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/ REPORT

ON THE

MINISTRY WORKSHOP

MARCH 1977 /

Canada.

MINISTRY OF THE SOLICITOR GENERAL

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1977

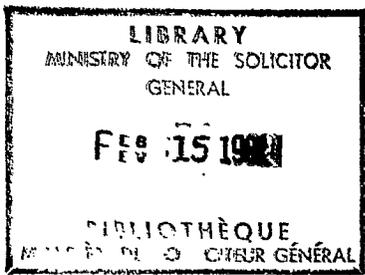
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(i)

NOTE TO THE READER

In March 1977, the Solicitor General, the Deputy Solicitor General, the Commissioner of the RCMP, the Commissioner of CPS, and the Chairman of NPB spent a two-day working session to discuss a series of major concerns facing the Ministry of the Solicitor General.

The last Ministry Workshop report (October 1976) had noted that relatively little importance was given to agency priorities. In the past, the pressing need to develop a comprehensive Ministry Planning and Evaluation Process had focused attention mainly on issues of direct interest to more than one agency within the Ministry. Through a Senior Policy Advisory Committee (SPAC) resolution, a discussion of agency priorities was included at the March Ministry Workshop.

In fact, the first 'raison d'être' of the Workshop was to offer to the Solicitor General and the Agency Heads an occasion to discuss their main areas of concern and to plan accordingly. In a Ministry such as the Ministry of the Solicitor General, we feel the planning and evaluation process should be a support to SPAC to identify Ministry policy thrusts, to define and develop them, and to evaluate their efficiency and effectiveness. Accordingly, the second goal of the Workshop was to review the Ministry planning and evaluation process and search for appropriate tools.

This report will briefly describe the concerns discussed at the Workshop, will give a brief report of the 19 Ministry projects and will present a Ministry planning and evaluation model discussed at the Workshop.



## I. MINISTRY MAJOR CONCERNS

### 1. Solicitor General's concerns:

- National Unity
- Open Government
- Sensitivity to the Public

#### i) National Unity:

The most important issue facing Canada for the next few years will be national unity. All government departments will participate in the debate. The Ministry, because of the fragmentation of jurisdiction of the criminal justice system, in particular of police, corrections and parole, will, of necessity, have to reassess federal/provincial relationships. The three Ministry Agencies will be examining their federal/provincial roles in the context of the provincial aspirations and these concerns for national unity.

In recent years, the provinces have asked for additional consultation, more expediency in developing federal legislation, better planning mechanisms, and financial assistance to meet federal legislation standards. All components of the Ministry of the Solicitor General (MSG) have a responsibility to examine objectively and openly, the actual mechanisms now used to deal with federal/provincial problems and to review them with the Solicitor General.

Participants agreed that a raising of consciousness throughout the Ministry, particularly in the regions, about issues which would or could impact on questions related to national unity should be encouraged. As a primary concern: efforts be directed at having the necessary machinery to ensure the smooth functioning of the Criminal Justice System so that the government's ability to deliver its services effectively and in a responsive manner could be improved at every opportunity.

#### ii) Open Government:

The federal government with its human rights legislation including the Privacy Act is giving concrete indications of its willingness to open more the government administration to the public. Moreover, the government wishes to develop new ways and means to increase public confidence in its operations.

The Solicitor General is inviting the Secretariat and the Agencies to examine their present policies and guidelines concerning the access of the public to information which

they control in this regard and to come forward with policy proposals, if such are necessary, in the light of this priority.

It was agreed by the workshop participants, that sharing more information with the public would raise the level of public understanding and discussion on many issues. An effort should be made to publish more research projects and consultation projects in a language meaningful to the layman. Internal memoranda and reports which contain information of substance on the criminal justice system should be considered for release to the public, where possible. The new policy on releasing background material for a Cabinet memorandum should be used as a model.

iii) Sensitivity to the Public:

The general public and specific subgroups of the public are becoming more and more involved in the criminal justice system. The visibility of law enforcement, corrections and parole has heightened in recent years, and it was agreed that the MSG should readjust and be responsive to increased public sensitivity to its role.

The different publics express their concerns in a number of ways: they write to the Minister privately, write to newspapers, use radio/television/demonstrations, etc. The Secretariat and the Agencies should examine means of improving their responsiveness and of becoming more sophisticated in their public relations.

The Solicitor General's concern on sensitivity to the public is closely related to his previous concern on an open government. All the Workshop participants agreed that if the public knew more about the problems within the Criminal Justice System, its criticism of it could decrease and its involvement might increase.

Participants requested that an analysis of the blue docket system be completed for review at SPAC's first meeting in April, and suggested that once this report has been reviewed and presented to the Minister, he might meet with the principal writers involved to exchange views on the importance of responsiveness and sensitivity to public needs.

Participants requested the senior communications committee to provide a comprehensive review of the way the Ministry of the Solicitor General responds and reacts to public needs, including what the approach of each agency is to

communications with the public and provision of services, and to provide SPAC for review at its first meeting in May with concrete proposals and initiatives which could enhance the Ministry's ability to communicate.

2. RCMP Commissioner's concerns:

- Federal Role in Law Enforcement Study
- Implementation of the Marin Commission Recommendations
- Escalation in Crime, in Cost, and Criticism

i) Federal Role in Law Enforcement Study:

The Commissioner of the RCMP is very conscious of the importance of this study and its impact on the RCMP role and activities. Two task forces, one Ministry-wide and the other internal to the RCMP, are now actively involved in this study. (See progress report on Ministry project no. 1).

The Commissioner continued to underline the importance of the study being completed on schedule.

ii) Implementation of the Marin Commission Recommendations:

The report of the Commission of Inquiry Relating to Public Complaints, Internal Discipline and Grievance Procedures within the RCMP was tabled in the House of Commons in March 1976.

The recommendations of the Marin Commission dealt with public complaint procedures, internal discipline procedures and grievance procedures. It has been possible for the Commissioner of the RCMP to introduce the recommended changes in many areas. Nevertheless, some recommendations require a change in the RCMP Act and/or are tied with the concept of a Federal Police Ombudsman.

The Solicitor General and the Commissioner of the RCMP are both anxious to see the examination and implementation of the accepted Marin Commission Recommendations completed.

iii) Escalation in Crime:

The Commissioner of the RCMP indicated that the rate of certain crimes, e.g. violent crime, drug abuse, white collar crime and organized crime has yet to peak in Canada.

Strategies will have to be developed within the RCMP and in cooperation with other law enforcement agencies to control and prevent, if possible, these trends in criminal activity.

The public should be better informed about these types of crime in order to encourage its participation with the police in fighting such crimes.

Escalation in Cost of Law Enforcement:

The Commissioner is concerned with the escalation in the cost of salaries, allowances and fringe benefits and equipment in law enforcement. He and the other Agency Heads strongly support a proposed research study on the "Costs of Crime and Criminal Justice System". (See Progress Report, Ministry Project no. 17).

A Steering Committee made of representatives of the Agencies will encourage researchers in this project to examine concretely trends of expenditures in the MSG and to identify potential areas of cost increases in the future.

Escalation in Criticism by the Media, the Public and Others:

The Commissioner prefaced the discussion of his concern by saying that he does not believe that police and, in particular, the RCMP should be sheltered from criticism. He is, in fact, concerned with criticism built on partial, or incomplete or false information and orchestrated to the detriment of operations. He is not worried about the criticism itself, but the effect this has on police operations. He mentioned, by way of example, charges relating to the cancellation of Writs, and amendments to the wire-tap legislation, etc. He felt that the RCMP and the Ministry are not well equipped to promptly answer this kind of criticism.

The Commissioner's concern was identified as being closely connected with the Solicitor General's concern on "Sensitivity to the Public" and the discussion reinforced many of the suggestions made earlier.

3. Chairman of NPB's concern:

- Relations of NPB-FCA:

The Chairman of NPB recalled the two principles on which the decision to separate NPS from NPB was made. The first principle was to provide continuity of services to the inmate and the second principle was to reinforce the independence of the NPB from supervision.

Although he continues to support these two principles, as well as the decision taken to separate NPS from NPB, he is concerned that the board may be held accountable

for parolees while it does not have any funding and/or programming responsibility. Conflicts may arise between policies of the parole service and policies of the parole board unless there are formal mechanisms to solve them. The solution to the problem appears to be to ensure that formal mechanisms for cross referencing of representatives on a policy development committee exist between the board and the new Federal Corrections Agency which are not based only on good relationship between the Chairman and the Commissioner.

It seems that some mechanisms exist or will exist which may answer the Chairman's concern:

- observers assisting at policy committee meetings of the two agencies will help to coordinate efforts and encourage discussion before any policy changes occur which may affect parolees;
- the head of the two agencies meet regularly at SPAC where they can identify and resolve their conflicts; and
- the Solicitor General can act as the last level of recourse for problem solving.

4. Commissioner of CPS' concerns:

- CPS Construction Program
- Human Resources
- Inmate Programs
- Acceptance of the Correctional Philosophy

i) CPS Construction Program:

The criteria actually used to select the location of a penitentiary are based on the "treatment correctional model". With the new "opportunity correctional model", it may be opportune to look at these criteria and revise them to build in more flexibility.

Moreover, participants agreed that there be a relaxation of the criteria which had been applied to choosing sites for new institutions. It was also noted that a meeting with MSUA, DPW and DSS to be arranged by the Deputy Solicitor General would be beneficial in enlisting support on the accelerated construction program. The use of inmates' labour in the construction of institutions is being considered by CPS.

ii) Human Resources:

The correctional philosophy and organization have changed considerably in recent years. The roles of the personnel have been also altered and are constantly being reviewed.

