identify whether they re-offend. If individuals within that tracking period commit an additional offence and are found guilty by the courts, they are included in the rate of re-offending once they are sentenced. However, the individual is only included in the rate once they have been sentenced. Therefore, the rate of re-offending for the most recent year can exclude an important proportion of offenders who have re-offended, but have not yet completed the court process and received sentencing.

Additionally, while this measure recognizes the dynamic nature of offending behaviour and is more sophisticated than a snapshot in time, it also makes it more difficult to establish a firm trend based on only a few years results.

Of the data that is available, the overall rate of re-offending for offenders in British Columbia – those in custody and in the community (Branch) – remained relatively unchanged at between 32% and 34% between 2007/08 and 2009/10. Rates for the most recent year, 2010/11, demonstrated a slight reduction to 30%. While the 2% reduction may indicate that the rate of re-offending has dropped, it may also reflect an incomplete data set that requires more time to stabilize as offenders complete the sentencing process. This challenge exists for both the Branch and division rates of re-offending.

Improved monitoring of its work would enable the division to understand its effectiveness in impacting the overall rate of re-offending, anticipate changes and risks in the environment and focus resources and strategies accordingly.

Evaluating programs and activities in reducing the rate of re-offending

The overall rate of re-offending is an important indicator of effectiveness, and represents one aspect of organizational performance. Performance indicators help measure the organization's effectiveness and help to identify when changes and risks in the broader environment may be impacting its effectiveness. However, other forms of measurement, such as evaluations, environmental scans and risk analyses, provide a more complete understanding of the specific aspects of organizational performance and their effectiveness.

⁴ This process is part of a broader framework known as “managing for results.” See [Appendix B](#). (For information on this topic, see our Office's report, [Building Momentum for Results-Based Management](#)).

To understand the division's effectiveness in reducing rates of re-offending, the CCCP evaluates its core programs and pilot partnership projects. We found that the CCCP has evaluated all but one core program – the Sex Offender Program – and four of its roughly eight partnership programs for their impact on re-offending. It also has plans in place or in development to evaluate the Sex Offender Program and the majority of its remaining partnership programs.

The CCCP evaluations performed on specific programs and services demonstrate that some appear to have been effective in reducing rates of re-offending. These include:

- ♦ the Relationship Violence Prevention Program, which demonstrated a 50% reduction in the rate of re-offending related to spousal assault and a 60% reduction in general re-offending;
- ♦ the Violence Prevention Program, which demonstrated a 35%⁵ reduction in the general rate of re-offending (but no reduction in relation to the rate of violent re-offending); and
- ♦ the Integrated Offender Management partnership pilot project, which demonstrated a 48%⁶ reduction in the general rate of re-offending.⁷

Other programs, we found, have had little or no demonstrated effect on reducing rates of re-offending. These include the Substance Abuse Management core program and the Coordinated High-Risk Offender Management Team (CHROME), the latter of which is a partnership pilot project between the province's Corrections Branch and a number of its stakeholders. The Substance Abuse Management program was recently revised and will be evaluated again, while the CHROME project was discontinued following the evaluation.

In addition to core program and partnership evaluations, aspects of one-to-one reporting sessions between probation officers and offenders have also been evaluated through the Strategic Training Initiative in Community Supervision (STICS) pilot project. The results of the evaluation (based on pilots in B.C., P.E.I. and Saskatchewan) prompted the CCCP to implement STICS province-wide.

While the STICS pilot evaluation provides insight into the effectiveness of one-to-one reporting sessions, additional evaluation is needed in this area to more closely focus on activities strictly within the province. Further evaluation is also required to assess the effectiveness of reporting sessions between probation officers

and low-risk offenders as the latter group was not prominent in the pilot. The CCCP reports that it plans to evaluate the STICS program incrementally over the coming five years.

While the CCCP's current evaluation framework accounts for a number of different programs and activities aimed at reducing re-offending, it excludes some key areas. One of these is the services provided by contracted service providers, such as those for counselling, aboriginal justice services⁸, and multi-cultural programming. From our sample of 15 contracts⁹, none contained an evaluation. While it is unclear how many offenders receive contracted services, our sample included contracts that totalled close to \$5.3 million in funding.

