

CANADA - Correctional Services, rehabilitation of detainees and the role of volunteers

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Among criminologists and prison administrations, the Canadian Penitentiary System is considered world-wide as being "innovative and efficient". Some of the reasons for this good reputation will be developed in the following chapters from the perspective of a European prison volunteer:

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1. Some Statistics -

A - Development of the Prison Populations (per ICPS)

	<u>1992</u>	<u>1998</u>	<u>2001</u>	<u>2004</u>	<u>2008</u>
Canada	35.235	37.401	35.553	34.154	38.348
Incarceration rate ⁽¹⁾	123	131	117	108	129
USA	1.295.150	1.816.931	1.961.247	2.135.335	2.310.984
Incarceration rate ⁽¹⁾	505	600	685	723	760
France	48.113	50.744	44.618	55.355	59.655
Incarceration rate ⁽¹⁾	84	86	75	92	96
Germany	57.448	78.592	80.333	81.166	73.592
Incarceration rate ⁽¹⁾	71	96	98	98	90

B -

	remand prisoners %	females %	youths %	foreigners %	occupancy rate %	detainees per prison	crime rate ⁽¹⁾
	<u>2007</u>	<u>2007</u>	<u>2008</u>	<u>2007</u>	<u>2007</u>	<u>2008</u>	<u>2007</u>
Canada	36,2	5,0	5,7 (2006)	2,4	107	223 (2005)	7518
USA	21,0	9,0	0,4	5,9	108	455	4100
France	27,7	3,7	1,1	19,2	118	322	6800
Germany	16,0	5,3	4,3	26,3	95	377	7800

⁽¹⁾ = rates per 100.000 inhabitants

- C - Canadian and US crime reporting is organised too differently to compare figures on a one-by-one basis. However, a 2001 study indicates the following trends of crime rates per 100.000 inhabitants:

	<u>Canada</u>	<u>USA</u>
Homicide	1.8	3 times as high
Aggravated assault	143	twice as high
Robbery	88	65 % higher
Robbery with fire arms	16	41 % higher
Drug offences	177	3 times as high
Arrests for drug offences	100	4 times as high
Break in	954	25 % lower
Motor vehicle theft	521	20 % lower
Arson	45	30 % lower

- D - Ethnic backgrounds -

	% of total population	% of prison population	prison population per 100.000 of same race
CANADA	<u>2002</u>	<u>2002</u>	
White	85.0	70.0	42
Black	2.3	6.0	146
Aboriginal	3.6	20.0	185
Asian	7.2	2.4	16
UNITED STATES - 2006			
White	79.8	34.6	727
Black	12.8	39.5	4777
Hispanic	15.4	20.2	1760
Asian	4.5	?	?

- E - Canada -

- a) Adult correctional service, ADMISSIONS to provincial, territorial and federal programs (source CSC)

	<u>2003</u>	<u>2005</u>	<u>2007</u>
Total custodial admissions	213.000	260.000	268.000
- of which sentenced people	68.000	93.000	91.000
remand prisoners	113.000	147.000	154.000
others (immigration etc)	31.000	20.000	23.000
Total Community admissions	106.000	111.000	110.000
- of which Probation	78.000	83.000	83.000
Conditional sentences	18.000	18.000	17.000
Conditional release	9.000	9.000	9.000

b) Adult correctional services, AVERAGE COUNTS of offenders in provincial/territorial institutions (source CSC)

	<u>2003</u>	<u>2005</u>	<u>2007</u>
Total actual-in account	19.368	20.828	23.025
- of which sentenced	9.863	9.617	9.750
in remand	9.163	10.878	12.888
- other statuses	342	332	387
Total Community supervision	115.510	113.141	108.951
- Probation	100.993	98.073	95.418
Conditional release	13.632	14.143	12.797
Provincial parole	885	926	735

- Sentencing Practices in Canada

		<u>1997</u>	<u>2006/7</u>
1 months or less	approx.	46%	55%
1 to 12 months		45%	37%
12 to 24 months		4%	4%
24 months and more		4%	4%

- The median custody lengths in federal prisons (those dealing with sentences of 2 years +) was 39 months in 1997 and 31 months in 2006/7.

<u>Provincial/territorial prisons</u>	<u>1997</u>	<u>2006/7</u>	<u>variation in numbers</u>
- admissions of sentenced prisoners	70 %	48 %	- 26 %
- remand prisoners	30 %	52 %	+ 28 %

The very short time most remand prisoners effectively spend in prison is typical of the Canadian system

	<u>1997</u>	<u>2006</u>
- 1 to 7 days	62 %	55 %
8 to 29 days	23 %	25 %
30 to 89 days	11 %	15 %
90 to 179 days	2 %	3 %
180 to 365 days	less than 1 %	1 %

Average remand times in the EU-16 countries were 167 days in 2003 (France 116 days, Germany 120 days). It appears that in 2006 the French average remand time was 171 days.

F - The cost of Incarceration 2006 (per Prisonjustice.ca):

- Correctional services total budget 2005 was \$ 3.000.000.000 of which 71 % were spent for custodial services, 14 % for community supervision services 14 % for administration and 2 % for federal and provincial parole boards;
- Cost per day of a federal male prisoner: \$ 150 to 250 ;
Cost per day of a federal female prisoner: \$ 410 to 680 ;
Cost per day of a provincial prisoner: \$ 142 ;
Cost of alternatives (probation, bail or community supervision): \$ 5 - 25/day ;
- For federal prisoners the daily wage rate in 1981 was \$ 7.55 with the "canteen basket" at \$ 8,49. In 2007 the same daily wage rate was 6.90 and the same canteen basket cost \$ 61,59.

2. Canada: a conciliatory Society -

Due to their proximity and common language, the difference between Canadians and US Americans is not so easy to discern for Europeans. Canadians, however, will always insist on that they are different from the Americans due to their historic ties with Great Britain and France and their own concepts and values.

Whereas US-Americans and Canadians are virtually equal with regard to energy consumption, immigration, personal income per capita, unemployment etc, the US spend 4,1% of their GDP on defence; Canada only 1.1 %. If one can leave aside the aboriginal problem, Canada was never a colonial power with all its implications. It is a "peaceful" nation. With regard to development aid, the UN Report places the US at a poor 15th place, whereas Canada is third and can be qualified, therefore, as "generous". According to a comparative study of 2002 on "social matters", such as adult and child poverty, the earning gap between men and women, unemployment benefits as percentage of earnings, life expectancy, working hours, low paid jobs, adult secondary education, literacy or voter turnout, Canada does considerably better than the USA (but less well than Sweden).

Whereas 15 % of all Americans are still excluded from Social Security, already 100 years ago Canadians in Ontario and Quebec benefited from state social funds which developed later into a full social security system. Unemployment benefits have existed since 1940, family allowances since 1945 and old age pensions since 1952. This is nothing new to Europeans, but it is a sign of "solidarity" among all Canadians. The integration of the 300.000 immigrants per year is well planned which results in less racial tension than in the US and many European countries.

27 % of the Canadians belong to a volunteer association and 77 % are occasional volunteers in many fields who contribute not only considerably to Canada's healthy state budget, but are a proof of their "communitarian" attitude. The French equivalents would be 9 % and 27 %. As per the CSC, on any given day, some 150.000 volunteers work throughout the federal government, of whom 80.000 are within the Department of Public Safety. The number of volunteers working in prisons and outside in the community-based organisations with parolees, in the Citizen's Advisory Committees, etc. is approx. 28 % compared with the total delinquent population. The UK equivalent would be 14 %.

Whereas American Society is marred by physical and social violence in spite of (or because of?) tough legislation and a high incarceration rate (0.76 % of the whole US population is in jail compared with only 0.11 % in Canada), close-by Canada is far more peaceful. Example: the fire arms homicide rate in the US is 5.7 per 100.000 people, in Canada only 0.7; probably also because Canada introduced tough gun laws in 1996. The death penalty was abolished as early as 1970 (in France in 1981).

Canada's media reflect well the measured character of its people. The 3 biggest national newspapers are liberal, centre left and conservative as are the 3 main parties in Parliament. The local tabloid "Sun" editions are benign in tone and presentation compared, for example, with the British and German tabloids with their populist and aggressive style which leave little chance for more humanitarian and long-term correctional reforms. Canadian television, particularly the public TV stations, is far less violent and more educational than US TV.

"Restorative Justice", Community Chaplaincies and the "Circles of support and accountability" started in this country, and when the world-wide "International Corrections and Prison Association - ICPA" was created in 1998, it happened in Canada. Its headquarters is still in Ottawa.

If the "Canadian Correctional Services" enjoy today the reputation of being "innovative and efficient", then this is due not only to the community spirit of the Canadian people, but also to the encounter of the professionally well prepared Canadian judiciary and correctional administration with Ole Ingstrup, a Danish lawyer and former Prison Director in his own country. After having arrived in Canada in 1984, he soon became President of the "Commission of Conditional Liberation" and then acted as the Commissioner of the whole "Correctional Service of Canada (CSC)" for 8 years from 1988 to 1992 and 1996 to 2000. Against the punitive rehabilitation philosophy of "zero-tolerance" spilling over from the US in these years, Ingstrup adapted the prison rules in place since the foundation of the CSC and made known the principles of the "Nordic Prison Model" based on respect for the detainee's dignity, the belief that delinquents can become respectable people through education and a social healing process rather than through punishment and deterrence.

3. Federal Correctional Legislation -

After the Second World War, the Canadian correctional legislation went from phases of great efforts for re-socialisation (Fauteux) in the 50s to riots and more repression in the 70s. With the creation of the "Correctional Service of Canada - CSC" in 1977, a number of principles still valid today were introduced, such as the specific CSC way of evaluating and classifying the detainees, the follow-up of each inmate during incarceration, the parole scheme, systematic school and professional education etc. A Sentencing and Correctional Law review in the 80s led after much public debate (see for example in 1986, John Konrad "Justice and the modern penal system") to the elaboration and publication of the 1992 "Corrections and Conditional Release Act - CCRA".

This detailed law of more than 200 paragraphs summarised all the proven corrective practices in place and improvements for the future to "contribute to the maintenance of a just, peaceful and safe society by :

- a) carrying out sentences imposed by courts through safe and humane custody and supervision of offenders;
- b) assisting the rehabilitation of offenders and their reintegration into society as law-abiding citizens through the provisions of programs in penitentiaries and in the community." The law stipulated that
 - all offenders sentenced to 2 years and more would be integrated into the federal prison system of the Correctional Services of Canada,
 - while the provinces were assigned to carry out, within their territory, policing, court and correctional administration for all sentenced offenders of less than 2 years, youths institutions, remand prisoners, etc.

The 1992 law defined 10 principles, such as

- "the protection of society shall be paramount,
- the sentence shall be carried out considering all relevant information from the judge and the trial, the National Parole Board, victims and offenders,
- the CSC should use the least restrictive measures for the inmate,
- the offenders retain the rights of all members of society,
- the CSC facilitates the involvement of the members of the public in matters relating to the operations of the Service,
- disciplinary decisions should be fair with the offender having the statutory right to oppose them ,

- correctional policies should respect gender, ethnic, cultural and linguistic differences not only with regard to women and aboriginal people, but other groups of offenders with special requirements,
- offenders should obey prison rules with regard to temporary absence, work parole and statutory release and participate actively in programs designed to help their reintegration into society ... ", etc.

Within the terms of this law, the CSC was authorized to continue its mission with regard to the care and custody of inmates, the provision of programs for a successful rehabilitation, the preparation of final release through different types of parole, etc..

The law then goes into details, such as the reception of inmates, work releases, investigation procedures, placement and transfer of prisoners, security classification.

Part 1 contains provisions for discipline, searches of inmates, cells, visitors, staff, community-based facilities as well as living and visiting conditions. At the heart of the re-socialisation effort are the educational "programs" adapted to each inmate according to his specific needs. Then the strong directive powers of the CSC Commissioner, the position of Prison Governors and the annual reporting to Parliament are defined.

Part 2 deals with "Conditional release" including the organisation of the "National Parole Board", the interaction of federal and provincial responsibilities, eligibility, conditions of release, review hearings and appeal procedures.

Part 3 - describes the role of the "Correctional Investigator", his nomination, power and tasks with regard to single or groups of inmates who contest decisions made by the Commissioner, the CSC or prison staff.

The authors of this Correctional Law had clearly in mind to:

- define in all transparency the organisational procedures on both the federal and provincial level, the responsibilities of the CSC, the prisons, staff, volunteers and the Correctional Investigator towards the victims and detainees,
- create an educational framework (the programs) for each detainee which would allow him to correct the personal shortcomings which led him into delinquency in the first place. The more he co-operated in these corrective programs, the quicker he could hope for conditional release thanks to a permanently ongoing risk evaluation by the Parole Officer,
- professionalize all actors in the correctional system, create the best procedures and standards valid for all Federal penitentiaries.

With hindsight this law gave a maximum of discretion to the judges to appreciate each case and to apply sanctions considering the local corrective means in federal and provincial prisons, their programs and local community-based alternatives to prison sentences. The present discussion around the extension of the existing 45 repressible crimes and the increase of the minimum mandatory sentences does not seem to be very helpful for the Judges in administering "real justice" (and they make it known).

Since 1992, "the Act" has been completed and amended through internal policy and program measures (mainly through directives by the Commissioner - see "Amendments to the CCRA and New Measures" published by the CSC in 7/2009).

Although crime rates in 2007 had reached their lowest level in 30 years which is consistent with the development in most Western countries, the Canadian public felt less and less safe (as do 83 % of the British population). Following the election promise for more "security for the public" of the Conservative Party in 2006 and their election

victory, the new Minister for Public Safety announced in 4/2007 the constitution of a panel of experts to review the mandate and operations of the CSC. In 10/2007 the panel presented a 255-page report called "Roadmap to strengthen Public Safety".

According to the panel, the CSC's methods of rehabilitating offenders through the defined "programs" has failed recently, mainly because the delinquents' profiles has changed drastically since 1992:

- 60 % of the inmates now have a history of violence,
- maximum security admissions have increased by 100 %,
- 1 in 6 inmates belong now to organised crime,
- 80 % of the offenders have a drug abuse problem,
- 50 % have committed a crime whilst under drug influence,
- 12 % of the men and 26 % of the women offenders have a serious mental health problem,
- a good portion of the detainees ignore the proposed improvement programs and prefer waiting for the automatic statutory parole release at 2/3 of the sentence, etc.

The "roadmap" contained 109 proposals for change, among others

- a) more training, protection and professional promotion for the staff, as, according to the report, 40 % of them intended to quit the correctional services within 3 years,
- b) henceforth offenders must show more rehabilitation effort. No more statutory releases should be granted as 40 % of them were "unsuccessful". In future there would be only "earned" conditional releases,
- c) Access to drugs in prison must be stopped at all cost. Increased controls, ion scanners for better detection and more detector dogs must be used,
- d) The employability of the detainees must be improved, because at admission to prison, 70 % of the people had not completed High School, had no regular jobs and no professional skills,
- e) Creation of bigger prison facilities to reduce the need for sending detainees across the country to stand-alone prisons providing specific rehabilitation programs, etc.

In 12/2007 the CSC Commissioner submitted a 37-page report "Plans and Priorities" to the Minister presenting the "Correctional Service Canada" as it functions now, proposed organisational changes and their cost implications. In his last yearly report for 2008, the Commissioner reiterates in great detail, apart from the budgetary tendencies, the 5 operational priorities within the "Roadmap to strengthening public safety":

1. Safe transition of eligible offenders into the community,
2. Safety and security of staff and offenders in the institutions,
3. Enhance capacities to effective interventions for aboriginals,
4. Improved capacities to address mental health needs of offenders,
5. Strengthening management practices.

In June 2009, the Minister for Public Security proposed the legislative amendments "to focus on strengthening the victims' rights and increase the offenders' responsibility". Some of the amendments were

- the "enshrining in law of the victims' right to participate in parole board hearings,
- that the police can arrest without warrant an offender breaking his conditional release obligations,
- offenders will be made more accountable because public safety is paramount.
- better support for the victims of crime,
- modernizing disciplinary actions etc.

The government allocated \$ 478 million over 5 years "to implement the new vision of the CSC".

Other measures included already in 1/2008 a \$ 1.7 million funding to track down illegal drugs crossing the border, combat the formation of gangs (Youth Options for success) and two laws against crime in communication (21st century act). An obligation for judges was introduced to count remand time at a ratio of 1 : 1 for final sentencing. Higher credits would have to be justified by the judges.

Even in a period of dropping crime rates, the government should, of course, have the right (even the duty) to consider it as too high and initiate appropriate measures to improve the situation further. However, the introduced changes (minimum and longer prison sentences, "earned" instead of statutory release) will inevitably increase the prison population, shorten the transition time of conditional release and increase the number of detainees released from prison directly into society. It may be doubted that the intended deterrent effect of some of the new measures will improve the re-offending rate in the long run.

4. The federal "Correctional Services of Canada - CSC" -

Essentially all legislation on crime and correctional administration lies with the Federal Government in Ottawa. However, and as said before, the enforcement depends on the length of the sentence pronounced by the judge:

- All detainees sentenced to 2 years and more fall under the responsibility of the federal "Correctional Service of Canada" for custody, conditional release and post-sentence long-term supervision of up to 10 years,
- All detainees sentenced to less than 2 years, all remand and youth prisoners are cared for by the juridical systems of the 13 Provinces/Territories.

According to the Commissioner's report of 2008 dated 31.3.09, the federal "Correctional Service of Canada" ran 57 prisons (called "penitentiaries") with a capacity of 14.200 places, 16 Community Centres and 84 parole offices with a total staff of 16.500 officers (of whom 39 % are custodial officers, 16 % working in rehabilitation and 45 % in health, maintenance, general staff). 47 % are women, 5,5 % of "visible minorities", 4,5 % have a handicap and 7,7 % are aboriginals. 9000 volunteers worked within the administration. The CSC was responsible for 13.287 incarcerated offenders and 8729 offenders in the community. Within one year the CSC managed 19.744 incarcerations and 16.744 supervised admissions and releases.

Patrick Mounaud in his analysis "L'exécution de la peine privative de liberté au Canada - Mythes et réalités" gives a more detailed account for 2007: the total CSC staff of 14.655 comprises 6176 Custodial Officers, 4043 officers working at central/regional headquarters and within the community centres, 2101 Parole Officers and Program Agents, 966 health personnel, 402 school and professional instructors, 967 managers, directors, administrative staff. 1200 people work at the CSC's headquarters in Ottawa.

Per the CSC, of the budget of some \$ 2.200.000.000 in 2008, 75 % went into custodial "institutions" (as the Canadians elegantly call "prisons") and the CSC community centres, 20 % into case management and offender programs and 5 % into community supervision including residential facilities. For 2010 the redistribution is planned to be 65 % for custodial institutions, 20 % for correctional interventions, 5 % for community supervision, 10 % for internal services. There are 5 CSC regional delegations in which the 13 provinces/territories are re-regrouped. The CSC also runs mental-health

institutions, aboriginal healing centres, an addiction research facility, correctional learning centres and CORCAN which provides work and the teaching of professional skills in prison to increase the delinquents' employability.

The Commissioner who heads the CSC is appointed by the Prime Minister, reports to the Minister of Public Safety and is accountable to the Canadian people via parliament. He must conduct the Correctional Services within the provisions of the "1992 Correctional and Conditional Release Act" and other legislation. The "Handbook for Prison Volunteers" explains the "mission" of the CSC, its 5 "fundamental values" and the reorientation subsequent to the 2007 "road map" introduced by the present Conservative Government.

When a sentenced offender of 2 years plus arrives at a regional CSC penitentiary, an institutional "Parole Officer" assesses him in order to come up with the "offender security classification report", further to which the detainee will be sent to one of 3 types of institutions:

- In 2006, of an approx. total of 13.000 inmates, 30 % of the men and 53 % of the women were incarcerated in "Low-security prisons". This is usually a "transitional" stage between incarceration and the greater freedom of conditional release. The purpose is to get the inmates used again to "real life, taking initiatives, being responsible". In small groups of about 10 people, the inmates have to organise their meals, washing and general activities. The detainees move freely within the buildings and try to accomplish the imposed/accepted programs of re-education. Some of them work outside and return to prison every evening. The detainee is frequently assessed by the Parole Officer in co-operation with the Correctional Officers, Psychologists etc. to evaluate the inmate's progress, if and when he will be eligible to be presented to the "National Parole Board" for the next stage, i.e. conditional release.
- 55 % of the men and 36 % of the women were incarcerated in 2006 in "medium-security prisons" which more resemble "European style" establishments. However, within the prisons they can move freely between their cells and other areas of activities (canteen, recreation area, gymnasium, library, work, school) because the cell doors are open between 7 am and 10pm except for certain periods of the day and for verification of the numbers.
- 13 % of the men and 11 % of the women were incarcerated in "maximum-security prisons", percentages which have more than doubled since 1996 when they were 6 and 4 %. Prisoners with life sentences and detainees who could constitute a physical menace to co-detainees and prison staff find themselves in this rather tough confinement. The inmates are regrouped in living units of 20 to 50 people with a common room with food, TV and showers which they can use at fixed hours of the day. Although the doors are open from 7 am to 10 pm, movements are limited and controlled from gangways and by electronic supervision.

A "Super-maximum prison" for about 100 detainees in Quebec deals with the "the worst of the worst" prisoners who have caused severe disturbance and violence in other institutions. Although it has little to do with the US-style "Supermax" prisons with virtual isolation for 23 out of 24 hours, the treatment is tough. There is no physical contact with staff or lawyers other than when the prisoner is hand-cuffed, in a sort of cage or behind a wall of security glass. The evaluation by the parole officer happens every 4 months and the average stay is 12 months. 10 prisoners form a living unit. They are watched from gangways above by armed prison officers.

