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Symposium on the Future of Corrections



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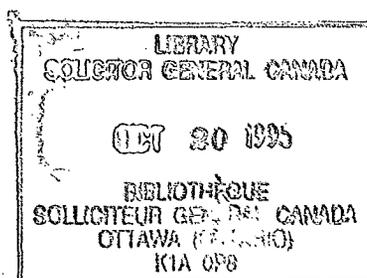
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PROCEEDINGS
FROM THE
INTERNATIONAL SYMPOSIUM
ON THE
FUTURE OF CORRECTIONS

June 10 - 14, 1991
Ottawa, Ontario, Canada



A Symposium of the Society for the Reform of the Criminal Law

MISSION STATEMENT

The Correctional Service of Canada, as part of the criminal justice system, contributes to the protection of society by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure, and humane control.

- We believe that the sharing of ideas, knowledge, values and experience, nationally and internationally, is essential to the achievement of our Mission.*

Core value 4 of the Mission Statement

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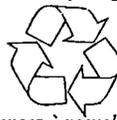
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THE PROGRAM

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Session 2.2

The Purpose of Corrections and Principal Strategies

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The Reality of Corrections: Impediments and Opportunities for Realizing the Purposes of Corrections

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General Reporting and Closing (The Strategic Framework)

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INTRODUCTORY REMARKS

Vincent M. Del Buono
President
Society for the Reform of Criminal Law

May I, on behalf of the Society for the Reform of Criminal Law, welcome you to this International Symposium on the Future of Corrections.

I am certain that this symposium will prove to be an important meeting for the future administration of criminal justice in jurisdictions around the world. I am personally delighted, and the Society is honoured, that each of you have found the time to be with us this week. I am especially delighted that Ole Ingstrup, the Commissioner of the Correctional Service of Canada, agreed to chair this international symposium.

As those of you who are members know, the Society for the Reform of Criminal Law is an international organization of women and men who have come together to work actively for the improvement of the criminal law and the administration of criminal justice both in their own jurisdictions and internationally. One of the cornerstones on which this Society was founded is the belief that all aspects of the administration of criminal justice are so interconnected to each other that any change to one aspect inevitably impacts on all others. Accordingly, our Society's mission is to continually bring together all those working for reform, whether judges, lawyers, governmental officials, academics, or members of public interest groups, so that we can learn from each other's experiences and ideas.

From the outset, the Society for the Reform of Criminal Law, has had a very particular and abiding interest in the state of corrections. Our first conference following our incorporation in 1988, was held here on Parliament Hill, on the subject of the Reform of sentencing, parole, and early release. Sheriff Principal Gordon Nicholson, who is with us today, chaired that conference. Following it, he and a number of other members of this Society prepared an excellent paper on Consistency of Sentencing, which was discussed as the first item at the meeting of Commonwealth Law Ministers, held in New Zealand, last year. At that conference, I was pleased to announce that Drury Allen, who had been Director, Community Release Programs and Support Services for the Correctional Service of Canada, would be joining us as Executive Director of our Society. By happy co-incidence, I am pleased to announce today that Glenn Angus, of the Corrections Branch of the Government of British Columbia, has agreed to serve as his successor.

The quality of the papers that have been prepared for this meeting attest to both its timeliness and its importance in the development of thinking about the future of corrections. Reading the papers over the past month, I was struck again and again by three words, which for me capture the essential mission of this Society and the mission of this meeting. The three words are **vision, hope, and purpose**. Let me elaborate on each in turn.

Sometime this week, you will no doubt have a chance to visit our Parliament Buildings. The Peace Tower is the central focus of Parliament hill. Over each of the three archways of the Peace Tower, leading into Parliament, you will find a quotation chiselled in stone. Each quotation has a special meaning for Canada and Canadians. The one over the west entrance has always struck me as having meaning beyond Canada. It is the shortest of the three. Its message is unequivocal. It simple reads: **"Where there is no vision, the people perish"**. This brings me to the first mission of this meeting. I believe that this meeting must formulate a vision of the Future of Corrections, which can provide the basis for discussions in the corrections community and communities around the world. The papers you have prepared are a wonderful start.

The second word is hope. When we first discussed the need for this symposium, it was, in part, to counter the growing sense of despair that is felt by many involved in corrections with regards to policy directions that a number of jurisdictions have embarked upon. That is the second mission of this meeting; to rekindle hope for the future of corrections in thousands who are now despairing.

The third word is purpose. A sense of purpose follows from having vision and hope, because underlying purpose is an assumption that each of us alone, and together can affect, by our ideas and actions, the course of some aspect of the human journey. That brings me to our third mission this week: to attempt to formulate a statement of the purpose of corrections now and for the future.

This is no small mission that this symposium must undertake, but I am confident of our success when I look around and see the experience and the wisdom in this room. I am also confident of our success because Ole Ingstrup will be leading us through this week. Ole's reputation on both this and the other side of the Atlantic brought many of us here today. In the planning for this symposium, I have been continually affirmed in my belief that the decision to ask Ole to lead this symposium was a providential one. In the time that I have known him, he has demonstrated that he is a leader with the very attributes that we will need this week. He is a man of vision prepared to take the risks necessary to achieve what he believes must be done. He is a person of hope, and through the strength of his own hope, rekindles it in others. In the public service, he has demonstrated repeatedly a capacity to imbue the organizations he had led with a clear sense of their own purpose or mission in the service of the greater public good.

This promises to be a very interesting and important week for the future of corrections.

Thank you for caring enough to come.

KEYNOTE ADDRESS

The Future of Corrections

Ole Ingstrup
Symposium Chairman

Looking at criminal justice systems around the world, very few appear to have a clearly articulated overall criminal justice strategy. Few, if any, have explained why it is considered necessary to inflict "particular pain" on a select group of those who commit crimes.

The relative role of deterrence, retribution, revenge, resocialization, rehabilitation, incapacitation, and many other, often ill-defined, concepts have not been sufficiently well developed to the point where they have any significant impact on the operations of the various components of the criminal justice system - let alone the way in which those elements work together in a way that deserves to be called a system. Some of the elements have been over-used and incorrectly represented.

This could lead to the conclusion that it makes little sense to discuss the future of corrections. But this is not so.

There are a number reasons why an in-depth discussion of the future of corrections is required. Indeed, we might have found ourselves in a very different situation had such discussions taken place many years ago and had the conclusions been put into action.

One such reason is that incarceration will be with us at least for the foreseeable future. It is amazing to see how quickly incarceration, as punishment, became popular as a response to crime. We seem to have forgotten that it did not exist just a few centuries ago. Now, however, it has become so integral to our system that societies do not think they can live without it. One day, in the distant future, people will probably look back on what happens in most countries today and wonder how we could do that to our fellow human beings in the name of justice. Nevertheless, imprisonment is likely here to stay for a long time. The current desire in several large jurisdictions seems to be to lock up more people, for longer periods of time, and not necessarily under more humane conditions. This strategy seems to be on the increase, rather than fading.

This means that millions of people today and in the future, will be affected by incarceration. Our ability to assess and manage risk will not only affect the lives of millions of potential victims, but also the lives of those who will be incarcerated in the years to come.

As long as correctional systems continue to exist, and indeed to grow, a large and increasing number of people will have to lead, administer and work in these systems. The quality of their lives will greatly depend on the quality of correctional direction for the future.

Finally, correctional systems absorb an increasingly high proportion of taxpayers' money. Some countries, or parts thereof, are seeing essential parts of the social infrastructure being scaled back because of pressures from the field of corrections. Health, welfare, education, elder-care, transportation, and culture are all being affected by increasing demands for correctional services and other issues. Our ability to prevent crime to ensure the longer term protection of society is being eroded.

Realizing the impact on important areas of societal life of increasing correctional budgets, it becomes obvious that the least we can do is to ensure that whatever we do in corrections, we do well. The public we serve (which includes victims, our staff, and offenders) must get a service worth paying for. We need to ensure that corrections is focused on delivering quality services and not focused on becoming bigger and better resourced. Building our level of public service and changing those fundamental values which contribute to the "lock them up", punishment attitude, not the building of empires, must drive correctional professionals and their political leaders.

The purpose of this Symposium is to come closer to an understanding of what "service to the public" means in the correctional context, and to attempt to make a professional, correctional proposal for a joint agenda with our governments, and through them the people we serve.

The absence of clearly defined, understood, and consensually arrived at correctional goals has held corrections back from delivering quality services at a reasonable human and financial cost.

For the same reason, corrections has been particularly vulnerable to strong public, media and political reactions to individual incidents which are often taken out of the context of the overall performance of corrections. While we will probably never be immune to such reactions, we have an obligation to reduce our vulnerability by clarifying expectations of what corrections can and cannot do.

We need to address some fundamental societal values, influencing factors and trends, and beliefs. Do we believe that offenders have the ability to change and that this change process can be supported through systematically targeted programs?

At this Symposium, we can make a major contribution by establishing a structure - an overview - of the critical issues which, in our collective views, must be addressed by any responsible, modern correctional system. This would provide a much-needed foundation for correctional re-positioning and responsible renewal.

A review of a society's prison system tells us more about that society's fundamental values than almost anything else. In our prisons, our culture is being tested. Given cultural differences, there can be no universal answers. Nevertheless, the questions to be addressed would be similar irrespective of culture and the contributors at this Symposium have enough of a common cultural background that we may be able to agree not only on questions, but also on certain answers.

The agenda for this Symposium was developed with this strategic view in mind. The content of the papers prepared implies an implicit acceptance of this approach.

Why a Strategic (rather than tactical) Approach?

In discussing a strategic approach, I look to the Canadian experience in particular. The National Parole Board, the Correctional Service of Canada, and le Service correctionnel du Québec have all adopted a strategic approach.

There has also been much work done on reform of the criminal justice system. In the early 1980's, "The Criminal Law in Canadian Society" was produced. In 1987, the Canadian Sentencing Commission reported. In 1988, the Parliamentary Committee on Justice and Solicitor General produced "Taking Responsibility", a review of corrections, conditional release and related criminal justice subjects. Extensive consultations have taken place on "Directions for Reform", a legislative package of reforms to sentencing, corrections and parole which will be introduced in Parliament soon. The future of policing in Canada has been reviewed. There has been a Correctional Law Review.

Finally, Public Service 2000, a program for renewal of the Canadian Federal Public Service, led to production of ten reports of significance to public administration, a White Paper, and proposed reform of public service legislation.

The experience and direction from all of these sources provide some of the reasons for my belief that Canada can make a contribution to these discussions.

Many large, successful organizations have taken a strategic approach to management. They are results-driven and value-based. They are keen observers of their environment and they identify challenges and opportunities for action. They constantly look at themselves with a critical eye, seeking ways to become better. They know the difference between change for change's sake and improvement. They stick to their course because they know what it is they want achieve. There are numerous examples of companies who have set a direction for themselves and have succeeded in an increasingly competitive market (Texas Instruments, Proctor & Gamble, Nestle, Imperial Chemical Industries, Ford Canada, Campbell Canada, SAS).

The same holds true for some of the most impressive public service and voluntary organizations, including, for example, educational centres, the U.S. National Park Service, and the U.S. Air Force Maintenance Division. I am sure that there are many similar examples in the European context.

As Peter Drucker has said, professional purpose is what moves public service organizations' attention towards good performance as opposed to becoming big.

There are numerous examples within corrections, in addition to the Canadian examples cited earlier. The Federal Bureau of Prisons, the Swedish Prison Service and the Scottish Prison Service have all adopted a strategic approach.

The Correctional Service of Canada Experience

Working with the Minister and partners, we developed a strategic plan. We are results-driven by translating our mission statement, values, principles and objectives into concrete corporate objectives. We have put corrections back at the top of our agenda. Our primary objective now is the safe reintegration of a significantly larger number of offenders at or shortly after their Parole Eligibility date. We are value based. We have a joint agenda with our Minister.

We are seeing real results. Institutional security incidents are down by approximately 40%. The incarcerated population is below the forecast level. Recidivism while under supervision in the community is lower. We have seen positive results from programs, particularly cognitive skills programs. We are becoming more systematic in our approach. Despite these achievements, we are still far from where we want to be.

In adopting a strategic approach, the Correctional Service of Canada had to redefine many aspects of its operations and clarify the meaning of some key concepts: public service, effectiveness, efficiency, management style, relationships with others, communications strategies, recruitment, training, promotion and evaluation of staff, offender programs, inmates' rights, accountability and information systems.

International Perspective

What is there to be gained from taking an international strategic perspective? It will help us to define our performance. Many of the existing standards in the world are tactical in nature (i.e. UN Standards, Council of Europe Standards, ACA Standards). You either meet them or you don't. But they do not provide direction for the future nor define, per se, "good corrections". By defining our strategy, we can look to the best practices of others and adopt them as our own. It will help us to focus our research efforts. It will help us become better partners in public service, in the criminal justice system, and with other components of society.

Part of the reality of corrections is that we must constantly respond to urgent issues of high public and political profile. All too often, this means that important, developmental issues are left unattended. Our reason for being seems to be focused on having the fewest bad incidents possible rather than on the positive performance we should be demonstrating.

A strategic framework allows us to attend to both the urgent and the important issues, long and short term, by creating a framework for action and by defining what we see as "good corrections". It will allow us to better explain what we do. While it is a difficult exercise to establish or identify corrections values, taken seriously, they do make a difference.

Most important of all, this exercise can help us define our profession, our framework for accountability, and our service to the public.

SESSION 1.2

A Brief Cross Country Review of Facts and Figures

Papers presented by: **Duncan Chappell, Australia**
 Stephen Carter, U.S.A.
 Karl-Johan Lang, Finland
 Joseph Stanford, Canada
 Anders Troldborg, Denmark

Crime and Incarceration Rates

All countries reviewed in this session have experienced significant increases in the crime rate over the last 30 years. Although no attempt was made to identify the causes of increased crime, Anders Troldborg noted that in Denmark, the improvement of living conditions and in social welfare programs over the last 20 years has not led to a reduced crime rate, and indeed, the crime rate has increased at approximately the same rate as the Gross National Product.