Community programs such as those for housing, employment and financial services, and substance detoxification treatment are also excluded from the CCCP's current evaluation framework. While it may not be appropriate for the CCCP to directly evaluate these programs as they are generally overseen by other ministries or community agencies, the division should seek assurance that the programs are effective in treating the needs of offenders and reducing their risk to re-offend.

The CCCP has also not evaluated aspects of the case management model such as the approach to supervising low-risk offenders and enforcement practices, nor has the CCCP ever conducted an overall evaluation at the division level to determine how accessible its programs and services are throughout the province and how this impacts their effectiveness.

While the CCCP's evaluation framework covers many of its programs and activities, it excludes some key aspects. As a result, the division lacks a complete understanding of the impact its programs and activities have on re-offending.

RECOMMENDATION 1: *We recommend that the Community Corrections and Corporate Programs division publicly reports its performance in reducing the overall rate of re-offending with a discussion of the role the CCCP plays, as well as the impact a performance measure that can change over time has on confirming program effectiveness.*

RECOMMENDATION 2: *We recommend that the Community Corrections and Corporate Programs division extends its evaluation framework to understand the effectiveness of contracted service providers and community programs in reducing re-offending.*

⁵ Figure includes breach offences that result from a failure to comply with court-ordered conditions.

⁶ Ibid.

⁷ Two other partnership evaluations demonstrated a reduction in re-offending, but had not been publically released at the time of our report.

⁸ The federal-provincial Aboriginal Justice Strategy, which accounts for some of the aboriginal contracts in place in British Columbia, was last evaluated in 2006 for its effectiveness in reducing rates of re-offending.

⁹ Sample of 15 was based on a population of 70.

Exhibit 4: Provincial comparison of officer caseload

Province	Average caseload per officer
Ontario	66.5
British Columbia	63.7
Alberta	63.7
Prince Edward Island	61.6
Newfoundland	53.3
Saskatchewan	52.2
Nova Scotia	50.5
New Brunswick	38.2
Quebec	33.9
Manitoba	27.6
Average	51.12

Source: Community Corrections and Corporate Programs division, June 2011.
Note: Figures have not been audited.

Assessing the CCCP’s staffing capacity in relation to the effectiveness of its programs

A program’s effectiveness and long-term sustainability depend on a number of factors. One key factor is having sufficient staff to meet current, as well as future, needs to deliver the programs and services required. This is challenging for the CCCP because its workload is demand-driven: it cannot reduce the number of cases under community supervision, so it can only manage that demand level in the most effective and efficient way possible.

Since 2005/06, the number of cases that the CCCP has had to supervise has increased by about 28%. Suggested reasons for this include increased “tough on crime” legislation, increased police budgets (resulting in additional detection of crime and offender charges), increased criminalization of mentally ill persons, and reductions in legal aid funding.

In a recent internal report, the CCCP reported that it considered itself to be under-resourced. It stated that caseloads have reached an unmanageable level and that public safety is at risk. As a result, we

expected to find that the CCCP had made a comprehensive assessment of resource capacity, including the impact current resource levels are having on program effectiveness and long-term sustainability.

We found that the CCCP’s report was informed by a high-level benchmarking exercise, which compared its caseload with those in other Canadian provinces (see Exhibit 4) and similar professions, such as youth justice and parole, as well as discussions with staff and past experience.

While caseloads have increased at a faster rate than staffing, the work that the CCCP has done to date to analyze its resourcing needs is insufficient to evaluate the significance of this risk and to address the long-term implications that a lack of staffing may have on the sustainability and effectiveness of its work. Specifically, the approach does not establish what the division’s true current capacity level is and how future trends in caseload will impact capacity. Furthermore, the provincial comparison of average caseloads for probation officers is at too generalized a level to be the primary basis for analyzing resource capacity.

The CCCP estimates that caseloads are expected to continue to increase at a rate of 1.9% each year until 2020. This trend makes it even more imperative that the division completes a comprehensive assessment of resources to ensure its long-term effectiveness and sustainability.

RECOMMENDATION 3: *We recommend that the Community Corrections and Corporate Programs division completes a comprehensive impact assessment to determine if there are any gaps between its staff capacity and caseload level currently and in the future.*

Delivering Services Effectively

The four components of the CCCP’s case management model operate sequentially and simultaneously throughout the length of an offender’s community sentence: risk/needs assessments, case planning, case implementation and regular review of offender progress.