In this changing environment there is a pressing need of comprehensive manpower training and career development for CPS personnel. André Charette is developing a directorate reporting directly to the Commissioner which will develop staffing training and career opportunities for the CPS environment. The Commissioner hoped that induction programs could become available as soon as possible to all new CPS employees.

The Solicitor General asked the Commissioner of the RCMP to explore the feasibility of seconding RCMP members with expertise in security and/or administration to the CPS.

iii) Inmate Programs:

The "opportunity model" which is proposed as the correctional philosophy for the Federal Correctional Agency would provide work opportunities to all inmates. The Commissioner of CPS would like to see the industries program developed to its maximum. There are potential difficulties with such an intensive program and they will be examined carefully.

iv) Acceptance of FCA Role:

"The Role of the Federal Corrections in Canada" paper has been tabled before the Parliamentary Committee on the Penitentiary Service.

The role paper on philosophy will be made available to politicians, the staff and general public. A special effort will be needed for communication to each of these publics.

Since this new correctional philosophy should guide staff attitude in their relations with inmates, strategies will be developed in CPS to communicate the philosophy and to discuss with the staff its operational implications.

The implementation team for the FCA may use organizational development theory to bring about a better understanding and consequently a better acceptance of the objectives of the FCA.

5. The Solicitor General introduced during this discussion on the Commissioner's concerns three additional issues which he addressed briefly:

i) Grievance Procedures and Internal Discipline:

The Solicitor General sees this issue in the broad context of the concerns expressed earlier on an open

government and sensitivity/responsiveness. He would, where possible, like to see changes in grievance procedures and in internal discipline procedures to ease tension in the penitentiaries. Different models to solve grievances have been proposed, such as one stressing due process by introducing a local magistrate into the procedure, another model would use the labor conciliator concept, a third model being developed by Vantour and Meredith would use the sentence supervision board recommended by the Law Reform Commission. These models, together with other alternatives, will have to be examined.

ii) Inmate Rights:

The Solicitor General sees this issue as very closely related with his previous concern on grievance procedures.

The Deputy Solicitor General suggested that the CCDM Sub-Committee working on inmate rights could, after having studied legislation and policies enacted in this area, focus on more specific problems in penitentiaries and prisons.

iii) Exchange of Foreign Offenders:

A treaty between the U.S.A. and Canada on the exchange of offenders has been recently signed. Many countries have expressed an interest in studying the feasibility of a similar treaty with Canada.

The Solicitor General feels that we could build on the interest of other countries but that priority be given to introduce the legislation which will make the U.S.A.-Canada treaty operational. Mexico may represent a special case since this country has already signed a similar treaty with the U.S.A. Negotiations with Mexico may be very brief and probably will not delay the introduction of the legislation in the House of Commons.

6. Deputy Solicitor General's concern:

- Criminal Records Act:

The Deputy Solicitor General suggested that the officials working on this legislation look at the British Pardon Act which provides for an automatic pardon following the passage of a designated period of time for minor offences (spent offences model).

The Solicitor General agreed to consider this approach as long as it would not delay the legislation which should be introduced by Fall 1977.

7. Other Concerns:

Two other workshop participants also expressed their concerns:

i) Joint Federal/Provincial Planning (A.T. Wakabayashi)

Federal/Provincial planning through committees such as the CCDM and other federal/provincial mechanisms, which includes all provinces at the same time, may not take into account the disparities of the different provinces of Canada. The ADM, Policy Planning and Program Evaluation suggested that a model like DREE where the planning function is decentralized to allow closer contact between the federal planner and the provincial planner, may be appropriate. This proximity with each province separately will favour the identification and resolution of common problems not only in corrections but within the total CJS. A similar model would encourage a project funding basis directed at priority issues within a province versus a cost-sharing basis between the federal government and a province.

It appeared to the Workshop participants that this concept should be studied together with opportunities to apply it within certain provinces.

If this concept is applied, it may call at a later stage for a joint federal/provincial criminal justice planning body.

ii) Lack of Coordination in the CCJS (Gilles Pépin)

Despite continuous efforts, the Canadian Criminal Justice System lacks coordination. At the federal level, there is increased coordination and the need for more between the Department of Justice and our Ministry. There is still a need to look from a federal point of view at the overall direction of the CJS. The Law Reform Commission recommendations may offer an occasion to do so.

Between provinces and between the level of governments there is much work ahead to plan and coordinate efforts against crime.

II. REVIEW OF THE 19 MINISTRY PROJECTS

The Ministry Workshop reviewed all 19 Ministry projects using a progress report prepared by each of the project leaders. A format had been imposed for the progress report which may have inhibited certain project leaders in describing their efforts.

The reader will find in the following pages the progress reports as tabled at the Workshop as background material and some comments made by the Workshop participants on the projects or describing progress made after the Workshop.

| TITLE OF MINISTRY PROJECTS  | LEADER                                  |
|---|---|
| -----   | -----                                   |
| 1. Federal Role in Law Enforcement  | R. Gualtieri                            |
| 2. Young Persons in Conflict with the Law   | A. Wakabayashi                          |
| 3. Law Reform Commission Recommendations  | H. Needham                              |
| 4. Drug Abuse   | R. Bourne                               |
| 5. Long Term Objectives for Corrections in Canada   | G. Cassidy                              |
| 6. Role of the Community in the Canadian CJS  | R. Haggan                               |
| 7. Joint Planning and Funding of Correctional Institutions  | B. Hofley                               |
| 8. Crime Prevention   | L. McCafferty                           |
| 9. Natives and the Criminal Justice System  | R. Haggan                               |
| 10. Organized Crime   | Comm. M. Nadon                          |
| 11. Management of Human Resources in CJS  | B. Dunphy                               |
| 12. Role of the Parole Board  | Troika<br>(J. Vantour &<br>H. Meredith) |
| 13. Diversion   | R. Haggan                               |
| 14. Peace and Security  | G. Cassidy                              |
| 15. Role of the Private Sector in CJS   | R. Haggan                               |
| 16. Communications Policy   | R. Haggan                               |
| 17. Cost of Crime and Criminal Justice  | I. Waller                               |
| 18. Inmate Rights   | B. Hofley                               |
| 19. Canadian Proposals to the Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders | B. Hofley                               |

MINISTRY PROJECT NO. 1

TITLE:        THE FEDERAL ROLE IN LAW ENFORCEMENT

MEMBERS OF THE TASK FORCE:

Coordinator:        Roberto D. Gualtieri  
Assistant  
Coordinator:        Pierre Lefebvre  
Full-time  
Members:            Jennifer Lynch (Ministry of the  
                         Solicitor General)  
                         A.F. Wrenshall (RCMP)  
                         Representative (RCMP)  
                         Representative (Privy Council Office)  
                         Representative (Federal-Provincial Relations  
                         Office)  
                         Marcel St-Onge (Sol. Gen. - Career  
                         Assignment Program)  
Secretaries:        Suzanne Raby  
                         Jane Hinds  
  
Man-Years:        7

TERMS OF REFERENCE:

The project has two main objectives:

- (a) to examine the role of the federal government in law enforcement with special reference to the role of the RCMP;
- (b) to examine the implications of the option favoured for: the objectives of the federal government, federal-provincial relations, the costs to the federal and provincial governments, and the mechanisms required to administer the federal government's role.

The project will be carried out by a multidisciplinary team, and resources will be supplied by the Ministry of the Solicitor General Secretariat, the RCMP, the Department of Justice, the Privy Council Office, the Federal-Provincial Relations Office and the Treasury Board Secretariat. The team will report to the Committee of Senior Officials (COSO) through the Deputy Solicitor General.

INTERIM REPORT:

The project is in its preparatory and planning phase and should become operational by April 1977.

PROBLEMS:

The main problems are currently of an organizational nature:

- the task force is having some difficulty in recruiting the human resources needed from the departments and agencies that will be taking part in the project.

Problems of content will probably arise in the course of the year.

OUTPUT:

For the next fiscal year, it is anticipated that the task force will produce a paper on the various possibilities regarding the federal government's role for submission to Cabinet. A series of reports will be drafted on the terms of application of the particular role selected, and an implementation plan will be prepared.

COMMENTS FOLLOWING THE WORKSHOP:

This project has already been identified earlier in this report as being one of the RCMP Commissioner's main concerns. The Workshop will carefully monitor the work program of the task force.

MINISTRY PROJECT NO. 2

TITLE:        YOUNG PERSONS IN CONFLICT WITH THE LAW

MANPOWER RESOURCES:

A.T. Wakabayashi  
Tom Sterritt  
John Jackson

TERMS OF REFERENCE:

To obtain Cabinet approval of final recommendations for new legislation to replace the Juvenile Delinquents Act, to form the basis of a bill to be placed before Parliament.

To develop and receive Cabinet approval for modes of financial assistance to help the provinces in the implementation of new legislation and to further influence the overall quality of services and programs to young offenders.

To identify further Ministry activities and input relating to the implementation of new legislation particularly relating to evaluation, research, public education and training.

PRESENT STATUS:

Approval in principle of preferred position received from Cabinet Committee on Social Policy.

Further development contingent upon Treasury Board approval of requests for additional financial assistance to the provinces.

PROBLEM AREAS:

Some difficulties have been incurred in receiving approval from the Treasury Board on the total range of financial assistance identified and requested in the Cabinet Memorandum.

Reductions have subsequently been made in the amounts requested for ongoing cost-sharing under the proposed Social Services legislation.

Treasury Board has indicated that the separate project fund and requests for additional man-years to implement, monitor and evaluate the legislation and to provide funds for public education and training will not be approved as such, but will be considered in the light of the normal program forecast review.

OUTPUT IN 1977-78:

1. Receive Cabinet approval on the substance and financial requests contained in the Cabinet Document.
2. Make the proposals public before the Continuing Committee of Deputy Ministers of Corrections in March and discuss the proposals and funding provisions at that time.
3. Undertake limited consultation with the private sector and finalize the proposals and funding assistance at a ministerial meeting in June of 1977.
4. Seek Cabinet approval to draft new legislation to place before Parliament possibly by the Fall of 1977.

COMMENTS FOLLOWING THE WORKSHOP:

Cabinet approval has been given on March 17 and the proposals were made known at the CCDM meeting on March 25. The following steps are now being considered before new legislation is proposed to the House of Commons:

- provincial comments and concerns are communicated to the Ministry of the Solicitor General;
- federal/provincial meeting of officials planned for May 3 and 4, 1977;
- discussion with five or six major national, most concerned associations will be conducted;
- revised federal proposals, if need be, will be discussed at federal/provincial conference of Ministers of Corrections in June 1977;
- memorandum to Cabinet requesting drafting legislation directions and authorization will be presented in September 1977.

MINISTRY PROJECT NO. 3

TITLE: LAW REFORM COMMISSION RECOMMENDATIONS

PROJECT TEAM:

Ministry Committee on Law Reform

H. Needham (project leader)  
Larry McCafferty  
Gilles Depratto  
Supt. V. Cain  
C. Belford  
I. Waller  
M. Petrunik  
W. Carabine  
A. Wakabayashi  
G. Pépin.

Man-years: 1

TERMS OF REFERENCE:

To develop mechanisms and a work plan for Ministry responses to the recommendations of the Law Reform Committee.

PROGRESS REPORT:

(a) To date, an initial identification of issues raised by the papers entitled Dispositions and Sentencing, Mental Disorder and our Criminal Law has been made. Preliminary discussions with the provinces (Fall 1976) revealed that few had undertaken a detailed analysis of the reports, yet all view this as a priority project and look to the Federal Government for leadership. At the present time, this Ministry is engaged with Justice, in a consultation process, primarily with the private sector to assess 1, general attitudes toward the documents, and 2, felt priorities.

From this process will flow the Federal Government's priorities and work plan for systematically analysing and, in many cases, implementing a detailed recommendation.

At the same time, RCMP is assisting Justice in evaluation of the Evidence paper. Here, too, a comprehensive consultation process is underway.

(b) The major issue to be resolved is the extent to which the Federal Government is prepared to endorse the philosophy recommended by the Law Reform Commission.

MSG also need to develop a coordinated work plan with Justice, setting out an agreed priority list of issues and our respective roles and responsibilities in developing a proposed Federal Government position.

Dispositions and Sentencing, Mental Disorder and our Criminal Law:

By July 1977, formulation of the Government priorities and a detailed work plan for future effort will have been completed. Issues, where immediate implementation is both possible and desirable, will have been identified.

(c) These papers contain well in excess of 200 recommendations, some of which will require literally years of analysis. In addition, at least 8 further reports will be released in 1977, most of which will have implications for this Ministry.

Law Reform, by late 1977, will become a major Ministry project and will remain so for a minimum of 3 years thereafter.

COMMENTS FOLLOWING THE WORKSHOP:

As a result of discussions on this subject at the CCDM meeting in Regina on March 24, discussions have been initiated with Justice to consider possible amendments to the Criminal Code, to make more explicit the range of non-incarceral sentence alternatives recommended by the Law Reform Commission.

MINISTRY PROJECT NO. 4

TITLE: PROPOSED DRUG LEGISLATION - (BILL S-19)

MEMBERS: An Interdepartmental Committee comprised of:

Dr. Morrison, Assistant Deputy Minister,  
(Health Protection Branch), National Health and Welfare;  
Mr. P. Landry, Assistant Deputy Minister,  
(Criminal Law), Justice;  
Mr. R.P. Bourne, Assistant Deputy Minister,  
(Police and Security), Solicitor General;

PROGRESS

REPORT: is preparing a Memorandum to Cabinet which will propose amendments to the Food and Drugs Act, the Narcotic Control Act and the Criminal Code. Discussions are now being held which involve the RCMP (Drug Enforcement Branch), Canadian Penitentiary Service (Medical and Health Care Services) and the National Parole Board.

The proposed legislation will be based on Bill S-19 with additional changes. Bill S-19 received first reading on June 19, 1975 but died on the Order Paper when the House adjourned.

It is also proposed that a senior interdepartmental committee on drugs be re-established to study measures for the treatment of drug addicts including facilities available within CPS.

In the long term this committee will presumably be looking at Le Dain's proposals for completely new legislation relating to drugs.

COMMENTS FOLLOWING THE WORKSHOP:

Further changes to Bill S-19 are being examined by the Ministry, in particular the penalties for possession of cannabis. The immediate priority is to arrive at strategies to alleviate the drug problem in B.C. A Federal/Provincial Task Force has been struck to report back in two months on some possible strategies to address this problem.

MINISTRY PROJECT NO. 5

TITLE: LONG TERMS OBJECTIVES IN CORRECTIONS

MEMBERS:

(a) Gordon Cassidy is project leader, with participation of provincial representatives on the Task Forces.

(b) At present, only part of a man-year from the Secretariat is involved in this project, with support within the Research Division and the Canadian Penitentiary Service.

TERMS OF REFERENCE:

As a result of the two task forces on Long Term Objectives in Corrections which reported to the Continuing Committee of Deputy Ministers in June 1976, the Federal Government has undertaken to develop a strategy for responding to these reports and to address current problems in coordination, objectives, and consistency in the delivery of correctional services in Canada. This proposed strategy, including coordination by a working group as well as the participation of the Joint Regional Committees, to describe current problems in coordination and objectives in corrections, will be submitted to the Meeting of Ministers of Corrections in June 1977.

PROGRESS REPORT:

(a) At the present time, a strategy for addressing this issue is being developed within the Ministry of the Solicitor General.

(b) A number of problem areas are:

- Is outside participation (by the private sector) needed in such an exercise?
- How feasible is the use of Joint Regional Committees in such an undertaking?
- Is this issue a sufficiently high priority to assign permanent resources to it in future developments?
- Will this issue lead to the development of standards?

(c) Output will depend on the outcome from the Meeting of Ministers of Corrections.

(d) This issue has a potential of becoming very large since it could deal with the whole federal role in corrections and the long term direction for corrections in Canada.

COMMENTS FOLLOWING THE WORKSHOP:

There are a few organizations in the CCJS which are planning to look at correctional standards. It becomes important to develop a

Ministry position vis-à-vis standards and to make it known. The participation of the private sector in developing this project was also considered.

After the CCDM meeting of March 25, a group made of Gordon Cassidy, Ministry of the Solicitor General; John Eckstad, British Columbia; and J. Banmen of Manitoba, will prepare a survey of existing studies on correctional standards studies in North America.

MINISTRY PROJECT NO. 6

TITLE: ROLE OF THE COMMUNITY

MEMBERS:

Reeves Haggan, ADM, Communication and Consultation

Resources Committed: Two private consultants are currently working on a 6 week contract on the subject.

TERMS OF REFERENCE:

To develop a possible policy statement on the role of community for consideration by SPAC.

PROGRESS TO DATE:

(a) Stage of Development:

A six week contract has been let with an Ottawa consulting firm to explain, in a discussion paper, the issues that should be addressed in considering the future of the relationship between the Criminal Justice System and the community. Among a variety of interests are such things as; the appropriateness of the current use of the community by the CJS and vice-versa, the responsibility framework, both existing and possible in the future, between the CJS and communities; the community's capacity and readiness to help reverse such trends in criminal justice as increasing reliance on formal system intervention in minor conflict situation.

(b) Output in Fiscal Year 1977-78

- (1) Discussion paper will be ready for analysis by senior officials of SPAC by mid-April 1977.
- (2) Framework for future of MSG posturing re community role in CJS generally, and MSG in particular, seems to be both a possible and appropriate goal for FY 77-78.

MINISTRY PROJECT NO. 7

TITLE: JOINT PLANNING AND FUNDING OF CORRECTIONAL INSTITUTIONS

MEMBERS:

B.C. Hofley  
J.G. Régimbald  
D. Stote  
R. Diguier  
R. Neame  
L. Pisapio

TERMS OF REFERENCE:

(a) To determine with the Province of Newfoundland the implications of joint planning of correctional institutions, the advantages and disadvantages, and the constraints.

(b) To examine the potential savings to both levels of governments.

(c) To examine the implications of making capital contributions.

(d) To examine the problems which a program of joint funding and joint use would impose and recommend on the manner in which these might be overcome.

(e) To develop alternatives for federal participation in the cost of replacing H.M.P. in St. John's.

PROGRESS REPORT:

A report entitled "Towards a Policy on Joint Funding of Correctional Institutions in Newfoundland and P.E.I." was prepared in September 1975, by a committee formed to look into this question, following requests for financial assistance from Newfoundland and P.E.I.

In March 1976, the Bureau of Management Consulting was asked to conduct a study in the savings that might accrue through joint construction. The study, based on an empirical analysis concluded that joint planning results in higher utilization representing real cost savings to the two levels of government. While this may be true in terms of economics, the report recognized that there are other aspects to joint planning and these must be examined.

The report recommended that consultation be held with the provinces to study the full implications of joint planning, i.e. social, managerial, ownership, security, programs, standards and statutory and jurisdictional problems.

Authorization was sought from the Treasury Board to enter into negotiations with the Province of Newfoundland to plan the replacement of H.M.P. Treasury Board agreed on the condition that "the negotiation be considered in the national context ..." The letter of authorization stipulated further that "upon completion of the studies of the national implications, the Solicitor General should submit for consideration by Cabinet, a proposal setting out the benefits which might accrue to the Federal Government through joint planning and use of penal institutions, together with the constraints which would be imposed, and the potential cost."

Following this approval of the Treasury Board three consultant contracts have been handed out:

1. K.L. McReynold, to update Newfoundland inmate data and forecast institutional requirements for the next five years.
2. Halse and Beaton, to prepare a building program for facilities to replace H.M.P.
3. B.M.C., to study the non-financial implications of joint-planning and sharing of correctional facilities.

The first two deal with the facility to be built to replace H.M.P. and the reports of the consultants will be available in late March or early April.

The third one looks at the policy issue and the report of the Consultants should be available in final form in mid-March. (Report prepared by J.G. Régimbald)

COMMENTS FOLLOWING THE WORKSHOP:

The federal position should have been developed for discussion at the meeting of Ministers of Corrections to be held in June 1977.

MINISTRY PROJECT NO. 8

TITLE: CRIME PREVENTION

MEMBERS: Larry McCafferty (project leader)

Resources: Several man-months from existing staff in various sectors of the Ministry of the Solicitor General.

It is anticipated that significant present resource allocations will not need to be shifted in the fiscal year 1977/78. Some resources may require reallocation and/or new resources may be needed once policy choices are made and subsequent programs are identified and require planning, development, implementation, and monitoring.

TERMS OF REFERENCE:

To develop a discussion paper on the role of the MSG in crime prevention.

This paper will:

- (1) Develop a compendium on crime prevention policies and programs within the MSG.
- (2) Prepare a model for differentiating types of crime prevention activity.
- (3) Will propose a list of broad types of activity that fall within the program responsibility of the MSG and thereby create some of the parameters of the MSG role in crime prevention.

Will propose an ordering of priorities to be pursued  
- will identify a means of developing policy and program.

PROGRESS REPORT:

(a) Stage of Development:

- a compendium of programs and policies within the MSG is now being collected;

- a study and integration of models for differentiating crime prevention activity is underway.

- a preferred model is being discussed with officials in reference to ongoing policies and programs within agencies and branches of the MSG;

- model will be presented to SPAC in April 1977 with a request for a definition of MSG roles in crime prevention based on this model. (It is hoped that SPAC will choose among a range of role choices that the model will help present, and will identify priorities within these choices or that future discussions can be clearly identified and assigned).

(b) Problem Areas:

Staff shortages in the Consultation Centre have delayed efforts to pursue this subject.

(c) Output in Fiscal Year 1977/78:

- (1) A compendium of existing (f/y 77-78) and planned (f/y 78-79) MSG programs in crime prevention reviewed and reaffirmed by SPAC.

Deadline: May 1977.

- (2) Framework for differentiating types of crime prevention activity in general, and its application to MSG in particular.

Deadline: May 1977.

- (3) Parameters of MSG role in crime prevention clarified by SPAC.

Deadline: May 1977.

- (4) Identification of any new emphasis and/or programs and initiatives in crime prevention should be made by SPAC for inclusion in the Program Forecast 1979-80.

Deadline: May 1977.

- (5) Tasks assigned to develop alternate means of achieving identification, emphasis, etc.

Deadline: May 1977.

- (6) Alternative strategies and program implications for f/y 79-80 should be identified and reviewed by SPAC.

Deadline: Nov. 1977.

MINISTRY PROJECT NO. 9

TITLE: FOLLOW-UP TO THE NATIONAL CONFERENCE ON NATIVE PEOPLE AND THE CRIMINAL JUSTICE SYSTEM (FEBRUARY 1975)

MEMBERS:

(a) Names of Project Leader and Other Participants:  
Lou Demerais, National Consultant - Natives, Consultation Centre.

(b) Number of Man-Years: One.

TERMS OF REFERENCE:

(a) Responsible for coordinating activities of governments and Native groups so that problems involving Native offenders can be tackled effectively in a comprehensive way.

(b) Represent Ministry on all committees whose activities involve Native people and the Criminal Justice System.

(c) Responsible for advising Ministry as to problems, progress and future trends and directions covering Native people and the Criminal Justice System.

(d) Provides up-to-date information on Native people and criminal justice with respect to government programming and available funding.

(e) Encourages project and program development in the Native sector, particularly as it concerns preventative and diversionary activity.

PROGRESS REPORT:

(a) Stage of Project: In third year.

(b) Problem areas:

Difficulty in maintaining on-going cohesiveness among Native groups, particularly Native political organizations; difficulty in development of provincial advisory bodies due to deeply-rooted differences and apparent conflicting interests.

(c) Progress to date:

Implementation of several recommendations made to the Conference on Native Peoples and the Criminal Justice System (1975), notably in the areas of Inmate transfers, Police (RCMP) Sensitization and Special Constable programs, parolee supervision, sensitization training for federal correctional officers (prairies) and legal education (Alberta).

(d) Output in 1977-78:

It is anticipated that the role of the National Consultant on Natives will concentrate on two main areas: Development and support of preventative and diversionary programming; increased Native participation in policy and program development in CCJS through the various advisory structures established at the Edmonton Conference.

COMMENTS FOLLOWING THE WORKSHOP:

The Ministry of the Solicitor General should review and evaluate its actual strategies and look for opportunities both at the federal and at the provincial level.

It appears evident that any strategy which will center on Native inmates will deal with the consequences and not with the problem facing the Natives. Other interdepartmental approaches may have to be developed.

Participants considered that the Ministry might be losing credibility in the light of the perceived lack of progress since the Edmonton Conference. It was suggested that the Minister considers communicating with the Minister of Justice concerning alternative sentencing, particularly the fine option program, and the need for changes to the Criminal Code.

MINISTRY PROJECT NO. 10

TITLE: ORGANIZED CRIME

MEMBERS:

(a) Names of project leader and other members of the team (if any): This is not a "project" but an ongoing operational police responsibility in which the RCMP plays a leading role. There have been and will continue to be numerous "projects" carried out during the investigation on organized crime and criminals.

(b) Number of man-years actually involved in the project: During the fiscal year 1976/77, 1403 man-years have been devoted to investigations into commercial crime, drug enforcement, bankruptcy, etc. In 1977/78, 1570 man-years have been approved and in 1978/79, 1910 man-years are forecast. These man-years are exclusively federal police positions.

TERMS OF REFERENCE:

To investigate and prosecute major crime figures, and to prevent or suppress the incidence of organized criminal activity.

BRIEF PROGRESS REPORT:

(a) An audit of C.I.S.C. is in its final stages;

(b) Joint Forces Operations are increasing;

(c) The Quebec Crime Commission is publicizing the workings of and major figures involved in organized crime;

(d) Problem areas:

There is overlapping or lack of jurisdiction in certain areas of law enforcement. This will be addressed not only by our Policy Centers, but by our Task Force on the Role of the RCMP.

(e) Perspective for the Future:

We are working toward increasing RCMP leadership in the fight against organized crime.

COMMENTS FOLLOWING THE WORKSHOP:

The assessment of the recommendations flowing from the audit of the Criminal Intelligence Service Canada will be made before Fall 1977.

Strategies including a possible federal/provincial conference on organized crime will be developed and a briefing will be prepared for the Solicitor General.

MINISTRY PROJECT NO. 11

TITLE: MANAGEMENT OF HUMAN RESOURCES IN THE CRIMINAL JUSTICE SYSTEM

SIGNIFICANCE:

The corrections and law enforcement elements of the Criminal Justice System are Manpower Intensive.

- They employ in excess of 80,000 persons in Canada
- The human resources costs varies from 70-85% of all operating costs
- The program success is largely dependent on quality of personalized and individual services provided
- The staff have high profile and the community tends to perceive the system through individual staff members.

Since the primary attention in human resources management has been focused on the corrections element where, amongst other activities, major studies have recently been conducted, the following items in this report are primarily concerned with corrections and are necessarily general in nature.

THE STATE OF ART:

- The effective management of human resources is inhibited somewhat by the apparent lack of commitment to a program(s) or a strategy(ies) for achievement of a program(s), by certain assumptions re human resources, by certain managerial practices and by administrative structure.

- Career definitions and certain skills, with particular attention to managerial skills, require development.

- Short and long term planning for the provision of human resources, based upon a defined program, has been somewhat lacking.

PROSPECTS FOR THE FUTURE:

The next short while would appear to be both critical and opportune to introduce effective human resource management in corrections:

- Basic and necessary background material is available,
- The human resources are largely "locked into" the system and are therefore relatively predictable and manageable,
- The attitude and awareness of present management as well as the community appears to be conducive,

- The basic structure for coordination, decision making and liaison are in place in such as National Advisory Network, Continuing Committee of Deputy Ministers and Joint Regional Committees, and
- The federal corrections agency is being formed and its direction determined.

COMMENTS FOLLOWING THE WORKSHOP:

A briefing to the Minister will be made as soon as possible by Bob Dunphy and André Charette.

Report prepared by M. Broadfoot.

MINISTRY PROJECT NO. 12

TITLE:   ROLE OF THE PAROLE BOARD

MEMBERS:

(a) Study team of Harry Meredith and Jim Vantour report to a committee including the DSG, Chairman of NPB and Commissioner of CPS (Troika).

(b) H. Meredith and J. Vantour are under contract.

TERMS OF REFERENCE:

(a) Study the alternative proposals regarding the future role of the NPB.

(b) Evaluate each proposal against contemporary correctional realities and trends.

(c) Present to DSG, Chairman of NPB and Commissioner of CPS, a limited number of options for consideration.

PROGRESS REPORT:

(a) Stage of project:

The Troika has selected for more indepth development, one of the models developed by the study team which is derived from the concept of the sentence supervision board recommended by the Law Reform Commission.

Under this model, the Board would be an individual review and policy making body. The Federal Corrections Service would be responsible for all initial decisions affecting the relative degree of control of offenders under sentence of imprisonment subject to policies and guidelines set by the proposed Board and reviews conducted by the Board.

The study team is holding exploratory discussions with the NPB and CPS on a limited basis on the proposed model.

At the same time, the study team is preparing a paper describing the proposed model in more detail which could be used as a basis for internal discussion and consultation within the Ministry. This paper should be completed by mid-March.

(b) Output in 1977-78:

This paper could subsequently be made public to be used as a basis for broader consultation with provinces and specific private sector associations and groups.

(c) Perspectives for the Future:

The proposed model would require significant changes to the Penitentiary and Parole Act. It could serve the basis for a single Federal Corrections Act.

COMMENTS FOLLOWING THE WORKSHOP:

This project is related to the concerns of the Chairman of NPB already discussed in this report.

The policy committee of the NPS has asked J. Vantour and H. Meredith to develop the "individual release model" to be able to compare with the "sentencing supervision board model".

The Workshop has also suggested that the experience of a few U.S. States to abolish their Parole Board should be closely monitored and analyzed.

MINISTRY PROJECT NO. 13

TITLE: DIVERSION

The Information Bank on Diversion contains already a large number of documents on all reports of Diversion.

The Information Bank should be transferred to the Reference Centre. Discussion with the Research Branch is initiated on this issue, focusing on resources they can allocate to this service. The primary function of this Information Bank as it exists now is to assist community groups and different levels of governments in the development of diversion programs.

The National Inventory on Diversion Programs is in its final stage of production. The final editing will be done by next week. It is anticipated that the printed version will be available at the end of March.

An Internal Advisory Committee on Diversion has been created grouping representatives from Policy Planning and Evaluation, Research, Statistics and the Consultation Centre. The RCMP will be included. This is the first effort to coordinate activities and policy development at a Ministry wide level on the issue of Diversion. After a lengthy discussion we have decided to keep the new Committee at the level of an ad hoc working group and for the time being not formalize it.

Coordination with other Federal Departments becomes an increasingly important issue. We find diversion (with basic differences in its definition) to be a priority in many departments including National Health and Welfare, Indian Affairs, Justice and Secretary of State. This tends to create confusion at the field level and could hinder the development of Diversion in a cohesive manner. Talks have been already initiated with National Health and Welfare and there is an on-going dialogue with the Federal Department of Justice.

In the past few months, the Department of Justice has shown an increasing interest in Diversion, they are eager to co-fund projects and initiate work and discussion with the provinces with legislation as a goal. However, there is no unanimity in the Department of Justice in regard to formal Diversion. It is anticipated that the debate will intensify during the months to come. A document on formal diversion is presently being developed.

At the Project Level, we are now encouraging experimentation not only on Formal Diversion but on other models, providing they follow some basic principles that ensure respect of rights of both the victim and the offender. Moreover, Projects we support have to keep away from the long term treatment model.

We are experimenting with diversion at any point of the criminal justice process preceding sentencing.

Special attention will be given during the next fiscal year to Native Diversion. Reserves will be encouraged to develop their own methods of intervention, again providing the basic rights of the individual are not threatened.

#### Perceptual Study on Diversion

The Statistics Division presented to the working Committee a feasibility study on Perceptions of Diversion among potential agents of change in the C.J.S. The purpose of the study is to assess the actual attitudinal climate around diversion in Canada, and serve as a tool in planning the allocation of our resources. Comparisons between provinces and groups of interviewees will allow for a more realistic picture of the potential for change around non-judicial interventions for minor crimes.

#### Various tools are needed to favour the development of Diversion

At the last National Staff Meeting, it was decided that the planned community kit should be developed regionally. The National Consultant will help with providing pertinent information and suggestions on format and elements to develop but the statistics, examples and the "flavour" should be regional.

The same principles applies for the audio-visual presentation on formal diversion. With the Communication Branch, we will develop a core presentation that each region will adapt and develop to its needs. The audio-visual presentation will aim at an educated layman level.

A more sophisticated tool should be developed for people directly involved in Diversion. We are thinking in the line of a prescriptive package that will focus on evaluation and monitoring of a diversion program, legal issues, linkage with the Criminal Justice system and policy development.

#### Ministry Workshop

A one-day Ministry Workshop is scheduled for April 25, 1977.

This morning will concentrate on the concept and the afternoon on the actual happenings on the Canadian scene. It is important to underline that the workshop is not solely the result of the Consultation Centre's efforts but has been prepared with all branches of the Ministry represented at the Working Committee.

#### National Conference on Diversion

The mushrooming of Diversion programs in Canada and the vivid debates between criminal justice planners command a National Conference on Diversion which will allow for open panels and

specialized workshops representant of the different schools of thought. It is suggested that the continuous Committee of Deputy Ministers be the vehicle to launch this Conference. The Joint Regional Committees could assume the task of assuring good representation from their region.

Some issues for the fiscal year 77/78

(1) Coordination with the provinces.

Diversion like all the recommendations of the Law Reform Commission can be applied only with the consent of the provinces and can develop in a healthy climate only if the federal leadership is shared with them. Joint planning with each province should be initiated or continued in a structured way where it already exists.

(2) Given the Consultation Centre's mandate to experiment with the new concepts presented by the Law Reform Commission, what role should we play in differentiating and refining techniques or concepts like Restitution, Community Work Orders, Fine Option programs?

(3) What are the particular differences between juvenile and adult diversion? Are their basic philosophical differences between them?

(4) What will be the consequences of a massive budget to experiment with screening and diversion at the Juvenile level, as related to the Young Offender's Act?

(5) How do we coordinate MSG and the federal Department of Justice efforts in diversion?

Conclusion

Diversion is growing rapidly in Canada and not immuned of the American experience. However, it appears that where in that country diversion was left to itself, in Canada our effort to develop a formal Diversion model, serves to give a sense of direction at least to the criminal justice planners. The model should not however hinder the development of other types of Diversion because, beyond our preference of one model should remain our commitment to the basic philosophy of Criminal Justice System and help the public to look seriously at that offence is serious enough to command the use of a humanity and financially expensive system.

Report prepared by Marie-ève Hart.

COMMENTS FOLLOWING THE WORKSHOP

The Solicitor General is of the opinion that our Ministry should sponsor the National Conference on Diversion.

MINISTRY PROJECT NO. 14

TITLE: PEACE AND SECURITY

MEMBERS:

(a) Project leadership is shared between all the parts of the Ministry of the Solicitor General and includes both initiatives within the Peace and Security legislation, as well as evaluation of selected policy thrusts. The main thrust here is concerned with the research and evaluative aspects of peace and security, with G. Cassidy and I. Waller as project leaders.

(b) The number of man-years assigned from the Research Division is approximately 10 for 1977/78 and 10 for 1978/79. There will be partial man-years from the Evaluation Division, Police and Security Planning and Analysis, and Consultation also assigned in various projects.

TERMS OF REFERENCE:

The Peace and Security issue as defined here basically consists of two parts: a number of research initiatives undertaken as a result of the legislation passed and a number of evaluative thrusts being at present begun for different parts of the Peace and Security Package.

The main research thrusts will be in the areas of law enforcement/preventive policing, victimization, public attitudes, dangerous offenders and alternative correctional intervention strategies, long term incarceration, remission and release procedures and in the areas of sentencing and gun control.

The Research Division (and the Consultation Branch) will also undertake work on defensive crime prevention, particularly in the area of environmental design. Finally, the Evaluation Division is coordinating the beginning of the evaluation process for:

- Capital Punishment and the Institution of Long Term Sentences
- Changes with respect to designation of Dangerous Offenders
- Change in Remission Regulations
- Change in Authority for Temporary Absences
- Institution of Procedural Safeguards in Parole
- Gun Control.

PROGRESS REPORT:

(a) Methodological studies in support of victimization surveys have begun and it is expected that a pre-test will be completed by the end of the 1977/78 fiscal year. The design and developmental phases of the national survey of attitudes to criminal justice policies will be completed in 1977/78 and it is expected that the first survey will be conducted early in the next fiscal year.

In respect to preventive policing, a Secretariat steering committee, chaired by the Police and Security Planning and Analysis Branch, has been working towards the development of prescriptive packages. Research efforts in this area include the development of a national clearinghouse of information on Police Programs, the development of training programs in community relations, crisis intervention and preventive policing programs.

In the corrections area, the major emphasis has thus far been placed on funding projects which will assist in the development of strategies for further research.

(b) At the present, there are no major problem areas, except that the legislation must be passed before final consensus can be reached on the terms of reference for the evaluation.

(c) Further work will be done on a national reference centre. It is expected that preliminary results will be available on the various Research Division thrusts in 1977/78 and that most of the terms of reference will be complete in completed draft form for the various issues in 1977/78. In addition, it is expected evaluative models may be developed for gun control and some of the other thrusts before the end of the fiscal year 1977/78.

(d) It is expected that there will be substantial implications from this issue in the future in terms of regular input on victimization and public attitudes as well as the evaluative information assisting senior management in their future decisions.

#### COMMENTS FOLLOWING THE WORKSHOP

The Solicitor General has demonstrated great interest in the police prescriptive package. He hopes that the best distribution mechanisms will be used to transfer the packages to police groups across Canada.

Robin Bourne, responsible for this part of the Peace and Security package, will be asked to prepare a status report on it.

MINISTRY PROJECT NO. 15

TITLE: ROLE OF THE PRIVATE SECTOR IN C.J.S.

MEMBERS:

Project Leader: Reeves Haggan, ADM, Communication and Consultation.

R. Sauvé - Chairman  
M. Bartlett - member  
H. Couse - member  
G. George - member  
F.P. Miller - member  
R. Jubinville - Executive Secretary.

TERMS OF REFERENCE:

Objectives:

(1) To open communications between the private sector and governments at the federal and provincial levels and to ensure a thorough review of the relationship between the private sector and governments and the various roles fulfilled by both private and governmental sectors in the criminal justice field.

(2) To recommend appropriate structures for short and long term planning aimed at cooperation and coordination between the governmental and private sectors.

(3) To recommend funding models and to indicate the kinds of commitments that governments need consider to ensure appropriate sharing of responsibilities and development of meaningful programs and services.

(4) To compile an inventory of programs and services provided by the private sector and relating these to services provided by governments.

(5) To compile a descriptive analysis of gaps between governmental and private sector services with a view to recommending who should initiate future endeavours.

Framework:

The "Criminal Justice" field is to be understood in very broad terms to apply to services and organizations involved in prevention of crime, diversion, law enforcement, courts and corrections. However, it is not to include organizations and services for the juvenile offender.

The term "private agency or organization" is also used broadly to denote various non-governmental organizations operating direct services and/or involved in social action, public education, research, dissemination of information, citizen involvement, etc.

PROGRESS REPORT:

Stage of Project:

The Task Force report is expected by April 30, 1977. At the time of writing, some Task Force members are visiting projects in Britain, Holland, Australia and New Zealand with a view to confirming or modifying the ideas the Task Force has expressed in its first draft. Late in March, the Task Force intends to test some of its proposals with certain senior government and NGO representatives before making final modifications to the present draft of the report. On March 17, 1977, SPAC has a brief meeting with the Task Force.

Output in 1977-78:

- (1) Production of copies of the report for distribution to all members of CCDM.
- (2) Discussion of the report at the CCDM meeting.
- (3) Printing of the report for publication and distribution.
- (4) Development of a Ministry policy on relations with, and funding of NGO's.

COMMENTS FOLLOWING THE WORKSHOP:

The release of the report of the task force would require future consideration by SPAC and this question might be on the agenda for the June meeting of Ministers.

MINISTRY PROJECT NO. 16

TITLE: COMMUNICATIONS POLICIES

MEMBERS:

A Senior Ministry Committee on communication chaired by R. Haggan, A.D.M., Communication and Consultation, and composed of R.H. Simmonds, Deputy Commissioner, RCMP; R. Diguier, Deputy Commissioner, CPS; and C. Bouchard, Vice-Chairman, NPB, has been formed recently.

During the Ministry Workshop, many concerns of the Solicitor General and the three Agency Heads addressed this issue directly. The Solicitor General dealing with "the sensitivity of the public" and the Commissioner of the RCMP's concern on the escalation in criticism emphasized that strategies should be developed within the Ministry to respond to the increasing interest of the public to the CJS.

Different problems of communication have been identified:

- certain groups are against Ministry policies without any rationale;
- others will criticize small issues and bias the effort made by Ministry officials;
- our own information is sometimes not adapted to the layman;
- our information is not sufficient, timely or aggressive enough.

What approaches should the MSG take to face these problems and others:

- should the Solicitor General meet more often editorial boards and other influential media people;
- should the field public relations and Ministry personnel receive specific directions;
- should Ministry reports be more accessible to the public at large;
- should somebody in the Secretariat be appointed to specifically prepare answers to criticism, etc.

The Ministry Workshop has decided to ask the Ministry Senior Committee on Communications to define the problem areas in the field of communication for the Ministry and to develop an overall policy and strategies. A report should be presented to SPAC by May 1st. The Workshop felt it necessary to broaden the mandate of the senior committee in requesting that it look at all dimensions of the problem including response to letters addressed to the Solicitor General, to groups criticizing the work of the Ministry and the public relations dimensions of communications.

MINISTRY PROJECT NO. 17

TITLE: COST OF CRIME AND CRIMINAL JUSTICE

MEMBERS:

A report entitled The Costs of Crime and the Criminal Justice System: Towards an Economic Perspective is being prepared by Don Demers, Research Resources. Dr. I. Waller is the project leader for the moment. Other persons associated with the issue have yet to be identified.

This report was presented to SPAC on March 15, 1977.

The project reviews research relating to the costs of crime and criminal justice administration within and outside the Ministry and suggests a plan of action in terms of what needs to be done to deal with this issue. It initiates the systematic study of the economic dimension of crime and its control. In one section the relevant literature will be reviewed and major conceptual/methodological issues will be described. The second section outlines a plan of action to deal with cost issue. Literature reviews are planned to address definitional problems. Suggestions are advanced for the calculation and presentation of criminal justice administration costs. Historical and economic analyses of Ministry expenditures are proposed. Related areas deserving investigation are sketched: the relationship between economic factors and crime; economic models and techniques; organized and white-collar crime, etc. The report is an exploratory study, considering a number of strategies which might be pursued in developing a knowledge base with reference to the economic impact of crime and its control. It is presently under review in the Research and Systems Development Branch and the principal groups in the Secretariat concerned with policy planning relating to costs of crime and criminal justice.

In 1977-78, a half man-year will be devoted specifically to the cost of crime and CJS issue, concentrating on the analysis of the literature and Ministry expenditures from an historical and economic viewpoint. For expenditures of components of this Ministry, changes will be examined over time and their relationship to the crime pattern and other factors within and outside the Ministry. Such studies should provide by the end of 1977 an understanding of how the problem of the costs of crime and its control has arisen, what can be expected to occur in the future, and what measures can be taken in response to this situation.

To make the transition from a research report to beneficial action, these studies will require the involvement of key policy planning groups such as the Policy Planning Branch and the Senior Financial Policy Adviser. The type of involvement of representatives

from the Agencies and Provinces has yet to be considered. This initiative responds to the government's concerns with respect to financial restraint and reconfirms the Ministry's commitment to the development of strategies aimed at reducing the social and economic costs of crime in Canada.

Report prepared by Don Demers.

COMMENTS FOLLOWING THE WORKSHOP:

The Agency Heads have agreed that a steering committee of representatives of the agencies would be formed. The research will consider trends in MSG expenditures as well as potential areas of cost increase for the future.

prepared by Don Demers.

MINISTRY PROJECT NO. 18

TITLE: INMATES RIGHTS

MEMBERS:

The project leader for this issue is B.C. Hofley, Assistant Deputy Minister, Research and Systems Development Branch. The other members of the team include representatives from the Federal-Provincial Steering Committee on Inmates Rights, Larry Cohen (who is on contract with the Research Division), and Pierre Landreville, former Director of Resources with the Research Division. With reference to man-years actually involved in the project, there are at present no man-years allocated for this priority issue.

TERMS OF REFERENCE:

Since its inception, the Federal-Provincial Steering Committee has been compiling information relating to the conditions of detention, practices and policies concerning the 'rights' of inmates in the provincial correctional systems, the Canadian Penitentiary Service and the National Parole Service. As part of the research and informational arm of the Committee, legal decisions and institutional reaction to these decisions in the area of inmate rights are monitored in this country and other jurisdictions. International developments emanating from the United Nations are monitored with regard to the area of human rights in the administration of criminal justice. The United Nations Standard Minimum Rules, disciplinary hearings, grievance mechanisms and non-violent resolution to conflict situations, have been of major concern to the overall project.

The stage of the project is, at this time, difficult to access. Materials are now being gathered for an April meeting of the Federal-Provincial Steering Committee. Ultimately, the fate of this work rests in the hands of the Deputy Minister as to whether or not the issue of the rights of inmates is, at present, a priority.

A problem area that has been clearly identified is the lack of resources (manpower) to continue addressing the issues related to questions of human rights. While it is clear that certain aspects of these questions relate directly and/or indirectly to many correctional issues, no man-years have been allocated, and only one contract person is now working in this area. It is fair to acknowledge that much of the input has come from the office of the Assistant Deputy Minister, Research and Systems Development Branch. Unfortunately, limitations on time have detracted from the time and efforts that this issue deserves.

OUTPUT AND PERSPECTIVES FOR THE FUTURE:

Over the next two or three years, questions pertaining to the rights of inmates will be receiving wider attention in Canada, with these issues being promoted through three groups: non-governmental organizations, the legal and academic communities, and the inmate population itself. This Ministry should therefore play a significant role in the promotion of the positions taken at the Geneva conference concerning inmate rights. It is also hoped, in this connection, that the Federal-Provincial Steering Committee will continue its work and find ways to become more effective.

COMMENTS FOLLOWING THE WORKSHOP:

At the Workshop, it was suggested that this project focusses more actively on potential issues met in correctional institutions and in parole situations.

MINISTRY PROJECT NO. 19

TITLE: CANADIAN PROPOSALS TO THE FIFTH UNITED NATIONS CONGRESS ON  
THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

MEMBERS:

Project Leader: B.C. Hofley

Number of man-years involved in the project: nil

TERMS OF REFERENCE:

To follow up the recommendations which were made by Canada at the Fifth United Nations Congress which took place in Geneva in 1975.

PROGRESS REPORT:

A lengthy report which summarizes the action taken on each item has been prepared for consideration by the Senior Policy Advisory Committee and is available on request. Since the Congress, considerable progress has been made in the area of human rights. Also the Committee on Crime Prevention and Control has adopted a set of rules relating to the application of the UN Minimum Rules, a revised set of Police Ethics and an international plan for crime prevention. All of these have been referred to Ecosoc for final approval. Many of the other recommendations have been reflected in ongoing programs within the agencies and this Ministry and good progress can be reported.

The problem relating to this matter has its origin in the relationship of the UN to this Ministry. Matters relating to the UN have always been considered as something apart from the day to day operations of this department and attended to only on the occasion of specific requests from the UN or in preparation for the congresses. This is still very much the case as evidenced by the lack of resources which are allocated to this matter. The Ministry will have to decide whether the UN work is to be considered a priority and if so how it is to be handled. Mr. Miller's report on international liaison will be an important document in helping the Ministry with this question. In 1977-78 preparations for the 1980 congress will begin and it is expected that contracts will be given through the Research Division for the preparation of papers to support Canadian positions at the congress.

### III. OBJECTIVES

Very little work has been done on Ministry and Agency Objectives since last October's Workshop. Only editorial changes have been made to the Ministry Objectives proposed at the October Workshop.

Pierre Landreville, Criminologist, previously attached to the Research Division of the Secretariat and now at the University of Montreal, has just finished a research paper "The Aims of the System of Criminal Justice Administration and Planning". This should help the Working Group on Ministry Objectives and Priorities to resume its work on the objectives.

The paper "The Role of Federal Corrections in Canada", the study on the federal role in law enforcement and the study on the role of the Parole Board should bring additional material to the discussion on the Ministry Objectives.

The actual version of the Ministry Objectives is attached in Appendix I of this report.

### IV. MINISTRY PLANNING AND EVALUATION PROCESS

The Ministry has developed over the years an almost standard way to develop a policy issue and to operationalize it. The planning and evaluation process which was presented in a slide-package to the Workshop was an attempt to identify the steps usually followed in policy development and to test their usefulness.

The model was perceived by the Workshop participants as being an easy process to use and as reflecting the MSG method currently used. The process could also be used, with little adaptation, at any level in the Ministry; an agency could work with a similar process, a program manager and even a project manager could adapt this model. The Deputy Solicitor General felt that some Ministry thrusts which are cross-system problems, for instance, female offenders, young offenders, natives, drugs, could be tackled using and testing the process.

One of the most important steps of the process, the identification of the problem areas will, among others, need much discussion. The criteria applied to the problem areas and related to the Ministry Objectives will need to be reviewed and tested.

Finally, the planning and evaluation process was used to show the stage of that process for the 19 Ministry projects already ongoing.

The comments of the reader on this process will be most welcome and could be made through their representatives on the Working Group on Objectives and Priorities.

(January 1977)

In defining the role of the Ministry of the Solicitor General in criminal justice, a number of assumptions about crime and the Canadian Criminal Justice System should be taken into account:

- A. The Criminal Justice System is part of a large system designed to promote the quality of life of Canadians.
- B. Crime is inherent in society and it is defined by society. Thus, what is defined as crime, and society's reaction to it, change with evolving social values.
- C. The Criminal Justice System is an instrument of social control, which must be used with restraint and which produces social, individual, and economic costs.
- D. The Criminal Justice System is a complex of jurisdictions, fragmented both structurally and functionally.

In the above context, the main objective of the Ministry of the Solicitor General is:

To participate in the protection of all members of Canadian society from criminal conduct and the effects of crime and in the maintenance of national security.

The Ministry's principal sub-objectives are:

1. To promote and engage in strategies to control criminal activities.
2. To promote and engage in strategies designed to prevent crime and maintain national security.
3. To participate in coordinating the activities of the Criminal Justice System and to promote a sense of direction for the system and other related services.

The Ministry, in pursuing these objectives, recognizes certain underlying principles:

1. The need for greater community understanding of and involvement in the operations of the Criminal Justice System.

2. The promotion of a more humane, equitable and just Criminal Justice System, with minimum interference with individual freedom.
3. The Management of C.J.S. activities as efficiently and effectively as possible while maintaining quality and consistency in the delivery of its services.

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\* A statement of objectives is an approximation of a Ministry's role and responsibilities and is consequently under constant review.

APPENDIX II

LIST OF PARTICIPANTS FOR MINISTRY WORKSHOP

The Honourable Francis Fox, Solicitor General of Canada

Marie Fortier, Special Assistant to the Solicitor General

Claude Morin, Executive Assistant to the Solicitor General

Roger Tassé, Deputy Solicitor General of Canada

Maurice Nadon, Commissioner, Royal Canadian Mounted Police

André Therrien, Commissioner, Canadian Penitentiary Service

William Outerbridge, Chairman, National Parole Board

JoAnne Sternberg Cohen, Executive Assistant to the Deputy  
Solicitor General

Art Wakabayashi, Assistant Deputy Minister, Policy Planning  
and Program Evaluation

\* Gordon Cassidy, Coordinator of Evaluation, Policy Planning  
and Program Evaluation

\* Marcel Laniel, Senior Policy Evaluation Analyst, Policy  
Planning and Program Evaluation

\* Ed Witherden, Officer in Charge, Planning Branch, RCMP

\* Gilles Pépin, Executive Assistant to Commissioner, Canadian  
Penitentiary Service

\* Gilles Depratto, Director, Policy Planning and Evaluation,  
National Parole Board

\*  
Members of the Ministry of the Solicitor General working group  
on objectives and priority attending as resource persons.

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SLIDE PACKAGE PRESENTED AT  
MARCH 1977 MINISTRY WORKSHOP

WHAT DO WE HOPE TO ACHIEVE:

TO DESCRIBE CURRENT AND DEVELOPING MINISTRY  
PLANNING AND EVALUATION PROCESS.

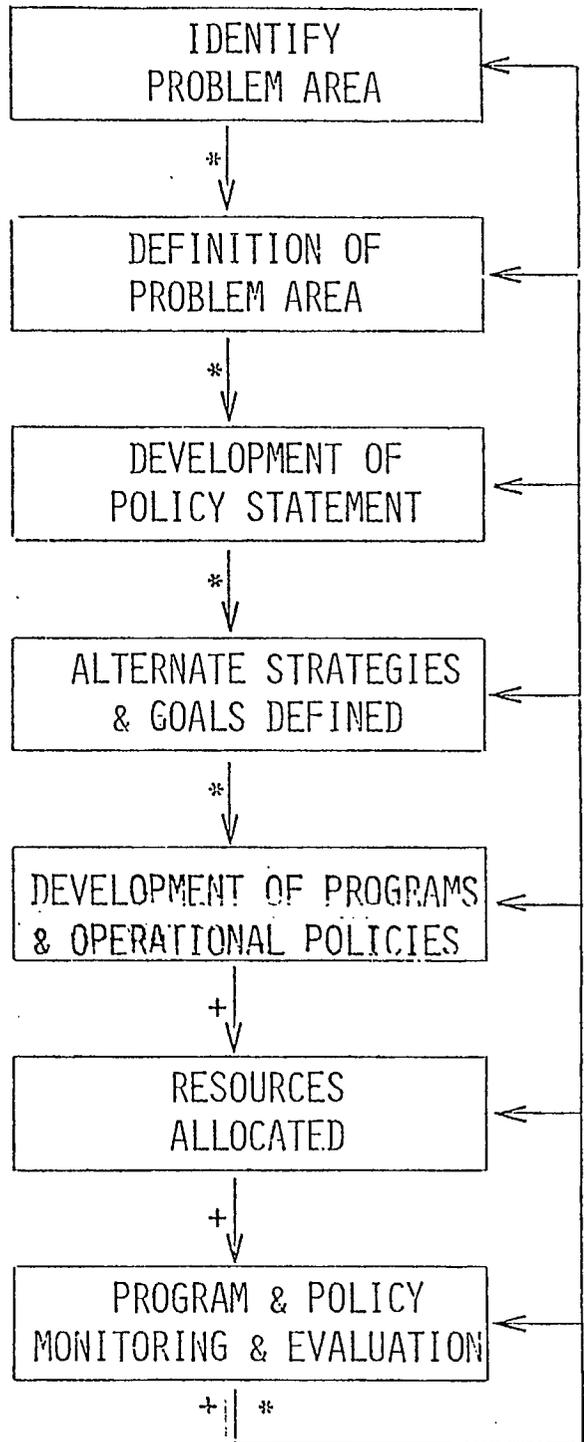
TO DISCUSS ITS

- APPROPRIATENESS
- LIMITATIONS
- FUTURE ROLE

NOTA BENE

- MOST OF DETAILED STEPS IDENTIFIED ARE NOT NEW
- THE PROCESS SHOULD NOT INCREASE THE WORKLOAD
- THE PROCESS SHOULD BE FLEXIBLE
- THE PROCESS MUST ADAPT TO:
  - POLITICAL REALITIES
  - EMERGING PROBLEMS IN CRIME CONTROL
  - ON-GOING PROGRAMS AND POLICIES
  - RESOURCE AVAILABILITY

MINISTRY PLANNING & EVALUATION PROCESS



\* SPAC INVOLVEMENT  
+ SINGLE AGENCY RESPONSIBILITY

WHAT MAY HAPPEN

CRIME PREVENTION

LONG TERM OBJECTIVES FOR CORRECTIONS IN CANADA

NATIVES AND THE CJS

COMMUNICATIONS POLICY

DRUG ABUSE

ORGANIZED CRIME

VICTIMS OF CRIME

STANDARDS

FEDERAL ROLE IN LAW ENFORCEMENT

DIVERSION

ROLE OF THE PAROLE BOARD

LAW REFORM COMMISSION RECOMMENDATIONS

FEDERAL CORRECTIONS AGENCY

ROLE OF THE COMMUNITY IN CORRECTIONS AND IN C.J.S. IN GENERAL

= 89 PRIORITY ISSUES

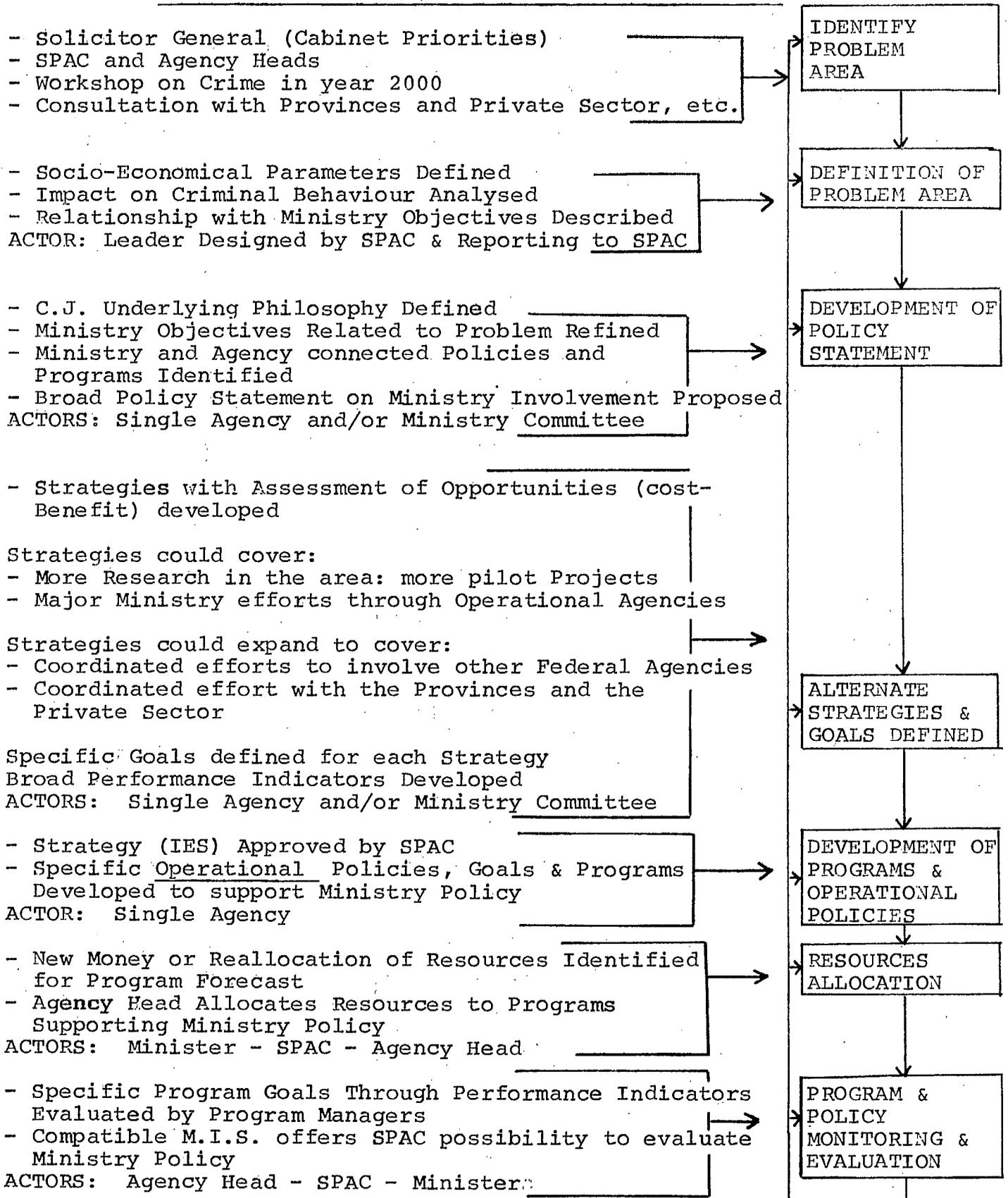
SUGGESTED CRITERIA FOR RANKING PROBLEM AREA

| <u>OBJECTIVES OF M.S.G.</u>      | <u>PROBABILITY</u>   |            |             |             | <u>WEIGHT*</u> |
|----------------------------------|--|------------|-------------|-------------|----------------|
|                                  | <u>ZERO</u>  | <u>LOW</u> | <u>MED.</u> | <u>HIGH</u> |                |
| CRIME PREVENTION                 | WILL IT REDUCE PROBABILITY OF INITIAL DEVELOPMENT OF DELINQUENT OR CRIMINAL BEHAVIOR ?   |            |             |             |                |
| CRIME CONTROL                    | WILL IT REDUCE PROBABILITY OF CRIMINAL ACTIVITY AMONG HIGH "AT RISK" GROUPS ?  |            |             |             |                |
| CRIME CONTROL                    | WILL IT REDUCE PROBABILITY OF RECIDIVISM OF ADJUDICATED DELINQUENTS AND CRIMINALS ?  |            |             |             |                |
| EFFECTIVE MANAGEMENT             | WILL IT IMPROVE PERFORMANCE OF CRIMINAL JUSTICE AGENCIES AND OPERATIONS ?  |            |             |             |                |
| EFFICIENT MANAGEMENT             | WILL IT REDUCE COSTS OF CRIMINAL JUSTICE ACTIVITIES WITHOUT DECREASING PERFORMANCE ?   |            |             |             |                |
| PROMOTION OF FAIR SYSTEM         | WILL IT INCREASE FAIRNESS OF CRIMINAL JUSTICE AGENCIES AND ACTIVITIES ?  |            |             |             |                |
| PROTECTION FROM CRIMINAL CONDUCT | WILL IT REDUCE CITIZENS FEAR OF CRIME ?  |            |             |             |                |
| PROMOTION OF MORE HUMANE SYSTEM  | WILL IT COMPENSATE CITIZENS FOR CRIME LOSSES ?   |            |             |             |                |
| COMMUNITY INVOLVEMENT            | WILL IT INCREASE CITIZEN PARTICIPATION IN CRIME PREVENTION AND CRIMINAL JUSTICE ACTIVITIES ?                                     |            |             |             |                |
| COORDINATION OF ACTIVITIES       | WILL IT INCREASE CAPABILITY OF PROVINCIAL LOCAL GOVERNMENTS TO PLAN, MANAGE AND EVALUATE CRIME CONTROL ACTIVITIES AND PROGRAMS ? |            |             |             |                |

ACTORS: MINISTER - SPAC - MINISTRY WORKSHOP

\*ASSIGN EACH CRITERION A WEIGHT TO SHOW ITS RELATIVE IMPORTANCE IN YOUR MIND. EACH ITEM SHOULD BE GIVEN A WEIGHT BETWEEN ONE AND TEN. USE LOW NUMBERS TO INDICATE HIGHEST PRIORITIES. FOR EXAMPLE, YOUR HIGHEST PRIORITY WOULD GET A ONE AND YOUR LOWEST PRIORITY A TEN. DO NOT USE THE SAME NUMBER MORE THAN ONCE.

MINISTRY PLANNING AND EVALUATION PROCESS MODEL



DRUG ABUSE

- INCEASING CHARGES IN LATE 60S
- INCREASED CHARGES ON DRUG OFFENCES
- INCREASED PUBLIC CONCERN OVER DRUGS
- PRESSURE FOR CHANGES IN - DRUG LAWS
  - TREATMENT
- ESCALATION OF ORGANIZED CRIME IN DRUGS

IDENTIFY  
PROBLEM APEA

- SHAFER COMMISSION IN U.S.
  - LE DAIN COMMISSION IN CANADA
- RECOMMENDATIONS ON
- LEGISLATION
  - CONTROL OF AVAILABILITY
  - CONTROL OF POSSESSION
  - EDUCATION AND INFORMATION
  - REMEDIAL PROGRAMS

DEFINITION OF  
PROBLEM AREA

- INTERDEPARTMENTAL COMMITTEE STRUCK  
(JUNE 1974)
- RECOMMENDATIONS
- NEED NEW DRUG LEGISLATION
  - CONTROLS ON PRODUCTION AND DISTRIBUTION (MANY DEPARTMENTS)
  - CONTROL OF POSSESSION
    - NEED STUDY
    - TREATMENT MODEL
    - PILOT PROJECTS
    - NEED EDUCATION AND INFORMATION
    - SOME EXPLORATORY REMEDIAL PROGRAMS

DEVELOPMENT OF  
POLICY STATEMENT

- DRUG POLICY IN RCMP
- SOME MEDICAL TREATMENT IN CPS
- LITTLE CATALYTIC WORK IN SECRETARIAT
- REVIEW OF S-19
- CLEU INITIATED
- RESPONSE TO PSYCHOTROPIC DRUGS CONVENTION

ALTERNATE STRATEGIES  
& GOALS DEFINED

- RCMP GOALS IN DRUG ENFORCEMENT
  - TO CONTINUE TO ESTABLISH DRUG SECTIONS
  - TO CONCENTRATE ON MAJOR SYNDICATES
  - TO DETECT CLANDESTINE LABORATORIES
  - TO IMPROVE DRUG INTELLIGENCE
  - TO IMPROVE COOPERATION WITH CUSTOMS
- REVISION OF S-19  
(CLEU GOALS)

DEVELOPMENT OF PROGRAMS  
& OPERATIONAL POLICIES

# SITUATING THE MINISTRY ISSUES IN THE PROCESS