It was emphasized that the incarceration rate bears little relationship to the crime rate, but is primarily a function of social policy. This varies substantially among the countries surveyed, from the United States, where dramatic increases in incarceration rates far outstrip any increases in the crime rate, to Finland, where the prison population has steadily declined since 1965, despite significant increases in the crime rate.

In Australia, the victimization rates are closer to the United States than Europe, with significant increases in violent crime, although the homicide rate has remained stable. Nonetheless, there has not been a highly punitive response to crime, and the incarceration rate has remained in the middle range, although with variations across the country.

To the extent that there is pressure to become more punitive, this is coming from the political level rather than from the public. In New South Wales, this has led to "truth in sentencing" policies, in the name of fairness and equity rather than punishment. This has, however, resulted in significant increases in incarceration in that state.

It was noted that, generally speaking, financial constraints have contributed to restraint in the use of imprisonment, as the skyrocketing costs of new institutions cannot be met in the current recession. Alternatives are widely used, with considerable community support.

The United States has experienced dramatically increasing incarceration, despite a levelling-off in the crime rate. Incarceration disproportionately affects blacks, hispanics, and young, poorly educated males. Punitive social and crime control policies, such as the "war on drugs" and mandatory sentencing schemes, have done little to address the causes of criminality, but have substantially increased incarceration rates.

Stephen Carter of the U.S. suggested that the most hopeful strategy for reducing the incarceration rate was to target selected groups for programs to reduce recidivism from one in two offenders to one in three. He suggested that the most promising target groups were:

- young offenders with three or more offences;
- substance abusers;
- inmates with low education and skills;
- inmate mothers; and
- "victimless" offenders (property offenders)

He also suggested that the focus should be on those jails with the largest populations and those states with the highest incarceration rates and the highest number of inmates.

In Canada, property crimes, including robbery, have remained relatively stable over the last ten years, while violent crimes, except for homicide, have increased. Canada has a relatively high incarceration rate, and the prison population has been growing at a steady rate of about 2% per year.

Fiscal restraint is influencing current correctional policy by limiting the use of incarceration as an option. As a result, the emphasis is on greater use of alternatives, and public education is seen as vital in order to develop public support for "good corrections". Canadian corrections also must become more selective in its use of scarce resources, by reserving incarceration only for the most serious offenders.

In Denmark, although crime has doubled over the last 20 years, the incarceration rate has remained stable as a result of a number of clear policy choices. Due in large measure to a loss of belief in the efficacy and utility of incarceration, sentencing policy has increased the use of fines and conditional sentences, shortened the length of unconditional sentences for property offences and drunk driving, and increased the use of community service as an alternative measure. In addition, parole is now possible after 2 rather than 4 months, and the number of persons on parole has increased by 24% annually.

In Finland, despite significant increases in the crime rate, the prison population has declined steadily since 1965, as a result of a coordinated approach among all components of the criminal justice system. This included the decriminalization of certain offences, and the reduction in penalties of certain others, for example, theft and drunk driving. In the 1980's measures to reduce pre-trial detention also had a significant impact.

As a result, 50% of serious crimes are now dealt with through suspended sentences, and sentences are, on average, shorter. In addition, changes were made to the release process so that recidivists are released (automatically) after serving two-thirds of their sentences, while other are released at one-half of their sentences.

Public and Political Support

Political support is vital to any comprehensive attempt to influence incarceration rates, since this will normally require a combination of legislative change and explicit policies governing the practices of criminal justice agencies. Political support is unlikely without public support and public confidence in the system, and this is very weak in both North America and Australia.

A number of reasons for this were identified, ranging from discriminatory treatment of indigenous peoples, visible minorities, and the poor, to complaints of corruption within both the criminal justice system and the political system itself.

To counteract the lack of public confidence and support, it was suggested that public information and education is vital. In Canada, at least, there are many pervasive and damaging misperceptions about the criminal justice and corrections systems and how they operate. For example, it is commonly believed that conditional release is simple a favour to offenders, with little recognition that it is an effective tool to reduce the risk of recidivism.

Strategies

Alternatives to incarceration, including community service, are seen in most jurisdictions, as one of the most promising ways to reduce the reliance on incarceration. There seems to be considerable public support for such measures, although there is no consensus as to what offences should appropriately be dealt with through alternative measures.

A focus on crime prevention strategies was also stressed, including efforts to increase victim awareness.

Stephen Carter suggested that greater public awareness of the costs of recidivism was fundamental to public support for better correctional programming.

Correctional Reforms

Some of the more innovative correctional reforms are taking place in Denmark, where correctional management is moving away from the "hotel function" towards a system where inmates look after all their own physical needs, such as buying and preparing food, laundry, cleaning, etc. The system is also moving towards a decentralized, unit management system, with correctional staff involved in all aspects of incarceration.

Anders Troldborg noted that these fundamental reforms could not have been accomplished without labour union support, and stressed the vital role of staff implementing any substantial changes.

Institutional programming is seen in most jurisdictions as important, if not for rehabilitation at least because it is part of humane treatment. Some would go further and say that it is an important contribution to public protection. In some cases rehabilitation is being defined quite narrowly to focus only on improved living and job skills.

Accountability and Human Rights

Canada and Australia noted a new emphasis on accountability of the criminal justice system and recognition of the human rights of offenders. In Australia there is consideration being given to a constitutional bill of rights and a national criminal code. It was suggested that this may lead to pressure for a national corrections system.

In Canada, the Courts have begun to scrutinize correctional operations, and have imposed standards of fairness, including information sharing, in relation to significant correctional and release decisions. It is expected that the role of the Courts will expand with the development of jurisprudence under the Canadian Charter of Rights and Freedoms.

Session Rapporteur: Alison MacPhail

SESSION 1.3

The Top Three Issues in the Correctional System

Papers presented by: **Allen F. Breed, U.S.A.**
 Peter McKinlay, Scotland
 Michael Quinlan, U.S.A.
 The Honourable Raphael Carl Rattray, Jamaica
 Björn Weibo, Sweden

1. The Honourable Raphael Carl Rattray - Jamaica

Overcrowding and its effects are the major issue for the correctional system in Jamaica. The overcrowding is a consequence of the combined and interactive effects of a rate of imprisonment which is too high; an overemphasis on the secure custody of incarcerated persons; and an absence of sufficient rehabilitative initiatives.

There is a bias towards imprisonment in the sentencing process within societies of the Caribbean region. In Jamaica, the bias is reflected in the sentencing practices of judges. Judges are not trained specifically in the sentencing process; consequently, they do not readily use the sentencing options made available by the *Criminal Justice Reform Act* of 1978. Use of the fine option often results, paradoxically, in a custodial outcome because of non-payment.

Two possible solutions to the high rate of incarceration are: (a) the training of persons before they become judges and (b) the use of panels of sentencers, including the judge and people from other disciplines, to determine a relevant sentence following conviction (this is used on an informal basis in aboriginal cases in the Canadian north).

The management of sentences of incarceration also contributes to overcrowding. A fear of public disquiet has resulted in a tentative use of parole. A security bias is exposed by the overuse of maximum security and a lack of pressure on medium and minimum security. Further, the prison staff's entrenched preoccupation with escape prevention blocks the change required for an orientation towards rehabilitation.

Improvements in sentence management in Jamaica could be brought about by a retraining program for staff, the allocation of the financial resources required for rehabilitation measures (including better facilities and an effective classification system) and public education which could bring about the support for change.

2. Allen F. Breed - United States

Corrections in the United States is in a state of extreme crisis. As a result of a dramatic increase in violent crime in the late 1960s and 1970s, the country has been following a "get tough with offenders" policy for the past 15 years. The consequence is that markedly increased, and increasing, numbers of people are "warehoused" in prisons. Crime rates have remained basically constant over the past 10 years. During the same period, the nation's population has grown by 10%, but the prison population has more than doubled.

Recent data indicates that imprisonment neither deters nor rehabilitates. The massive use of incarceration has been an ineffective social policy which should be curtailed, as it is simply reflective of the public's wish for punitive crime control measures.

It is known that crime most often involves people who are trapped in the secondary labour market or are chronically unemployed. The only immediate hope of addressing the issue is that the financial costs of imprisonment are so high that American society is directed to more effective criminal justice policies.

The trend towards increasing underclass, including many visible minority groups, indicates that the situation will get worse. To avoid disaster, there must be a shift towards the prevention of crime and delinquency. That approach will free resources to enable the more effective treatment of those who break the law. Of those, incarceration should result only if: lesser punishment would depreciate the seriousness of the crime; imprisonment is necessary for deterrence; or if other lesser sanctions have been frequently or recently been applied to the offender [from Norval Morris - *The Future of Imprisonment*]. The change would result in significantly less use of imprisonment. Various forms of community corrections could be used for offenders for whom incarceration is not indicated.

3. Michael Quinlan - United States

Prison crowding is indisputably the major concern in virtually every United States correctional system, whether at the local, State or Federal level.

Changing demographic patterns and concomitant structural changes in sentencing and statutory frameworks partially explain the phenomenon. Increasing drug use has resulted in a public attitude that there should be an aggressive policy to deal with the situation. The legislative response has led to a doubling of the convicted offender population in the past decade.

To address the problem, the United States Bureau of Prisons has commenced a major expansion program which involves refitting of existing institutions to obtain greater capacity, and the acquisition of surplus properties such as schools, hospitals and military bases for conversion to prison facilities. Despite the facilities expansion program, however, the Bureau will be at 130% of capacity in 1995, as opposed to the current over-capacity of 160%. Many State jurisdictions may not be as seriously crowded, but they are also severely affected by the situation.

Most correctional administrators in the United States believe that the problem cannot be resolved by a building program; consequently, the potential use of intermediate sentences is receiving considerable attention. Intermediate sentences are less than imprisonment and can include home confinement, electronic monitoring, urban and other work camps and intensive confinement centres. Effective classification could divert offenders from expensive incarceration to such options.

A second major issue facing the United States is the management of human resources. The Bureau of Prisons is faced with serious recruitment problems. The doubling of the prison population requires a doubling of facilities and of the staff to operate them. On the other hand, an early retirement program is resulting in the loss of key management staff, and portability of pension credits enable all staff to join other sectors of government. The result, expected to persist for the next ten years, is an accelerated promotion of staff to management positions before they are sufficiently experienced. Compounding the problem is an increase in the proportion of long-term inmates whose sentences must be managed by inexperienced staff.

Correctional jurisdictions within the United States are addressing the problem of recruitment in a variety of ways which include the use of professional recruiters, enrichment of the workplace, the accommodation of spousal careers and the implementation of career development strategies for promising employees.

A third major issue relates to a lack of consensus within the United States regarding the role of corrections. A large segment of the population is uninformed about correctional issues, but other segments advocate specific roles, often conflicting, about what correctional systems should do.

A well-formed public education initiative is required to foster the development of a national consensus on a realistic role. The effort would be aided if corrections enabled the public more contact with prisons and made the public more aware of the cost of the correctional system to encourage support for a more selective use of incarceration. The latter is more likely to be accomplished if a systematic, rationally based offender categorization system, including risk assessment, were established.

4. Peter McKinlay - Scotland

A recent strategic planning process identified a number of problems in the Scottish prison system. The personnel, including staff and management, have low esteem which is perpetuated by a number of factors. For example, there are no formal educational requirements for employment within the system. Little staff training is provided and staff are not encouraged or directed to take risks which could lead to more effective correctional management. Inmates are against authority and perceive staff as the enemy. Senior public servants are remote from operations and assume a superior and condescending attitude in dealing with correctional personnel. The press do not deal with corrections in an objective and balanced manner. Overall, conditions are such that the goal of many staff is to survive employment rather than to make their careers meaningful and personally rewarding.

An effective communications plan is required to improve the situation within Scottish corrections. The need is to communicate correctional strategies to staff, to listen to their reactions and to respond appropriately to their questions, concerns and ideas. In a professional manner, the public must be informed of what correctional objectives are through use of the communications media. Finally, senior public officials must be informed of what public benefits are obtained from the resources expended on corrections.

The structure of Scottish corrections must also be reorganized to bring about more efficient interaction between management and staff and to ensure that front-line staff are supported as they pursue the objectives of the system. It is only through such efforts that it will be possible for the system to receive the support it requires to achieve the esteem and organizational effectiveness, which is being sought through the strategic planning process.

5. Björn Weibo - Sweden

A major issue facing corrections relates to the setting of objectives and strategies which are not often established in a systematic and coherent manner. A partial approach to the task of objective setting, characterized by reactive responses to public opinion and unrealistic expectations, are formed in the absence of clear political objectives.

Despite a tendency not to do so, correctional administrations do have the expert resources to elaborate comprehensive objectives and strategies for the renewal of correctional services. The product of systematic efforts to do so would not likely meet political opposition. Political decision makers should be pressed to establish goals in response to carefully developed proposals made by corrections. The correctional administration can then produce results-based data to account for the economic resources allocated.

In order for a productive relationship to be established between political decision makers and corrections, continuing political and public support is needed. Such support can only come about through effective communication with politicians, information representatives, pressure groups and bodies with an interest in or connection with corrections.

A second major issue facing corrections arises from the role of staff in the correctional process, especially at a time when economic conditions require more results with fewer resources.

Most prison staff are officers whose primary task is to guard, yet there seems to be an expectation (European Prison Rules) that a large assortment of treatment and training professional specialists will be employed for direct service to inmates. Some determination should be made as to whether so many groups of specialists are needed. Perhaps a new role should be developed for corrections officers, who represent a large undeveloped resource which could be trained to perform some treatment and training functions normally assigned to specialists.