This model has a number of good practice elements in place to promote public safety and reduce the likelihood of re-offending. As a result, we audited several of those elements to determine whether they are being effectively implemented.

Ensuring the quality of offender supervision

Probation officers are one of the key resources for effecting positive changes in offender behaviour. As the primary interface between the offender and the community, they use a variety of approaches to reduce the likelihood of offenders re-offending. For example, probation officers:

- ♦ assess offenders' behaviour to determine their risks and needs;
- ♦ identify the most effective interventions to rehabilitate offenders;
- ♦ motivate offenders to participate in programs and positive activities;
- ♦ provide core programs to address specific needs of offenders;
- ♦ refer offenders to relevant agencies that provide treatment; and
- ♦ continuously reassess offenders' progress to determine whether interventions are having an effect.

Probation officers are also involved in other activities that do not directly impact an offender's likelihood to re-offend. For example, they follow monitoring and reporting protocols to support public safety and to ensure an offender's compliance with the conditions of his or her sentence.

While there are tools in place to assist probation officers in their work, the model applied in British Columbia relies extensively on the structured professional judgment of probation officers, especially at the risk/needs assessment stage. Models of this nature are known to be effective when properly applied, but their effectiveness relies on well-trained staff and well-designed, well-managed quality assurance systems that can ensure probation officers consistently provide effective supervision. Without these controls in place and operating as intended, there is a risk that staff will provide inadequate supervision – which may also go undetected. This can impair offender rehabilitation and severely undermine the effectiveness of the program.

We therefore expected to find that probation officers had completed the required training before supervising offenders. We also expected to find an appropriate quality assurance system in place for monitoring and improving the quality of probation officers' work.

For both elements, however, we found risks that have not been fully addressed.

Training

The CCCP has developed a training program that probation officers start immediately upon being hired and are expected to complete within the first six months of their employment. Each course in the program is designed to provide the officer with specific skills and knowledge related to offender supervision. The training program covers a wide range of topic areas, including those related to the types of community orders under supervision (bail, alternative measures and conditional sentences) and the processes for effectively supervising offenders (risk/needs assessment, case planning and enforcement).

Aside from training for probation officers who supervise sex offenders and domestic violence offenders, CCCP policy does not require probation officers to complete training in most aspects of offender supervision before working with offenders. However, the division has established expectations for completion of such training through a Skills Development Framework.

Exhibit 5 provides an overview of the key courses in the training program that probation officers are required or expected to complete before supervising certain types of offenders. As a result, we expected to find that probation officers had completed the appropriate training before being assigned cases to supervise.

We found instead that probation officers do not consistently complete the appropriate training before supervising offenders in the community. In fact, the average completion rate for the eight courses was only 48%. Our results are based on a random sample of 56 of 430 training plans.

As demonstrated by Exhibit 5, completion rates varied by course type and were lowest for those courses that are required in policy. The average completion rate for probation officers supervising sex offenders was 20%, and 42% for domestic violence offenders.

It is a risk that the division is not ensuring that its probation officers are completing certain courses before supervising offenders. Not doing this can have significant implications for offender management. For example, offenders may be incorrectly assessed and supervised, creating a potential risk to public safety and jeopardizing the effectiveness of rehabilitation efforts. Staff morale and stress levels can also be affected if new probation officers are put in the position of having to supervise offenders without sufficient skills and tools as support.

Exhibit 5: Key training courses and completion rates

Course name	Courses enable probation officers to supervise...	Percent of officers who completed training before supervising cases
Expected to be completed before supervising...		
Foundation Skills	Bail Cases	65%
Alternative Measures	Alternative Measures Cases	69%
Conditional Sentence	Conditional Sentence Offenders	66%
Risk Assessment and Case Management	Generic Sentenced Offenders ¹⁰	57%
Required to be completed before supervising...		
Introduction to Sex Offender Management	Sex Offenders (Bail)	23%
Sex Offender Management (four courses)	Sex Offenders (Sentenced)	17%
Understanding Relationship Violence	Domestic Violence Offenders (Bail)	17%
Supervising Domestic Violence Offenders	Domestic Violence Offenders (Sentenced)	66%

Source: Compiled by the Office of the Auditor General based on information from the Community Corrections and Corporate Programs division, 2010.