Guards and staff of the French Lyon Prison Administration who visited this prison in

9/2008 were duly impressed by the severity of the confinement. As these "high-risk" detainees virtually never meet the guards physically, aggression attempts are practically excluded. In France such "aggressive" prisoners, apart from shutting them in solitary confinement, are part of the regular prison population with the risk of physical aggression both for co-detainees and staff.

Prison farms have been a specific type of correctional institution in the last 150 years. They must have been pretty grim in the beginning, but are generally considered re-integrative today, because the detainees learn how to work the land, to harvest and distribute the products and to deal with animals. The new conservative government indicated that it wants to phase out the remaining 6 prison-farms, because only 1 % of the 25.000 inmates who worked in the last 5 years on these farms, actually used the acquired skills to continue working in agriculture after the end of the sentence. The public debate is ongoing, but the decision by the government seems to be final, as the land is ideal for building new, regional, multi-purpose "super prisons".

In addition to these 5 types of institutions there are others for specific needs, such as

- 4 "healing lodges" mainly for aboriginals,
- multi-level institutions containing detainees of different security levels in separate areas,
- 5 prisons specially equipped for women,
- institutions for mentally perturbed inmates (see the alarming appeal of the "Canadian Mental Health Association" of 3/2009),
- the "Private family visiting program" which is based on the Commissioner's directive 770 of 2001. It allows whole families or single partners to spend up to 72 hours in specially equipped flats which should resemble as much as possible a normal living environment. In the CSC-administered prisons there are about 160 such flats, or on an average 3 per establishment. The purpose is evidently to keep family relations going until final release into freedom.

After visiting 3 prisons in Quebec, the delegation of the Lyon Administration Pénitentiaire in France, remarked several differences compared with their own environment:

- in a living unit of 3 floors the cell doors were open and the inmates moved freely from 7am to 10.30 pm except for periods of head counts,
- the detainees can phone freely (reverse charge calls),
- in "low-security establishments" the inmates can eat in their cells or in the common self service together with the staff and occasional visitors ,
- one cannot hear the typical banging of prison metal bar doors,
- there is no degradation of equipment, no food and rubbish is thrown out of the windows,
- free access to the well equipped gymnasium and library,
- during family visits the conversation takes place across a "hygiaphone" (kind of separation glass),
- the cells are basic with no TV or radio. These are available in the common recreation hall,
- the prison officers have their names attached to their shirts,
- they must belong to ONE union,
- no smoking allowed anywhere in prison,
- the detainees have the right to contest and try to reverse within 48 hours a decision taken by the administration,
- Instead of the max 45 days' solitary confinement in France (since 11/2009 reduced to 30 days), in Canada the person can only be punished by this method for 7 days, etc.

Conclusion of the trip report: "the aim of incarceration in Canada is rehabilitation of the delinquent. It is necessary that the French Institutions open themselves to foreign countries to learn" (!).

Who are the main actors within the centralized and professionalised CSC system? According to Mounaud, 42 % of the CSC staff are custodial officers (compared with 75 % in France!). And who are the officers/people mainly involved in the rehabilitation process of the detainees and what are their functions?

1) A CSC slogan says that "Rehabilitation starts on day one". Indeed, when an offender sentenced to 2 years plus arrives at a regional CSC penitentiary, an institutional Parole Officer assesses him within 60 to 90 days to come up with the

a) "Offender security classification report" further to which the detainee will be sent to a high, medium or low-security prison (life prisoners will go automatically to a maximum-security prison for at least 2 years). This decision will be taken in co-operation with a psychiatrist on the basis of criteria such as the physical danger the detainee presents to society, the prison officers and co-inmates, the type and extensiveness of the crime committed, the likelihood of re-offending and escape, his professional and educational skills, proximity to the family, availability of specific treatments and programs, presence of certain gangs in some prisons, etc. The ample information is recorded and evaluated in grid-form so that additional information can be added later.

During 2009, the rather lengthy and bureaucratic assessment procedure has been accelerated by a directive, according to which a psychological analysis is no longer required for first-time, non violent offenders with a sentence of less than 4 years.

b) "Correctional Plan" which comprises the psychological and behavioural profile of the detainee, the specific measures, treatments and programs the Parole Officer proposes in order to reduce/eradicate the inmate's shortcomings which led to his delinquency and incarceration. With the help of professionals and volunteers, a multitude of programs is available, such as learning living skills, family and general violence prevention, anger management, detoxification, sex-offender treatment, psychiatric help, basic and professional education for better employability, work experience, ethical and religious teaching, meetings with experienced volunteers on a one-to-one basis, etc. The agreement to a victim-offender mediation could complete later the offer of available improvement programs.

The evolution of the detainee within the correctional system is relatively straight forward: the more he shows adaptability to his new environment, the more positively he participates in the "programs", keeps in touch with the family, recognizes his wrongdoing and lowers, thus, the risk of falling back into crime again, the quicker he will reach the minimum security-stage prison, conditional release and the advantages attached to them.

The Parole Officer's work is administratively heavy and lengthy because it must conform to a detailed pattern and it is the result of team work. He is the detainee's focal personal contact, because he has the power to alleviate his condition or make it worse. Although major decisions are taken formally by the Prison Director or the Commissioner of the National Parole Board, the Parole Officer's authority and influence are decisive for the evolution of the detainee during the whole time of the warrant. Parole Officers are usually university-educated psychologists, social scientists or criminologists who deal with 20 to 30

inmates from the first day of incarceration through to conditional release in the community and long-term supervision until final release into society.

- 2) After having spent some time as base-grade Correction Officers 1 in the disciplinary environment of medium and tough maximum-security prisons, people-sensitive officers are encouraged to further studies and exams to reach the status of Correctional Officer 2. This promotion will mean not only more money, but transfer to a low or medium-security prison where he will become responsible for 5 to 10 detainees who are on their way to conditional release. Representing the authorities and security, the officer will at times leave prison with the delinquent on accompanied visits and, in this way, get to know the family, the social and professional environment into which the delinquent will be released one day. The Officer is naturally part of the "Case Management Team" together with the Parole Officer, educators and psychologists to determine the detainee's needs, maybe sanctions and best date for conditional release.
- 3) The Correctional Program Officer has the task of putting together a correctional program designed to correct the criminogenic factors highlighted in the "Correctional Plan". This "Plan" should be skill-orientated and attractive enough for the detainee to adhere actively to it, because the inmate's participation in the rehabilitation program is voluntary. The Correctional Program Officer's task per the Commissioner's directive 726 is well defined. His ability to find attractive and appropriate programs and to motivate the detainee sufficiently, will influence greatly the detainee's future both during detention and thereafter.
- 4) The 1992 "Corrections and Conditional Release Act" confirms the detainees' fundamental rights to human dignity. If a prisoner feels that he is not dealt with respectfully enough by the staff, then he has the explicit right to complain. The Correctional Services must deal adequately with the complaint and reply in a substantiated manner. According to the gravity of the complaint, standardized procedures from minor incidents, to be dealt with internally, to major disciplinary measures with an independent outside president standardized procedures are in place to settle matters.
As a last resort the detainee or groups of them can appeal to the independent "Correctional Investigator". In his last report of 2008, the "Investigator" indicates that since the creation of this function 35 years ago, 140.000 complains have been filed of which 6400 during the year 2007/2008 (13 % for reasons of health care, 8 % for transfer to another prison, 7 % for stolen objects kept in the cells, 6 % for restrictions of visits, preventive confinement, lacking receptivity by the staff, 5 % for conditions of detention, etc) . The report makes interesting reading, because it reveals the less successful sides of the Canadian Correctional system, such as the steadily rising incarcerations of the First Nation Offenders, the insufficient means available for inmates with mental health and drug problems, the safe transition of eligible offenders to the community centres, the security preoccupations of staff and detainees, etc.
- 5) Elected "Inmate Committees" developed out of the "Corrections and Conditional Release Act" which stipulates that "the Correctional Service should provide inmates the opportunity to contribute to decisions affecting the whole or part of the prison population, except for security matters".
Directive No. 083 not only encourages the detainee to participate in his own "Correctional Plan", it invites the detainees also to participate in the running of his correctional establishment. Today in every Canadian prison such "Elected Inmates Committees" represent the detainees' interests with the Prison Management. The elected delegates are the focal points for general improvement suggestions coming from the inmates, concerning sport and leisure activities, cultural and social events,

such as encounters with families at Christmas and the support of sub-committees dealing with the specific needs of minority groups (aboriginals, Muslims). These elected representatives also act as mediators between the prison management and detainees to forestall conflicts before they get out of hand.

- 6) The "Peer Support" idea has probably grown out of the English Samaritans' "listening scheme" to prevent suicide and self harm. In Canada it has developed into a "mutual aid institution" in which, under the authority of the prison's Health Service, specially prepared inmates are willing to help and council other detainees in delicate matters, such as sexual violence in prisons, the risk of infectious illnesses and more general questions, such as disagreements with the Parole Officer or with the family at home. The basic assumption is that, as trusted co-inmates, they will understand other prisoners' problems better than prison officers, chaplains or outside volunteers. Peer support is active particularly in female establishments with a high aboriginal population. Extensive information on the subject is available on Internet.
- 7) CORCAN is the CSC organisation which provides employment inside the federal prisons and teaches professional skills to the detainees for better employability after final release. There are 37 such production units across the country which are ISO-approved and operate according to market conditions; although most of the production is distributed within the CSC establishments and other government departments. A great variety of products and services is on offer, such as the manufacture of all kinds of office furniture, beds, sofas, wood work, shirts and jeans, metal items per drawings, printing, laundry, construction work and agriculture with products such as vegetables and compost. In addition, CORCAN runs 53 community employment offices to find jobs in local industries and services. Volunteers with their wide range of professional skills and experience in the working world help detainees to chose feasible careers and organise schooling, traineeship and work experience.

Is the FEDERAL Offender Population Profile different from that of European long-term prisoners? "Statistics Canada" published in 12/2008 an array of figures which highlight considerable changes in the delinquents' characteristics between 1997 and 2007:

- Roughly 90 % of the new offenders have now previous convictions,
- more violence, hostility, impulsive and aggressive behaviour is now recorded on admission to prison. At the same time, paradoxically, the percentage of violent offenders in prison has decreased from 58 to 49 %.
- 33 % more offenders are now affiliated to gangs and organized crime, or one in six men and one in ten women (= + 85% in 10 years),
- offenders serving for homicide have increased by 14 %; one in 4 male inmates is now sentenced for that crime,
- mental health problems have increased by 71 % for male and 100 % for female offenders on admission to jail; 12 % of all male and 25 % of all female inmates are now so identified,
- prisoners with learning disabilities and low functioning capacities are clearly on the increase,
- the average sentence for federal 2-year plus inmates is 38,4 months,
- prisoners of 50 years and older represent 19,2 % of the prison population. The number of older remand prisoner has doubled since 1992 and keeps rising,
- 25 % of the CSC male and 36 % of the female prisoners serve a sentence between 2 and 3 years. 20 % of the male and 17 % of the female inmates serve a life sentence or one of undetermined length.

- 5 % of all federal inmates are women of whom 53 % are in the community and 47 % incarcerated. 26,4 % of all women inmates are aboriginals. Female criminality and incarcerations have risen by 46 % in the last 10 years.
- 25 % of men and 29 % of the women offenders in CSC prisons serve for homicide, 25 % of the men and women for drug offences, 33 % of the men and 25 % of the women for robbery, 16 % of the men and 2 % of the women for sex offences.
- Federal inmates were sentenced for

	<u>1997</u>	<u>2007</u>
Violent offences	58 %	49 %
Property crimes	17 %	22 %
Drugs	15 %	11 %
Others	10 %	18 %

(increase due in part to breaches of probation/parole conditions which went from 3847 in 1997 to 7963 in 2007)

Reading through the CSC website, the mass of information, the business-like vocabulary, the frequent reference to "accountability and effectiveness" and to its performance-orientated self-perception to achieve the 2 main goals (security for the public, rehabilitation of the delinquent), one notices quite a difference from the more administrative approach of European Correctional Administrations. The CSC website is a good example of a government agency's desire to be "transparent" towards the population and to "serve". Naturally the CSC website is bi-lingual English-French.

In a contribution to "Correction Criminology" of 2005, Ole Ingstrup defined what "good correction services" are all about. He comments on the essence of the 1992 "Corrections and Conditional Release Act" to which he contributed, is scornful about politicians who are out mainly for votes, but useless for building a coherent and lasting correctional system. In essence he says "more repression and more prison entails more crime, but does not produce more law-abiding citizens". Interesting writing by an experienced man.

5. The National Parole Board (NPB) -

The NPB is a federal institution which works under the authority of the CSC. Unless invalidated by an appeal, a judge's sentence must be carried out as pronounced. However, the legislator left it up to Civil Society, represented by the "commissioners" of the NPB, to decide when and how the detainee could be admitted to a different form of conditional release until full freedom at the warrant expiry date. The NPB's operating principle is based on the concept that "Supervised and gradual re-integration into society is the most efficient method to ensure public safety. The longer the time of conditional release extends before full freedom, the less re-offending will follow". The "commissioners" of the NPB are ordinary citizens, as opposed to professional judges, lawyers or criminologists. They are fully independent of the Government and nominated for a period of 5 years. At present, there are 37 full-time and 37 part-time commissioners. Once appointed, they will be taught the laws and regulations with regard to sentencing, granting and controlling conditional releases. Except for Ontario and Quebec, the NPB acts as Parole Board for the other provinces and territories too.

The decisions are usually taken by 2 commissioners in the presence of the detainee. After previous scrutiny, the victim, the family and the public can also be present. The decision for granting quicker access to "conditional release" than the statutory 2/3 of the sentence, will be taken on the basis of

- an evaluation of the whole personality, the previous life, possible re-offending, and the professional, health, behavioural and family context,

- the progress of the rehabilitation process in prison according to the "Correctional Plan" and the all-important report by the Parole Officer,
- what the detainee's plans for the parole period and later in society, together with the main preoccupation: what is the risk of the candidate re-offending and particularly will he be violent?

The NPB's conditional release grants into the community can be accompanied by stringent conditions, such as the strict execution of the programs, prohibition to contact certain people or go to certain geographic areas, to take drugs or drink alcohol. At any rate, the Parole Agent with his intimate knowledge of the detainee, will accompany him until the expiry of the mandate.

The NPB "Performance Monitoring Report" for the year 2007/2008 indicates figures and trends, such as: Number of detainees on federal level: 13.582; federal detainees on conditional release 8434; number of reviews and hearing for federal prisoners 17581, for provincial prisoners 1059; 20457 contacts with victims. 244 victims participated in hearings of which 215 were in person and 29 via audio; 30.398 applications for pardons (demand to remove name and conviction from all official records) were received with an average grant rate of 99 %. The NPB also decides in the case of temporary absences of people imprisoned for life, whereas the CSC usually deals with simple work releases, escorted and unescorted absences.

6. Re-offending (Recidivism) -

It can be calculated from the date of release from prison into supervised parole or straight into freedom at the warrant expiry date until re-arrest, re-incarceration or reconviction occurs. For calculating the re-offending time, a 2-years follow-up period from date of release until reconviction is usually applied in Canada (as it is in England), whereas a 5-year assessment time is more customary in continental Europe. The reason given for the 2-year follow-up is that, on an average, one half of the offenders would have completed their sentence and, thus, allow an estimate of re-offending beyond the end of sentence and any period of supervision.

Due to the differences of categorisation, time frames and the separation of 2-year plus delinquents from the provincial inmates in Canada, comparisons of re-offending figures on international level are rather misleading. In spite of the complexity of assessing re-offending and, therefore, the statistically proven success or failure of the Canadian rehabilitation policy, a few examples are given hereafter:

A - With regard to the efficiency of the CSC conditional release policy, the relevant figures for 2007/2008 published by the NPB, are as follows:

	Day parole <u>1)</u>	Full parole <u>2)</u>	statuary parole <u>3)</u>
Federal parole releases	3009	1358	5693
Successful completions	83,5 %	72,9 %	58,8 %
Revocation for breach of conditions	13 %	19,3 %	30,6 %
Total releases without re-offending	96,4 %	92,2 %	89,4 %
Revocation with offence - non-violent	3,2 %	6,9 %	8,6 %
-- " -- violent	0,4 %	0,9 %	1,9 %
Total revocations for new offences	3,6 %	7,8 %	10,6 %
Granted rates for conditional release	72 %	43 %	-
Months of community supervision	4,5	25,1	6,6

248 (or 2,5 %) of all detainees have not been released for disciplinary reasons at the statutory parole stage. Convictions for violence of detainees during conditional release declined by 33 % between 1997 and 2007.

(1) = "Day parole" allows an offender to participate in community-based activities to prepare for full parole or statutory release; can be granted 6 months before full parole eligibility. "Accelerated day parole" after 1/6 of the sentence can be requested particularly if it is the first stay in prison for a non-violent act.

(2) = "Full parole" inmates are normally eligible to be considered for full parole by the NPB after serving 1/3 of their sentence or 7 years, whichever less.

(3) = "statutory parole" offenders who have not asked for parole or had their parole revoked. So far statutory release has been granted by law after 2/3 of the sentence.

B - There is a re-offending study 2 years after release covering the provincial prisoners in Ontario for the years 1991 through 1996 with a sampling between 1000 and 2000 inmates per year which shows the following evolution of recidivism:

	<u>Parolees</u>	<u>Non-Parolees</u>	<u>Parole granting rate</u>
in %			
1992	31,1	60,2	51,5
1993	31,6	58,3	52,7
1994	30,6	56,4	59,2
1995	26,2	56,8	49,1
1996	23,2	57,4	42,4

As for the above statistics by the NPB under A), this study tries to demonstrate the declining re-offending rate over a 5-year period and the considerably lower percentages of re-offenders who have spent some time on parole in the community compared with non-parolees. Why under these circumstances the "parole granting rate" declined over 5 years from 51,5 % to only 42,4 % (and even to 35,1 % in 1997) seems little comprehensible.

C - An analysis published in 2003 by the CSC of all released federal offenders 1994/1995 and a random sampling of those in 1996 and 1997 comes to the following general conclusions:

- the re-offending rate for all releases in 1995 was 44 % (violent re-offenders = 14 %, non-violent offenders including revocation for breach of parole conditions = 30 %). For 1996 and 1997, the rate lowered for men to 43 and 41% and for women from 30 to 23 %,
- as the English re-offending rate after 2 years is 50 % for men and 45 % for women compared with 41 % for Canadian males and 23 % for females, the findings suggest that the Canadian Federal Correction system performs well; this all the more as the Canadian percentages refer to the more serious federal "2-year plus" offenders, whereas the English percentages comprise ALL delinquents.
- 15/19 % of the re-offending occurred while under supervision during parole time and 24/26 % after the completion of the sentence,

D - The "NPB Performance report 2008" tries to determine the re-offending of inmates who had been in federal prisons between 1991-92 and 1997-1998. 10 years later on an average 26 % of these delinquents had re-offended and returned at least once to a CSC institution. More in detail:

- of all "full parolees" 12 % re-offended,
- of all "statutory parolees" 32 % re-offended,
- of all detainees who were granted NO parole, 36 % fell back into crime .

E - The CSC says in its "Performance Report" that, with regard to VIOLENT crimes (sentenced to 2 years and more), of the offenders who completed their sentence between 4/2006 and 3/2007, 4,84 % were re-admitted into federal custody within 2 years of sentence completion for a violent crime.

Measuring the re-admission of violent crime within 5 years of completion of the previous sentence, the re-offending rate was 9,57 % for people who had been released between 4/2003 and 3/2004.

The CSC asks as part of its routine intake process whether the arriving prisoner sentenced to 2 years or more, had a previous "encounter" with the judicial system (youth, provincial, federal). 90 % (!) of them say that they have had previous convictions.

7. Provincial and Territorial Correctional Services -

Ordinary and superior provincial courts together with special courts (for drugs) and provincial appeal courts can judge all types of offences which can lead to incarceration or alternative community sentences. All offenders with sentences of less than 2 years, those sentenced to community service work, fines, probation, other non-custodial sentences, young offenders and pre-trial-supervision (remand) are followed exclusively under provincial/territorial jurisdiction. The provincial correctional services are accountable to the Solicitor or Attorney General.

Whereas the federal "Correctional Service Canada" has developed a very transparent communication policy and website, information about the proportionately more important correctional activities of the 13 Provinces and Territories is scarce and scattered. :

For adults, the 13 Provinces ran 114 prisons in 2008 for an average prison population of 10.100 sentenced and 13.000 prisoners on remand. In 2007 the provincial/territorial prisons had to cope with 248.000 admissions of which 150.000 were remand prisoners and 71.000 are detainees sentenced to less than 2 years.

There are 2000 young people under the age of 18 years in the Provincial youth detention centres of which 1000 are on remand. Subsequent to the 2003 "Youth Criminal Justice Act" the number of young people in prison fell by 58 % between 2003 and 2007 in spite of more youth gangs and the disproportionate percentage of aboriginal young people in custody. In addition, the Provincial authorities ran 153 community care centres or half-way houses.

REMAND prisoners waiting in Provincial detention centres to be tried now outnumber the SENTENCED inmates. Whereas in the last 10 years the average sentenced prison population in Provincial prisons has declined by 28 %, the number of pre-trial inmates has increased by 26 %. The reason for ever more remand prisoners seems to be that more time is needed by Police and Judges to investigate more complex crimes (drug rings, gangs, money laundering) and the government's determination to "get tough on crime". The frequent movements and transfers of remand prisoners and the unpredictable length of their stay in prison cause security risks and tensions. The Alberta authorities indicate that the average remand time is 18 days, which, by European standards, is incredibly little.

From the National statistics 2006 we learn that the average Canadian crime rate is 8200 per 100.000 inhabitants. The more populated provinces such as Ontario (6200) and Quebec (6600) are below the average. The more Western and Northern Provinces, have higher crime rates: Alberta 10330, British Columbia 12.500, Manitoba 13.700, Saskatchewan 15200, Yukon 22.200 and the NW Territories 44.000. 11 % of all admissions in Quebec and 60 % in Manitoba are for violent crime. Property crimes were highest in Alberta (29 %) and lowest in Nunavut (13 %). But police-reported crime

statistics in 2008 also state that the volume and severity of crime fell by 5 % in one single year and by 16 % between 1996 and 2005.

These statistics are somewhat influenced by the high criminality rate of the aboriginals (First Nation, Métis, Inuit) who count only for 3 % of the Canadian population, but for more than 20 % of the total prison population (71 % in Manitoba, 79 % in Saskatchewan and the Northern Territories). In the provincial prisons more than 25 % of the women and young people are aboriginals. Their proportion has trebled in the last 10 years. In spite of culturally-sensitive programs, special provisions by the National Parole Board, "Healing Lodges" and an acute awareness of the problem reflected frequently on the CSC website, the problem with the aboriginals is persisting. Extensive studies such as "A Profile of Visible Minority Offenders in the federal CSC System" of June 2004, "Canada's performance report 2005 - aboriginal peoples", "Rise in female, aboriginal inmates alters prison population" of 12/2008 and "Incarceration of Aboriginal people in adult correctional services" of 6/2009 all reflect the effort of the authorities to come to grips with this elusive problem.

The provincial/territorial correction administrations and institutions are incorporated in, for example,

- the services of the "Solicitor general and Public security" in Alberta,
- the "Justice and consumer Affairs Department" in New Brunswick,
- the "Ministry for Community Safety and Correctional Services", Ontario,
- the "Justice Department" in Nova Scotia, Newfoundland and Yukon.

Surfing through the relevant websites of the Provinces, several basic themes keep coming back, such as

- the preoccupation that a correctional system on federal and provincial level can only function, if the exchange of information among the competent authorities is guaranteed (Sex Offender Registry, Police InfoPol, Offender Management System OPS, Provincial Corrections and Parole Boards, Attorney General, Court information, etc.),
- The stiffened policy of the Conservative Government seems to have found its way into the provincial institutions. Recurrent subjects are "earned release", the strengthening of the public security, more help for the victims, fight to keep drugs out of prison, special dispositions for aboriginal inmates, fight against gangs and violence of every kind,
- The extraordinarily strong presence of civil society in prisons and in the Communities is remarkable (the Government of Ontario talks of several thousands volunteers!),
- In the documents the 2 missions of the 1992 Act are frequently repeated. The Quebec "Ministère de la Sécurité Publique" spells out its tasks clearly in the heading "Détention et insertion sociale".

As said above, information about of the Provinces' Correctional Services is scarce compared with the CSC website. However, one can find information such as

- the "Ontario Parole and earned release Board" employs 3 full-time and 23 part-time commissioners who granted in 2001 (only) 584 parole releases (= 28 % of the cases presented), although 84 % of all detainees on conditional release had successfully terminated their time.
- Inmate assessment, similar to the work of a Parole Officer in a federal prison, is practiced in provincial prisons too "to allow the detainee a successful personal and social adjustment" during the prison stay.

- In Ontario there exists an "earned remission" count which grants an inmate for every day in jail without disturbance ½ day less detention (or the remission of 1/3 of the sentence).
- In Quebec, there were 39527 prison admissions in 2007 with 6,3 % more incarcerations, 14,5 % more remand prisoners, 6,2 % more community sentences, but 4,3 % fewer conditional sentences.
- Alberta had an average of 2635 prisoners in 2007 (9 % more than in 2006, 12% more than in 2005). There are 41 Community Correctional Centres with a variety of rehabilitative services and work offers. The principle of the 2003 "Youth Criminal Act" is summed up with offers of programs, treatments and leisure activities in two Young Offender institutions.
- Of course, Yukon and the NW Territories have their specific problems with the high rate of aboriginal detainees, their community structures, languages and values.

8. Volunteers working within the Correctional Services Canada -

In the past, prisons in Europe were often closely linked with the repressive power of sovereigns and brutal dictators. It was there that they shut away their opponents with or without trial. As volunteers did not represent governments and prison authorities, but their own ethics and the values of civil society, they were, if allowed access at all, usually considered as unwelcome outsiders. This is no doubt the main reason why prison volunteers formed INDEPENDENT organisations which made (and still make) no secret of their opposition to certain aspects of the whole correctional system.

For democratic Canada, without the experience of inquisition, Gulag and fascism, the people's identification with the State is far less conflictual and prisons a more natural part of the social tissue. Therefore, the massive number of volunteers working both WITHIN the state-run CSC and the provincial/territorial establishments is only logical. In this context it is interesting that in Western Europe it is only in peaceful, federal Switzerland that most of the volunteers work also WITHIN the Probation services of the Cantons and that there are virtually no prison volunteer organisations in the former Communist Eastern European countries at all.

The history of the Canadian volunteers working as part of the CSC is not readily available. At any rate, the CSC commissioner published Directive No. 775 in 1997 in which he encouraged the prison staff to work with the volunteers "because they contribute to offenders becoming law-abiding citizens". It is not known how many volunteers were active at that time. In 2000, the CSC stated two main obstacles to their continuing contribution within the penitentiary system in conformance with the 1992 Act: the average age of the volunteers was too great and in their social composition they were no longer representative of the Canadian population as a whole.

The CSC allocated \$ 1.3 Million over 5 years to improve the infrastructure for recruiting/managing volunteers and new community-based partners working on all levels for the rehabilitation of inmates. A statistically representative sampling of the volunteers working in prison and in the communities was defined in 2004 and a detailed questionnaire drawn up. In a field research 3 categories of people were questioned: prison personnel, volunteer co-ordinators/management of the National Volunteer Association and the 5595 active CSC volunteers. In 3/2005 a 114-page "Report on the evaluation of the Enhancing Community Corrections Infrastructure: volunteers initiative" was published, together with the questionnaires and the detailed results contained in 49 tables. The findings were presented in 5 sections (relevance, success, cost effectiveness, implementation, unintended findings) and 9 recommendations formulated. A detailed 8-page action plan with targets to be met until 2008 and the control of their

effective implementation was drawn up and published on internet. Here is some information which could be interesting even now:

- The recruitment success between 2001 and 2005 was considerable, because 3878 new volunteers for 117 correctional activities were interviewed and between 2005 and 2009 the total number of volunteers grew from 6000 to 9000.
- On the basis of \$ 22,- for a theoretical volunteer salary, 2.5 hours per week and 37 weeks effectively worked on an average per year, in 2005 the 6000 volunteers represented an economy of \$ 12 Million for the CSC budget.
- Between 2000 and 2004, 55 paid employees were formed for the recruitment and training of new volunteers, retraining and managing of existing volunteers. Among other things, a detailed data base of all volunteers needed to be created. 1200 hours of training were given by the CSC to in-house personnel and partners and 5000 hours to 1600 volunteers (or 30 % of all of them).
- The 2005-study identified the need for enhanced recruitment of volunteers with additional language capabilities, different cultural, religious and racial backgrounds and handicapped people.
- A particular problem emerged in as much as the CSC had to find ways and means to interest and motivate experienced volunteers to retrain and keep working for the cause.
- In 2004, of all volunteers 40 % were active in religious programs, 18 % in self-help, 15 % in visitations and 8 % in detainees' escort. 66 % said that their main aim was "to help the detainees".
- Questioned as to whether the CSC personnel constituted an obstacle to their work, 70 % denied it. According to 80 % of the volunteers, those who appreciated their work most were the detainees.
- 35 % of the volunteers were less than 45 years old, 45 % between 46 and 65 and 20 % above 65. 74 % indicated that their mother tongue was English, 24 % French, 2 % others. 44 % said that they lived more than 30 km away from the place of their volunteer activity, 27 % less than 10 km. 69 % had another volunteer activity outside the CSC which resulted in 13,2 hours work per month for the CSC and 7,2 hours in the community. On an average, the interviewed volunteers said that they had been working for the last 6,6 years within the CSC and for 4,7 years in a community association.
- 80 % of the prison staff was satisfied with the volunteer contribution. 90 % of the volunteers were happy in their work and wanted to continue.
- Of the 5600 active volunteers 4900 were working inside prison, 250 in communities, 410 in administration. 55 % were men, 45 % women; 1,4 % handicapped, 2,5 % of visible minorities, 1,4 % aboriginals.

This is no doubt the most detailed enquiry on "prison volunteers" which has an equivalent only in the Italian FIVOL analysis.

The approx. 9000 CSC-prison volunteers work under the authority of the CSC Assistant Commissioner of the "Communication and Citizen Engagement Sector".

The "The National Volunteer Association - NVA" headquarters with its Co-Chairperson and Project Officers is situated in Ottawa. In addition, there are 5 regional offices

(Prairies, Ontario, Quebec, Atlantic, Pacific) with Volunteer Co-ordinators and general staff. The NVA was founded in 2001 as a representation of all volunteers working all over the country within the CSC institutions and communities. Its Board of Directors consists of minimum two volunteers from each region. The CSC is represented through the Volunteer Co-ordinators and its own delegate. The main task of the NVA is to increase the number and improve the qualifications of the volunteers, establish them as an integral part of the rehabilitation process, create networking structures and support the co-operation with outside volunteer organisations such as the Salvation Army and the John Howard Society.

Since 2001, the CSC and the NVA present The Taylor Award annually to an outstanding CSC volunteer who has shown exceptional dedication to the work with prisoners. The 5 regions each propose a candidate out of whom the winner is chosen. The official award is transmitted during an official ceremony during the "National Volunteer Week".

For a 5, 10 and 20-year service in a correctional environment, volunteers are awarded pins by the CSC in recognition of their dedicated work.

At the heart of the NVA and their regional offices are the Volunteer Co-ordinators who have multiple tasks, such as

- recruiting, planning, screening, training and placing of the chosen volunteers according to their qualifications, sensitivities and availability,
- adapting existing and identifying needs for new programs,
- co-operation with prison staff to determine the effective needs and supervision of the volunteers particularly in the initial phase of their work,
- follow-up of all volunteers in their region and documentation of their work,
- guaranteeing the link between volunteers working in the institutions and the communities, and so on.

And how do Volunteers (working within the CSC, the provincial correctional services and outside associations) participate in the reintegration programs? Examples:

- Education: individual teaching, literacy and computer lessons, professional skills, apprenticeships, literature for leisure, life skills,
- Detoxification and prevention: for children of alcoholic parents; for adolescents and adults, alcohol and drug awareness programs by Alcohol and Narcotic Anonymous, Seventh Step, Al-Anon,
- Chaplaincy: both in the institutions and outside many volunteers provide personal support, help in religious services, faith-based activities and as members of the "Circles of Support and Accountability", help for prison leavers,
- Multi-religious, - ethnic and -cultural Programs: Black Brother and Sisterhood, programs for minorities such as Jews, Muslims, Indians, Asians,
- Aboriginal programs: alcohol and substance abuse help and prevention, spiritual activities, healing circles, pow-wows, drum groups, native theatre and dances, Native Brother and Sisterhood,
- Health Care: HIV/AIDS and suicide prevention, palliative care, hygiene,
- Recreation-Social: all sports including ice hockey, theatre and quilting groups, family encounters and events,
- Escorts: Volunteers wishing to act as escorts must have first completed 6 months as general volunteers before starting special escort training. The volunteer accompanies low-security offenders to activities in the community, walks, events, meetings of the AA, local communal work,
- Families, children: the impact of an incarceration and the consequences after being manifold, the help of volunteers is all important,
- Parole Offices - Specially formed volunteers help in the classification of the detainees, post-sentence follow-up, general assistance to the Parole Officer,

- and there is an array of other programs in which volunteers are involved such as "New Spirit of warrior", "basic healing" and the "TURIQ" sex offender program for aboriginals, violence prevention, anger management, family violence prevention programs, high/moderate/low-security sex offender programs, Community Relapse Prevention, etc., etc.

All CSC volunteers undergo a well-structured cycle of general training and familiarisation with the future working environment by SCS staff. On the CSC website, there is a very complete "Handbook for volunteers" in 7 sections which covers all basic information a volunteer should know and follow:

- Section 1 - Explanations on the Corrections and Criminal Justice System: mission core values, courts, sentencing, the National Parole Board, etc
- Section 2 - The Institutional and Community Correctional Environment: parole offices, correctional centres, community-based residences, security
- Section 3 - Volunteers and CSC: Why volunteers and their value to society, CSC co-ordinators, contribution to the offenders' reintegration, the "National Volunteer Organisation",
- Section 4 - Orientation and training: screening, volunteer management, risk management, insurance, relationship with staff and officers,
- Section 5 - Health Issues for offenders and the effect on the community, treatment of infectious diseases, substance abuse, mental health,
- Section 6 - Overview of the management of offenders: The "Correctional Plan", classification, programs, gradual, supervised release into the community, day and full parole, community supervision,
- Section 7 - How to become a volunteer, documents, application forms, etc.

It is interesting to note the frequent references to the valuable work of the volunteers not only for the rehabilitation of the detainees, but for the "security of society" as a whole.

Apart from working in a prison environment, there are other possibilities:

There are 16 Community Correctional Centres run by the CSC for their (2 years plus) prisoners which function in a way similar to minimum-security prisons. "Social" correctional staff, parole/program officers and volunteers try to prepare the detainees for the next step: full or statutory release. The basic idea of these centres is again to remove the "reform-willing" detainees out of the more punitive incarceration into a more re-habilitating environment on the way to life outside when the mandate expires.

In addition, there are 175 Community-based residential facilities which provide full supervision, programs and medical support to federally released male and female offenders. This type of halfway houses is run by non-profit, fee-for-service organisations under contract with the CSC, such as the Anglican House, the local Elisabeth Fry Societies, the St. Leonard's and John Howard Associations and the Salvation Army which operates 15 of them.

Citizen Advisory Committees -

The "Correctional and Conditional Release Act" requires that all federal prisons, Parole Offices and Community Correctional Centres must have independent "Citizen Advisory Committees" whose impartial members are all local volunteers. About 600 volunteers are engaged in 106 institutions whose background should represent Canadian society professionally, ethnically and age-wise. The members of such Advisory Committees are

appointed for 2 years and trained by the CSC. Among the tasks of this institution are:

- to act as observers and mediators in times of crisis,
- to develop and participate in community programs designed to support and publicize correctional policy, in particular the rehabilitation of detainees,
- to serve as impartial advisors to the prison management, staff and offenders,
- to act as a link between the local public, the prison and its management.

The CSC encourages Community Forum Programs. The aim is to help non-profit associations to organise, in co-operation with the CSC, debates on new ideas of integrative prison matters. Such critical subjects are, among others, the integration of First Nation delinquents, restorative justice in community transition, solutions to the mental health issue of inmates, the integration into society of older delinquents. The CSC sponsors such forums with a maximum of \$ 7500 per event (and in advance). Such a "Community Forum" took place on October 19th 2009 at the Simon Fraser University on the subject "Innovative approaches to community-based correction for sex offenders". Whereas in other countries, obtaining such grants is often a tortuous affair, the conditions in Canada are clearly stipulated and published (see "programs").

There are 84 Parole Offices all over Canada organised in 32 area offices with one Parole Officer responsible for the supervision of an average of 10 (!) detainees released on parole in that district. In addition, the Parole Officer can involve suitable volunteers for specific tasks, for example for the classification of an offender, post-sentence reports or case management of specific people. Such "volunteer specialists" could be medical or mental health professionals, accountants, teachers, technicians, craftsmen or people of the same cultural origin as the offender.

9. Volunteers active in provincial prisons and community-based organisations

Based on the fundamental principle largely accepted in Canada that "imprisonment and longer sentences neither increase deterrence nor diminish re-offending, but rehabilitation work, education and aftercare may be successful", already in the early 1800s (as in Europe) religious and humanitarian volunteer organisations sought to help inmates inside prisons and after release.

Today, as with the 9000 CSC-volunteers, thousands of volunteers work inside the provincial/territorial correctional services, for example the "Ontario Ministry of Community Safety and Correctional Services". In prisons and conditional release institutions they offer emotional support, pastoral counselling, general and professional education and life skill training, organise anger management groups and other activities important for the rehabilitation of the delinquents. Co-ordinators administer the volunteer activities in institutions, probation and parole offices. Unfortunately a global quantitative overview of the volunteers working in the 13 provincial correctional services does not seem to exist.

Many thousands volunteers are working in the numerous community-based organisations involved in "social" correctional activities such as religious teaching and services, supervision of minimum-risk probationers, counselling, education and leisure programs, self-help, HIV/AIDS prevention, restorative justice, skill training, short and long-term accommodation, workshops, outreach programs, detoxification, health and many other activities. These volunteers are often part of nation-wide organisations or

local initiatives. The CSC list comprises 21 such "partners", among them:

- the St. Leonhard's Society of Canada, a federation of provincial community organisations for the prevention of crime through information to schools, churches, associations. This charitable organisation wants "to contribute to a humane and efficient justice system, to achieve safer communities and reduce re-offending". They opened the first transition homes in 1962. Today they have residential and non-residential programs for detoxification, mental health and long-term supervision across Canada. Among others, this association runs the "Genesis of Life Line" at Halifax which deals with detainees sentenced to life imprisonment, their supervised and gradual re-integration into society through support groups.
- The John Howard Society of Canada is composed of regional organisations which all agree with the mission "to find safer, more effective and humane responses to the causes and consequences of crime and that all people have the potential to become responsible citizens". The society reflects on major prison issues and proposes changes. The themes treated on their website are numerous and well documented. Through their more than 50 offices, the society offers shelter, short-term accommodation and transportation for visiting family/friends of detainees, victim/offender mediation for adults and young offenders, counselling in case of violence, substance abuse, revolving conflicts, coping skills, stress management, the relationship of family to detainee and general help to overcome barriers for the return to the life outside. The Society supports women up to 52 weeks after the partner has entered a treatment program. SAFERST (Support Assistance Friendship Esteem Service for Teens) is a program for the 12 to 18 year olds in trouble with the law. "Nobody's perfect" is a parenting program.
- The Association of Elizabeth Fry consists of 25 regional societies. They work exclusively for women, their children and young girls of 12 years plus, in precarious social situations or who are in conflict with the law. Through community-based housing, publicly funded social and health services, rehabilitation programs and practical help, legal assistance, family court support, crisis management and education, this organisation wants to improve the condition of criminalized and imprisoned women. It seems to have succeeded rather well, because the shelters for abused women increased from 18 in 1975 to 543 in 2004. 60 % of all verdicts concerning sexual violence ended in a prison term and imposed treatment programs for the perpetrators. Whereas only 28 programs for abusive men operated throughout Canada in 1984, there were 205 in 2004.
- The Salvation Army is one of the biggest providers of community correctional services through their 11 regional headquarters and at least 28 service points. "Rather than just to meet the immediate need, the Salvation Army tries to focus on nurturing the capacities, skills and strengths of the individual". Their weekly life-style programs are very popular. They aim at increasing self-esteem among their clients, provide stress management, give one-to-one advice in conflict solutions, assertiveness, addiction, pre-release preparation. "Hope" is a program for women with incarcerated husbands.
- The "Seventh step society of Canada" is a non-profit, self-help organisation of members and ex-prisoners which has been working since 1981 in institutions and communities to promote better rehabilitation and fight recidivism in a spirit of self reliance. The groups meet weekly to discuss problems openly among themselves. The organisation now runs residential homes for ex-prisoners, offers surveillance of detainees on conditional release and teaches civic education in schools. This is the co-ordinating association for similar initiatives across Canada.

- The "Block Parent Program" is Canada's largest charity for the protection of children, teens and seniors with 300.000 (!) volunteers who try to make the communities safer. Vast education and crime prevention programs.
- "Just Equipping" is a recent Christian Charity which promotes prison chaplaincy and the concept of Restorative Justice in Africa. Trained mainly by Queen's University, teaching teams take abroad this "transformative, biblical vision of justice".
- "Canadian Families and Correction Network" is another volunteer organisation with the purpose of "building stronger and safer communities by assisting families affected by criminal behaviour, incarceration and community re-integration". This nation-wide organisation is involved in the consequences of prison on children, families, victims which it tries to alleviate through practical help and restorative justice.
- The Canadian Mental Health Association published in 3/2009 an outcry for help for detainees with mental health problems. The report talked of "warehouses" in which these sick people are shut surrounded by inadequately educated staff and diminishing financial means. 10.000 volunteers and staff work in 135 communities, a certain number of them in prisons.
- The Canadian Psychological Association published in 8/2008 the result of an investigation on violent youths which said that 60 % of them have a clearly discernible mental disorder.

"Prison Talk" and the "Directory of Canadian Organisations providing Services to the families of Adult Offenders" publish the addresses of about 200 associations working in and out of prisons. Their lists contain all the national organisations and their regional branches, as mentioned above, and less known, smaller, local groups, such as

- Books 2 Prisoners, Vancouver - free books for prisoners,
- PASAN, Toronto - support for prisoners with HIV/AIDS,
- Strength in Sisterhood, Vancouver - advocacy group for women in prison,
- Joint Effort, Vancouver - prison abolition, help for women,
- Friends on the Outside, Regina (Sask) - Outreach, support for (ex)inmates,
- Waterston House, Regina - Halfway house for short and long-term lodging,
- AIWYC Ass., Winnipeg - Legal assistance,
- Maison Radisson, Quebec - promotes relationship of imprisoned father/child,
- Option-Vie, Montreal; Lifeline Inreach, Kingston; Lifers Transition Team, Alberta offer support for lifers, gradual integration of long-term prisoners,
- Service Oxygène, Montreal - support for older inmates,
- Children visiting Prisons – Kingston
- and other associations such as Overcomers Support Group, Sudbury; the Red Cedar Shelter, Toronto; Connection Link, Toronto; Pavillon de Ressourcement, Joliette; Black Inmates + Friends Assembly, Toronto; Bridges of Canada, Fredericton; The Hospitality Connection, Guelph; etc..

Surfing through the internet, one can find other organisations, such as

- Aventa, addiction treatment for women,
- Bridge House, Kingston for families with one parent in prison,
- "Freeing the human spirit" - for meditation and Yoga,
- "Justice behind the Walls" - tries to promote the Rule of Law behind prison walls and the advancement of human rights in Canadian prisons,
- The American "Prison Fellowship" with its multiple faith-based involvements in prison matters, their known programs and in particular "restorative justice",

- the English "Alpha" with their life-style and faith-sustaining courses in prisons,
- "Canadian Education Association", Kingston - 40 tutors/students teach literacy,
- "Native Counselling Services of Alberta" - sensitive programs for aboriginals,
- "Long-term inmates now in the Community (LINC)", in British-Columbia is a self-help group of ex-offenders who try to find their way back into community,
- the "Prison Arts Foundation", founded in 1972, which tries to promote artistic creation in prisons for leisure and rehabilitation through self-esteem.

Many community-based organisations are regrouped in REGIONAL associations which increase and complement their service offer on provincial or municipal level; as for example,

- a) The "Association des services de réhabilitation sociale du Québec (ASRSQ)" was founded in 1962 and regroups today 56 non-profit organisations with 113 service points throughout the province. It appears that the ASRSQ members are entrusted with 90 % of the federal and provincial rehabilitation programs. The association runs 26 federal and 23 provincial half-way houses. 7500 professionals and volunteers are dealing within one year with 25.000 delinquents. In 2/2007 the law on "the Quebec Correctional System" stipulated that the Community Agencies working within the Justice System would be recognized as official partners of the public institutions.
- b) The "Community Justice Activities in Atlantic Canada" list 23 community-based organisations to help prisoners, ex-prisoners and their families. 19 of these associations offer, among other activities, Restorative justice/mediation programs.

It appears that 79,9 % of all Canadian prisoners benefit from parole time in the community before being released into society. The equivalent percentage is for Australia 77,8 %, for New Zealand 70,2 %.

In 2005, Richard M. Zubrycki (department of the Solicitor General) contributed to an international training course with a presentation on "Community-based alternatives to incarceration in Canada". After explaining key-features of the correctional system including the essence of the 1992 Correctional and Conditional Release Act, he describes the voluntary and community-based sector with statements, such as

- not only are the volunteers important partners in implementing community-based programs, but they have also been the most effective innovators of new programs,
- an active voluntary sector in strong partnership with government agencies is a key ingredient for the rehabilitation programs and provides a bridge to community acceptance,
- increased punishment does not increase deterrence. According to hundreds of studies, it is probable that incarcerations even increase later recidivism by 2 to 7 % compared with community sanctions,
- without diversified and reliable community alternatives, Canadian judges and public prosecutors could not consent as much to pre-conviction diversion, conditional and short sentences with clear instructions for rehabilitation,
- gradually, more offenders are being managed in the communities for longer periods of time with fewer new offences,

- Legal changes across a broad front that encouraged community-based programs as alternatives to incarceration, made a strong impact on attitudes and criminal justice practices. In Canada the belief that community-based programmes are the more effective choice in the vast majority of cases led to policy choices that would encourage their greater use.

All over the country the Judiciary organises actions for the prevention of crime without, however, being able to do much against the "origins of delinquency" (race, education, family, handicaps, etc). Today in Canada and elsewhere, the crucial problem seems to be less the negative effects of incarceration, the usefulness of the "programs" or "conditional release", which are all largely undisputed, but more the precarious social, mental and educational situation of many detainees released into freedom at the end of the warrant. Without active help from the Social and Community Services, without esteem-building and other continuing integrative measures, without new methods of healing old wounds, many of these people living on the fringe of society will be unable to find a satisfactory place in the community, and so be pushed into old habits and re-offend.

10. Some Rehabilitation initiatives

Examples of such (for Canada not so new) integrative methods are:

- a) Circles of Support and Accountability - COSA" were tried first in 1994 by a Mennonite pastor. The principle is that a group of people (circle) attempts to integrate ONE high risk, former sex offender into normal society through a sort of mutual pact of active support on the written promise by the individual to follow psychological and medical treatment and not re-offend. Such "circles" operate today not only for sex offenders but for other compulsive re-offenders too. Currently there are about 140 of these "circles " operating all over Canada and others in the United Kingdom, Ireland, USA, South Africa and Australia. So-called "Cercles de soutien et de responsabilité" function in Québec on the same pattern. They are co-financed by the CSC and faith-based associations. Volunteers who wish to participate in this demanding program need to follow a 40 hour initiation course and refresher courses every year. One "circle" usually consists of the perpetrator, 3 volunteers and one or more independent professionals. Breaches of the "pact" have as a consequence disadvantages for the delinquent (even report to the police and the prison authorities). There is normally one meeting per week. How effective is this program? The Howard Journal reports in 9/2007 on "Evaluating the effectiveness of professional-facilitated Volunteerism in the community-based management of high-Risk sexual offenders" which involved in Ontario 60 delinquents who HAD followed and 60 who had NOT followed the COSA program. The re-offending rates were for people who had

	<u>followed COSA</u>	<u>without COSA</u>	<u>Reduction</u>
in %			
- sexual re-offending	5	17	- 70
- violent re-offending	15	35	- 57
- general re-offending	28	43	- 35

- b) "Victim - Offender Mediation and Restorative Justice" - The popular reaction to a crime is "the outcry for exemplary punishment, even death to the perpetrator", just as if vengeance could better heal the victim's grief and suffered humiliation. New Zealand, Australia and Canada have large aboriginal populations. Imposing a pseudo-Christian life style on them has somewhat destroyed their social tissue; imposing "democratic" laws has produced disproportionately high crime rates as a

consequence. Since the introduction of the first case of "Restorative Justice" in 1974 by the Mennonite community in Kitchener, Ont., this kind of finding a balance, of repairing harm done through a criminal act, has found followers world- wide (for example the European Forum for Victim-Offender Mediation and Restorative Justice in Brussels with member associations in several countries). Since 1996 the "restorative justice principles" are recognized by the Canadian Criminal Code.

And what are these principles? An act of crime does, of course, harm the victim; but also the family, friends and the community - and most likely the offender himself. Restorative practice tries to weigh all these harms and repair them. The ultimate aim of Restorative Justice is to support victim and perpetrator in their suffering of the consequences of crime, to pull them out of isolation, try to heal them through understanding and compassion and reintegrate both of them as far as possible into society. Whereas normal justice procedures end with the condemnation of the offender and painful isolation of the victim, restorative justice provides the victim with a more active role to find reasons for the crime and challenge the perpetrator, who in turn, is given the opportunity to be accountable and change his moral values. Of course, the perpetrator will have to recognize his wrongdoings and compensate them as far as possible, but the community surrounding him will have to take its share of responsibility too. In comparison with such a long, soul-searching process to establish true guilt and arrive at more "lasting healing", the mainstream system of detecting, judging and punishing the perpetrator according to certain paragraphs is quick and easy - but rarely just and lasting.

According to Zubrycki, some of the common principles of Restorative Justice or "Victim-Offender mediation" are

- Victim and offender must give and remain able to withdraw their free, voluntary and informed consent to participate in the process,
- The offender must admit responsibility for the offence and both must be able to agree on the essential facts,
- Both can obtain legal advice at any point. No admission can be used as evidence in later legal proceeding, in case the mediation fails,
- The restorative process can occur at any stage of a criminal justice procedure,
- In spite of a likely power imbalance, neither should feel coerced, pressurized or intimidated,
- Failure to reach a mediation agreement must not entail disadvantages in later legal proceedings.

There are many ways Restorative Justice operates. Victim and offender can meet face to face, indirectly through statements of the victim via audio, video or through a simulation of anonymous victims and offenders involved in rape and violent crime. The proceedings of these meetings depend on the nature of the offence (incest, young offenders and victims, type of violence etc). According to need 4 to 8 sessions of about 3 hours each are organised by 2 mediators in the presence of other volunteers and experts, but no-one from the justice or correctional services.

It seems that those who went through the restorative justice procedure came out far less harmed than those who went through the usual confrontational legal proceeding with indiscretions, brutality and condemnation.

All bigger community-based organisations, such as the St. Leonard's and the Elisabeth Fry Society, offer "Restorative Justice services". The Criminology School of the Simon Fraser University is heavily involved and so is the "Alberta Restorative Justice Association", the "Calgary Community Conferencing" which mediates mainly between parents and young people, the "Chilliwack Restorative Justice and Youth

Division Association" and, of course, the "Church Council on Justice and Corrections" which was the first partner of the CSC in Restorative Justice in 1996. Others are called "Victime-Offender Encounter", "Centre Justice Réparatrice", "Project Reconciliation" in Kingston, "Community Justice Initiative" in Sudbury or "Conflict Mediation" in Toronto.

And finally, there is YRAP (Youth Restorative Action Project), composed of 50 young people between 15 - 24 years who have handled so far 200 cases. They assess to what extent the young offenders have become delinquent not because of their own criminogenic needs, but because of racism, intolerance, social issues, missing or bad family environment, etc, all important to establish "real" guilt, possible pardon and rehabilitation.

The "Prison Fellowship Canada" has collected a list of about 30 recent articles on "Restorative Justice". 165 Canadian towns participated in 2008 in the "Restorative Justice Week". In Canada it is a vigorous movement, not a side issue.

The UK-based "Restorative Justice Consortium" has put together a summary of comparative results under the title "Positive effects of Restorative Justice on re-offending". Starting in 1990 with the last update in 2008, 35 studies are presented with their main findings. The authors of this 22-page publication come to the general conclusion that delinquents having passed through the Restorative Justice procedure, as opposed to the normal court trials, re-offend 15 to 20 % less according to research reports with a large sample and long follow-up periods.

The difference in short-term studies with a limited number of cases is less significant. Extract:

in %	<u>Re-offending after RJ proceedings</u>	<u>re-offending after normal court proceedings</u>
- New Zealand, 2005, general	32	36
- USA, 2003, domestic violence	2 of 55	6 of 16
- Belgium, 2005, youth	22	78
- USA, 2005, violent offenders	10	36
- UK, 2001, general	44	56
- UK, 1997, general	27	73
- Canada 1998, general	5,3	16,1

Most interesting reading!

- c) Community Chaplaincies - Prison Chaplains make certain that all inmates have access to religion. The "Directory of Canadian Organisations providing services to the families of adult offender" indicates at least 38 "CSC Institutional Chaplaincies" usually with one protestant and one catholic chaplain in place. In the 1980s some Prison Chaplains came to realise that their pastoral and humanitarian work needed to be continued after incarceration of the inmates and the usually following conditional release time. Therefore, some of them left their paid posts to found "Community Chaplaincies" outside prison to help ex-detainees in the often painful (re)integration process after years of incarceration, isolation in an estranged society and family, plagued by addiction, ignorance, debts and desperation.

The CSC took up the idea of "spiritual and social aftercare" and financed the emerging Community Chaplaincies in the years 1992-1996 with around \$ 500.000 in addition to the subsidies coming from other sources. In the following years community chaplains, full-time CSC and Agency Community Chaplains together with volunteers tried to build up a visible presence of the Canadian Churches among the socially vulnerable people and work for crime prevention through re-integrative work

with the ex-detainees and their families. Community Chaplaincies are helped financially and organisationally by the CSC. In co-operation with the local private and public sector, such activities comprise professional education with job hunting, mediation with the victim, installation of half-way houses, personal and legal advice, general health and addiction treatment, reintegration into the family. The aim was and is not only to provide competent advice and effective help through a whole network of contacts, but to give to the ex-prisoners encouragement and integration into a community of supporting people (the original meaning of the greek "ekklesia" = Church).

Some Colleges and Universities (Queens, Acadia, Fraser, St. Stephen's) have specialised in forming "chaplains" whose educational backgrounds reach from graduate degree holders to ex-detainees with basic education obtained during incarceration, but with a great deal of personal experience. Ample literature has been produced by the CSC reflecting the successive governments' intention to fight re-offending through the promotion of the Community sector. Community Chaplaincies have sprung up also in England and Australia in the last 15 years.

- d) VISA (violence interdite sur autrui) is not predominantly a treatment program carried out by volunteers, but it has as the conciliatory approach of restorative justice. Visa was introduced first in 1991 at the Quebec Montée Saint-François institution. This program is designed essentially for low-risk sex offenders within the proper family (father, stepfather, uncle). It tries less to punish the offender than to correct his wrongdoing within the context of the whole family. The line between special attention for a child and abuse being often vague, the program participant is considered more of a partner than a vile perpetrator - this all the more as the readiness to participate in such a treatment is the most important step towards for the correction of his inclinations in the long run.

With the help of experienced psychologists and sexologists the usually 14-week treatment program consists of 28 psychotherapy group meetings, 13 sex education workshops and 10 personal sessions with the offender. Aftercare in the community with the appropriate personnel is important to prevent re-offending.

It appears that VISA is effective, because the re-offending rate is only between 2 and 2,5 %, whereas the general re-offending rate for incest is around 12 %.

- e) Cognitive Skill Training -

This is another program for inmates and socially ill-adapted people which has its origin in Canada. What is "cognitive skill training"? More simply said it is "the basic mental ability to perceive, think, learn and retain information". The cognitive process has to do with new auditory, visual, sensorial and linguistic experiences, memorisation, categorisation and the capacity to draw conclusions in order to take personal decisions and those concerning the community around us". The prisons are full of unstable and impulsive individuals who are incapable of concentration, of facing stressful situations; people who have no personal or professional goal, who are emotionally isolated, in permanent revolt and "unable to learn".

Based on general learning skill research in the 80s, in 1990 the CSC launched an important enquiry among 4000 inmates of its prison population. A cognitive skill training consisting of 36 sessions in two weeks was presented by specially prepared CSC staff. The aim was not only to find out about the immediate reception of this program, but to determine its usefulness statistically by comparing the number of re-offender among the participants and non-participants one year after parole release. In 1995, David Robinson published a 106-page report with the title "The impact of cognitive skills training on post-release recidivism among Canadian federal offenders" which came to the conclusion that the participants of "Cognitive Skill training" re-offended 20 to 60 % less. This very positive result, however, must be put

in the context of the Canadian parole release mechanism, as pointed out in the above chapter 5. Somewhat logically, the positive effect was far less pronounced for young people below 25 and older delinquents above 40 years.

Cognitive Skill training programs are taught today in many countries, such as Scandinavia, the USA, Ireland, Australia, Eastern Europe, etc.

For those who wish to know the Canadian Correctional system in greater detail, the following websites contain a vast amount of information:

- Canadian Correctional Service (CSC) - www.csc-scc.gc.ca
- Canadian Centre for Justice Statistics, Juristat - www.statcan.gc.ca
- Federal Bureau of Prisons - www.bop.gov
- Public Safety Canada - www.publicsafety.gc.ca
- National Parole Board - www.npb-cnrc.gc.ca
- Safe Canada - Offender Information - www.safecanada.ca
- Department of Justice - www.justice.gc.ca
- John Howard Society - www.johnhoward.ca

Professor Curt Griffith of the Simon Fraser University has written "Canadian Corrections", an introduction to the correctional practices in Canada for students in 10 chapters with more than 250 (!) subjects, such as the effectiveness of parole, the plague of disinformation, matching inmate needs with programs, privatisation and Americanisation of corrections, etc. The 3rd edition of this book with the latest trends and statistics will be published in late 2010.

11. Conclusions -

So, is the Canadian Correctional System then "innovative, efficient, maybe even exemplary for other countries too"? Or was it trend-setting only some 10/20 years ago, but has now been watered down with time under pressure from tabloid newspapers, populist politicians and administrations favouring the old-testament belief that only harsh punishment will in the end improve the sinner, the delinquent?

1. Much of the uniqueness of the Canadian Correctional System seems to lie in the strong community spirit of Canadian society which is reflected in the 1992 "Corrections and Conditional Release Act", because it not only aims at "the protection of society"; but, equally important, at "the rehabilitation of offenders and their re-integration which will contribute to the maintenance of a just, peaceful and safe society". Successive Governments all agreed with the underlying idea and the intentions of this law.

2. It is then the recognition that rehabilitation can only work if it is adapted to the shortcomings of every offender. Consequently, the Correctional Services have organised rehabilitation around this principle. To make such a personalised system work efficiently, plenty of qualified, motivated professionals and volunteers are necessary which Canadian society has chosen to make available. Most European Correctional Administrations must be envious of the considerable means the SCS (and probably the provincial administrations too) have at their disposal for their "mission".

3. The Canadian system is coherent because, based on the two main principles of the 1992 Correctional Law, i.e. the protection of the public and society's obligation to rehabilitate the delinquent, the federal Correctional Services have organisationally put in practice the intentions of the law. After the verdict, rehabilitation starts with the assessment and classification of the detainee and the evaluation of what the detainee needs in order to overcome the reasons for his delinquency. At the centre of this re-

socialisation effort is the Parole Officer who will not only draw up the "Correctional Plan", but follow the detainee during incarceration and conditional release until final liberation. Whereas the European delinquents have to fight for rehabilitating measures and help, the Parole Officer actively encourages the detainee to work on his shortcomings and criminogenic habits. HE organises the agreed programs, treatments and meetings with specialists and volunteers. The detailed "Correctional Plan" tells the offender exactly what his shortcomings are and how to overcome them. In such a context "incarceration as little as necessary and as much parole time as possible" makes sense.

4. Baroness Vivian Stern wrote: "Regarding prisons, there should be two aims: get as many people as possible out of prison and as many people as possible from the outside, non-prison world, into prisons". 9000 CSC volunteers, possibly as many working in provincial/territorial establishments together with many thousands active in the vast community sector represent very favourable pre-conditions for intensive rehabilitation work.

5. The role of volunteers is clearly complementary to the work of the professional staff in their obligation to rehabilitate the delinquents. The volunteer contribution is not left to "some kind souls maybe turning up", but it is systematically planned both in contents and in number of people. The CSC recognizes the volunteers' unique role as "the people from the outside wanting the detainees back in society as law-abiding citizens". The CSC professionals admit that "being part of the correctional system, they are much less able to represent a "model" for the detainees, a role in which the volunteers succeed far better thanks to their status and great variety (of women, men, age, professions, beliefs, origins, interests, life experience etc.). No doubt, the CSC encourages the volunteer contribution so much not only because it is useful - but also because volunteers costs virtually nothing.

6. The sustained effort undertaken by the CSC with First Nation people is remarkable; this all the more so as, disappointingly, it has resulted so far only in ever higher crime rates and more incarcerations of the aboriginals. For a European, this open discussion of ethnic problems in a penitentiary context is astonishing, as the evident disproportion of the "coloured" prison population in Europe is largely "taboo", because it might prove a failed social and immigration policy and evident racism in society (the Canadians talk elegantly of "visible minorities").

7. The custodial officers reflect also the two principles of Canadian Correctional law: security and rehabilitation. There is the basic Correctional Officer 1, responsible for security in medium and maximum-security prisons. The promoted Correctional Officer 2 works in fact as much for the reintegration of prisoners as a security guard. The new "108 European Prison Rules" require correctional officers and other prison staff to contribute positively to the rehabilitation of the detainees; a request not easily accepted, as their work is focused, by tradition, on administration and security.

8. Even if the number of Day and Full Parolees has gone down considerably in the last 10 years; even if only "earned" releases will permit detainees to benefit in future from parole time; even if minimum sentences and the suppression of statutory release will free more prisoners in future with less or no preparatory time before final access to freedom, the basic concept still remains valid: "the more time there is between release from custody and full freedom, the less re-offending will follow".

9. The Canadians seem to be well advised to leave the execution of the sentences to the Correctional Services and the National Parole Board. In Europe, such always risky decisions of conditional release are conveyed essentially by a single Judge (in France the "Juge d'application des peines") who becomes easily denigrated by the gutter press when, exceptionally, a serious relapse occurs.

10. The fact that the cell doors are open for most of the day, that a TV in every cell does not drive the locked-in co-detainees crazy, that there are communal recreation halls and canteens, that parole officers are actively working for the detainee's re-integration and that the gates shut as doors in normal houses and not with this typical, resounding bang of prisons; organisational things like these which are the norm in Canada, would certainly ease penitentiary conditions in European institutions too.

11. Except for one failed experience in Ontario, Canada has resisted so far "privately run prisons". However, following the tougher policies and the logical increase of the prison population, the present Conservative Government is said to be favourable to the idea. The USA, GB, France, Germany and others have already given in to the problematic outsourcing of core correctional services.

12. In its striving for a more secure society and its lucidly recognizing that this can be reached better by methodical rehabilitation rather than through deterrence, Canada was truly innovative in the past. The same goes for rehabilitation initiatives and programs, for conditional sentencing and release mechanisms. In addition many of the alternative correctional practices were tried first in Canada and are widely in use today, such as Restorative Justice, the Circles of Support and Accountability, the Community Chaplaincies, the Elisabeth Fry Societies, and more recently the "Youth Restorative Action Project".

13. Is the Canadian Correctional System effective with all its good legislation, the customer-designed, but at times administratively heavy rehabilitation procedures and the massive involvement of civil society? Only comparative re-offending statistics could give the answer. But we know that they are not very meaningful, because the defining criteria differ considerably from one country to another. Legislative and administrative changes, as have happened recently in Canada, also make such comparisons difficult to interpret.

In the end and for all the above reasons, however, the firm conviction remains that the Canadian Correctional System **MUST** be more effective than others, because its moral concept is right, its application well thought out and put in practice methodically.

Erich Schöps