A positive outcome of an expanded role for correctional officers would be improved security in consequence of increased interaction of staff with inmates. Another consequence would be

a change of role of the specialist to that of supervisors who would be responsible to ensure that correctional officers are capable of performing their new role. Finally, senior management would need to shift their emphasis to leadership from decision making concerning individual cases.

The third major corrections issue involves the criminal justice system. All the prerequisites for a system exist - police, courts, corrections etc.; however, there is little indication that they are arranged, structured and coordinated in a manner which permits them, as a system, to work towards a common objective. While corrections cannot singly forge the required system, it can establish and maintain intense working relationships with other justice components. For example, better working relationships between prison and community supervision components can ensure that community resources are matched with prisoner needs upon conditional release. The forging of such relationships has been established as one of the five-year strategic objectives for the Prison and Probation Service of Sweden.

DISCUSSION

There is an underlying assumption that there are too many people in prison, but without a standard which links imprisonment rates to level of crime or to population, the assumption is questionable. There appears to be no relationship between the level of crime and the number of people in prison, or to length of imprisonment.

It is possible to assess risk and manage sentences accordingly. The approach would probably result in a reduction in prison populations.

One Scandinavian country will not tolerate double bunking. Because the prisons are at capacity, there is a waiting list for prison admission (for sentences of about 30, but not more than 75 days). There is no doubt that if more prisons were built, they would be filled.

There is agreement that the reliable assessment of risk could lead to more effective sentencing and sentence management, but only if there is public support for change. There is some disagreement that effective risk assessment is immediately achievable.

A society which is better informed about correctional objectives, realities and practices is required for significant change; however, an adverse political climate resulting from public fear of crime can thwart positive change.

The observation was made that the underclass which commits most crimes is composed primarily of visible minorities. It was also pointed out, however, that Scotland has a fairly homogenous population, but has an underclass with similar characteristics, except for racial differences. One study demonstrated that blacks in inner cities of the United States have a crime rate which is higher than the general population; however, blacks who migrate to the suburbs have crime rates which are similar to those of whites.

There are a number approaches to informing the public about correctional issues, but journalists are not always responsive to positive news items. The development of good public relations should be an ongoing effort at all levels of corrections. Volunteer organizations can assist.

It is imperative that the public be informed about correctional issues. If correctional systems react to the erroneous assumptions of the public, there will be difficulties. On the other hand, effective public information efforts can work. In Canada, drinking and driving has been reduced considerably because a sophisticated public relations campaign has made the combination socially unacceptable. Unfortunately, active public relations is rarely given adequate priority in corrections.

Talk of public education may sometimes be somewhat patronizing to a public which sometimes knows better than corrections people. Each component of the justice system has a small budget which could become significant if some pooling of resources were attempted. Better public relationships could also result from a partnership between corrections and the private sector corrections agencies. It is possible to make communications media involvement commonplace.

Session Rapporteur: Millard Beane

SESSION 2.1

The Relationship Between the Purpose of Different Components of the Criminal Justice System and the Purpose of Corrections

**Papers presented by: Professor Nils Christie, Norway
 The Honourable Helen Corrothers, U.S.A.
 Sheriff Principal Gordon Nicholson**

The session opened with an overview of criminal justice as an issue of social control. Three areas of choice are open to a society in determining the amount of social control exercised over its citizens.

First, a society can determine the volume of legal interference. This would include, for example, a determination of the number of controlling agencies and the number of police officers. Second, a society can choose who they want to stigmatize. In this area, decisions can be made to reserve the stigmatization of the criminal justice system to a small group. It was noted that the maintenance of a shame factor requires judicious use of stigmatization. If the whole population of a country is stigmatized by the criminal justice system, it no longer is a stigma. Finally, a society can determine what crime is. Crimes can be defined as only serious crime, violent crime, economic crime.

Given these choices, a society must reflect on what it wants to achieve and to think of other ways to resolve conflict in society.

Tremendous variations in incarceration rates, even in the European context, cannot be explained by crime rates. They are based on penal tradition.

The placement of penal institutions in the framework of social institutions is unclear and conceptual misplacement may explain, to some extent, the situation faced in certain countries. For example, if corrections is seen as an institution of production, there is a much different approach than if it is viewed as a political/power institution. The latter approach may explain the United States experience, given that the law has been democratized through elected judges and prosecutors. Perhaps it would be better to view corrections as a cultural institution, reflecting a society and its citizens' values.

In another presentation, a broad history of the various components of the criminal justice system in the United States was presented. The conclusion of this review is that the primary goal of all components of the system is protection of society.

Two primary objectives of corrections are prevention of escape (incapacitation) and to assist offenders to reintegrate to the community. Corrections should seek to control behaviour and change long-term patterns, while, at the very least, ensuring that offenders are not released worse than when they were incarcerated.

Reintegration of offenders in the community can be viewed as crime prevention and, if successful, as a longer term protection of the public.

Activities that were identified as critical to future success include better communications with the public, enhanced professionalism in corrections, relevant research, partnerships and a proactive approach to shaping the destiny of corrections. The speaker noted that we, in corrections, must not be deterred from trying new things.

Intermediate punishments are required as part of the criminal justice system, regardless of the prison overcrowding situation. They are just and right when a sentence of imprisonment is not required.

An argument was made for accepting a multiple objective theory for corrections, based on retribution, deterrence and rehabilitation.

The need to challenge assumptions was emphasized.

The criminal justice system is a misnomer. In most cases, the "system" is an unstructured grouping of agencies having their own goals and objectives. There is a need to look to ways to bring the various components together. There are certain issues that we have in common that could serve as a basis for a more systemic approach. For example, there seems to be consensus that the number of mentally disordered offenders being held in prisons is inappropriate. Within a structured system, these types of problems could be addressed or solved.

While the role for creating such a consolidated approach lies with government, they have been reluctant to tackle this as a priority issue.

The demise of the role of rehabilitation as the primary goal of corrections has led to disorientation and a prolonged period of questioning the purposes of imprisonment. As punishment, imprisonment is morally indefensible. The corrections system itself began to question what its purpose was.

Judges may have their own purposes for sentencing, which could include punishment. Corrections, however, can have purposes beyond that of the judge. It should be structured to be as constructive as possible.

There is an underlying acceptance of the fact that prison population are too high. If we are saying this, we should be thinking why we are saying it. We must be careful in how we address this issue. Do we say that exceeding the number of beds available means that there are too many in prison? Do we look comparatively to other countries?

When comparing with other countries, it is important to look beyond number per 100,000 statistics. It is essential to look at admission and length of sentences. Some systems may use many short sentences, while others use imprisonment more sparingly, but impose longer sentences.

Based on utilitarian grounds alone, many people in prison should not be there because they do not pose a risk to society. It is the responsibility of correctional professionals to speak out about high incarceration rates and their cost to society. Corrections should be speaking to judges to let them know that people going to prison don't necessarily need a sentence of incarceration based on our professional knowledge of the risk they present. Corrections people have more credibility with the courts and are more likely to be listened to than social workers.

The importance of discussion of these issues within the correctional field was stressed. The fact that correctional leaders are attempting to define their own role may move other components of the criminal justice system to follow suit. It makes sense for one component to start the process.

As correctional leaders, we have a role in helping our political masters to go through some of the thinking processes taking place at the Symposium. In creating an understanding at the political level, correctional people can advise on the professional consequences of adopting different strategies.

Public confidence in the criminal justice system as a whole is low. If public confidence can be increased by shifting resources to more acceptable activities, it might be worthwhile. Nevertheless, we cannot overlook our responsibility to make our own actions understandable to our partners in the criminal justice system, i.e. the police. Problems are perpetuated when criticisms of corrections come from within the criminal justice system. When talking about better educating partners in the criminal justice system, it is important to remember the role of prosecutors and defence attorneys as advisors judges.

It was noted that just as there is no relationship between crime rates and incarceration rates, there is no relationship between the number of police officers and the crime rate. All that can be influenced is public fear of crime.

It was noted that the community must determine what it is they want to be corrected in offenders and they must input to that correctional process. The public have become divorced from courts, corrections and parole. A better understanding of the shared responsibility for crime control is required.

To a large extent, prison populations are dependent on moral and political choices. Decisions that affect these numbers can be made very close to corrections, by partners in the criminal justice system. The only way to deal with elected officials is to show them what is in it for them. To do that, decisions have to be made to speak out and let elected officials know what we are seeing as the realities of using imprisonment as a crime control measure.

It was noted that public involvement in the criminal justice process leads to greater tolerance and understanding of the decisions made.

Session rapporteur: John Rama

SESSION 2.2

The Purpose of Corrections and Principal Strategies

Papers presented by: **Peter McKinlay, Scotland**
 Michael Quinlan, U.S.A.
 Honourable Helge Rostad, Norway

Session 2.2 of the International Symposium on the Future of Corrections was entitled "The Purpose of Corrections and Principal Strategies". The purpose of this narrative is to focus on the key areas of discussion at that session and to provide some analysis of the future trends in corrections.

The session indicated that the question is not so much what prisons are for, but what corrections can achieve through insightful planning and a vision of the role of corrections as a component in the criminal justice system and in relation to society as a whole.

The focus in corrections, as expressed by the participants in this session centres on three broad areas: institution-based programming, community corrections and offender responsibility. Each of these areas will be discussed in turn.

Institution-based Programming

The requirement for security and order in prisons is, of course, a continuing concern for correctional agencies, but the conference participants consider that it is necessary to balance security needs with programming which enables offenders to gain skills which will assist them in becoming law abiding members of society. As Peter McKinlay from Scotland stressed, secure custody is important but this must be placed in relation to the provision of opportunities. Offenders must be granted opportunities to assist them in changing, but in some cases institutional programming can only go so far. In the United States severe overcrowding problems limit the ability of the prison system to innovate; they must concentrate on doing the basics well. The United States recognizes, however, that programs are important for maintaining order as they keep inmates occupied and provide them with opportunities.

It appears that while both the United States and Scotland emphasize the need for the creation of opportunities for offenders to allow them to successfully reintegrate into society, the sheer number of offenders in the United States federal system limits the opportunities available and forces the Federal Bureau of Prisons to focus on "doing the basics well". The United States, therefore, focuses on maintaining a secure and humane system, managing increased populations, and ensuring a fair and consistent disciplinary system. Programming is seen as important to maintain order by keeping inmates occupied and to provide them with skills. Institutional work and a literacy program to grade 12 provide offenders with opportunities to enable them to function in society as law-abiding citizens.

The United States considers its "Intensive Confinement Centre" at the cutting edge of its institutional-based programming. These "boot camp" facilities provide a rigorous and Spartan program of work, exercise and minimal amenities. Even in these facilities, however, the program has been modified to include literacy and drug treatment so that inmates are granted opportunities to enable them to successfully reintegrate into society.

Offender Responsibility

Tied closely with institutional programming is the emphasis on offender responsibility. The correctional system can provide the offender with opportunities but it is the responsibility of each inmate to employ the skills learned to assist him or her in reintegrating into society. Michael Quinlan from the Federal Bureau of Prisons noted that in both the United States and Canada, the responsibility for rehabilitation has shifted from the individual offender to the correctional system. However, it is neither fair nor reasonable to expect the system to change an individual's behaviour unless the person takes responsibility for his or her behaviour and undertakes to change it. As Mr. McKinlay from Scotland emphasized, it is up to the offender to use prison time responsibly and to make use of the skills learned.

Community-Based Corrections

The most important trend emphasized by all of the participants in this session is the move towards community-based corrections. The strategies adopted may differ, but all speakers recognized the need to involve the community and for offenders to maintain their ties to the community if corrections is to operate effectively in the years to come.

The various countries have chosen different means of achieving community-based corrections. In the United States the Federal Bureau of Prisons has adopted a Community Corrections Centre model (CCC). These centres do not allow the offender to spend much time in the community except for work time. All visits and treatment take place in the CCC. Therefore, although the centre is located in the community, the focus does not appear to be on giving the offender extensive time in the community. On the other hand, the program of electronic monitoring allows the offender more contact with the community, within constraints imposed by the use of the monitor to control movement outside of the home.

The emphasis in the United States on community-based corrections seems to be on the notion of control of the offender and careful management of the offender's access to the community.

Scotland appears to be moving toward normalizing the offender's environment and employing the minimal necessary level of security. They want to make the walls of prisons more permeable so that there is an increase in the interaction between inmates and the community. They consider that inmates in prison to continue to be part of society.

Norway, the United States and Scotland all recognize the need for social contacts for inmates and that the links to society must be maintained. Another common factor is the need to

foster the perception that corrections is part of society and that the community must recognize and accept its role in reintegrating offenders. Mr. Justice Rostad of Norway perceives the Correctional Service of Canada's Mission, which describes CSC as part of a system, to be a step forward in respect of recognizing that there is an obligation on states, agencies and citizens to secure a common future.

The exact role that the community must play is not precisely defined. The United States says that the community has not been doing enough to decrease recidivism, although much of this has been the fault of corrections for not engaging this resource or helping the community to understand its role. In educating the public, it is the responsibility of corrections to make it clear that it is ultimately up to the offender to make free choices and there is nothing that a prison can do to change this. Prisons can only provide the opportunities for offenders to acquire skills that will provide them with as broad a range of choices as possible. Society has unfairly placed the burden to change offenders on the correctional system and this unrealistic expectation must be altered through public education. The public does not know enough regarding the cost of programming, the value of programs and the problems resulting from inadequate programming. Society demands that corrections "rehabilitate" offenders but balks at the cost of providing the necessary programs to assist offenders to reintegrate.

In Norway, community involvement in the criminal justice system has resulted in a significantly reduced prison population. The public is involved in sentencing which, perhaps contrary to what may be expected, tends to result in fewer prison terms and more lenient sentences. It may be that this community involvement at this stage of the criminal justice process facilitates the public involvement in corrections and the reintegration of offenders.

Balancing Interests and the Future of Corrections

In light of the three primary strategies outlined in respect of Canada, the United States and Scotland, it appears that change and progress in corrections will be achieved through balancing a number of competing interests. The principal countervailing interests relate to control versus reintegration and what corrections could potentially do versus what public opinion and political reality will permit.

Each speaker acknowledged the necessity of moving the emphasis in corrections from institutions to the community. This shift requires balancing the control required to protect the public and the need to prepare offenders for reintegration. The focus on the community also necessitates public education. The public often forgets that virtually all offenders eventually return to society and that merely locking them up does not promote public safety in the long run. In fact, the public has an unrealistic expectation of what correctional programs can achieve, particularly when that expectation is coloured by the "get tough with criminals" philosophy that tends to oppose community-based programming. The public must

come to realize that society has to accept responsibility for offenders and that offenders continue to be a part of society following incarceration. To some extent, prisons are a reflection of our society, and, as stated by Mr. McKinlay, "society gets the prison service it deserves and is prepared to invest in".

Since crime will never be eliminated, the primary objective of the criminal justice system is to ensure that our society maintains an acceptable level of crime. The role of corrections is to provide a crime free period and to facilitate a safe transition for the offender back into society. Therefore, the focus is not on rehabilitation but on the management of risk.

Ultimately, the ability of corrections to operate effectively will be constrained by what the public will accept, what it expects and what the politics of the day will allow. Furthermore, corrections must always be viewed in the larger context of its role in society in general and in the criminal justice process in particular. Corrections comes at the end of the process and there is a great deal to be done "further up the line" in the criminal justice system. The fact that corrections is merely one aspect of a larger system, however, does not prevent correctional agencies from adopting progressive and proactive policies. If corrections takes the lead, other changes can follow. It is possible for "the tail to wag the dog".

Session Rapporteur: Claire McKinnon

SESSION 2.3

The Reality of Corrections: Impediments and Opportunities for Realizing the Purposes of Corrections

Papers presented by: **Norman D. Inkster, Canada**
 Perry Johnson, U.S.A.
 Dr. John Ekstedt, Canada (presented by William Foster)

1. Norman Inkster

Mr. Inkster outlined a number of factors which he believes have been impediments to realizing correctional goals. These include the following:

i) Corrections is at the end of the continuum of criminal justice;

With corrections being at the end of the criminal justice process, it will always be influenced by what happens at earlier stages. There are often contradictory or multiple goals at the early states of the process (e.g., police, courts) which are not always compatible with correctional goals.

ii) Until recently there has been little theoretical underpinning or prior planning to police initiatives;

This has led to a situation where it has been difficult to predict the impact of police initiatives on corrections.

iii) Public Attitudes

In general, the public has failed to accept responsibility for involvement in corrections.

iv) Corrections has not paid enough attention to its environment

Events in the external environment are very important for corrections, and if new initiatives are not compatible with the environment they are bound to fail.

Recent demographic changes, new policing approaches and new practices in public administration present a need and an opportunity for improvements in corrections.

Opportunities for improvement in corrections include the following:

- i) Community-based policing - This approach entails flattening the previously hierarchical police organization, thus providing greater autonomy to the police officer at the local level; consultation with the community being served; and the exercise of problem-solving skills by police officers to deal early with community problems in an attempt to prevent crime.
- ii) Joint ventures within the criminal justice system - Improvements cannot be made in corrections without cooperation among criminal justice agencies. Modern administrative theory encourages "joint ventures" and consultation and cooperation in the development of strategies and plans. Joint ventures such as environmental assessments, strategic planning, joint task forces, and sharing of information and resources provide a means to share costs and increase benefits for all those involved.

Mr. Inkster concludes that the ultimate reality of corrections is that its existence is a reminder of the imperfection of society. There will, therefore, always be a need for a correctional system and it will never be perfect, but Mr. Inkster believes that a positive outlook and coordinated action will result in an improved system.

2. Perry Johnson

Mr. Johnson presented a paper entitled "Changing To a More Rational Public Policy", an abridgement of an unpublished article "Who's Sorry Now?", jointly written by Mr. Johnson and William Kime.

Johnson and Kime note the unprecedented investment in prison and jail expansion in the United States over the last fifteen years. Only a small portion of the increased population in correctional institutions can be explained by an increase in crime. The majority of the growth has resulted from changes in policy and practice within the criminal justice system. Furthermore, the increase in the incarcerated correctional population has had no discernible impact on the prevalence of crime. It is therefore concluded that the extensive expansion of institutions has been a squandering of scarce resources.

It is argued that correctional systems in the United States must become rational and cost effective through the following changes:

- i) The implementation of a fair and rational sentencing process.

This is seen as the most urgent need of corrections as sentencing shapes the soul of corrections - unfair or irrational sentencing will result in an equally unfair and irrational correctional system. The most promising model for fair sentencing is seen to be sentencing guidelines.

- ii) The major aim of the corrections process must be public protection.

The authors believe that the time has come to recognize public protection as the primary aim of the correctional system with the requirements of justice providing a constraint on the means used in meeting this aim. Because this approach has not been used in the past, there is now an overcrowded and ineffective corrections system - one which at great cost locks up people who could better be punished by other means, and which doesn't protect society well from the small number of offenders who commit enormous harm.

- iii) Prison and jail space must be reserved for those who cannot otherwise be controlled or sanctioned.

The authors feel imprisonment should be reserved for:

- those who present serious danger under community supervision;
- those whose crimes call for a guideline sentence of more than 24 months;
- those who refuse to comply with the conditions on non-prison sanctions.

- iv) Community corrections programs must provide retributive balance and give priority to public protection.

Although three out of four offenders in the U.S. are managed in the community, frequently these programs are under-resourced and provide only token supervision, and they seldom impose sanctions in a significant or consistent manner. Johnson and Kime feel that it is therefore not surprising that the public has little confidence in community corrections.

It is felt that through providing acceptable punishment and deterrence in community programs and ensuring that they do not present an undue risk to society, more offenders could be effectively managed in the community.

- v) Productive work should be the major orientation of time served (in or out of prison).

It is argued that every able-bodied offender in prison or the community should be required to work productively to pay restitution to victims, and contribute to their own support and that of their dependents. To achieve this end would require an abandonment of existing laws and policies which prevent prisoners from being allowed and required to work responsibly.

Although it is believed that the above changes would result in improvements to the correctional system, society at some point must recognize that corrections has limited potential for controlling crime. This is because sanctions after the crime are too late and leave the sources of crime untouched. (e.g., poverty).

3. John Ekstedt (presented by Bill Foster)

Mr. Ekstedt addresses the subject of correctional reality, dividing his comments into the following three major parts:

i) **The Relationship of Reality of Purpose**

The author believes that the purpose of corrections or its "reason for being", must determine reality - not the other way around. It is necessary to continually focus on the purpose and goals of corrections, rather than be preoccupied with the day-to-day problems of the correctional reality.

The author does not see the purpose of corrections as being the prevention of crime, the protection of society or the rehabilitation of offenders. These are seen as strategies to achieve a purpose; the purpose itself must be something different. One possible purpose might be to establish a process for social control which provided individuals and groups with the opportunity to act freely and receive fair and open consideration of their disputes. Strategies such as those above may contribute as long as methods are not used which are contrary to the purpose.

ii) **The Elements of Current Correctional Reality**

Elements of the correctional reality often make the system appear ineffective or counter-productive in achieving the ultimate purpose. Elements of this correctional reality include the following:

- There is sometimes confusion about which methods are most effective in implementing correctional strategies.
- The people of corrections (keepers and kept). There are inhibitors to the ability of the people of corrections to interact effectively with each other.
- Correctional systems are bureaucracies which contain elements of "bureaucratic drag" which reduce the ability of the system to work efficiently and effectively.
- Corrections is influenced by the politics of governments and the economy.
- There is an interface between corrections and the community which can significantly influence corrections.
- There is an interface between corrections and other components of the criminal justice system which is often not well managed.

iii) **The Possible Problem of Misperceiving Correctional Reality**

It is often believed that the above and other correctional realities must be eliminated or modified in order for corrections to be effective. Perhaps, however, this is a misperception. These correctional realities may be a description of what corrections necessarily is. The challenge may be to accept

this correctional reality and organize it so it is compatible with legitimate social purposes.

The reality of corrections is not a problem or an opportunity for realizing correctional purpose in and of itself, but the correctional reality can become distorted. It is the distortions of correctional reality that the author believes created the most difficulty in remaining consistent with any legitimate social purpose. Correctional reality may be distorted for many reasons including insufficient resources, insufficient education and training, inappropriate political intervention, retribution, and unnecessary conflict between police and corrections.

The author believes that debate and action should take place with respect to these distortions and that distortions in correctional reality can only be understood with a clear perception of the overall purpose of corrections. Thus, the purpose must determine reality and not vice versa.

It is noted that all of the above authors accept the existence of corrections as a necessary reality, but that the search for alternative systems of social control should be among the highest priorities.

DISCUSSION

There was no consensus that the overall purpose of corrections is to contribute to the protection of society. It was noted, however, that there seems to be a similarity in correctional philosophy and principles among many countries. There may, therefore, be more agreement on purpose than initially seems apparent.

There was general agreement that there are too many people in prison and that these people are in prison longer than necessary. This is particularly so given that there is little relationship between the incarceration rate and protection of society. Some people felt that the prison population many depend more on moral/political choices than anything else.

Given the limited impact of incarceration on the crime rate and the unavailability of resources for continued prison construction, the time is right for changes which can help to improve corrections and society in general. Correctional administrators must realize and accept the opportunity they have to influence these improvements.

It was felt by some people that perhaps some resources should be reallocated from corrections to other parts of the correctional system (e.g., police). There was no agreement, however, whether this would assist in crime prevention and result in fewer clients for corrections, or whether it would result in more arrests and ultimately more clients for corrections.

There was agreement that changes should be made to improve correctional systems. There were seen to be a number of prerequisites for improvements in corrections, including a need for:

- strategic planning which would include a clear statement of purpose for corrections;
- political support for the purpose of corrections;
- strong correctional leadership to ensure that the strategic plan is implemented. This includes a need for the commitment of correctional managers and staff to the strategic plan and their involvement in assisting to change the organizational culture;
- proactive communications by correctional administrators with other parts of the criminal justice system, the public and the media;
- cooperation among criminal justice agencies; and
- community support and involvement in corrections. There needs to be a recognition that the criminal justice system has limited potential to control crime. Crime is a social problem which requires social change aimed at crime prevention.

Session Rapporteur: Don Tully

SESSION 3.1

The Identification of the Core Values

Papers presented by: **David McCord, Canada**
 Professor Norval Morris, U.S.A.
 Professor Tony Peters, Belgium
 Vivien Stern, England

Any large or small organization has its values. To replace existing values, whether explicit or implicit, they must be lived by those in charge by leading by example.

What values should characterize the future for corrections? To lead by example, one must know what kind of example one wants to set.

Correctional systems are characterized by their resistance to change. This inflexibility is deeply rooted in the very essence of traditional corrections which is typified by a military or para-military look and attitude. The structures of corrections themselves are contradictory to flexibility, with walls, fences, barriers, and bars.

Without a strong set of organizational values, professionals are strongly inclined to be loyal to professional values.

To see significant change, we must influence the collective unconscious, as well as the conscious of those who are most influential. It is not the work of a single individual which produces significant social change. It is the initiative of a few where there is a critical mass of synchronicity in thinking and a critical mass of collective desire for change.

This process may be facilitated through the formulation of core values that are clearly stated, that are seen as worthwhile pursuing and that the most influential people are seen to be pursuing. Values must be of a nature that allows operational people to translate them into action. We must take reality as a given fact and must move from where we are today to where we strive to be. This will differ from country to country.

We have cause to reflect on the current system. All seem to agree that the purpose of corrections is punishment, yet the nemesis of corrections is its punishment mandate. Reflecting on history, i.e. aboriginal justice, can provide us with a model to strive towards. We must not deal in isolation, but need to recognize the family and societal context. There is a need to centre on the victim-offender-community experience. A new paradigm based on accountability, responsibility, restitution, healing of the community and relations between people is required. How this concept could be implemented is unclear.

The core values of corrections may be different from those of the criminal justice system as a whole.

A key value is to be minimalist and limit the use of incarceration to the greatest degree possible. Contributing to the protection of the public is a valid goal for corrections whereas corrections cannot profess to control crime. There is a marginal effect of minor changes to policies of any one component of the criminal justice system, thus a systemic approach is required.

Other aspects of the concept of "protection of the public" include protection of individual rights and establishing limits on excessive punishment.

A critical value is that we can facilitate self-development and change through motivation and provision of programs, but must not impose "treatment" on offenders.

Empowerment and delegation are important.

A central value in a system as powerful as ours must serve as a counterweight. In this case, the core value is respect of the fundamental rights of prisoners. The legal status of inmates is the core value and corrections must be open to independent, external control of rights and enforcement of use of alternatives.

Social reintegration forms the basis of the prison regime and should therefore be considered as a principle strategy.

We must treat people as valuable, whatever they may have done. The focus should be on reconciliation rather than division. To the degree possible, the system should include people rather than excluding them. For those who must be incarcerated, we must have a system and facilities that are decent and humane. Discrimination on any basis is unacceptable.

To translate these concepts into action, the English and Welsh strategy implemented was to put crime in context, to separate crime conceptually from punishment, and to limit the use of prisons.

If we forget the punishment aspect of imprisonment, we risk legitimizing deprivation of liberty. We need to have limiting factors on state desire to invade people's lives.

Financial factors affecting correctional systems may need to be brought to the forefront.

We must not understate the value of general statements and those that are considered as "motherhood". These can be very powerful. We must pay attention to formulation of our values. Semantics are important, i.e. "get tough" attitude towards crime can lead to toughness within the system itself.

We must recognize differing political situations. Strategies that are right for one are not necessarily right for all. Political views must be taken into consideration, but the value of professional advice can influence those views.

Knowing that consensus exists with respect to minimizing the use of incarceration is a powerful tool for individual action.

As professionals, we must make a contribution as "part of the criminal justice system" to decisions that impact on our operations. We must work with partners who may not have a consensual view by sharing our values and beliefs and working together to resolve differences.

We need to address how the public will accept our values, recognizing that the values of corrections are a reflection of the values of the community and society as a whole. We therefore need to determine whether our perceptions of public opinion are right or are based on media representations.

There is a critical need to change the attitude that justice means imprisonment. We must work cooperatively with ministers/administrators to create good public policy. There is a need to empower inmates, staff, their families, and community in general to contribute to consensus, support and/or acceptance of our values. Our strategy should be one of truthful, aggressive openness. Without openness there is no accountability and we cannot protect human rights.

We must state our values clearly and carefully. We must believe and our staff must believe in our value base before the public and our partners will believe.

At the same time, we should recognize that we are working on a shared value base that is not necessarily transferable to other cultures.

We should seek guidance from the values already put forth by different correctional agencies.

An important value is to look at how we can tap the energy of prisoners and channel that energy to the public to benefit both offenders and the public.

We need to express and put words or pictures to what is being experienced by inmates and staff by encouraging self-expression.

Our values must address equal opportunities. The small number of women and minorities at the Symposium is indicative of a problem.

Hope is a critical value - we must emphasize the need to not give up hope as administrators and to give hope (or at the very least, not remove hope) from clients.

Normalization of prison conditions and facilities will benefit both inmates and staff. There should be as few artificial elements as possible in the correctional environment. As many prisoners as possible should be held in open conditions (minimum security). Offenders have the right to minimum interference based on security, and correctional systems should be held accountable for that interference. Prisoners should have free access to radio/tv/newspapers/telephone/written communication.

Offenders must be held responsible for their actions. We must provide opportunities to demonstrate responsibility, inside and outside prison walls.

We must recognize the ability to change - in offenders and organizations.

Our values should include the concepts of dignity, respect and the rights of offenders, victims, and members of society.

Self-fulfilment is essential as a value, as is the right to be involved in the criminal justice system. Empowerment means having real involvement by offenders, staff, and our partners. It means that we must listen.

Openness, honesty, and integrity are important values, as is respect for individual differences. Openness includes both the media and the public. We must not shield politicians or the public from the realities of corrections.

Session rapporteur: Lynn Cuddington

SESSION 4.1

"Shifting the Playing Field?" (Community Corrections vs. Incarceration)

Papers presented by: **Arnold Barrow, England**
 The Honourable Mike Farnan, Canada
 Fred Gibson, Canada
 Vivien Stern, England

1. Arnold Barrow

Background

The United Kingdom has an historical leaning towards incarceration, rooted in ideas about the deterrent value of prison. It still imprisons a greater percentage of its offenders than other Western European countries.

In the 1980s, legislative changes helped reduce dramatically the number of young offenders in custody in the United Kingdom. During the same period the adult prison population increased, and only started to decline in 1990, perhaps as an indirect result of the series of major prison disturbances that occurred that year at Strangeways and other institutions.

The profile of offenders under age 25 in England typically shows a pattern of unemployment, an absence of stable living arrangements, a history of care, and experiences of physical or sexual abuse. Their offences have been primarily motivated by material gain.

Criminal justice agencies are poorly coordinated and haphazardly funded.

Current developments

The Carlisle report and subsequent legislative proposals affirm the value of parole and advocate reduced use of incarceration. The current Criminal Justice Bill provides for a range of new community-based sentences and a revised parole system. However, some of its drawbacks include: support for the "just deserts" principle of sentencing; proposed use of electronic monitoring; rejection of the idea of a Sentencing Council.

The Woolf Inquiry into the 1990 prison riots made over 200 recommendations including effective sentence planning, creation of smaller prisons closer to home communities.

Pressure has increased to end the imposition of mandatory life sentences for murder.

A Royal Commission has been established in response to recent highly publicized miscarriages of justice.

Changes have been introduced in the probation service, giving probation officers greater specific responsibility to plan/manage non-custodial sentences using community resources, to

report to the court, and to enforce the probation order. They are required in all cases to prepare pre-sentence reports setting out plans to address the offender's criminal behaviour.

Initiatives are continuing to increase the probation service's role at the pre-court stage in order to reduce the number of remands into custody.

A bail support scheme has been introduced, providing young offenders on bail with intensive support in a residential setting.

Various diversion schemes have been initiated to keep juveniles, minor offenders, the aged and the mentally ill out of custody.

There is improved partnership with voluntary agencies, e.g., National Association for the Care and Resettlement of Offenders (NACRO).

Future prospects

Inter-agency cooperation is being promoted, but it is sometimes being undercut by conflicting measures taken by government departments, e.g., funding cuts to social programs vital to by offenders in the community.

Still more integration of the criminal justice system is needed, to ensure pursuit of the common goal of crime prevention.

The media must play a more responsible educational role, and turn away from its fixation on violence and its superficial treatment of crime-related issues.

The excessive use of custody for black offenders requires special attention.

The system must be changed so that the presumption is in favour of a community-based sentence, but where custody is necessary, it should be rehabilitative.

We should be careful that community-based sentences are not so coercive or unreasonable that the offender is set up to fail. The probation officer's skills in balancing care and control must be given proper scope.

2. Mike Farnan

Ontario's integrated system of correctional services is predominantly community-based. Most offenders (85.5% of adults and 92% of youths) are at some point in their sentence under some form of community supervision.

The types of community supervision include:

- probation, with increasing use of community service orders and restitution orders during recent years;

- temporary absences; and
- parole.

Residential programs and special services directed to native offenders are important supporting elements of the community operation.

Despite development of many community sentencing options (community service orders, restitution, etc.), imprisonment is still used more than probation in Ontario, with 44,000 serving custodial sentences versus 22,000 on probation at any given time.

As a consequence, most correctional resources in the province are still channelled towards institutions.

To correct this imbalance, Ontario has adopted a community corrections strategy, using a multi-service program model. The model comprises a differential, phased approach to supervision; reliable risk and needs assessment tools; and core programming components involving therapy, skills training and employment.

The strategy will reduce projected requirements for additional institutional capacity by 1700 beds.

Key to success of the strategy will be an aggressive program of public education to break down established attitudes about the value and efficacy of incarceration.

It is important to get the get a positive message out about community corrections.

Government concern persists about the high social costs and questionable benefits of incarceration. Average terms are very short; 50% of admissions are for fine default. The adverse effects of incarceration especially on aboriginals.

The "real" bad news doesn't get out, i.e., the underlying tragedy of those caught up in prison system is ignored.

There are on the other hand some encouraging signs: opportunities for dialogue with corrections colleagues in Canada and abroad; the leadership shown by the federal government through the Directions for Reform initiatives; a consultation committee newly set up by Ontario corrections with broad representation and focus on community corrections; a new interdepartmental committee also set up within the Ontario government to ensure coordination of corrections-related social policy/programs.

We must nevertheless recognize that legislation is only part of the solution. What drives progress are ideas that come from practitioners.

3. Fred Gibson

Parole is part of community corrections, and is a contributor to effective re-integration, even though its mandate begins after imprisonment.

The 1980s have seen new pressures on the parole system in Canada, e.g., American-influenced public perceptions about crime, effects of global social and economic changes.

The challenges (from public inquiries, victims' organizations, the Sentencing Commission, Charter-based litigation, etc.) have been to both the raison d'être of parole and its operation.

The National Parole Board's (NPB) response to these pressures and challenges has combined concepts of planning and flexibility.

Planning is reflected in the re-definition of purpose and principles of parole (embodied in Mission, proposed legislation). This means a clearer focus on who NPB serves, what business it's in (and not in) and how it does its work.

The National Parole Board's client is the community, which includes the offender. Public protection is the paramount goal. Flexibility is reflected in a concern for broader community involvement in parole policies and processes, increased responsiveness to diverse community characteristics and interests (ethno-cultural groups, aboriginals, women).

Crime prevention is ultimately the community's responsibility, so it must help create conditions for corrections authorities to do their work.

Board membership is representative of the community. There is value in having "amateurs" who become converted to belief in corrections and communicate their changed views to others in the community.

The National Parole Board's business is management of risk, not punishment, resentencing or controlling prison populations. This requires continuing effort to improve tools to assess risk and differentiate between serious and lesser crimes, in response to public expectations.

Re-integration of the offender as the best way to manage risk demands NPB's commitment to active role in preparing the offender for release.

Reforms to the process of parole decision-making are designed to improve fairness, consistency and openness, both in relation to the offender and to the public.

The National Parole Board and the Correctional Service of Canada have closely aligned, complementary Missions.

The National Parole Board has established 3 strategic themes to guide it in the 1990s. These are:

1. openness, accountability and professionalism;
2. partnership with criminal justice agencies and the community (including offenders, victims);
3. sensitivity to and respect for the individual.

Supporting these themes are 4 strategic priorities:

1. better decision-making for aboriginal offenders;
2. better understanding of ethno-cultural minority communities and offenders;
3. better understanding of family violence and how to deal with it in release decisions;
4. better communication with victims about conditional release (emphasizing NPB's role is risk-management, not punishment).

4. Vivien Stern

Referring to community sanctions as "alternatives to incarceration" perpetuates notion that custody is the "real" punishment. As a result, continued priority is given to custodial punishments and community-based sentences are treated as somehow subordinate.

Studies show that the availability of non-custodial penalties, even with legislative backing, does not in itself ensure that they are used.

The reason is that insufficient attention has been given to implementation. There is no clear framework to guide use of community sanctions and no organizational structure to support them.

Lessons can be drawn from the measures introduced in the 1980s to reduce the use of custody for juveniles. As a result of these efforts, the number of 14-16 year-olds in custody from has dropped from 10,000 to 1,500. The challenge is now to try to get as many as possible of the remaining 1,500 out of institutions. Why could not the same strategy be tried with women?

The content of community sanctions has to be carefully defined. Specifically, they:

- must address social problems and poverty;
- must be based on interdepartmental coordination;
- must focus on rebuilding social bonds that are broken as result of offence, provide something of value that makes it worthwhile not to offend - task of providing a little to people who have previously had nothing should not be difficult,

Legislation will not by itself change practices. Programs must be developed to support the community option (as was done with the intermediate treatment program established for juveniles and a similar approach to be tried with young adult offenders).

The programs require a strategic approach. It is essential to:

- target a specific group and consistently apply range of devices to divert this group from custody (as was done with "specific activity requirement" for 14-16 year olds)
- establish basic rules, i.e., inter-agency cooperation, individually tailored programs, good "marketing" to courts and probation service, constant monitoring to ensure the right people are receiving community sanctions and to prevent widening of the net.

A report by the National Association for the Care and Resettlement of Offenders (NACRO) includes recommendations to:

- create a presumption in favour of community-based sanctions
- remove imprisonment as an option for less serious offences
- give offenders more than one chance with a community sentence
- make the full range of community options available to all offenders
- train judges
- establish minimum national standards
- limit use of community service orders to more serious cases.

Strategies aimed at influencing decisions at the charging, prosecution and remand stage can be effective in diverting many offenders from custody, but ultimately the judiciary has to become involved. This raises sensitive issues surrounding judicial independence. The solution may lie in recognizing the role of legislatures in setting sentencing policy.

It is critical to avoid the danger of making community-based sentences just as or more punitive than custody, in order to "sell" them to judges and the public. As the enforcement of conditions of the sentence may entail intrusive measures, safeguards are needed to protect individual rights and personal dignity.

Criminal justice is inseparable from wider social policy. Departments that cut social assistance and employment programs sabotage the efforts of corrections agencies.

Community integration that is premised on linking offenders into a network of social relationships offers the best chance of proving that rehabilitation can work. Programs that are institutionally focused and don't attempt to change the offender's social situation are far less likely to be effective.

Remarks from the Chair

Our "horizons must be wide". We must take account of many elements influencing correctional outcomes.

Perhaps we should be thinking in terms of alternatives to punishment as well.

It is important to identify players and build partnerships, including partnerships between politicians and corrections professionals. In this way, corrections can take a pro-active role in working out new approaches.

Some common threads

There is a need to create a presumption in favour of community sanctions.

It is vital to take an aggressive approach in promoting community corrections to the community, which must be persuaded to accept ownership.

One must avoid turning community corrections into just another vehicle for punishment, thus setting offenders up to fail.

It is essential to build partnerships in which levels/sectors of government and community agencies all unify their efforts towards one common goal.

Session rapporteur: Peter Maitland

SESSION 4.2

Partnerships?

Papers presented by: Margaret Catley-Carlson, Canada (presented by Ian Green)
Mark Cunniff, U.S.A.
Jean-Claude Perron, Canada
The Honourable Helge Rostad, Norway

Introduction:

The need for partnerships was universally accepted and recognized in previous sessions of the conference.

Some of the issues that emerged in discussions prior to this session highlighted the difficulties in establishing appropriate relationships with stakeholders. Some of the problem areas were viewed as a result of the informal approach that has been taken in the past. Liaison with those outside the criminal justice organizations in "service fields" have traditionally been managed at a field or working level, and have been dependent largely on personal relationships. While personal relationships are critical components of successful partnerships, more formal arrangements may be necessary to provide a framework for the organizations to cooperate.

This session focused on the opportunities, challenges and risks of partnerships.

i) Driving Forces for Partnerships:

Community focus of Corrections:

Given the strategic direction increasing the focus of corrections in the community, rather than on closed correctional facilities, it was recognized that there must be programs within the community to assist in the support and supervision of the offenders. Thus, the strategic direction necessitates that offenders and corrections not remain isolated from the communities and services that are necessary for offenders.

As well, the recognition, through the Mission statement, that the business of corrections is the protection of society, drives the Correctional Service of Canada to engage others in society in the business of assisting offenders in becoming law-abiding citizens.