RECOMMENDATION 4: *We recommend that the Community Corrections and Corporate Programs division confirms the courses required to supervise each case type and then update its policies to ensure probation officers complete the appropriate training before supervising offenders.*

Quality assurance

Quality assurance is a process to test, measure and evaluate the quality of service being provided, and is considered to be good practice for any organization. It enables management to identify the strengths, needs and challenges of programs and staff, and to use that information to enhance organizational effectiveness. A rigorous quality assurance system can also assist management in identifying any required adjustments or additions to its training program.

In 2008, the CCCP established a quality assurance system to assess probation officers' compliance with legislation, policy and standards, including the case management model. Local managers

are required to conduct regular reviews of probation officers' work through observation and file reviews, and to document review results electronically. At least four reviews must be completed for each probation officer a year. More can be done if probation officers are new, acting in a more senior position or demonstrating difficulties. We therefore expected to find that each probation officer's case management work – including that of doing risk/needs assessments, case planning and case implementation – was in fact being reviewed at least four times a year. We also expected to find that, where a probation officer's work did not meet expectations, the manager followed up to ensure deficiencies were corrected.

Instead we found that, on average, only two quality assurance reviews of probation officers' case management work is being done each year. We also found that follow-up occurred in only 21 of 83 (25%) reviews that had been identified as needing improvement. As well, we noted that the current system allows the initial results of the quality assurance review to be remedied before the results are reported to

¹⁰ Sentenced offenders who are not on a conditional sentence order or are a sex or domestic violence offender.

headquarters. The files reviewed can also be self-selected by probation officers, as this is at the discretion of local managers.

The CCCP's quality assurance process could be an effective tool to help the division monitor the performance of probation officers in supervising offenders, and to identify areas for improvement. However, because of the deficiencies we found, we concluded that this tool is not as useful a source of accurate and complete information as it could be. This limits the CCCP's ability to identify staff that may require assistance and to work with them to improve their understanding and application of case management principles and practices.

When there are risks regarding the training of probation officers prior to supervising offenders, the need for a strong quality assurance system increases.

RECOMMENDATION 5: *We recommend that the Community Corrections and Corporate Programs division strengthens its quality assurance model to ensure it is consistently applied and provides accurate and complete information on the quality of probation officers' work.*

Implementing the case management model effectively

Risk/Needs Assessments

When a sentenced offender is admitted to a probation office, it is critical that a comprehensive assessment be completed to predict the likelihood of that person committing future criminal acts, and to understand the risks and needs associated with his or her criminal behaviour.

Assessments must be completed as early as possible to ensure that an offender's risks and needs are fully identified and addressed. Inaccurate, incomplete or delayed assessments may lead to inappropriate decisions of offender management, potentially derailing the effectiveness of the entire process. In some cases, poor decisions can put the safety of both the victim and the community at risk, as well as increase the chance of future re-offence occurring.

In British Columbia, various risk/needs assessment tools are available for assessing offenders on community sentences, based on offence type. With the exception of sex offenders¹¹, the CCCP requires that each offender undergo a general Community Risk Needs Assessment within 60 days of being admitted to a probation office. This tool contains a list of risks and needs factors for probation officers to consider when

Offender Risks and Needs

Risks are static and cannot be changed. They include elements related to an offender's criminal past, such as the number of times he or she has been convicted of an offence, breached an order or escaped lawful confinement.

Needs are dynamic and can be changed. They become the focus of interventions provided to offenders through the case planning and implementation stages of the process. Examples of needs include current family relationships, living accommodation, sense of financial management, level of education and substance abuse.

assessing an offender. It has been validated by the CCCP and shown to accurately predict future re-offending. Other validated tools are in place for assessing domestic violence and sex offenders.

We audited a sample of offender files to determine whether assessments had correctly identified offenders' risks and needs. Because of the highly subjective and technical nature of this work, we engaged a subject matter expert with over 30 years of experience in this area to help us complete this portion of the audit.

This audit showed that in the majority of files (39 of 54 in our sample) probation officers had correctly identified each offender's overall risks and needs. Our audit results also corresponded with an internal assessment completed by the CCCP in 2007 that found a reasonable degree of similar ratings among different probation officers for the same offender.

Despite the accuracy of assessments, our subject matter expert was unable to reach a conclusion on certain offender files because of poor documentation. In these instances, the file did not contain sufficient documentation to substantiate the assessments that were made. Poor documentation can jeopardize the division's ability to properly review the accuracy of probation officers' work through the quality assurance process. It can also limit other probation officers' understanding of the offender should the file be transferred.

RECOMMENDATION 6: *We recommend that the Community Corrections and Corporate Programs division ensures that probation officers thoroughly document their rationale for risk/needs assessment ratings and how offenders' risks and needs will be effectively addressed.*

¹¹ The CCCP requires the completion of three separate sex offender assessment tools for every sex offender. Two must be completed within the first 60 days of intake and the third within 30 days of intake.

Planning and implementing offender case management plans

Offenders often have multiple needs, including drug and alcohol problems, limited education and poor family and community ties. These, alone and in combination, can require considerable intervention and monitoring to overcome. To guide offenders in positively changing their behaviour and reducing their likelihood to re-offend, CCCP policy requires a case management plan be in place for every offender serving a community sentence that exceeds 60 days. Specifically, the plan must outline how the probation officer plans to address the risks and needs that were identified through the assessment process.

As well, CCCP policy requires that case management plans address the conditions prescribed by the court at the time of sentencing. This can be a challenging task for probation officers because court-ordered conditions may contradict the strategies necessary to address the risks and needs that were identified through the assessment. For example, a judge may require an offender to complete a substance abuse program. However, the assessment (completed after sentencing has occurred) may reveal that substance abuse is not really affecting an offender's criminal behaviour. These competing expectations can make a probation officer's job difficult.

Policy further requires probation officers to assign interventions based on the principles of risk and need. Therefore, higher-risk offenders should receive more intervention than lower-risk offenders and each identified need should have a corresponding intervention¹² in place to address it. Because offenders may have multiple needs, some case plans require a number of different interventions. Case plans should also include documentation on the rationale for reducing the number of interventions that are required in policy, where it is deemed necessary to do so.

We audited a sample¹³ of offender files to determine their degree of compliance with the CCCP's policy on case management planning and implementation. We found that:

- ◆ 49 of 54 (91%) offenders who warranted a case management plan had one;
- ◆ just over half of those plans contained interventions that addressed the risk level and needs of the offenders in question; and
- ◆ only 90 of roughly 260 of the assigned interventions in the plans were ever completed.

¹² Interventions will differ in their scope and intensity based on the needs of the offender.
¹³ A random sample of 60 offender files from a population of 16,100.

While we were pleased to find that case management plans existed for the vast majority of our sample, the fact that nearly half of offenders' risk and needs did not have interventions identified may mean that offenders are not being provided with the appropriate opportunities to address their criminal behaviour. This may not only jeopardize the ability to reduce the likelihood of future re-offending, but in some cases it may place the public at risk.

The low completion rate we found for interventions is also concerning as it further undermines the likelihood of community sentences helping to keep offenders from re-offending in the future.

An offender's willingness, or lack of it, to complete an assigned intervention is a critical factor to interventions being completed. However, in most of the files we audited, incomplete interventions appeared to be a result of the CCCP's actions (or inactions) rather than the offender's.

We identified several potential reasons for this. For example:

- ◆ *There is an unwritten expectation that not every need requires an intervention.* According to management, probation officers are encouraged to consider and prioritize needs, addressing the most significant ones first before moving on to the others, thereby ensuring an offender does not find the amount of interventions overwhelming. For example, an offender with drug addiction may require interventions for that before his family relationship and financial needs can be addressed. However, while the division's management accepts that some needs will be left without an intervention, this approach contradicts CCCP policy. Additionally, in case plans where risks/needs were not addressed, a rationale for doing so was not documented, making it difficult to identify whether the most significant needs were in fact being targeted.
- ◆ *There is a lack of programs and services to target all of an offender's needs.* Core programs are a strategic priority of the CCCP. This is evident in case management plans, which show the widespread use of core programs. Despite their use, core programs only address certain needs. For the remaining needs (such as housing, employment assistance and educational upgrading) no clear-cut, readily available program exists. Community programs may help to address the remaining needs, but access and availability to these programs can be limited. As well, the effectiveness of community programs in reducing the likelihood of future re-offending is not widely understood.