Economic Realities

There was a recognition by the speakers that the restrictions on resources for all service organizations, including corrections, necessitate the examination of alternate strategies for program delivery. Corrections must work to ensure that the programs that offenders require to safely reintegrate into the community exist, and are available to offenders while under sentence or following sentence.

General Environment

In general, the criminal justice system comes to the attention of the public when there are "media worthy" crimes. It was recognized that the "image" problem may increase the reluctance of citizens to have offenders in their communities or to pay increased taxes to support criminal justice programs. Corrections authorities need to have others in the community who are allies and share common goals.

ii) Examples of Partnerships

In Canada there are numerous examples of cooperative and shared initiatives in the areas of shared responsibility.

The family violence initiatives and the **Healthy Communities Project** of the federal government involve provincial, municipal and non-governmental organizations. Key to successful work in these complex areas is a recognition of the common interests and the shared goals.

The relationships of corrections, parole and police agencies were recognized as critical partnerships in the protection of society.

Several programs within Health and Welfare Canada were described which are a recognition of the importance of primary and secondary prevention, and recognize that reducing predisposing problems is a broad social responsibility, not only a responsibility of those in the criminal justice system.

Within Quebec, the Correctional Service of Canada has a tradition of working with others in the criminal justice system, and in the communities where offenders live and work. This has required careful and consistent attention to the demands that the Service can reasonably place on community services, and on how CSC can support programs that are necessary to support offender reintegration. In Quebec, it is everyone's responsibility to foster partnerships. Working relationships are viewed as the cornerstone of a results oriented service.

iii) Challenges to effective partnerships

Issues of territory and ownership were often recognized as possible barriers to effective partnerships. As well, it was recognized that offenders are frequently not seen as the first priority for community based treatment, educational or employment programs. Many programs are themselves vulnerable to funding cuts and waiting lists, and clients who have a history "failure" may be viewed as a threat to the program. There is clearly no shortage of clients.

Lack of clear expectations also limit the effectiveness of partnerships. It was pointed out that it is very difficult to find good descriptive or evaluation material on most programs, and that effective screening of programs may necessitate such material. The requirement for

evaluation of program outcomes may be viewed as inappropriate by service providers in the community or as a threat.

The lack of understood and shared goals was seen a particularly problematic. As illustration, the focus of probation in some areas has become one of surveillance with a view to re-incarceration. It was suggested that this type of focus will result in increasing numbers of offenders incarcerated. The goal of the probation service will clearly affect its policies, priorities and strategies. Thus, it may be inappropriate to share programs and supervision strategies with a probation service if their mission and strategic direction is contradictory to that of the correctional authority.

Community and public intolerance may be significant barriers to successful partnership. In the example of de-institutionalization of mental patients, it was suggested that the infra-structures did not exist to support those returned to the community, and that the community reacted with fear to the return of such people. Thus, communities responded negatively to the creation of community living centres or group homes out of fear for personal safety.

iv) **Attributes of Successful Partnerships**

- a) **Clear vision and direction:** A number of speakers stressed that it will be much easier to formalize relationships and share resources, information, and expertise when there is a framework which makes it clear what the objectives of the organization are, and how they are prepared to meet their objectives. This is a source of information to those within the organization as well as to clients and others with an interest in the mandate of the organization.
- b) **Recognition of Common interests and objectives:** It was suggested that cooperation is much easier if there are shared and understood interests. Alliances within communities that have shared interests are much easier to foster and support. This is particularly true when partnerships outside of the criminal justice system are considered.
- c) **Openness in Communications:** It was noted that for partnerships to prosper, it is essential that there be open communications, and that problems or issues be discussed at each level of the partnership. The field obviously needs to have the authority to take decisions, and to discuss cases, controversies, and issues with those with an interest in the issue. It was suggested that the culture of the organization may make it impossible to discuss an issue without finding fault. The ability of the organization to tolerate questions and to admit errors is clearly an attribute of successful partnerships.
- d) **Understanding the rules:** A number of examples were provided that indicate that the successful ventures are those where everyone understands the expectations, and the agreements are clearly understood at all levels of the organization. This is particularly important again in community corrections, where the community may use

different criteria to define "dangerous" or violent than those in the criminal justice system. Thus, to be able to effectively communicate with partners, it may be imperative that the assumptions taken for granted by some be made explicit.

Summary:

Given the need for cooperative relationships to ensure reintegration of offenders, corrections authorities may be required to play leadership roles in community development and public communications. This must be done within the framework and culture of the community. Those demanding partnerships must be clear on their mission, be committed to open communications, and understand that reintegration is everyone's business.

Session Rapporteur: Cathy Gainer

SESSION 4.3

Offender Rights

Papers presented by: **Alvin J. Bronstein, U.S.A.**
 John Conroy and Professor Michael Jackson, Canada
 The Honourable Justice James K. Hugessen, Canada
 John Tait, Canada (presented by Dan Préfontaine)

1. The Honourable Justice James K. Hugessen

Justice Hugessen provided an overview of the offenders' rights in Canada over the past fifteen years. He explained that as little as fifteen years ago, offenders had very few legal rights. In fact, correctional decision making was viewed by the courts as being exclusively an administrative matter not subject to judicial review or control except in the grossest cases of abuse or excess of jurisdiction.

Justice Hugessen suggested that the evolution that had been witnessed over the past fifteen years has been due to three factors, namely: the "discovery" by the courts of the administrative duty to act fairly; the willingness by courts to look behind and beyond the form of what is being done in order to find the true substance and effect; and the impact of the Canadian Charter of Rights and Freedoms.

In both the formal paper and the presentation, Justice Hugessen explained that the duty to act fairly or the principles of fundamental justice implies the right of every person who may be affected by a decision to know the information which is to be placed before the decision-maker and to put before the latter such information or arguments as may be appropriate. Additionally, offenders have the right to know the information which is a source of controversy.

In particular, Justice Hugessen criticized subsection 17(5) of the Parole Regulations which sets out a list of cases where the National Parole Board (NPB) is not required to supply information to the offender. It was his opinion that this section of the Parole Regulations lacked clarity and guidance.

Justice Hugessen concluded with the "prediction" that the courts, mandated as they are by the Charter, will likely insist on being involved whenever correctional decisions involving liberty place a public interest in confidentiality of sources in conflict with notions of fundamental justice.

Mr. Fred E. Gibson, Chairman of the National Parole Board, responded to the comments made in Justice Hugessen's presentation. Mr. Gibson referred to the Steele case in which the Supreme Court of Canada (SCC) rendered a decision to release on parole inmate Steele. Although this decision was taken on a narrowly defined basis, the NPB is still analyzing the implications of that SCC decision. Mr. Gibson also referred to the Gough case, in which the Federal Court of Canada ruled that Mr. Gough should have been informed of the confidential

information in possession of the NPB at his post-suspension hearing. Mr. Gibson indicated that Mr. Gough was released following this decision, but that the Court and the NPB will "carry the can" on this release.

2. Dan Préfontaine (presenting Mr. John Tait's paper)

Building upon the historical references made in Justice Hugessen's presentation, Mr. Préfontaine addressed the impact of administrative law in the corrections field. Specific reference was made to two Supreme Court decisions, namely: Martineau - Duty to act fairly in disciplinary cases, and Solosky - Inmates' correspondence with their lawyers (privileged correspondence).

The presentation briefly discussed the impact of the Canadian Charter of Rights and Freedoms in the corrections field. Again, specific reference was made to searches, drug testing, voting rights, visiting rights and female offenders.

Mr. Préfontaine went on to state that the impact of both administrative law and the Charter is reflected in many of the Correctional Service of Canada's (CSC) initiatives, namely, improvements to programs and services for aboriginal offenders, improvement to the special handling unit concept, etc. Reference was also made to the government's new draft Corrections Act.

Mr. Préfontaine concluded his presentation by suggesting that Justice Canada and the CSC will need to continue to work together considering the evolution of administrative law issues being raised in the corrections field.

3. Alvin J. Bronstein

Mr. Bronstein expressed concern about the state of human rights for offenders, not only in the United States and Canada, but in other countries as well. He went on to list the types of offender rights that should be protected such as; the right to personal safety; the right to care; the right to personal dignity; the right to work; the right to self-improvement; the right to vote; and the right to a future.

One of the ways of protecting these rights was through a process of "normalization". He expressed the opinion that correctional authorities should attempt to provide as normal an environment as possible. The argument was made that by providing a normal social working and living environment, the transition for offenders back into the community would be safer and easier.

Another theme that Mr. Bronstein touched upon was the concept of outside review processes. He cautioned that outside participants or volunteers sometimes become "captives" of the institutional environment. The occurrence of this phenomenon means that any positive influence that members of an outside review process may have to ensure fair and equitable treatment would be diminished.

Mr. Bronstein concluded that prisons have nothing to do with crime control and that a correctional system based upon vengeance and punishment must move towards a strategy that is rooted in principles of justice, equity and human decency.

4. John Conroy and Michael Jackson

Mr. Conroy was of the opinion that with an increase in the number of lawyers practising "prison law", it was likely that the rights of offenders will increase. He stated that "prison lawyers" are committed to ensuring that the Mission Document of the Correctional Service of Canada, the principles of fundamental justice, and the Charter, are observed and respected by correctional administrators.

Mr. Conroy went on to reiterate the legal principles of the duty to act fairly and the rights contained in the Charter as well as review of Section 15 and Section 1 of the Charter.

Professor Jackson expressed the opinion that there was a discrepancy between positive correctional intentions and the reality that offenders experience while incarcerated. He argued that given the environment in a maximum security institution, it was difficult to deliver the spirit and intent of the CSC Mission Document.

Professor Jackson suggested that there was a need for legislative rules to control the discretion exercised by decision makers within a correctional environment. In particular, the draft Corrections Act was criticized for maintaining the status quo and not being more progressive.

He concluded with the suggestion that partnerships between correctional authorities and offenders would help to eliminate abuse of power.

Session Rapporteur: Judith McGee

SESSION 5.1

Implications for Staff-Offender Interaction

Papers presented by: **John Duggan, Canada**
 Professor Tony Peters, Belgium

1. John Duggan

John Duggan, in his paper and subsequently in his presentation, stated that staff/inmate interaction is a key component to the success of correctional operations. A continuing obstacle to this success is the dilemma faced by officers, that of maintaining custody and control while acting as agents of change or treatment.

Because officers must continually face this dilemma, the selection and training of staff to fulfil the roles expected of them is crucial, as is the re-training of existing staff to meet new expectations of them. For staff to effectively work with inmates, specifically by maintaining a high level of interaction, it is necessary to have an acceptance of the corporate culture and both the commitment and motivation of staff members to change. Those who are unable or unwilling to change must be confronted. Institutional management, as by Unit Management, can compliment the corporate direction and, indeed, can maximize the expected staff/inmate interaction.

Even the physical environment of the prison can enhance or hinder staff/inmate interaction. How prisons are built reflects the commitment of management to the principle and the expectations of staff. If supportive, physical obstacles to interaction will be reduced or eliminated and structures will provide greater opportunities for exchanges between staff and inmates. When physical structures are changed, attitudes and beliefs among both staff and inmates are challenged, resulting in openings for the development of other, more constructive interactions. Critical to the process is the assurance that the safety of staff is not jeopardized by these new relationships. Equally critical is the challenge of change offered to inmates, a challenge to break away from their criminal culture and values.

Appropriate correctional programs provide the best vehicle to effectively influence the offender population. However, it is important that staff not let their abhorrence of the offenders' crimes become an impediment to constructive relationships with the offenders. In fact, the outrage towards the crimes committed is real and a part of the identity of socialized human beings. It can be rendered constructive and shared with the offenders, and perhaps the offenders may begin to share the view that the crimes were unacceptable. Officers, who must impose sanctions on inappropriate offender behaviour but still maintain a caring interest in the individuals, must have skills of a high order founded on honesty integrity, understanding, and tact.

The focus of programming and of interactions between staff and offenders should be criminogenic factors and ultimately the correction of criminal behaviour. When staff understand the strategic importance of the targeted factors, the real challenge is to work with

the offenders and provide opportunities for meaningful change - a subtle and demanding task requiring flexibility and judgement. Staff must choose the right times to give direction, the right times to be firm, and the right times to say nothing at all. It is through their fairness and dependability in dealing with offenders that correctional officers can present a powerful impetus for change.

The continuing training and development of staff must remain high on the agenda of a correctional organization in the 1990s, so that the knowledge and skills can be further enhanced to meet the increasing demands of their roles. It is equally important that staff members, each having a unique contribution, must work together as members of a correctional team and communicate effectively with one another. This concept of teamwork further broadens the opportunities for meaningful interactions between staff and offenders and provides a consistency of approach to the offenders which serves to encourage and reinforce changing behaviour.

Neither the staff/offender interaction nor the correctional programming stops when the offenders enter the community on conditional release. Perhaps both become even more critical as it is only in the community that the offender can put to the test the changes in behaviour, and support and assistance can help avoid failures which may be costly and harmful to others. The community itself must also accept its responsibility in the successful reintegration of offenders. Within the community, the staff/offender interaction should be gradually supplanted by the building of relationships between the offender and other members of the community.

Effective staff/offender interaction is fundamental to good corrections, perhaps the most important single endeavour. Offenders can benefit, as can staff members. Staff benefit from the enhancement of their correctional role which, in turn, leads to high levels of satisfaction and fulfilment. The meaningful interaction between staff and offenders makes the term "corrections" mean something.

2. Tony Peters

Before one can work towards optimizing staff/offender interaction, it is important to examine the particular conditions of the prison and the relationships of that social institution. Without this, only a partial approach, that of improving human relations, is likely to result. In his examination of the prison system in Belgium, Tony Peters has focused his attention on the lowest level of line staff, those who often have the greatest difficulty dealing with their jobs, those who may be the weakest in the prison.

Staff/inmate relations are highly dependent on the way penal and penitentiary policies are perceived. The nature and the quality of the interaction in the prison are determined by the aims of the correctional system. Confusion about the aims can lead to inappropriate choices of strategies and tools and create conflicts about the purposes of correctional action.

Changing ideas and preferences about corrections cause doubts and confusion among prison staff. Whatever the policy, there will be some individuals who disagree and who express their disenchantment. For them, a positive identification with the correctional organization employing them is not easy. For example, in Belgium today, the homeless, children, the mentally disturbed and fine-defaulters are among the groups being incarcerated. The prison officers must work with these people and keep them in prison, while at the same time hearing the public discussion that these people should not be sent to prisons.

In Belgium, there is no formal penitentiary policy. This is evidenced in the piecemeal approach to sanctions and the enforcement of the prison sentence. Attempts to develop links between sentencing and the administration of the sentences remain in their infancy, while attention is focused on reducing overcrowding. Overcrowding itself and the types of individuals being incarcerated create particular problems for prison staff. Staff are burdened with strictly administrative duties and their relationships with offenders are complicated by the conditions and often lead to conflicts. It is interesting to note, though, that the prison staff and inmates can also unite in their opposition to the lack of direction, as they have done recently against a parole policy which has lost its legitimacy because of its unpredictability and tardy application.

Inside the prisons, the conditions serve to hinder effective staff/inmate interaction. More discretionary power has been granted to the prison wardens but neither the legal status of the inmates nor the expectations of staff have been clearly delineated.

With the unclear assignment to "treat inmates more individually and with tolerance", staff have learned to negotiate with the inmates to keep the prison under control. This leaves them in a weakened position and vulnerable to illegal activity, blackmail and fraud. The development of a more open and flexible prison regime has left the custodian at the bottom of the hierarchy and the gap between the custodial officer and the warden has widened as specialist others, such as psychologists and social workers, have become a part of the prison. The low status, low salary and exclusion from the decision-making in the prison have resulted in a marked alienation from their jobs for the guards. They remain overburdened and stressed by a chronic shortage of personnel, high turnover rate, a lack of alternative job options and poor training. All factors contribute to increased tensions, declining security, and less than effective or meaningful staff/inmate interaction.

To overcome these obstacles to effective staff/inmate relationships in Belgian prisons, fundamental reform of the penal policy and far-reaching change of penitentiary policy are necessary. The following axioms should guide this change:

- a strict minimalistic imposition and enforcement of prison sentences;
- the development of viable alternatives which meet the needs of both the offenders and the victims;
- a strict respect for the fundamental rights of prisoners;

- recognition of the offender's liability for punishment and the responsibility for addressing the problems of delinquent behaviour;
- protection of the inmate against the negative effects of confinement;
- staff intervention concentrating on motivating the offender to change, maximal community interaction and the strengthening of a pro-social image for the offender.

In order to ensure that the inmates are provided with the required guidance, the roles and tasks of the custodial officers must be redefined. These staff members are in a strategic position to achieve any intended results with the offenders. First, though, the improvement of the status of the custodial staff, of their recruitment and training, must be a priority for the prison administration.

Optimizing staff/inmate interaction is a cornerstone on which the future of corrections rests. In Belgium, as perhaps in other jurisdictions, the prison system itself and the contributions of the staff members, specifically the custodians, must be redefined and strengthened to allow staff to effectively interact with and assist offenders

DISCUSSION

JOHN CONROY (Canada) indicated that staff/inmate relationships in federal corrections have improved significantly over the last fifteen years. This improvement may, in part, be attributable to the increasing number of women employed in corrections and to the professionalism of all staff. Mr. Conroy pointed out that relationships between staff and counsel have also improved in the same period. The role of counsel in correctional institutions can be positive, for example in assisting officers to motivate inmates' participation in programming.

KARL-JOHAN LANG (Finland) pointed out that problems for staff at the lowest levels are not taken into account by administrators, because the latter either fail to listen or may not be told. Mr. Lang expressed some consternation that the idea of decency among inmates and its cultivation had not been discussed. He also stressed that the size of the prison - in Finland, maximal size of 80-110 inmates - can facilitate staff/inmate interaction.

OLE INGSTRUP (Canada) noted that the application of good management practices may add to the problems of staff, especially for the first-line managers. The front-line supervisors and low-level managers are being empowered and they must be provided with the tools to help them adapt to their new roles and the altered expectations of them. The desired changes will take time.

JOHN DUGGAN (Canada) explained that the Correctional Service of Canada is modifying its treatment of the portion of the inmate population requiring protective custody. Now the inmates who prey upon their fellow inmates are being targeted and may be isolated, rather than automatically segregating the victims as before.

BJORN WEIBO (Sweden) stressed the importance of involving front-line staff members in the planning for any change in the working environment.

PETER MCKINLAY (Scotland) stated that a correctional system must empower the prisoners as well as staff, but first the staff members must feel secure enough in their own roles. One cannot ask staff to hand over power that they feel they haven't got.

PERRY JOHNSON (United States) emphasized the fact that the size of the correctional facility becomes of enormous importance when moving towards normalization and any change requires considerable management. He also noted that informal relationships between staff and offenders can be strong and that these relationships sometimes are destroyed when procedures, e.g. disciplinary procedures, are formalized.

MICHAEL JACKSON (Canada) gave examples of counsel encouraging offenders to seek alternatives to litigation which resulted in effective and responsive solutions to their problems. Lawyers can work with inmates towards the collective best interests of the inmates, staff and administration and they can be a complimentary force to assisting successful reintegration of offenders.

NORMAND CARRIER (Canada) described the necessity of reviewing the role and expectations of the front-line staff to move towards a helping function from one of simply guarding. He cautioned that it is essential to obtain union support for the changing roles.

JIM MCMANUS (Scotland) reminded everyone that prisons should be considered as abnormal and that their image should not be improved to the point that judges will send even more individuals to prison.

The Chairman concluded the session by stating that the challenge for the future is to have people understand that prisons can be agents of change.

Session rapporteur: Liz Baylis

SESSION 5.2

Correctional Professionalism and Public Confidence

Papers presented by: **Harold Levy, Canada**
 Rob Nicholson, Canada
 Jane Pepino, Canada
 Ron Stewart, Canada

1. Harold Levy

According to Harold Levy, the role of the media - and indeed their primary role - is that of a public watchdog. As such, journalists must deal with increasingly complex subjects, hence the constant battle to make some sense of this complexity in order to report the news. The complexity of the subjects is in fact enormous, often surpassing the capability of reporters, who are not equipped to deal with much of this specialized information. Before reporting the news, journalists must understand the information they receive. The best method is to approach specialists, establish contact, and hope to be able to assimilate the information sufficiently to present it in a form understandable to the general public.

In the correctional context, input by correctional authorities who come to the media is an eye-opening experience. A human face is given to problems, and correctional issues, which are fundamentally human, take on a human character. Factual information is extremely important to journalists. It is therefore of prime importance that they have access to knowledgeable people who are available to provide them with information and assist them in interpreting it.

The main problems encountered by reporters in the course of their work are not linked to misinformation but to the limited amount of information they obtain. If, in addition to having limited information, they do not have a good grasp of the subject being dealt with or the specific aspects of a problem, they do not really know what to ask. Obviously, they do not obtain pertinent information as a result. This creates an atmosphere in which information is indirectly suppressed. Failure to come forward at the initial reporting stages and to volunteer to provide information over an extended period of time is probably one factor that contributed to magnifying the effect of the Stanton affair in the Toronto media. It is not so much that specific people were guilty of particular offences but a feeling that something was very wrong with the whole Correctional Service of Canada organization. From there, the situation deteriorated by the day: the lack of precise, factual information coupled with the atmosphere of secrecy surrounding the affair further pushed reporters - and in their wake the public in general - to believe that there was something to hide.

There is one very simple lesson that can be learned from all this by professionals in the correctional area: exercise openness, be at the forefront of events and the news and be able to recognize the important issues, particularly those of public interest.

2. Rob Nicholson

Rob Nicholson began his presentation by saying that Canadian public opinion is based largely on United States information sources, and the resulting perception, relating to criminal justice and corrections in general, is that there has been an alarming increase in the number of violent crimes in Canada. We know, of course, that this is an exaggeration. In reality, there is much less violent crime in Canada than in the United States. However, even if the public's perception is distorted, it persists, and we must keep it in mind.

The media, for their part, tend to focus on sensational incidents. This sensationalism is a large part of what the public receives as information. When added to the constant attacks on the criminal justice system, this obviously results in a deterioration in attitudes, despite the inherent complexity of the many components of the Canadian criminal justice system.

The public lacks information, but the media alone cannot be asked to compensate for this lack of information and understanding by the public. We too have a role to play. The Canadian public increasingly expects public organizations to be more effective, efficient, accountable and open. With respect to the criminal justice system, which includes corrections, the public expects a concrete response to its constant fear of criminal behaviour in society. The result is an insistent demand for a harsh attitude toward crime.

In addition, the increasing number of lobby groups today, which are more sophisticated and better informed, creates an even more difficult environment for public organizations.

Once again, true openness should be the initial response. The Correctional Service of Canada, through its Mission Statement, has made a commitment to be open and closer to the public and to seek ways to involve the public when fundamental policies are being formulated. This approach is a necessary one that, as a preferred source of information for the public, may in the long run begin to have an impact on public opinion and, hopefully, on the public's awareness of organizations that work in the criminal justice domain. In a broader context, this attitude of openness and consultation is also perceived as critical for maintaining confidence in the operations of the government in general. This is well expressed in the white paper on the renewal of the federal public service (Public Service 2000), published by the Canadian government last December.

While we must as a system have the public's trust, we must also know how other components of the system work together. We must find ways of educating each other within the criminal justice system, particularly with respect to the contributions each component makes to the ultimate common goal of protecting the public.

With respect to professionalism, it can be said that is present in an occupation requiring education, training and specialized experience. This is true for all components of the criminal justice system, in that we must constantly remind ourselves that we are not dealing with the manufacture of some consumer product, but with individuals rights, whether those of the general public, the victims or the offenders themselves. This places particular emphasis on our responsibilities.

The idea of professionalism leads the public to expect and trust that highly efficient work will be done, work that meets certain performance standards. This also means that the public must have clear expectations of what can and must be expected from the various components of the system. Dramatic failures erode public confidence. All those involved in the criminal justice system must be very aware of the public's reactions when such incidents arise and show that they are sincerely committed to learning from these events, and being ready to make the necessary improvements to policies, programs and practices to minimize the chances of a recurrence.

3. Jane Pepino

In her presentation, Jane Pepino reminded people of the tragic events that led to her heading the inquiry into the murder of Tema Conter in Toronto in 1987 by an offender who had been on temporary absence and staying in a community residential centre in Toronto. In the minutes and hours that followed the discovery of Tema Conter's body, the name of the offender, Stanton, who was suspected of committing the crime, permeated the media. In the following hours, there were contradictory details, deficiencies in the follow-up of information and one ineptitude after another. Eight hours after the event, the Correctional Service of Canada could not even provide a photograph of the offender accused of having committed the crime. The various components of the criminal justice system - the police, the Correctional Service of Canada, the National Parole Board and the Union of Solicitor General Employees - blamed each other. There was total confusion. The population of Toronto protested what it perceived to be a faceless bureaucracy. Fourteen hours after the incident, Jane Pepino was asked to head the inquiry into the events which had occurred.

She found that there is no substitute for excellence and professionalism. In the above case, no one could be blamed, but no one was without blame. The level of public trust had fallen so low that the very existence of halfway houses for offender rehabilitation was called into question.

The lessons drawn from this event were very hard ones: while there is general agreement on the purpose of the Correctional Service, everyone must focus on the same goal. At the time of the event, it was observed that those working within the Correctional Service of Canada were more preoccupied with their territorial disputes than with performance standards, hiring practices and verification of the effectiveness of services in the community. Decisions relating to offenders were based on the premise that since the offender must one day be freed, any decision that could delay the offender's release could also harm the offender.

As for what was done about the risk, the analysis showed that it was very difficult to demonstrate the progress that Stanton had made during his prison term, and that his limited progress had been weighed to determine the degree of risk that would be involved in releasing him for any period of time, regardless of how short. There was no record in the Correctional Service of Canada's files or those of the National Parole Board that Stanton had

been found guilty of manslaughter of a sexual nature while a young offender. Ignorance of these elements, which were pertinent to the case, on the part of correctional authorities was unacceptable. The loss of public trust was considerable.

What are the lessons to be learned from all this? Be open and discuss problems freely. As a professional, develop performance standards and ensure they are adhered to by making periodic checks. Bear in mind at all times the very essence of the work to be carried out: evaluation of risk and its suppression in the community. You have a social contract with the community to ensure the public's safety.

This contract is a fragile one, where trust is easily lost. One must be extremely careful where sexual offenders are concerned. There is a growing feeling within the population that the courts have not up to now fully understood and appreciated the extent of sexual crimes and the impact they have on victims. Those in charge of the various components of the criminal justice system must be more aware of the scope of these crimes and the measures that must be taken against perpetrators.

OLE INGSTRUP (Canada): The overall responsibility of correctional services and the National Parole Board should be carefully placed in perspective. Annual statistics show that of the nearly 2.3 million crimes reported in Canada in 1990, less than 1,000 were attributed to offenders still under the jurisdiction of a correctional organization. Of 650 murders, only one was committed by an offender whose sentence had not yet expired. This perspective is essential, because the Correctional Service, like any other public organization or organization that serves the public, must determine what the reasonable expectations are - in other words, what can and cannot be asked of a correctional organization.

BJÖRN WEIBO (Sweden): Of course, planes are not supposed to crash, but they do from time to time. After a person escaped for the third time from a high security wing, we had to face very strong pressure to prevent anyone from ever escaping from such places again. Our response has remained firm: we can build a prison that is one hundred percent secure, but it would be inhumane. It is very important that we keep a sense of perspective. Measures must not exceed the limits acceptable to a civilized society, and a prison from which no one can ever escape is not acceptable in a civilized society.

JANE PEPINO (Canada): It is not so much that tragic events occur, since we all understand that it is inevitable that accidents will happen at one time or another. What can be extremely frustrating is that when an accident occurs, there are flagrant gaps in the process or in the way an individual or case has been dealt with. The more professional correctional services are, the easier it will be to analyze incidents and explain how they occurred.

4. Ron Stewart

On the whole, correctional authorities and employees must behave in a manner that is beyond reproach and encourages public trust in the correctional process. Sufficient effort must be devoted to bringing the correctional service's professionalism to light so that the public will be aware of it.

Professionalism can be defined as the way in which knowledge acquired takes the form of values. The core values become an integral part of the organization and the profession when correctional employees incorporate these values into their daily interactions with offenders.

These values must be communicated to offenders so that they can assimilate them. Some processes used to achieve this integration in the correctional domain are education, case preparation, the processes designed to encourage offender participation, and adjudication.

No one can deny the importance of education, which gives the offender a feeling of personal worth.

Case preparation demands that case management officers be open and honest and that they observe deadlines for the presentation of reports. They must also be consistent. Meetings must be held often, to make the offender feel that the plan is also his plan.

Offender participation in the processes to which they can best contribute must be encouraged. Grievance committees, inmate committees and so on can be very effective when the staff encourages inmates to achieve results.

The staff must take adjudication functions seriously. Our experience has shown that there are as many complaints about the process as there are about substantive aspects of decisions. Offenders must be treated fairly and be given the information used to make decisions. Fairness encourages self-respect and respect for the offenders and does not give them the opportunity to place the blame on whoever makes the decisions.

In these four areas, the staff has an opportunity to demonstrate its support and its faith in the organization and the personal values encouraged by the organization.

Despite the staff's efforts and good will, traditional communication with the public will not be successful in changing the public's well-established views on prisons, whether these views or opinions are good or poor. The public must be directly involved both as representatives of the interests of offenders and as active participants.

Citizens' groups have traditionally had and continue to have a voice inside prisons. Other roles suggested for the community are in the area of educational, literacy and on-the-job training programs. Other ways of including the public could be to involve them in committees on temporary absence, visiting rights, work placement and segregation - all valuable forms of participation. Representatives of the general public could be involved in program verification and evaluation. These activities could increase the credibility of processes and recommendations.

Such increased participation by communities could add to administrative problems, and some time would be required to bring about real change. However, the benefits may outweigh the difficulties, for both individuals and the organization. Such initiatives could, at the very least, increase the degree of understanding of the system and be very worthwhile for those involved.

Session Rapporteur: Denis Méthé

CLOSING REMARKS

The Strategic Framework

Ole Ingstrup
Symposium Chairman

The week spent discussing the future of corrections was extraordinary, not because of the fact that corrections has been discussed and not because the future of corrections was the subject, but because of the way in which the future of corrections has been approached. All too often, debate about the challenges of the future only focuses on obstacles and complaints of insufficient resources.

If the Symposium had a Mission, it would be "to help corrections make a better contribution to the quality of life in the communities we serve".

The principal strategies that were used in achieving that Mission have been:

- to open a dialogue in a forum of committed and dedicated individuals who have an intense interest in the subject
- to organize discussions along the lines of a strategic framework;
- through that process, to tackle some of the absolutely fundamental issues and concepts, values and assumptions which, too often and in too many systems, have been left unchallenged, even unidentified;
- to use tactical and strategic examples as illustrations and sources of inspiration rather than as recommendations for isolated action.

The full benefit of the week's work can only be achieved if individual systems are prepared to invest the amount of time and work required to clarify their own strategic framework for future operations, and to demonstrate determination to make it happen.

Our contribution can only be fully made once a thorough analysis has been made of the papers, presentations and discussions at this Symposium. We have probably achieved 75% of what we set out to do. However, unless we are willing to go the last 25% of the way, we will only benefit marginally in terms of our potential impact on the future of corrections.

Every presentation and intervention made throughout the Symposium was of high quality. We benefited from 41 formal presentations and open discussions on the issues. The incredible amount of work invested demonstrates a strong commitment to corrections and correctional issues. It has also highlighted the importance and the urgency of discussing a strategic direction for our profession.

Corrections is unique in its relations with the public. The public, in general, does not demand that hospital doctors apply a certain technique when they treat their patients. They want a cure, but are less concerned about the treatment methodology. They focus on results, not on process. In corrections, it is different. The public seems to focus much more on the process than on results; and that has, in my view, led to less protection of the public than I believe corrections is capable of delivering.

What is even more disquieting is that correctional workers, as well as leaders, have tended to lose sight of results and have turned their attention to the process. In doing so, we have been working at satisfying what we have perceived as the public's desire. The absence of criticism of the correctional process has become the primary outcome which corrections has been striving for, rather than a better protection of society against recidivism.

The public is not to blame for this unproductive state of affairs. Corrections must take responsibility for a productive refocusing of public attention. We must convincingly argue that the public's interest is best taken care of when correctional activities focus on risk reduction rather than the punitive element. We must also convincingly demonstrate that we are capable of contributing to the protection of society by safely reintegrating a significant number of offenders back into society as law-abiding citizens.

It is clear that the number of offenders who end up in our prisons is very small. Very few crimes are reported, less are cleared. Most criminals are never caught. The public rarely questions the danger that this represents. They rarely question the numbers of offenders that "fall out" of the system along the way. The criminal justice system only identifies and deals with a small part of the actual amount of crime and a small number of criminals on the streets. Yet if one offender is released early from a prison and commits a serious crime, the public is vocally concerned.

This is our reality.

There are different strategies which can be used to address this issue. We could tell the public about the many challenges and problems that we face. That, in my view, is not the way to go. We can, more usefully, describe what we see as our role and identify how we will measure our performance for the public. Once we have succeeded in setting our direction, those indicators of performance follow without great difficulty.

We have made the basic assumption that what people want is a quality society with an acceptable level of crime. The quality of life in society is defined differently in different countries. It is important to note that we are not aiming for a crime-free society, but a society where there is a realistic and tolerable level of crime.

Much discussion took place over this week regarding the ultimate goal of corrections and we reached the conclusion that "we contribute to the protection of society". That is our ultimate objective. Punishment is, in itself, a strategy, not a purpose. Contributing to the protection of society is an objective, not a strategy.

We need to talk to those who hold the responsibility for the key decisions and those who have an impact on issues of liberty and punishment. There is a clear recognition at this Symposium that what we in corrections do has very little impact on the overall level of crime in the community. We must make this understood.

Constantly working towards a society with an acceptable level of crime is shared with other components of government - education, housing, labour, social welfare - and with each community, the family and the church. We in corrections are not alone and cannot accomplish our overall objective alone. We are co-responsible and co-interested partners.

We can and must start a dialogue with the public about the realistic contribution that we can make. What we can do is clarify expectations - we are not the "owners" of criminals, nor should we be held totally responsible or accountable for their behaviour. Offenders belong to, and will return to, local communities.

So we must speak to those communities. We must make it clear that offenders are not the "property" of corrections. We can tell them that we cannot and should not have the power to keep most offenders under our control forever. We will do our best to help solve crime problems, particularly recidivism, but it must be clear that the community has a vested interest in our success. It is a shared responsibility. Working together, we have the chance to have an impact.

Corrections is only one part of the formal criminal justice system. We need to have closer collaboration between the components of the system. We need to define what we believe is "good corrections" so that we can inform our partners and colleagues what corrections realistically can and cannot do.

We need to talk to judges, but we also need to listen to them. We must try to understand their needs and how to meet them. We also need to recognize that there is validity in having different, though complementary goals. The goals of the judiciary do not have to be the same as the goals of corrections.

Again, the message is that the size of the corrections system has little impact on the rate of crime. In dealing with our partners, we should take a minimalist approach to the use of incarceration to reinforce the importance of each community developing strategies, services and programs to deal with their citizens. Concerted efforts should be made to bring to a conscious level, in our colleagues and the public, the idea that maybe they are asking for the wrong things when they ask for longer sentences and more prisons. Resources could be more economically and effectively used in the community to prevent crime and thus protect society.

We must also be sensitive in sending this message that we do not belittle the efforts of our staff and that we maintain a sense of purpose in this large group of dedicated people.

There will, for the foreseeable future, be a need for prisons to deal with the relatively small group of serious, dangerous offenders we have in society. At the same time, there are many offenders who can be managed in the community without serious risk to the public.

We must constantly emphasize the doctrine of prison as a last resort. We must also demonstrate by our own actions in preparing offenders for release that we believe this. Some people will be incarcerated because of the danger they pose to society. Imprisonment is also the final, ultimate backup sanction that makes possible many other types of punishments.

What then is the basic purpose of corrections?

Corrections contributes to the protection of society. The basis of our existence is the public need and desire for protection.

Corrections plays a major role in ensuring the safer, inevitable reintegration of offenders through the provision of effective case preparation, effective programs and supervision in the community.

We have spoken about risk assessment and management. There was considerable discussion before we could agree that risk can be assessed, at least on a statistical basis. Risk assessment is nothing magic; it is something we do daily in all aspects of our life. When a doctor diagnoses a condition that requires surgery, he assesses the risk of not doing the surgery against the risk of the procedure itself. It is not much different in corrections. We cannot say with confidence that we are always right, but to say we cannot assess risk at all is equally untrue. We will continue to improve and to develop our abilities in risk assessment.

In the field of corrections, we use risk as a basis for many decisions on the continuum - security classification decisions, release decisions, probation and parole revocations or interventions.

If we forget risk management, terrible mistakes can be made. We must always keep in mind that good institutional behaviour and program participation do not necessarily reflect a reduced risk of re-offending. After several years of incarceration of an individual, it may be easy to forget why that individual is incarcerated in the first place.

As important as establishing values is the exercise of developing those values. In attempting to define the fundamental values which guide us, we must challenge our assumptions and beliefs so that when we describe our relative roles and responsibilities, we know why we say what we say.

Many of the issues identified as values may well be strategies to effect those values. More work will need to be done to separate these important issues and statements and to determine how they will fit into a strategic framework.

A number of fundamental values and key strategies were identified. Most important among these were the issue of responsibility and accountability (involving offenders, staff, partners, sharing of information, etc); honesty and integrity; belief in and respect for human dignity and worth (the right to personal growth and development and a recognition that there is a potential for change); and openness. These are fundamental values that serve as driving forces, but also act as realistic limits to action.

The values of respect and individual dignity are not limited to offenders. They must form the basis of all our relationships - with staff, with victims, and with the public.

Openness is both a value and a strategy to ensure public confidence. We owe it to the community.

Many important issues were brought up by the Symposium delegates over the course of the week. These will need further consideration, but are included here to ensure that they are not forgotten.

Protection of individual and human rights is critical. If people are to be treated with dignity, we cannot ignore their inherent rights.

Much discussion took place on the issue of partnerships. Formulating this concept will require additional work, but should address issues such as shared responsibility; productive relationships - shared goals, complementarity, mutual agreement, etc; the partners we have in the criminal justice system, our political masters, volunteers, private organizations, staff, victims, offenders and the public; and finally the sharing of information and knowledge, as we have done here over the past five days.

We have an obligation to provide humane conditions that provide accommodation and services in the cultural tradition of the country and its peoples. This means the provision of basic services that are normally available to the community at large. Recognition of the cultural traditions of the country will also allow us to address critical issues of social inequality.

The barriers we put in place in our correctional institutions should only be those that are necessary to carry out our goal of public protection. We must recognize that we are talking about correctional institutions, nevertheless, "normalization" is a key strategy for putting into action our belief in respect for the dignity of individuals. This is perhaps one of the principle strategies we should pursue.

We must also reflect on the issue of society's obligations to provide us with the resources necessary to meet the expectations placed on us. We can work to change those expectations, but we must impress on others that we do not and cannot exist to solve societal problems in isolation.

Corrections has a role in educating others. We, as correctional professionals, have an obligation to inform and educate the public and our partners. There appears to be consensus that this is one of the most critical areas that we must address.

We need also to think of our ability to influence others and gain support for our actions, a role we not only can, but should, play. We must constantly and consistently work to achieve improvement in what is perceived to be an ineffective system of criminal justice. It is

important that the delegates reached a certain consensus - that is a powerful tool when we return to our respective jurisdictions and try to get our message out. We must actively and aggressively seek to influence those who can make changes for the better, i.e. in support of the overall objective of corrections.

The activities undertaken during the Symposium should not be seen as our attempt to "drive" the correctional agenda around the world. What we can do is to influence the future actions of others in a positive way by sharing our professional judgment. If we can do that, we as a group will truly have made a significant contribution to the future of corrections.

This does not happen without the dedicated work of all delegates when they return. We should seek opportunities to share our thoughts with others and to elicit interest and support.

A well defined and crafted "draft" of our statement of vision should be shared widely. It is not meant that the document will be carved in stone or that we will attempt to inflict our ideals on others. We want to create a document that provides a stepping stone for future action. What is done with that document must be determined by each system in search of a better future. To some it will be an affirmation of current direction, to others it will be a guide for development. The document will serve as a starting point for discussion and consideration.

As leaders in the correctional field, we are in a unique position to demonstrate to others that we have given thought and consideration to the role of corrections in our own countries. We have been able to make a start at articulating a vision and we must continue to work to influence what we have all agreed to as necessary and fundamental change.

The process begun during the Symposium is evolutionary.

A complete analysis of all the documents submitted and the presentations made at the Symposium will be undertaken. A working group of Correctional Service of Canada staff will support an editorial group in drafting a strategic framework, based on our discussions. This will then be shared with all delegates.

We have taken the first steps towards an international impetus for change.