DETAILED REPORT

- ◆ *Not all interventions assigned and completed to address an offender's risks and needs are being documented.* Probation officers may assign interventions but fail to record them in the case management plan. Updates and other changes in supervision may also go undocumented at times.

We heard from probation officers and local managers that workload issues may also be limiting probation officers' ability to assign and ensure the completion of offender interventions. However, we could not confirm this given that the CCCP has never undertaken a comprehensive assessment of capacity and effectiveness.

RECOMMENDATION 7: *We recommend that the Community Corrections and Corporate Programs division ensures offenders receive and complete the interventions required in their case management plans.*

Monitoring and enforcing offender conditions

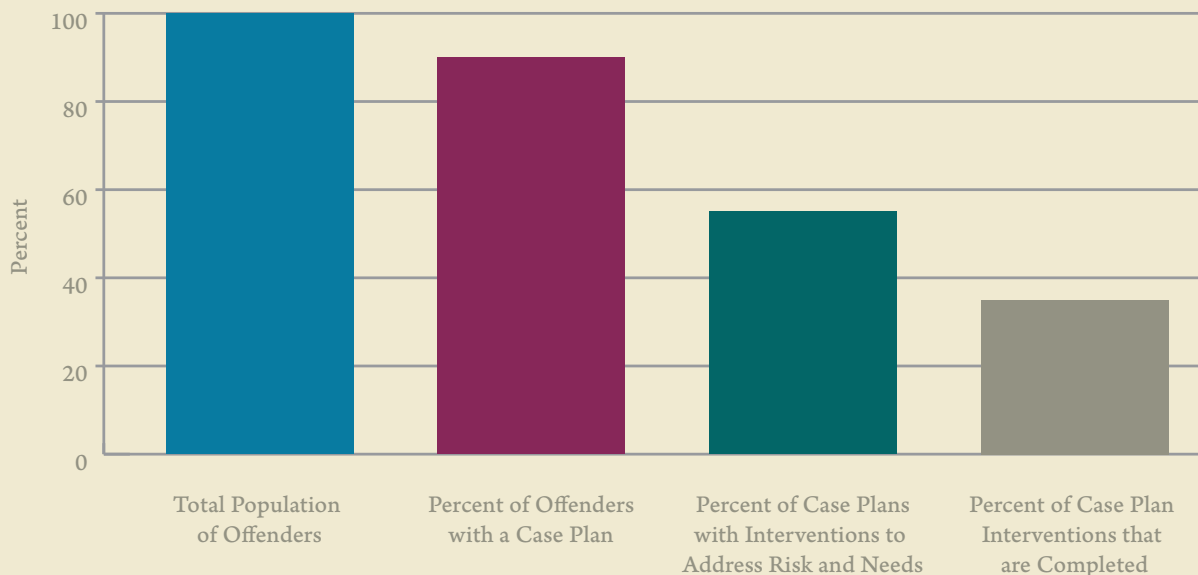
One of the primary responsibilities of probation officers is to monitor compliance with the conditions outlined in an offender's court order. Conditions are established by the court and the offender is expected to adhere to them throughout his or her period of supervision. Conditions may include reporting to a probation officer, performing community

work, residing at a specific address, avoiding contact with certain people, attending treatment or counselling, and abstaining from drugs and alcohol. Failure to comply with court conditions is known as a "breach" and can result in stricter conditions, new charges, jail time or a combination of these if the offender is found guilty of the infraction.

Despite being responsible for monitoring offender compliance with court conditions, probation officers are somewhat constrained in performing this task because they can only reasonably supervise certain conditions, such as programming and reporting. Other justice partners, such as police, may be better able to monitor those court conditions outside the control of probation officers (such as residing at a specific address), but this would require coordination, as well as the availability of time and resources. If probation officers and police officers do not consistently coordinate, there is a risk that offenders' conditions may not be fully monitored and enforced.

When learning of an alleged breach, a probation officer must decide whether to dismiss it or enforce the matter and report it to the court for a decision on further penalty. The CCCP's policy on enforcement provides probation officers with full discretion in enforcing breaches. This gives an officer leeway to let minor breaches pass, such as a missed appointment because of illness, which in turn can enable the officer to

Exhibit 6: Breakdown of case plan interventions and completion



Source: Compiled by the Office of the Auditor General based on information from the Community Corrections and Corporate Programs division, 2008 - 2010.

build rapport with an offender and motivate future compliance.

While full discretion is provided to probation officers, the CCCP has established a set of guidelines to help probation officers decide when a breach should be enforced and when it might acceptably be left unenforced. Either way, a probation officer must document, at a minimum, the circumstances of the apparent violation, the reasons for reporting or not reporting the incident to the courts, and changes made to the case management plan as a result of the breach.

In our audit, we therefore expected to find that the decisions probation officers were making related to offender breaches were appropriate given the guidelines set out by the division.

We found that we could not conclude on the appropriateness of breach decisions due to the lack of documentation. In the sample of offender files that we audited, 44 of 58 (76%) contained at least one alleged breach. Roughly a third of those files subsequently resulted in an enforced breach; the others did not. In the majority of the files where a breach occurred, the circumstance of the breach was recorded. However, fewer than 10% of the files (4 of 44) documented the reasons why the incident had or had not been reported to the courts, or included information about the changes made to the case management plan to reflect offender non-compliance.

Despite the lack of documentation, we did note several instances where significant breaches went unenforced. In three separate instances, for example, the unreported breaches involved victim contact from offenders convicted of domestic violence – and in all three cases, the offender had been assessed as being at either a medium or high risk to re-offend. Given that CCCP policy requires increased enforcement for medium to high-risk offenders who have committed personal harm offences, this practice seems inconsistent with the division's policy.

Inappropriate breach decisions can have several implications. If breaches are not enforced when they should be, this may reinforce criminal behaviour and erode a sense of accountability to the sentencing expectations established by the court. Inappropriate breach decisions may also reduce the deterrent effect of community sentences, which maintains that if offenders and the community are aware of the repercussions associated with crime, they will be dissuaded from engaging in criminal behaviour. If offenders and the broader community perceive community supervision as easy, they may not be deterred from engaging in criminal activity. Serious breaches also have the potential to place the safety of the victim and public at risk. It is for these reasons, that the CCCP should ensure enforcement guidelines are understood

and consistently applied.

RECOMMENDATION 8: *We recommend that the Community Corrections and Corporate Programs division ensures that enforcement guidelines are consistently applied, and that all breaches are documented in compliance with policy.*

WE WILL FOLLOW UP on the status of the implementation of these recommendations in our April 2013 follow-up report.

We have issued a management letter to the ministry on the more detailed findings of our audit and have requested a response to each of the recommendations in the management letter. Our April 2013 follow-up work will include following up on the status of the implementation of the management letter recommendations.

The Office's plans include further performance audit work on the effectiveness of the justice system. We may also include work examining the integration and coordination between the various ministries and agencies that provide interventions for offenders.

THE FOLLOWING DISCUSSION includes a list of the core programs provided by the CCCP to offenders under community supervision:

- ♦ **Respectful Violence Prevention Program:** A two-part program designed to target spousal assault among male offenders. The first part provides participants with insight into their abusive behaviour, as well as strategies to end violence in their lives. Upon successful completion, participants may be referred to the Relationship Violence Treatment Program, delivered by a contracted service provider, which is designed to reduce the likelihood of an individual re-offending related to relationship violence.
- ♦ **Violence Prevention Program:** A prevention program focused on teaching offenders self-management and problem-solving skills that will reduce their potential for violence.
- ♦ **Substance Abuse Management:** A pre-treatment program designed to reduce the likelihood of an individual re-offending related to substance abuse, and to assist offenders in developing healthier lifestyles.
- ♦ **Sex Offender Program:** A two-part program aimed at managing sex offenders in the community. It is delivered in conjunction with Forensic Psychiatric Services, and aims to reduce the likelihood of an individual re-offending related to sex offences.

APPENDIX B - MANAGING FOR RESULTS

MANAGING FOR RESULTS is a framework to ensure that organizational effort is focused on the results an organization wants to achieve. It relies on formal processes of planning, monitoring and reporting and compels organizations to plan and identify resources to achieve results, as well as use performance information to monitor, evaluate and adjust strategies to meet targets.

The key elements of the framework are outlined below:

