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Monday 17 February 2003

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des débats
(Hansard)**

Lundi 17 février 2003

**Standing committee on
public accounts**

2002 Annual Report,
Provincial Auditor:
Ministry of Public Safety
and Security

**Comité permanent des
comptes publics**

Rapport annuel 2002,
Vérificateur provincial :
ministre de la Sûreté et de la
Sécurité publique

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON PUBLIC ACCOUNTS

COMITÉ PERMANENT DES COMPTES PUBLICS

Monday 17 February 2003

Lundi 17 février 2003

The committee met at 1124 in room 151, following a closed session.

2002 ANNUAL REPORT, PROVINCIAL AUDITOR MINISTRY OF PUBLIC SAFETY AND SECURITY

Consideration of section 3.08, community services program.

The Vice-Chair (Mr Bruce Crozier): The standing committee on public accounts will come to order. We are here this morning to review the 2002 annual report of the Provincial Auditor as it relates to section 3.08, community services program, Ministry of Public Safety and Security.

Deputy Minister, as you are well aware, you have up to 20 minutes. We ask that each person who comes to the microphone identify themselves by name and responsibility, and I will further ask that all cellphones be in silent mode, if you don't mind. Deputy Minister, welcome, and the floor is yours.

Mr John Rabeau: Thank you very much. My name is John Rabeau and I'm the Deputy Minister of Public Safety and Security, correctional services. I'm joined by Deborah Newman, Michael Simpson and Brian Low. Deborah is the assistant deputy minister of young offender services, Michael is the acting assistant deputy minister of community corrections, and Brian is the executive lead of alternative service delivery.

Today our discussions will be about the community services part of correctional services. I think it's important to first provide some background about how community corrections operates. The vast majority of offenders under our supervision within this province are under community supervision. In 2001-02, about 65,000 adult and young offenders were serving their sentences in the community at any given time, whether through conditional sentences, probation and/or parole. This represents approximately 90% of Ontario's total correctional population. The remaining 10% are in correctional facilities.

In 2001-02, the majority of offenders were on probation. Approximately 10% were serving conditional sentences and 1% were on provincial parole. The average probation order for adults is 18 months. For the young

offender, community dispositions average around 15 months.

We have approximately 855 probation and parole officers working in 42 area offices and 87 satellite offices throughout the province. In addition to providing supervision of offenders, probation and parole officers also prepare pre-sentence reports at the request of the court for consideration by the sentencing judge. The judge determines whether or not an offender is suitable for a community-based sentence.

Serving a sentence in the community is not comparable to serving time in custody in that offenders are not under 24-hour supervision. However, throughout their sentence, even though they live in the community, they must adhere to specific conditions ordered by the court. Examples of conditions include reporting to a probation officer, non-association with specified parties, movement restrictions, curfews, attendance at rehab programs, and abstaining from alcohol.

Similarly, an offender authorized for conditional release is required to report to a probation and parole officer and adhere to the conditions prescribed by the Ontario Parole and Earned Release Board. Supervision in the community is designed to reduce recidivism through results-based interventions and programs while ensuring public safety. The work of probation and parole services includes comprehensive assessment, appropriate supervision, including focused rehab programs, and intensive supervision of high-risk offenders.

In addition to the direct services provided by probation and parole staff, the ministry also contracts with selected community agencies to provide a variety of non-residential services such as substance abuse treatment, anger management, psychological services, community service orders, and other counselling or treatment programs.

I want to talk a little bit about the outstanding warrants identified by the auditor. It has been helpful to us at the ministry that the auditor raised the important issue of outstanding warrants. The auditor estimated that there are up to 10,000 outstanding warrants dating back as far as 10 years. We, at the time of this estimate, were unable to determine the number of outstanding warrants, but after the auditor raised the concern, in trying to get to the issue, we met with the policing services division of our ministry, and with their assistance we were able to access information through CPIC. CPIC is a national database containing operational police information for the front-

line service providers. All law enforcement agencies as well as law enforcement support agencies have access to the CPIC data files. Getting the advice from the police, we were able to determine that there were approximately 5,900 outstanding warrants on CPIC.

The monitoring of outstanding warrants is an important concern to the ministry, particularly for the small percentage of more serious offenders. The community corrections division is working closely with the ministry's policing services division to address this issue. Since the release of the Provincial Auditor's 2002 report, both corrections and police divisions have issued instructions to address this matter.

Policing services issued a bulletin to all police chiefs to ensure they provide resources as necessary to work with probation and parole officers and managers to verify the outstanding warrants. We have directed our managers to work with their local police services to review and reconcile outstanding warrants. This process requires a manual count in all of our offices, a very labour-intensive undertaking that we expect to have completed by the end of March of this year.

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To ensure that offenders with outstanding warrants are apprehended, the ministry is also building on a history of close working relationships with police services through the following initiatives: strong linkages between probation and policing services that are part of the probation and parole service delivery model; and each probation and parole officer has been directed to work with local police agencies to develop protocols for the enhanced management of offenders who are assessed as posing a high risk of reoffending.

In terms of pursuing high-risk offenders, correctional services has also developed a positive working relationship with local police forces and the repeat offender parole enforcement unit, which focuses on the apprehension of parole violators and fugitives, as well as persons identified as being unlawfully at large throughout the province. The ministry has also been involved with a similar unit that has been set up in Peel region, repeat offender monitor and arrest.

In addition to working with our criminal justice partners to address issues such as outstanding warrants, the ministry has also undertaken a major transition to actually change the way we provide community supervision. Perhaps the most concentrated step in involving Ontario's community corrections is the introduction of an innovative probation and parole service delivery model for offender assessment, supervision and programming. The probation and parole service delivery model was implemented in offices across the province beginning in the year 2000. The Provincial Auditor has recommended that the ministry focus more on reducing the risk of offenders under supervision reoffending by completing risk and needs assessments and management plans for these offenders on a timely basis. The auditor also recommended that we provide better and more suitable rehab programs that address the offenders' needs.

In essence, these are the cornerstones of the ministry's mandate for community corrections and some of the key goals of the new service delivery model. Under the model, the most intensive forms of supervision and resources are reserved for offenders who are at the greatest risk of reoffending. While implementation of the model is well underway, it is being phased in over time, given the magnitude of the initiative. The model will have an impact on streamlining case management as it expands services from solely one-to-one supervision to include group intervention, core rehab programming and a more concentrated focus on criminogenic factors, that is, those factors known to have the highest correlation with reoffending.

Under the new model, probation officers function as case managers, providing services to offenders in one of four intervention service streams, based on a thorough assessment: either basic service, rehab group service, individual service or intensive supervision service. The most intensive levels of supervision are concentrated on offenders assessed as being at the greatest risk to re-offend and/or to cause serious harm, while still monitoring lower-risk offenders for compliance with special conditions, such as community service.

Core rehab programs are designed to address anger management, substance abuse, anti-criminal thinking and two special offender groups: partner abusers and sex offenders. The auditor was critical of the ministry not addressing the correctional needs of offenders, specifically sex offenders, serving community-based sentences. Sex offenders subject to community supervision are comprehensively assessed, and where conditions of the court order or assessment indicate, appropriate rehab services are provided. That being said, unless the court orders the offender to participate in specific rehab programming, the probation and parole officer cannot enforce attendance if the offender chooses not to attend.

Providing specialized treatment programs for higher-risk offenders, especially sex offenders, has been the challenge for this ministry. As part of our service delivery model, we are working hard with community partners to access available programs. However, there are often waiting lists for these programs. Probation and parole officers are knowledgeable with regard to community resources and do their utmost to explore alternative resources where program availability is limited.

As well, the ministry is implementing a specialized risk assessment process for sexual offenders who require more intensive supervision and intervention. Further training for probation and parole officers in this process is being offered, and additional sex offender programming for delivery by probation and parole officers is under development. These have a broad focus dealing with many types of sex offenders—those with contact-related offences such as sexual assault or incest, and those with non-contact-related offences such as voyeurism, exhibitionism and indecent phone calls.

The ministry is also linking programs to those offered at the Ontario Correctional Institute and at the St

Lawrence Valley in the future in order to provide a greater level of continuity between the institutions and the community.

Under this model, the ministry provides the most intensive supervision for offenders who are assessed as being at the greatest risk of reoffending. This means we need an even closer relationship with police when it comes to these high-risk offenders.

In 1997-98 our average caseload for probation and parole officers had risen to 117 adult cases per officer, compared to a national average of 81. The ministry recognized the need to ease the caseload of probation and parole officers so they could provide more thorough and focused supervision in the community. In May of 2000 the government announced funding for 165 new probation and parole officers. These officers were hired over two years, resulting in the average caseload across the province today being reduced to approximately 85 per officer.

Furthermore, the ministry is revisiting the completion of a workload index to address staff concerns. An index was introduced prior to the introduction of our new delivery model, but many factors have changed since that time and work is underway to redefine the index to ensure an equitable distribution of work across the province, taking into consideration regional factors such as travel time in the remote areas of northern Ontario.

Ministry management is also working with representatives from OPSEU, through an employee relations subcommittee, focused on determining issues and potential solutions to workload in probation and parole services. The committee plans to release its recommendation in March of this year.

While professional staff are our most valued resource in quality community supervision, the ministry has brought in some new tools to assist them—we spoke about this a little bit at our last opportunity here on Thursday—and that's the electronic service program. Last October the ministry formed a public-private partnership with JEMTEC Inc to deliver an expanded electronic service delivery program. Up until now, electronic surveillance was mostly limited to electronic monitoring bracelets for inmates approved for temporary release from jails. The new program will significantly expand the current electronic monitoring program in two ways.

First, the ESP is being introduced to community corrections so that the compliance of certain offenders on parole or serving sentences in the community can be monitored more closely. With the ESP, our probation and parole officers now have a tool to ensure that an offender sentenced to house arrest by the court is actually at home and complying with the order.

Second, the ESP will expand the types of compliance technologies used to monitor offenders. The current radio frequency bracelets will continue to be used in some cases and voice recognition verification systems and global positioning systems will be used in other cases. The ESP is designed to equip staff with an additional tool

to monitor compliance in selected offenders that have been assessed by the courts as suitable to serve their sentence in the community. The ESP is not designed to replace community supervision; it is meant to enhance it.

The ministry is taking a strategic and gradual approach to implementing the ESP across the province. The first two areas for implementation are Ottawa and the greater Toronto area. Next year it is planned for expansion into other areas of the province.

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The offender tracking information system, known as OTIS, was introduced by the ministry in August 2001 to replace the outdated offender management system. While we have received our fair share of criticisms about OTIS, it is a huge improvement over OMS, as it utilizes state-of-the-art Web-based technology and is designed to allow for information sharing with our criminal justice partners at maturity.

It is difficult to change the way we do business. Moving from manual files to electronic ones has been difficult for some of our staff. To help ease this transition, specialized training sessions were provided for all of our staff. When OTIS is fully implemented across the justice system, it will improve our ability to manage cases and improve information sharing in the justice system. We will have the capability to track offenders at all stages in the system. While we haven't reached that stage yet, we are making great progress.

For the first time in Ontario, case management records of over 65,000 offenders under community supervision are tracked in a common database. Digital photos of any offender admitted to an Ontario institution can now be added to that database. While the Provincial Auditor expressed concerns about Internet crashes, we have since made a number of network improvements, and this has resulted in fewer instances of freezing in recent months. An enhanced community case management package for OTIS is currently being tested and is nearing implementation.

In 2001-02, our total program expenditures in community corrections amounted to \$82 million, of which \$63 million was spent on salaries. Through our new service delivery model and the complementary strict discipline initiatives, we continue to improve the effectiveness of community corrections in Ontario. We are committed to a professional organization, and we continue to develop focused staff training programs to enhance the ability of our probation and parole officers to deliver effective correction, intervention and rehab programs.

The Vice-Chair: Thank you, Deputy Minister. We will start with 20-minute rotations. Continuing from last week, we'll begin with the NDP.

Mr Peter Kormos (Niagara Centre): I'd like to thank you folks for coming again. This dispute between the number of outstanding warrants—and let's understand, we're talking about, as I understand it, warrants that are with respect to breach of probation, breach of parole or being unlawfully at large. Is that correct?

Mr Rabeau: Breach of probation and breach of parole.

Mr Kormos: And being unlawfully at large?

Mr Rabeau: Missing, yes. We usually refer to unlawfully at large as those who are away from an institution. But those aren't the warrants here.

Mr Kormos: It doesn't deal with those?

Mr Rabeau: No.

Mr Kormos: Just breach of parole and breach of probation—correct? My understanding is that the auditor began discussing his findings with you in March 2002.

Mr Rabeau: Yes.

Mr Kormos: And at that time, he presented an estimate of some 11,500 outstanding warrants, in contrast to the 10,000 which are reported in his report. Is that a fair understanding?

Ms Deborah Newman: I can't recall exactly how many there were at the time. The auditor was making an estimate, extrapolating on the basis of five offices out of 137 that were audited, and then doing a mathematical extrapolation.

Mr Kormos: Quite right. And he discussed these findings and conclusions with you in March 2002?

Ms Newman: That's correct.

Mr Kormos: And you—I'm speaking broadly now—somebody objected to the number that was arrived at; that is to say, the 11,500 number?

Ms Newman: We did have concerns that we thought it was too high, but we had no means within corrections to verify exactly how many there were.

Mr Kormos: Correct. So people disputed the number of 11,500?

Ms Newman: We disputed the methodology, essentially, and had some concerns about whether one could simply do a straight mathematical extrapolation. So we had some concern.

Mr Kormos: Who expressed that concern?

Ms Newman: Myself, as assistant deputy minister, and others.

Mr Kormos: When?

Ms Newman: March through June. In meetings with Mr Peters's staff, we had discussions about the issue of outstanding warrants and the number and whether there was a way to determine what the correct number was—in fact, there wasn't any valid way to do that—and then, further, to talk more about the issue of outstanding warrants, as opposed to the number.

Mr Kormos: Did you respond to the auditor's adjustment of the number from 11,500 to 10,000?

Ms Newman: Essentially we had had numerous discussions about the number, which we felt was inflated, but we had no means of verifying what the number actually was.

Mr Kormos: I'm told, and as a matter of fact the auditor's letter of December 6, 2002, to the minister indicates, that there was a briefing on March 8, 2002, where the number of 10,000 outstanding arrest warrants was indicated and that in fact four days later, on March 12, the ministry responded in writing. Is that correct?

Ms Newman: I don't have the dates of the documents. There was correspondence back and forth about the entire audit report, its recommendations and the discussions we were in with the Provincial Auditor's staff.

Mr Kormos: The reference to the ministry's written response of March 12, 2002, to the issue of outstanding warrants, according to the auditor, doesn't include any complaint, grievance or concern about the number of 10,000. Is that a fair representation?

Ms Newman: That's correct. We didn't reduce that to writing. We'd had verbal discussions and didn't feel it was necessary, because we had no accurate way of determining what the number was. In the absence of any other number, we left the issue of numbers and focused on the issue itself.

Mr Kormos: Sure. On May 22, the auditor again communicated with the ministry and again made reference to 10,000 outstanding warrants. On June 28, he asked for comments from the deputy minister. Fair?

Ms Newman: Sure, if you have the—

Mr Kormos: Was there any written challenge of the number of 10,000 at that point?

Ms Newman: I think it would be fair to say, Mr Kormos, that we never, at any point, debated the issue of the numbers of outstanding warrants in writing; that there were numerous discussions with the Provincial Auditor's staff and discussions between our deputy minister and Mr Peters. There was nothing reduced to writing with respect to the number of outstanding warrants. As I say, the issue was that we had no valid or reliable means of determining what the number actually was.

Mr Kormos: Did you finally arrive at a number?

Ms Newman: Yes, we did.

Mr Kormos: That was the number of 5,900?

Ms Newman: That's correct.

Mr Kormos: That was as a result of inquiries to the operators of CPIC?

Ms Newman: That's correct.

Mr Kormos: The 5,900 was determined by CPIC using what methodology? Do you know?

Ms Newman: On that one, we may want to call our CPIC expert forward.

Mr Kormos: All right.

Mr Jeff Cook: Jeff Cook. I'm with the policing services division responsible for the Canadian Police Information Centre system within Ontario. The methodology used to come up with the number was what they call an "off-line search," where we have CPIC services in Ottawa conduct a search based on a string of words, letters, that type of stuff. We had them search any field that had "breach of probation," "charge probation," "of probation" or any string similar to that. So "prob" or "pro," "br pro," that type of stuff.

Mr Kormos: "Ontario" would have been part of the word search?

Mr Cook: We restricted it to the province of Ontario, both municipal police services, First Nations police and Ontario Provincial Police.

Mr Kormos: In his comments around this dispute, the minister was always very careful to indicate that CPIC has but 5,900 outstanding warrants. Is that correct?

Ms Newman: That's correct.

Mr Kormos: How many outstanding warrants are there that aren't filed or registered with CPIC?

Ms Newman: To the best of our knowledge, there wouldn't be any, because the police services register their warrants on CPIC; that's the purpose of that system. But again, I think it would probably be better to have the expert talk about CPIC.

Mr Cook: If the police service was to get a warrant for a breach of probation, it would be entered on CPIC. We audit police services in Ontario once every four years and at the midpoint; so every two years we do what they call a quality control audit. That's CPIC national policy.

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Mr Kormos: I understand that an individual probation or parole officer attends at a justice of the peace in the event that they believe there has been a breach of probation or parole. Is that correct?

Mr Michael Simpson: Mike Simpson, acting ADM, community services. That is correct.

Mr Kormos: They attend there and swear out an information laying the charge.

Mr Simpson: That's correct.

Mr Kormos: And the justice of the peace determines whether or not, in their discretion, to issue a warrant for arrest.

Mr Simpson: Yes.

Mr Kormos: And there's a physical warrant prepared. It's a piece of paper. Who receives that warrant at that point?

Mr Simpson: It's my understanding that it's provided both to the local police service and we would keep a copy.

Mr Kormos: Who's "we"?

Mr Simpson: Probation services.

Mr Kormos: OK. So the probation officer gets a copy, and the person who swears the information and obtains the warrant. Who delivers the copy to the police services?

Mr Simpson: That, I'm not sure of.

Mr Kormos: Is there a protocol or a process? See, I guess what I'm interested in is, how can we be assured that every warrant that's issued by a justice of the peace ends up in police hands so that police can comply with their protocols, to wit, entering it into CPIC?

Mr Simpson: It's my understanding that the courts would look after that process.

Mr Kormos: When you say "the courts"—look, I know a whole lot of justices of the peace, have known a whole lot for a long time. Need I say more? What do you mean, "the courts"?

Mr Simpson: I think I'll have to get back to you on that. I'm not sure on that.

Mr Kormos: Is it the JP's responsibility to deliver that to the courts?

Mr Simpson: I'm not sure, Mr Kormos. I'll have to get back to you on that one.

Mr Kormos: Do we know whether the courts receive the warrant, or is the warrant delivered directly to police?

Mr Simpson: I'm not sure on that either.

Mr Kormos: I guess what I'm getting to is, I don't dispute the number 5,900, give or take one or two that somehow might have escaped a search—and that's negligible. What I'm concerned about is the number of warrants that might be outstanding that, because of the physical movement of paper that's necessary, never got into police hands. Do you have any means of determining, or assuring us, that every warrant obtained by every probation and parole officer in fact is delivered to the police services in that jurisdiction?

Mr Simpson: I cannot confirm that for 100%, but it would be my expectation that that is done.

Mr Kormos: OK. Is there a policy manual, obviously for probation and parole officers, that would prescribe this as a specific policy?

Mr Simpson: I'm not sure on that either, whether that is specifically in our policies or not.

Mr Kormos: Is there a monitoring process, is there a supervisory process in a specific probation and/or parole office that would scrutinize this?

Mr Simpson: Yes. On an annual basis, we do case audits on probation officers' files. In addition, once a year each office is to review both active and closed probation cases in terms of any outstanding warrants and, if there are, they are to work with the local police service to reconcile those.

Mr Kormos: Quite right, but why did the auditor have to conduct physical searches of files in probation—the five regional offices he conducted his research in? Why wasn't the information about outstanding warrants available to him by those respective offices if they do annual reports on outstanding warrants?

Mr Simpson: On OTIS, we track all our open probation cases in terms of outstanding warrants—

Mr Kormos: Open cases?

Mr Simpson: Yes.

Mr Kormos: What does that mean?

Mr Simpson: That is where there is an existing probation order.

Mr Kormos: So if the order's expired?

Mr Simpson: If the order is expired, we lose our jurisdiction in terms of that case.

Mr Kormos: But if a warrant's in that file that had been obtained with respect to that probationer whose probation period has expired? That warrant doesn't expire.

Mr Simpson: No, the warrant doesn't expire, and that remains the responsibility of the police services to follow up on.

Mr Kormos: I understand when you get back to the police services; I'm talking about probation and parole officers. What concerns me is, the minister not inappropriately relied upon CPIC and cited that number. Why wasn't the minister able to respond to the auditor by getting the numbers from probation officers? Why wasn't

he able to say, “No, Auditor, 10,000 isn’t the number, because our annual reports from probation officers indicate that X is the number of outstanding warrants”?”

Mr Simpson: In response to the auditor’s concerns, I have asked every office to do a manual check of that, and that process is ongoing.

Mr Kormos: But I’m referring to the first week of December, when this brouhaha around the numbers erupted here at Queen’s Park. You didn’t have any accurate numbers from probation officers in the early part of December; is that fair?

Mr Simpson: That is correct for probation cases that would be closed. For active cases, we would have a number.

Mr Kormos: So you had to rely solely on CPIC?

Mr Simpson: We do rely on CPIC for that, plus the manual count that’s going on right now.

Mr Kormos: But in November/December you had no alternative but CPIC; that was the only source you could rely upon?

Mr Simpson: Yes, that’s correct.

Mr Kormos: You had no idea of the number of outstanding warrants other than what was recorded with CPIC?

Mr Simpson: That’s correct.

Mr Kormos: JEMTEC: is that a Canadian corporation?

Mr Brian Low: Yes, it is.

Mr Kormos: Based in British Columbia?

Mr Low: That’s correct.

Mr Kormos: Publicly traded?

Mr Low: Yes, it is.

Mr Kormos: It was one of several bidders in response to the RFP?

Mr Low: That’s correct.

Mr Kormos: How many other bidders were there?

Mr Low: There were in fact four bidders in this competition.

Mr Kormos: Who were they?

Mr Low: They were JEMTEC Inc, Chubb Security Systems, Virtual Wave Inc and Securicor Custodial Services.

Mr Kormos: I appreciate that only one could win the bid, but were any of them excluded because they were unable to meet the standards prescribed by the RFP?

Mr Low: The process audit report that we’ve released speaks to where various bidders or proponents met or did not meet the criteria set by the ministry. It is correct that all bidders did not make it through to the final selection process. There was a qualifying aspect to that.

Mr Kormos: Did JEMTEC meet all the criteria?

Mr Low: In being the successful bidder, yes, they met the criteria that were set by the ministry.

Mr Kormos: There were no criteria that were adjusted, waived or deferred for JEMTEC?

Mr Low: As you go through any process, there are opportunities in any transaction to review any of the expectations. In order for it to be a fair and equitable process, if there are any changes or variances, those have

to be made available to all bidders at the same time and all would have to be taken into effect. As I recall—and this took place close to a year ago now—in that process there were some very minor variations made, which all bidders, all proponents, would have been informed of and then would have been assessed on the basis of any change.

Mr Kormos: Obviously what I’m interested in is: was there any waiver of conditions or variation of conditions that accommodated JEMTEC that the other three bidders weren’t able to respond to?

Mr Low: No, I don’t believe there were.

Mr Kormos: What is JEMTEC’s track record?

Mr Low: I would have to go back to the records to look at their actual operational history, but certainly in terms of the experience they were asked for, there were criteria for operating experience and they did meet those criteria.

We as a ministry have experience directly with JEMTEC in a separate agreement that related to the electronic monitoring program we discussed earlier, which has been in effect here in Ontario. It was for a different type of service, but we have had that experience.

Mr Kormos: Is the contract public record?

Mr Low: Yes, it is.

Mr Kormos: Is the payment per capita based on the number of inmates being monitored or is it based on a global figure?

Mr Low: The contract is set up such that it is based, after the second year, on a guaranteed minimum number of offenders who would be in the program. It is paid on the basis of the offenders who come on initially, so the actual billing would be based on individual offenders who are registered in the program.

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Mr Kormos: So it’s per capita based, but the government has promised a minimum number of offenders?

Mr Low: That’s correct, and in order to make this transaction both reasonable and financially possible for proponents, we selected a guaranteed minimum that we felt was well within the confines of our expectation of service delivery. So we did not feel we were extending ourselves but rather were confidently suggesting a minimum number of offenders who would be on through the duration of this program.

Mr Kormos: Let me understand clearly: is this surveillance being used on people who have been sentenced to jail by judges?

Mr Low: As we’ve talked about, the intent of the program is to enhance community supervision, so it could be used for conditional sentences rather than just that.

Mr Kormos: If the judge orders a conditional sentence with bracelet.

Mr Low: That’s correct.

Mr Kormos: Because a conditional sentence doesn’t inherently imply utilization of electronic surveillance, does it?

Mr Low: No, it does not.

Mr Kormos: It has to be specifically ordered by the judge.

Mr Low: That's correct, as a condition.

Mr Kormos: And the anticipated utilization is to be determined by the ministry of corrections—the old ministry of corrections?

Mr Low: We have the responsibility to ensure, if we have services available, that we have a financial envelope available and that we are able to provide services if they are made part of a condition. So, yes, we are responsible for anticipating and estimating the quantity of services that would be required, and we will follow and monitor that through the implementation of the program.

Mr Kormos: I want to understand, because the contract requires the province to deliver up this minimum number of inmates to JEMTEC.

Mr Low: That's correct. Sorry—offenders.

Mr Kormos: Well, offenders. But how many conditional sentences imposed by judges are currently outstanding in Ontario?

Mr Low: I'm sorry; I don't have that information. I'm not sure.

Mr Kormos: How many conditional sentences that are outstanding utilize electronic surveillance as a result of the judge's terms of the conditional sentence here in Ontario?

Mr Low: At this particular time, there are over 3,000 conditional sentences. Having said that, we have just introduced a program in January. As part of the implementation, we have, as I explained last week, begun the transition of our electronic monitoring program that has been in place. Gradually, as we speak with the justices throughout the province in the areas where we will be introducing the program—

Mr Kormos: How many of these conditional sentences—the 3,000 outstanding, currently being served—require the use of electronic surveillance as ordered by the judge imposing the conditional sentence?

Mr Low: To my knowledge, at this point there would be none, because we have not offered the service in conditional sentences. That in fact is the purpose of entering this program, so that we can offer that as a service to the justices. It has been explored and discussed previously, and there were times in the past when we had requests. But since it was not available, we weren't able to ensure that was there.

Mr Kormos: And the fee charged is per capita, per diem, I trust.

Mr Low: There is an installation fee, and then there is a monitoring fee.

Mr Kormos: Who does the monitoring?

Mr Low: The responsibility for monitoring the technology rests through our contract with JEMTEC.

The Vice-Chair: We'll move on to the government caucus.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'll change the line of thinking a little bit. In terms of sex offenders and rehabilitation programs, one of the concerns the auditor showed was that of the 3,000 sex

offenders being monitored in the community, 600 are not receiving appropriate treatment. Any explanation for that?

Mr Rabeau: I'll ask Deborah to answer that.

Ms Newman: As you mentioned, Mr Gill, of the 65,000 offenders we have under supervision in the community, approximately 3,000 are sex offenders. I think it's also important to understand that there is a continuum of sex offenders; we have a range of offenders, from non-violent offenders at one end—the indecent telephone calls type of offence—to sexual assault at the other. In terms of our interventions, they have to be targeted appropriately given the nature of the offence. Sex offenders are not a homogeneous group. All sex offenders, though, fall into our intensive supervision category. We provide intensive supervision and monitoring of all sex offenders and hold them accountable in terms of close supervision. We also work very closely with the police in terms of monitoring the activities of all sex offenders under our supervision.

In terms of treatment and the provision of treatment services, we work with community agencies very closely in terms of service delivery. Where we have the availability of resources in the community, we contract with service providers to provide those clinical services. Just to give you some examples of some of the kinds of services that are available to sex offenders, we've created partnerships in the community, for example, with the Kingston forensic behaviour clinic. They provide psychological treatment services for sex offenders in the Kingston, Belleville and surrounding areas. We provide sex offender counselling through community contracts in communities like Sudbury, Toronto and Hamilton. Windsor has created a sex offender treatment program. In Toronto, we also are able to access sex offender treatment through the Centre for Addiction and Mental Health. Similarly, in Ottawa through the hospital system, through the Royal Ottawa hospital, we are able to ensure the provision of treatment services to sex offenders.

We do attempt to contract with community agencies wherever possible for that treatment service delivery. Unfortunately, Ontario is not uniform in terms of community capacity to deliver sex offender programs, so there are some gaps across the province around availability of programs. As part of our new probation and parole service delivery model, we have introduced sex offender programming as one of our core rehabilitative programs. We've trained a number of our probation officers across the province so they can actually deliver treatment programs to sex offenders where gaps exist in the system across the province.

We're in the process of implementing a new, specialized sex offender risk assessment tool that we're training our staff on. We're also in the process of providing further training to our probation officers to deliver sex offender programs in the province.

So I think we're attempting to address the uniformity of programming that the auditor has brought to our attention, both through contracts with community agen-

cies and actually training our staff to provide that service ourselves where it is missing in communities.

Mr Gill: Who decides which one of the sex offenders needs the rehab program? How do you decide on the criteria?

Ms Newman: Our probation officers conduct a very comprehensive assessment of every sex offender who is placed under community supervision. They would do a needs and risk assessment of each sex offender, including a number of collateral contacts with others, in addition to gathering a lot of information about the offender from a variety of sources. They'll then make an assessment as to the needs of and the risks posed by a particular offender and make a determination about targeting programming specific to the presenting profile of that individual.

Mr Gill: Is it also decided by the courts, as to the judges stating a certain number of people or that so-and-so needs the rehab program?

Ms Newman: Yes, absolutely. It's actually up to the judiciary to impose a condition of probation that requires an offender to take treatment. In some cases we may end up with sex offenders under supervision, but if the court has not imposed a condition to take treatment, then our probation officers are unable to enforce treatment with respect to that offender.

1210

Mr Ernie Hardeman (Oxford): I just wanted to very quickly go on with Mr Gill's question. First of all, in my comments to the auditor, I interpreted that of the 3,000, 2,400 were not receiving the treatment they said they would take if it was available. But I guess it was the other way around: 600 are not receiving the treatment. I didn't read the word "not" in the comments; that of the 3,000, it's 600 who are not receiving treatment.

Mr Erik Peters: No, the 600—you are right in the 2,400; 2,400 did not receive and fewer than 600 received. Out of the 3,000, these were the people—

Mr Hardeman: Then I was right in the first place.

Mr Peters: You were right in the first place. Also, the 3,000 were the people the ministry staff indicated required rehabilitation programs.

Mr Hardeman: I just want to go on with that for a moment. I asked the auditor and I'd like some clarification as to how we decide those offenders who would take treatment but can't because it's not available. It's very easy for an offender to say, "Oh, yes, I would take it if only it was available," knowing it's not available. I wonder, how does the ministry come up with the number of those who would take the treatment if it was available?

Ms Newman: We start with the number—3,186 is actually the total number of sex offenders under supervision in the province. Then our staff conducts a comprehensive assessment of the needs and risks posed by each offender. We also consider whether or not there is a condition that a probation officer can enforce. In the absence of a condition to enforce treatment, our probation officer is not able to insist that an offender take treatment. So there has to be a condition that's going to be enforced.

If there's a condition to take treatment and the probation officer assesses that offender and wishes to ensure that they take treatment, then they would be referred to a community agency that's providing such treatment. If there are no community resources available in that particular community, then that's where we're trying to train our probation officers to essentially fill that gap. So if there is no treatment program and in the case of those whom the auditor identified, we expect that to change as we continue to roll out more training for our staff, so that more and more of our staff are able to address the gaps in service delivery in various communities in the province.

In the meantime, we ensure that those people are very closely supervised. In the absence of a treatment program, our staff continue to ensure that public safety is the first priority. Those individuals are monitored very closely and we work very closely with the police to ensure that they're held accountable and that their activity is monitored.

Mr Hardeman: You spoke a fair bit about community involvement and community organizations or community partners that help with this treatment program. What does the ministry do to facilitate that? One of the things I find in my community is that there are many organizations that start up because they see a need in their community for this type of program. All of a sudden it becomes almost the deliverer of service for the ministry as opposed to helping those people in the community whom they're set up to help. Obviously their ability to grow and their resources are limited, so they can only provide so much service and all of a sudden they're not available to the general population because the court orders this treatment and all their time and resources are used for that treatment. How does the ministry deal with encouraging further resources or further opportunities in the community?

Mr Simpson: I think I could speak to that. The ministry works quite closely with our community partners and we contract for specific services and fund those services. So in many situations it's not a case of competing in terms of an agency's overall mandate to serve the community population in that we fund specifically to serve a certain number of individuals so that we're not competing directly.

In other situations, though, the offenders are on waiting lists for service with community agencies with which we don't have contracts. In that situation, they could be competing for a spot with someone else in the community.

Mr Hardeman: One final question: I heard it mentioned in your presentation about—and this is particularly with sex offenders—violent and non-violent. I guess I'd like to know how you define a non-violent sex offender.

Ms Newman: As was mentioned, there is a continuum of sex offenders. Non-violent sex offenders would be sex offenders where there is an absence of any kind of assault against the person. In that category of offences we would include things like indecent telephone calls or exhibition-

ism. Then there's a continuum of others along the way. Certainly the most violent are the sexual assault offences. They present different kinds of profiles and different sorts of risk factors and underlying issues and problems that need to be targeted through appropriate treatment programs and interventions.

Mr AL McDonald (Nipissing): Thank you for appearing before the committee again today to answer some of our questions; I have a number. The first one is, what kind of relationship does the correctional services division have with the local police services?

Mr Simpson: I can speak to that. Mr McDonald, we work very closely with our local police services as part of a team that supervises offenders who are in our community. More specifically, it's our expectation that each of our probation offices will develop protocols with their local police services that would clarify things like how information is communicated back and forth, what happens if there's a high-risk offender in the community, those kinds of things, so that both the police officer who is on the street and our probation staff person are kept as well informed as possible by the sharing of information between the two and by working as closely as we can with them.

Mr McDonald: What role do community-based agencies play in community corrections?

Mr Simpson: Our community-based agencies, as Deborah was mentioning, assist us in providing a variety of services to offenders. Some of those services are for rehabilitation or treatment; others are for assisting an individual to fulfill his or her community service order. We see them as an important adjunct to our service. It allows us to expand our reach into the communities in terms of developing a network of services. It allows our probation officers to focus on the priority aspects of their job, which is the assessment and supervision of offenders who are on probation or conditional sentences. It also provides us with a source of information with regard to what's happening in our communities and what's happening in terms of the role that we as an organization need to play in our communities. So we see working with community agencies as very valuable to our service and we see our working with them as part of the contribution that we make to assist offenders in terms of their own rehabilitation.

Mr McDonald: How does the ministry feel about its partnership with these community agencies?

1220

Mr Simpson: In my view, they are a vital part of what we're about. As I mentioned, it allows us to offer opportunities for offenders that perhaps would not be available. As I mentioned also, it allows us to ensure that our probation officers can focus on other aspects of their work, and it gives us a vehicle to both be aware of community needs and to play an active part in terms of helping communities develop and provide services to their citizens. So I think it's an extremely valuable partnership.

Mr McDonald: That's all the questions we have.

The Vice-Chair: We move on to the Liberal caucus.

Mr Dave Levac (Brant): I appreciate the auditor and his team's earlier deputation. I found it interesting. It probably did generate some questions, so I want to thank the members for being present. Again, my questions might be a little probing but they're not meant to do anything other than to try to get things to the surface so that we can deal with them in the most appropriate way. I want to start my questioning with Mr Cook.

Mr Cook, there was reference to the 5,900 from CPIC, and what I think I heard was that you believe that all of the information that was put in to CPIC was the absolute numbers. The implication that I got was that all police services submitted all of the information on the warrants to CPIC.

Mr Cook: The CPIC national policy reference manual indicates that if a warrant is received by a police service, it is to be entered on CPIC under a warrant or warrant category.

Mr Levac: Is the assumption, then, that every one is submitted?

Mr Cook: That's the assumption we go on.

Mr Levac: Is there a backup to that?

Mr Cook: When we do our audits, we audit to the originality of the warrant. So for an entry, the police service must produce the original warrant to us when we do the audit.

Mr Levac: In your audits have you ever found that police services were not submitting any information on warrants?

Mr Cook: Not in the ones that I have partaken in. In fact, most police services actually make copies of warrants, but they have to stamp those as duplicates. So if they don't have the original, they have a copy. We want to see the original, so they have to go and get the original. We will audit to the original. But we are assuming that if the warrant is in the service, then it will be on the system. Most police services file warrants in a separate area within their police services for hit confirmation.

Mr Levac: So you would classify it as as close to foolproof as possible that this 5,900 given to us by CPIC was a correct number?

Mr Cook: Yes.

Mr Levac: I'm just trying to get that clarified because, as you may or may not be aware, we have heard that there are people saying we may not have the full numbers given to us by CPIC because there were communities that were simply not putting the data in. You can take a number from that that is not in question; I wouldn't question that that wasn't a warrant. But the questions were whether we are getting all of them put into CPIC for Ontario and whether indeed those are the true pictures of that.

Mr Cook: That is the policy of Ontario and the CPIC reference manual.

Mr Levac: OK. That was after the, originally, 11,500 and then the subsequently reduced 10,000. That was after the fact.

Maybe I could ask you this, and then switch to the ministry personnel. You were requested to get that information after the auditor's report was submitted?

Mr Cook: That's correct. This information is valid for November 14 only. Because CPIC is a live system, warrants are being added and removed daily. As of November 14, that was the number on CPIC.

Mr Levac: Are you aware that the auditor did not receive that information?

Mr Cook: No, I'm not.

Mr Levac: Ministry officials, then: are you aware that the auditor, to this point, has not been able to get a copy of the report that was requested?

Mr Rabeau: I wasn't aware that we hadn't provided the auditor with that report. I don't know whether we've had a request out for the report—

Mr Levac: Let me qualify that with what I'm interpreting as what I may have heard the auditor refer to this morning. I would defer to him if he needs to clarify that further.

Mr Peters: Thank you. I would like to clarify that. By the time we tabled the report, that number had not been made available to us. The first time we heard about the report was when the minister raised it in the House, and we have not since made a request for that information, but it was November 14. We didn't ask for it and we were not informed. We didn't even know it existed.

Mr Levac: Having said that, I appreciate that clarification because I don't want to paint a picture here of lack of co-operation. What I'm suggesting—and maybe I can springboard from that and suggest that when this controversy arose, would it not have been wise to deal with the auditor in a way that made it clear to him what it was you were trying to say versus whether or not you indicated that you questioned or challenged the number?

Mr Rabeau: I think it's fair to say, Mr Levac, when we were looking for the number, it wasn't to deal with the number, it was to deal with the problem that the auditor identified. So we were looking at a way of having to improve our interface with the policing community in the province. The number was generated because of that dialogue in respect to trying to deal with the issue that the auditor raised. So it had no bearing on the report per se in terms of what the number was; we were dealing with the problem.

Mr Levac: Thank you. It's unfortunate that your ministry or the work that you did was then turned into the next level, which it ended up being, as a dispute between the numbers. Obviously, you did not do that, but somebody most definitely did that in the House.

Having said that, the question I would ask is, earlier, Deborah, you had indicated that there was a verbal discussion about the 11,500 and the 10,000 at one time, yet you said you didn't have a system in place to know what your numbers were. I don't know if this is logical or not, but was it because you had a hunch that the number was too high or was it that you just simply didn't like that the numbers were too high? If you didn't have a system to check that out and then the auditor says, "You've got a

problem"—and I want to repeat, I understand. You've indicated clearly and so has the deputy minister, and I agree, that there's a problem and we need to arrest the problem, but how could you challenge the number of 11,500 if you didn't have anything to back that up?

Ms Newman: The discussions we had with the auditor's staff at that time were that we didn't have any means within our jurisdiction in corrections to determine what the number actually was. We were concerned that there was an issue, certainly, that needed to be addressed but that putting a number on it without actually knowing what the number was was not going to be helpful, and in the absence of any reliable way of knowing what it was, it also wasn't helpful to give an estimate based on a straight mathematical extrapolation on the basis of five offices across the rest of the system. It would assume a lot of things: that those five offices are representative of every other office and every other community across Ontario, which we didn't believe to necessarily be the case, and so on. So there were some concerns about—

Mr Levac: Methodology.

Ms Newman: —the methodology.

Mr Levac: So the methodology in terms of the math formula that you're saying was used by the auditor brought a question to the 11,500 and then subsequently the 10,000 versus anything else. Did you specifically say in your conversations, "We really have a problem with using the methodology of extrapolation"?

Ms Newman: Yes, we did.

Mr Levac: Having said that, was it then your decision to look to CPIC?

Ms Newman: Subsequently, as the deputy mentioned, as we were trying to get a handle on the issue and trying to get a sense of the magnitude of the issue, we had an opportunity through new connections that had been made through the policing services division to try and ask for this special CPIC run to be conducted for us, to try and get a better handle on what the magnitude of the issue is. We were already working on addressing the issue and forging stronger relationships with police to resolve it.

The other focus of our discussion had been that once a warrant is issued, probation services lose jurisdiction over the case. It's no longer our jurisdiction; it becomes a matter of police jurisdiction. So the auditor was raising an issue for us that we had no particular control over except for his recommendation—which was very appropriate, if I may say—that we work more closely with policing services to try and get a handle on this, which is exactly what we've done.

1230

Mr Levac: Jeff, it has been indicated that the auditor found there were approximately 450 level 1 offenders, versus the 178 ministry-identified level 1 offenders. In CPIC, does that process get used as well to delineate the difference between level 1, level 2 and subsequent levels?

Mr Cook: No. There's nowhere in CPIC where that would be registered as a level 1 or level 2. It just states that there is a warrant and the warrant is for a breach of

probation. The police service that stops the person on a positive hit has to call the police service, hit “confirm” that the warrant still exists, and then contact the probation office that issued the warrant.

Mr Levac: With your expertise—you’ve been designated—are you of the opinion that that’s something which might be a valuable exercise for ministry information, auditor’s information and information for the public at large and that should subsequently be done, that Ontario should work with CPIC to say, “Do you know what? Even though we’ve got this outstanding warrant process, I think we should ratchet it up a little bit and say level 1, level 2 or level 3,” as part of a statistical approach that would assist in lessening the controversy between the actual numbers that are being used—as Mr Hardeman characterized it, and I agree, it’s a problem. We need to arrest it.

Mr Cook: Changes to CPIC—because it is a national system, it’s not captured anywhere at present. The local police service records management systems would have that information. It’s a phone call away to the agency that has the warrant on the system. To get that type of change or to change policies that way, it would have to go to the national level, to the CPIC national advisory committee.

Mr Levac: That’s a statement of what could be done or should be done. Do you have an opinion, knowing what you know and knowing what we’re looking at?

Mr Cook: I don’t think it matters to the police service that’s executing the warrant. They know there’s an existing warrant, and that’s what they react on.

Mr Levac: Good. What I’m looking for is not necessarily an added responsibility or more negotiations to improve or change CPIC, but the actual path to take to find the information, because, quite frankly, we’ve learned through this episode that we didn’t have some information we should have had.

Mr Cook: That’s correct. Actually, even just this morning I’ve been talking to Mike about enhancing the linkages between CPIC and the OTIS system. So we are looking at those avenues.

Mr Levac: Very good. Thank you.

I want to move a little bit to—and could I know when I have five minutes or so left?

The Vice-Chair: Yes. You have about eight minutes right now, so I’ll let you know.

Mr Levac: Thank you. I’ll do it quick and turn it over to Richard.

I want to get to the sex offenders issue of 2,400 not being able to access rehabilitation. I understand clearly what you’re saying about trying to provide those services, but it was clear to us from the auditor that these were people who wanted that and who had indicated a willingness to participate, as opposed to those whom you can’t force to take it, didn’t want to take it or were reluctant to take it. I think there’s a distinction between those who are looking for rehabilitation and those who will reoffend. I know there have been several research projects which indicated clearly that until the person

identifies for themselves that “I want to rehabilitate myself,” they’re just a revolving door. We all know that.

You’ve indicated that you’re taking steps to provide those services. You’re spending \$2 million on rehabilitation versus \$8 million on the other part of the program for rehabilitation and inside corrections. I’m a little concerned with putting your money where your mouth is. Is it because you can’t afford other programs, or is it because you’re still working on linkages between programs that are out there in the community, versus those who are asking for rehabilitation and not getting it?

Ms Newman: With respect to the distinction of the number of those offenders who are motivated or not, our total number of sex offenders is 3,186. I’m not sure if the auditor was saying that all of those sex offenders are motivated to take treatment. Maybe there’s a clarification that’s needed. But in any case, certainly not all 3,000 of those sex offenders would be motivated for treatment. A number of them are going to be in denial that there’s any sort of a problem or that they even committed an offence. Others, of course, are going to be motivated. I don’t know the numbers of motivated versus non-motivated offenders of our total 3,000 sex offender population; it’s not a statistic we keep. But certainly if an offender is motivated for treatment we would make our best effort to ensure that they get that treatment either through community contract, where it’s available, or, if it’s not, to train our own staff.

So in terms of, as you put it, Mr Levac, putting our money where our mouth is, certainly I think where resources exist in communities, we would want to support those through a community contract in ensuring the provision of treatment. It’s where they don’t exist that we have this difficulty and where we’re trying to train our staff to fill that gap. Our staff are providing two levels of program to sex offenders in those categories; one is trying to work with offenders who may not yet—the light hasn’t gone on and they’re working with them to try and have them understand that there is a problem and an issue. So they’re in the pre-contemplative stage of treatment. Then there are others who recognize there’s a problem and they’re providing a more intensive form of treatment program to them.

Mr Levac: Mr Patten has one question.

The Vice-Chair: There was a point of clarification that was asked for, and then Mr Patten.

Mr Peters: Just a point of clarification: the number that we developed came from interviews of local staff. Staff informed us that those were people identified who needed a rehabilitation program. So we compared what staff said was needed versus what was available.

Mr Andrew Cheung: It’s essentially based on the ministry report in which staff identified 3,000 offenders needing the appropriate program.

Ms Newman: Thank you. That would be our total sex offender population. I wouldn’t debate that they probably all need treatment.

Mr Richard Patten (Ottawa Centre): How much time do I have?

The Vice-Chair: You have approximately four minutes.

Mr Patten: OK. What I'd like to do, then, is tell you where I'm coming from. I try to be supportive of what I would expect and believe would be the aspirations of professionals within the ministry. According to your own words, "Research done by the ministry shows that punishment and surveillance are not effective in reducing reoffending rates. Instead, what is effective in reducing reoffending rates is addressing the correctional needs of offenders through rehabilitation programs," and there are a few examples of that.

"On average, offenders spend"—and it gives a time frame. I don't have the time in this round, but I will go back to it later.

Overall, the ministry had a cutback and corrections had a cutback as well—I believe something to the tune of \$8 million or \$9 million. Some of that was reflected in community corrections. Of the \$8 million that is spent in community contracts, \$2 million is on rehab and \$6 million is on supervisory conditions such as sanction orders or whatever it is. In other words, it's all on the control side, the punitive side; it's not on the rehab side. According to your own message, which I truly appreciate, the resources are not going there. What do you say to that?

Mr Simpson: Thank you, Mr Patten, for that question. We have a responsibility to also look after community service orders and to contract with agencies and organizations across the province to assist in carrying out that work. In other words, if an individual has an expectation as part of his or her probation order to do some restitution work by doing some work in the community, those kinds of things, we need to enter contracts to look after that, and in order to fulfill that expectation of the court, we have to spend resources in that area. We do try to balance resources for rehabilitation versus resources for community service orders by themselves. Is it a perfect mix or a perfect balance? It's one that's not static. It's one we adjust accordingly as we review the needs of our offender population.

1240

Mr Patten: If we could still compare apples with apples—if corrections were stand-alone, which it isn't any more—and we look at the overall budget, it's about \$1.7 billion or in that neighbourhood. Is that the figure, just ballpark?

Mr Rabeau: That is for the ministry. Our budget is around \$600 million, somewhere in that neighbourhood.

Mr Patten: Yes, \$667 million, which is down a little bit from the year before. Yet you have a growing population, and as you have already explained, remands are a big part of that.

However, in trying to be supportive of your mission and your acknowledgement of where resources should be increasing, it seems to me that a 13% decrease in transfer payments this year, presumably to the Salvation Army, halfway houses, Elizabeth Fry etc—I don't know if the YMCA is still involved in young offender programs. One of the recommendations the auditor made was that the

levels of funding are not based on actual service needs and requirements but on historical levels, and therefore, "Well, we'll add a 1% factor." I suppose you would know as well as I do that these agencies are not profit-making agencies; they're there to do the very best job. If they're not able to do the very best job, then I wonder why they hang in sometimes. Some of them, of course, have removed themselves from the mix over time.

My question for the moment is, these are not the golden years of working with community organizations and working in the community, are they? In fact, that is really the least expensive way to go and in many ways the most effective, if you want to talk about rehabilitation, reorientation, retraining, skills development and things of that nature. Would you agree with that?

Mr Simpson: We value working with agencies. They are a very important part of our service spectrum.

In terms of the auditor's concerns, we do need to pay closer attention to reviewing a community's needs when it comes to renegotiating contracts and make sure we have clear performance expectations for the organization which are responsive to the needs we're seeing in that community. We're taking steps through our performance outcome process to be better able to do that so we can clearly communicate our expectations to an organization, better track whether they're meeting those expectations and also make the necessary adjustments in terms of contracts to be responsive to community needs.

Mr Patten: Thanks. I'll come back to that.

Mr Peters: I just want to put on the record that we appreciate the co-operation we received from the staff on this audit. Certainly we were concerned about this kerfuffle, if you will, about the numbers. I also appreciate the minister's saying, in his letter to me of December 12: "I wish to assure you as well that staff from this ministry will continue to work co-operatively with staff from the Office of the Provincial Auditor in identifying and resolving such issues in the future."

I think we have dealt with a number of issues, as we said, in the discussion, and much has been made of the discussion that the deputy minister and I had. I have reconfirmed with him that what happened, just to clarify, was that our extrapolation showed a range. The upper end of the range was 11,500 and the lower end of the range was 10,000. There was agreement with the deputy that in our report we would use the lower end of the range.

With regard to the content of level 1 offenders, I think we have heard from Mr Cook that that information is not available from CPIC. Yet there was some dispute made of that number, so I'm not sure. We know that our count was—30% of the files we counted with outstanding warrants were level 1 offenders. The minister reports on Hansard the number of 178. I don't know the source of that information, and you may want to comment on that.

That was maybe the only question or cobweb that is still in my mind. But I do appreciate the minister saying, "Look, you have identified a valid issue, and we are

going to deal with it.” I think that is most important for this committee and most important for the people.

The Vice-Chair: Thank you, Mr Peters. With that, there’s an indication that there are more questions for this afternoon, so I will recess the committee until 1:45. Before I bang the gavel, that’s about an hour.

Mr Kormos: Just if I may, I don’t need—that gives us around an hour. I don’t know what other people are interested in.

The Vice-Chair: Well, it was suggested by the government caucus that we didn’t need an hour.

Mr Kormos: I’d be fine with 45 minutes, quite frankly. Do we need an hour?

The Vice-Chair: Consensus? How’s 1:30?

Interjection: One hour.

The Vice-Chair: One hour, I’m told. One hour. OK, we’ll reconvene at 1:45.

The committee recessed from 1247 to 1347.

The Vice-Chair: The standing committee on public accounts is in session again this afternoon to consider the 2002 annual report of the Provincial Auditor with regard to section 3.08, community services program, Ministry of Public Safety and Security. The rotation now goes to the NDP caucus.

Mr Kormos: Folks, we have already made reference to the December 6 letter of the auditor to Minister Runciman. I think we’ve confirmed the statement in there as accurate, and that is the statement by the auditor that “The number of 10,000”—this is referring back, of course, to the outstanding warrants—“was never challenged in writing to us by the ministry,” and that’s an accurate statement, isn’t it?

Mr Simpson: Right.

Mr Kormos: But then subsequently, on December 11, the auditor writes to the minister, and in that letter the auditor writes, “There was no concern raised by ministry staff in the numerous meetings, telephone conversations and written responses in the period from March to November, that the estimate that there could possibly be as many as 10,000 was inflated.” Is that similarly accurate?

Ms Newman: I’m not sure what—again, perhaps there needs to be some clarification of what the intent of that statement is. In fact, we had numerous discussions. It was our sense that it probably was inflated but, again, we did not have any statistics to suggest that there was another number.

Mr Kormos: You didn’t have any better information, did you?

Ms Newman: Exactly.

Mr Kormos: Right, and so the auditor’s estimate of 10,000, which he had downgraded from 11,500, was the best information at the time.

Ms Newman: It was an estimate based on a mathematical extrapolation, the methodology of which we had expressed some concerns with, as I said earlier.

Mr Kormos: Because it was only an estimate.

Ms Newman: Correct.

Mr Kormos: And you had no better information at the time, did you?

Ms Newman: That’s correct.

Mr Kormos: But then a decision was made to access CPIC, which was done sometime mid-November.

Ms Newman: That’s right.

Mr Kormos: Because there was concern in the ministry about the number 10,000.

Ms Newman: I think it was as we continued to try and explore the issue and get a handle on the magnitude of the issue that we were able to make those arrangements for that special run of CPIC.

Mr Kormos: Yet you had first been exposed to the estimate of 10,000 as the lowball, 10,000 to 11,500, in March 2002.

Ms Newman: That’s correct.

Mr Kormos: And it wasn’t until November that the ministry decided to access CPIC and do this run? I think it was November 14, wasn’t it?

Ms Newman: I’ll turn that over to Mr Simpson.

Mr Simpson: That’s correct.

Mr Kormos: And when was the decision made to access CPIC to see how many outstanding warrants were documented/registered with CPIC?

Mr Simpson: In early November, I began a process of speaking with my counterpart in policing services to begin to take a look at this issue of outstanding warrants because what we wanted was to begin to address the issue the auditor had raised, and in order to do that, we wanted to begin to understand from CPIC what information they had.

Mr Kormos: But that was approximately eight months after the information first came to you which resulted in the auditor’s investigations into five regional offices.

Mr Simpson: That’s correct.

Mr Kormos: And you had concern of one type or another about the number 10,000 from the get-go? That’s what you’re telling us.

Mr Simpson: The concern we had was in responding to the auditor’s recommendation that we needed to take a look at the issue of outstanding warrants and, as the auditor suggested, to work more closely with our police services, in terms of understanding that information and, more importantly, acting on those warrants.

Mr Kormos: But in terms of responding to the auditor, why did it take eight months for you folks to say, “Well, hey, why don’t we have CPIC run a program to see how many outstanding warrants are registered with CPIC?”

Mr Simpson: The purpose of accessing the information from CPIC was to begin to address the issue the auditor had raised about, “Are you working closely with police services?” I wanted to move forward on that, and as part of that, in our discussions, we wanted to utilize CPIC to get a better understanding of the nature of the problem.

Mr Kormos: And who approved the utilization of CPIC to obtain a number?

Mr Simpson: That would have been my counterpart, the ADM of policing services.

Mr Kormos: He provided you with access to CPIC?

Mr Simpson: No. He provided us with the information.

Mr Kormos: In terms of the content of CPIC?

Mr Simpson: Yes.

Mr Kormos: Who directed that CPIC be utilized to determine the numbers?

Mr Simpson: It's my understanding that my counterpart, the ADM of policing services, made that decision.

Mr Kormos: So running a program through CPIC didn't come from the Ministry of Public Safety and Security?

Mr Simpson: Given that policing services is part of our Ministry of Public Safety and Security, the answer to that would be yes.

Mr Kormos: Because my sense—I wasn't there; I wasn't even the little fly on the wall—is that people were concerned about the fact that there could be 10,000 outstanding warrants. People in the minister's office were concerned about it. That's fair, isn't it?

Mr Simpson: My concern was to get going on the auditor's recommendations and begin to address them.

Mr Kormos: My concern is that after obtaining the results of the CPIC search, the minister then characterized the auditor's numbers as inaccurate and misleading. Am I correct in my recollection of how the minister identified the auditor's numbers?

Mr Simpson: I don't have an opinion on that.

Mr Kormos: No, am I correct in my recollection of the minister's characterization?

Mr Simpson: I don't know.

Mr Kormos: I'm sorry?

Mr Simpson: I don't know.

Mr Kormos: You don't remember whether or not the minister would have characterized the auditor's numbers as misleading or inaccurate?

Mr Simpson: No, I don't know that.

Mr Kormos: Political staff were undoubtedly working with you in your response to the auditor's report, including his preliminary discussions with you about his report. That's accurate, isn't it?

Mr Simpson: We briefed the minister's staff on the report when it was released, yes.

Mr Kormos: When was the idea first floated of relying upon CPIC to determine a count of outstanding warrants? It was done on November 14. When was the idea first floated?

Mr Simpson: I don't have the exact date for that, but it was at a meeting probably a few days or so ahead of that.

Mr Kormos: So it was only in the first week or week and a half of November that the proposal of relying on CPIC came forward?

Mr Simpson: Yes, it came forward as a strategy to help us get a handle on the situation.

Mr Kormos: But in view of the concern—you clearly had a concern about the 11,500; everybody agrees there

was concern about that number. The auditor indicates it's as a result of that concern that he went to the lower end of his estimate of 10,000. There was no discussion of utilizing CPIC in March, April, May or June 2002?

Ms Newman: No, there wasn't. I think at that time the focus of our discussions was that regardless of what the number may or may not be, whether it's 10,000 or any other number, the important issue for us was to try to work on the matter of outstanding warrants, regardless of whether there were five or 500 or any other number. In other words, we were less focused in our discussions around what the number may or may not be and more focused on what we did about this issue of outstanding arrest warrants, which becomes a police jurisdiction issue once there is a warrant in the system. We needed to address the auditor's recommendation.

The auditor recognized that correctional services doesn't have jurisdiction, regardless of the number, and it then becomes a police function to arrest those with outstanding arrest warrants. The focus of our discussions was, we felt probably productively, around how we work with the police to ensure that offenders, regardless of the number, are arrested if there's an outstanding warrant.

Mr Kormos: Were any of the people here today participants in the development of the strategy to use the CPIC numbers as a method of discrediting the auditor's numbers?

Mr Simpson: No. I met with my counterpart, as I mentioned, to begin to get a handle on this issue and to deal with the auditor's recommendations.

Mr Kormos: Did the minister or political staff instruct any of you, your colleagues or your subordinates to find numbers that would contradict or constitute a comparison or comparator to the auditor's numbers?

Mr Simpson: I received no such instruction.

Mr Kormos: You didn't. Are you aware of anybody else getting instructions to that effect?

Mr Simpson: No, I'm not.

Mr Kormos: You're not aware of whether or not anybody got instructions to that effect?

Mr Simpson: No.

Mr Kormos: The terms of JEMTEC's contract: did the RFP identify that there would be subcontractors involved in the delivery of service regarding surveillance?

Mr Low: Yes, the RFP allows for the opportunity to subcontract various portions, and the RFP, which is a public document where you could review the actual language, identifies the terms of that and what the restrictions or the parameters of any subcontracting would be.

Mr Kormos: Were subcontractors subject to approval by the ministry or the government?

Mr Low: Yes, as both the request for proposals and the services agreement state.

Mr Kormos: So we've got JEMTEC as the lead party in the contract, and we've got the Salvation Army as a subcontractor. What other participants are there in the fulfillment of this contract?

Mr Low: The contract, which is part of the services agreement and is on public record, is signed with JEMTEC Inc and BI Inc.

Mr Kormos: Who is BI?

Mr Low: I'm sorry; I don't have the exact nomenclature of BI.

Mr Kormos: What do they do?

Mr Low: As I understand it, they are a company that was part of the consortium that came forward with the proposal—understanding, as we've discussed before, that we had expected that with a requirement, as we had, for different areas of our surveillance, very few companies could provide all the services and that various companies would be coming together, either as a consortium or in subcontracting.

Mr Kormos: So you've got JEMTEC, you've got BI and who else?

Mr Low: As you mentioned, we had JEMTEC come forward with regard to subcontracting, and there are two subcontracts that we have reviewed. One is with the Salvation Army, and I'm sorry but I don't have the name of the other firm at my fingertips. I can look into that and get that information.

1400

Mr Kormos: What were the minimum number—you indicated that in the contract the government guaranteed a minimum number of participants to be surveilled.

Mr Low: Yes. I'm not sure if that is the correct word.

Mr Kormos: Unless that's a little neologism we just concocted here.

Mr Low: I think we know what you mean. The minimum guarantee in terms of volumes of those that would be on the system was part of the request for proposals so that those who were bidding would have a sense, after the second year, of what it would be. That total, based on different combinations of the four different classes, was 650 participants.

Mr Kormos: So the JEMTEC contract will have a minimum of 650 participants. How many ankle bracelets are in existence in Ontario right now that are lawful, of course, and within the control of corrections, the Ministry of Public Safety and Security?

Mr Low: I don't have that information. All that I would be able to report on is the number of ankle bracelets that are in fact being utilized at this point as part of our contract. Part of the expectation—and contractually—is that as we identify offenders who will enter the program, the technology will be available. How many are here, I could not tell you at this point.

Mr Kormos: Is the JEMTEC operation up and running?

Mr Low: Yes.

Mr Kormos: It has an expectation of 650 after two years. How many ankle bracelets are currently in active use?

Mr Low: In this past week, we have ranged to a number of approximately 55 or so. It has fluctuated up and down, depending on how many individuals are actively enrolled in the program.

Mr Kormos: Who is running the ankle bracelets out of—where were we, Mr Levac?—Mimico?

Mr Low: As part of the electronic surveillance program, the offenders who are now part of that program—unless you've been there since January 15, it wouldn't have been part of the electronic surveillance program as we're currently contracted—

Mr Kormos: It was the preliminary to it?

Mr Low: That's correct. The decision on who would be enrolled in the program is that of the superintendent of that facility. Once that decision has been made and the necessary arrangements have been made with the electronic surveillance officers, who are our staff, the communication would be made to the vendor, to the service provider of the equipment, and that technology would then be installed on the individual.

Mr Kormos: You talked about three types of technologies: one is radio frequency; one is GPS, which is able to pinpoint where somebody is anywhere on the planet presumably; and voice recognition. Is JEMTEC utilizing all three of these technologies?

Mr Low: Yes, in fact we've identified with the voice verification system—it actually is in two parts. One is where the initiation of a call would be by the ministry and the other is the initiation of a call would be by the individual offender back to the system. So there are various levels of—

Mr Kormos: That's not an ankle bracelet.

Mr Low: No, no. That's what we would call the difference between class C and D of the technology and they're both—

Mr Kormos: That's answering the phone when you're supposed to be there to answer the phone and the technology confirming that indeed it's me, serving my sentence, that's answering the phone.

Mr Low: That's correct.

Mr Kormos: And the ankle bracelet?

Mr Low: That's a radio frequency that involves both, as you might imagine, an ankle bracelet and a device that, if you go out of range, there is an alarm that—

Mr Kormos: Out of range of what?

Mr Low: If you're on house arrest and are in the home, you would be expected to stay in the home. There is a radius from the equipment—

Mr Kormos: How is that monitored? Is there a device installed in the home as well as on the person's ankle?

Mr Low: Yes, there is.

Mr Kormos: Is the monitoring continuous, 100%, or is it spot monitoring?

Mr Low: The monitoring is 24/7.

Mr Kormos: You talked about conditional sentences where a judge utilizing the provisions of the Criminal Code effectively gives somebody house arrest. How many of the 650 ankle bracelets are going to be used for conditional sentencing?

Mr Low: I'll certainly allow my colleague Michael Simpson to deal with the program aspect, but contractually, the intent of the program and the way it was introduced were as an enhancement to community

supervision. That's what we have attempted to do. So it will be primarily for those who are on conditional sentences for community supervision. Because we had a program that, as you said, was the precursor to this through electronic monitoring, we had identified and will continue to transfer that program into this as well. That program started in approximately 1996. There have been up to approximately 100 offenders involved in that program, and that has been transferred in. Our intent is to continue that. The presentation for additional resources and the work that we have done in expanding this are in the belief that this enhances the community supervision for offenders.

Mr Kormos: Last week you told us that electronic surveillance could be used to ensure that people participate in programs they are required to participate in. That struck me as strange, because it seems to me that you could do that by having the people running the program take attendance. How is the electronic surveillance program of any assistance in ensuring that people participate in programs?

Mr Simpson: Keep in mind that all these electronic surveillance tools are designed to assist in determining an offender's compliance with various conditions. Those conditions may vary from a curfew to having a geographic limitation to them, those kinds of things.

Mr Kormos: But specifically on participating in programs, how does an ankle bracelet facilitate ensuring that a person participates in a program when indeed you take attendance when a person attends the AA meeting, the anger management counselling etc? How does electronic surveillance facilitate ensuring people's participation in programs?

Mr Simpson: It gives another source of information to probation staff about the offender and his or her whereabouts.

Mr Kormos: As it applies to programs.

Mr Simpson: As it applies to programs or any other conditions.

Mr Kormos: Give me a "for example," please.

Mr Simpson: If an individual, as you suggest, is supposed to be at an AA program on a certain night of the week and that location is logged in, then we can track whether that person is at that location. Whether that person is actively participating in that program is a judgment call by the facilitators of that program.

Mr Kormos: Why wouldn't you use attendance records to achieve that goal?

Mr Simpson: We do use that tool. As I mentioned, this is an additional tool to assist us in ensuring compliance.

The Vice-Chair: Thank you. The government caucus?

Mr Gill: In terms of the tracking system, the programs or devices, are we using the latest technology we know of in the world or North America?

Mr Low: Certainly the requirement for the electronic surveillance program is to provide what we would call state-of-the-art technology. But beyond that, recognizing

that the field of this technology is advancing at such a rapid pace, we also have provisions within the contractual agreement that the equipment is refreshed or that it is changed over to take advantage of any new technology or the latest in monitoring devices of that particular style of technology—for instance, radio frequency, if that would be it—as time goes on through the term of the contract.

Mr Gill: Whether it's 10,000 or 11,500 or 5,900 offenders, how does it compare with other provinces or states, however you want to call it? Any idea, per capita? How does that compare?

Mr Low: I'm sorry. I'm not sure if your question relates to the outstanding warrants or—

Mr Gill: Outstanding warrants.

Mr Low: I'll pass that over to my colleagues.

Mr Simpson: I don't have the information to do that kind of comparison.

Mr Gill: I'm just trying to see how we compare—whether we are good and we've got a handle on it, or we are so far out that we have no control. I just wanted to know whether we had any handle on that. I guess we don't.

Mr Simpson: I don't have information that compares us to other provinces.

1410

The Vice-Chair: Mr McDonald.

Mr McDonald: I want to go to the probation and parole service delivery model for a minute. I have some questions around that delivery model. Can you tell me what the goals or objectives of this delivery model are?

Mr Simpson: The primary objective of the service delivery model is to help us in terms of our mandate for public safety and reducing recidivism. It supports the government's commitment to making Ontario safer. It reflects our ministry's vision for an effective and efficient justice system. It incorporates what works in terms of drawing from research and empirical literature on effective correctional interventions. It allows us to promote and use the very best practices in terms of offender assessment, supervision and programming. It allows us to make good use of a probation officer's time in terms of having him or her focus on the most intensive cases. It supports and encourages the use of partnerships with other criminal justice partners. And it helps us in terms of promoting a learning organization by our investment in training in order to achieve organizational excellence.

Mr McDonald: What are the ministry's expected outcomes of this delivery model?

Mr Simpson: We're looking at a reduction in the number of offenders who reoffend and subsequently re-enter the correctional system. We're looking at monitoring our cost efficiency. We're certainly interested in developing streamlined approaches to serving our communities and to better process the number of offenders we serve. We want to make full use of our probation officers' talents. We have a very skilled and professional group of staff who work with us, and we want to design a system that allows them to use those talents to focus on

those individuals who are at highest risk and who need the intensive intervention our probation staff can provide.

Mr McDonald: Can you tell me the status of this whole project?

Mr Simpson: Yes. We have been implementing this for some time now, and we continue to implement it. We have it rolled out in terms of our staff being trained, with the exception of some new staff who have been hired. We have it rolled out in most of our offices across the province, and we're continuing to develop it across the province. In those offices where it's operating, we have some offices where all aspects of the program are there and operational, and we have other offices that are still developing it, still integrating it into their day-to-day practice, particularly moving into the area of offering rehabilitation groups.

Mr McDonald: Chair, we'll be happy to waive the rest of our time.

The Vice-Chair: Thank you. We'll move to the Liberal caucus.

Mr Levac: I want to take up that theme we were on, so we can move back, Mr Simpson. Are you aware that a lot of staff were concerned about not using their professional skills because they were doing an awful lot of data entry in the OTIS?

Mr Simpson: I am aware that that concern has been raised, yes.

Mr Levac: To alleviate that concern about their not using themselves—because I'm very concerned. I appreciate very much what you're saying about the fact that you have staff who are trained professionals who actually should be doing more monitoring of the people they're supposed to be taking care of, particularly level 1, and their concern, raised to me and several other people on occasion—and I think, John, you had acknowledged that there was a concern, rightfully so; did I hear that? I just want to make sure. I don't want to put words in your mouth, but had you indicated that there were concerns raised?

Mr Rabeau: Yes, in my opening remarks, Mr Levac, I identified OTIS as being somewhat difficult when we first implemented it. It really is a change in practice, automating a lot of work that was previously done manually.

Mr Levac: By hand.

Mr Rabeau: By hand. It has had some difficulties, as we've been developing it.

Mr Levac: Either one can answer this: I understand you're feeling that you're getting a handle on that, and that you are arresting some of those concerns that staff have regarding OTIS?

Mr Simpson: Most certainly we are. We have gone out with significant OTIS training to staff. We have strengthened the help desk in terms of dealing with OTIS problems. Shortly, we're going to be rolling out a set of OTIS enhancements. Those enhancements were developed as a result of input directly from staff last spring. We pulled together a team of staff representing all aspects of the organization. They came forward with

some recommendations for improving OTIS. We've been looking at ways to bring those on line, working with OTIS. We made some changes and we're about to roll out other significant changes very shortly.

Mr Levac: And staff is aware of those?

Mr Simpson: Yes, they're aware that they're coming.

Mr Levac: Good. The reason I say "good" is that I also heard, if I'm not mistaken, Mr Cook say that there was going to be a tie-in—I'm not sure if it was Mr Cook or yourself—between CPIC and OTIS. Are you looking at that?

Mr Simpson: Yes. That's very preliminary in terms of our discussions. What we're exploring is, are there ways that we can make sure CPIC has the information it needs, and do it with less staff labour? For example, if we can download information electronically, it saves folks on both sides, policing services and our own, from having to manually input that information.

Mr Levac: If I'm hearing this right, that would include, then, my suggestion that we start taking a look at levels 1, 2 and 3 and the different delineations so the auditor can make a distinction between the two. Is that a possibility?

Mr Simpson: Certainly we can take a look at that, yes.

Mr Levac: I did some searching at lunchtime and found the history of this particular committee to be one of the earliest, if not the first, committees in existence, and it was supposedly designed to be apolitical, to basically say, "Look, we're trying to find best practices here and improve systems so that when we find flaws, we can collectively work together to try to pull them up and make that system as it is designed to be, its best possible function."

My next couple of questions are not based on anything other than to try to see if we can get to the bottom of a question that seems to be percolating still, and that is the 10,000.

The question was asked by Mr Kormos about you being aware. I didn't know if anyone else wanted to answer that question, but I think I would rather be specific. Is any member here today, any political staff, including the minister, aware of conversations pointing to the use of CPIC to gather numbers of outstanding warrants, versus what you have indicated to us, which was a hunch that CPIC would have been able to provide an answer to your original observation of, "Boy, a problem has been pointed out here and we'd better get a handle on it"?

Mr Simpson: It was not a hunch; it came out of following up on what the auditor had recommended, which was to enhance the working relationship between police services and ourselves. As we began to do that work, we brainstormed about a number of possible solutions that we could bring to bear to deal with this problem.

1420

Mr Levac: So it was the police service sector of the Ministry of Public Safety and Security that approached

you and said, “We could probably get that information for you through CPIC?”

Mr Simpson: No. I requested the meeting, and again, it was to explore ways that we could respond to the auditor’s concern and find better ways of working together.

Mr Levac: You’ve indicated through the first answer that you were not aware of any staff member talking to you or pointing you in that direction. I would ask the other three or four to nod their heads one way or the other, if anyone has done that as well.

Mr Rabeau: I was the acting deputy from the end of July forward. I absolutely had no political interference in this issue whatsoever. It wasn’t until much later that I even had the discussion with the minister and/or his staff about this. I know in talking to my predecessor, the issue that he had was the same one that Deborah referred to, which was more the methodology with getting the number and the fact that the warrants are not warrants that we have control over. They are a police responsibility. So there was absolutely no political interference at all.

Mr Levac: You can understand some people’s concern as a result of an eight-month delay in going to CPIC in responding to the auditor’s concern. The auditor brought the concern in his report and eight months go by and then all of a sudden somebody realizes, “If I want to address the auditor’s concern, maybe I should go to CPIC.”

Mr Rabeau: I tried to indicate earlier, Mr Levac, that the issue wasn’t around the number.

Mr Levac: It was the concern that the auditor raised.

Mr Rabeau: It was the concern the auditor raised, and the auditor raised the concern that, first of all, we didn’t know the number. I would argue that because warrants don’t fall within our ambit, one questions the fact of, why should we know the number? However, I think the issue the auditor raised, which is the one we were concerned about, was his suggestion that we improve our communication with the police community across the province. It was in an attempt to begin to deal with that issue that we started to talk to policing services.

You have to remember that when the audit was done, we were two separate ministries. We gathered together after the audit was over. So there’s some organizational approach to this that wasn’t perhaps as easy when we were separate organizations.

Mr Levac: I can appreciate that. I’m basically just trying to put that one to bed so that we can move on and talk about what I said I found out at lunchtime, and that is, let’s find out what the heck is going on and make sure that we make improvements from that point on.

I quote from the auditor’s report: “...the ministry, in 1999, initiated a new offender management model known as the probation and parole service delivery model ... correctional needs that should be addressed to effectively reduce the risk of offenders reoffending”—so it’s the recidivism that was the focus—“...management has

indicated that such major change in service delivery would take three to five years...”

In April 2002 we were three years into the process and 80% of the probation and parole offices were in the process of implementing the new model; 39 had achieved full implementation. As of today, how many of the 110 probation and parole offices have fully implemented the new model?

Mr Simpson: I don’t have that update at the moment.

Mr Levac: I would seek to have that, Mr Chairman, please.

Are you on schedule for the five-year limit that you put on yourself?

Mr Simpson: I believe we are, yes.

Mr Levac: The hope is that at the end of the fifth year the implementation would take place and take care of the concern that was raised and that the ministry has indicated it wants to solve, and that is the workload of the probation and parole officers according to designation, versus the total number of people. It puts to rest, probably—mutes, shall I say—the reliance on the national average of the caseload and all that. So it changes it. Have you implemented or designed an implementation of a new way of looking at workload that goes along with that model?

Mr Simpson: With the implementation of the service delivery model and with bringing on OTIS, we’ve had to go back and take another look at that. We have been developing a new workload index tool, and I anticipate that it will be brought forward to me very shortly. This work, I’m told, is nearing completion and will be ready to roll out shortly.

Mr Levac: Can I assume that’s in consultation with the people actually providing the service?

Mr Simpson: Absolutely. In fact, at the moment what we have done is set up a subcommittee of our employee relations committee made up of a cross-section of staff—probation officers as well as support staff, secretarial support—and managers, and they are looking at a number of possibilities for dealing with the issue of workload. A workload index is one piece of work that’s being considered, but there are other things as well in terms of work processes and practices, things that the field identifies as they are working on things day to day. That report is expected by the end of March.

Mr Levac: Mr Chairman, there have been some references to two or three different reports that are due either at the end of March or soon. Is there a way that we can just leave it as a blanket request that we receive those?

The Vice-Chair: I’m advised that the clerk reviews the Hansard, and where requests for information are made or information offered, “we’ll get for you,” that’s picked up and that information is made available.

Mr Levac: I’m assuming that those that would be sensitive as to contracts would not be given unless it was—I’m assuming that we can’t just get information all the time, but what I’m asking for is, wherever possible—

Mr Kormos: We should.

The Vice-Chair: That's an interesting point, because the standing orders say that all people, things and papers are available to this committee. So there's very little—

Mr Levac: Well, then, I won't be so sensitive; I'll ask for it all.

The Vice-Chair: There's very little that should be withheld from the committee, but that's something that would be determined when the information comes forward.

Mr Levac: Having said that, I want to follow up on that. I would also request, if possible—I don't know if I'm allowed to do this, but I'm going to request it anyway. I'd like to find out exactly how the CPIC request was done: if it was in writing, how that process was done. I'd like a copy of the follow-up and also the information given back, because I'm curious about the statistical review of how that is delivered in the first place so that we can start to disseminate that to see whether or not we can address some of the auditor's concerns through that. So I would request, if it's possible, to get that as well.

Who bought the contract? Obviously the government did, but who ordered it? Was it a tender order for OTIS, or did somebody just look at it and say, "That's the one we want," the hardware?

Mr Rabeau: This is going back a few years. We put out an RFP looking for a provider for the system. There were a number of companies that bid on the business. The provider of OTIS is a BC company that was selected at the time.

Mr Levac: Thank you. Mr Patten will continue.

Mr Patten: Ms Newman, first of all I should ask, are the 165 parole and probation officers all in place?

Ms Newman: Yes, they are.

Mr Patten: They are now. So will this address the concerns the auditor had in terms of being able to serve, and parole and probation officers providing especially the supervision? I know that with your new model of operations there is a new job description, so the officers are now expected to supervise, build relationships with the police and the local agencies and all this kind of thing and actually do some field work. Many of them are saying, "Listen, we're really bound to our offices. While we would like to do that, there's no way we can, given the workload and the pressures." Do you see this as being fully addressed?

1430

Ms Newman: I think we've tried to address workload issues in a number of ways.

One measure is through the probation and parole service delivery model, to make sure that we're taking a strategic approach to workload management; that we're focusing our resources on those who pose the highest risk to reoffend or who pose the highest risk, I guess, in terms of public safety; that our probation officers are able to essentially manage their workload in accordance with risk levels. Instead of our old model, which had probation officers seeing all offenders on their caseload equitably, supervising them on an individual basis, we're now streaming them in accordance with risk. So it provides for a more strategic approach to caseload management.

The second measure was the hiring of an additional 165 probation officers. As I mentioned last Thursday, that had the effect of reducing the average caseload in the province from 107 before we hired the 165 staff to an average caseload of 85 after hiring. So it had a fairly substantial effect in terms of average caseload. Recognizing that caseloads do vary, that is an average. In northern communities, they tend to be lower than that; in urban areas like Toronto, they tend to be higher than that. So it does vary somewhat geographically.

Are we declaring victory on workload? No.

Mr Patten: No, I wouldn't expect that, believe me, but that will be helpful in one aspect.

However, my question is that your budget related to transfer payments was decreased by 13% in a context in which most of your transfer payment agencies or recipients were saying it is almost impossible to do the job with existing resources. So you now have, theoretically, more supervisors to build relationships with these transfer partners who have fewer resources. Somehow that doesn't really square. I can see strengthening the administrative part in the ministry, but if their function is to work with the deliverers out there, the agencies, but the agencies are then cut back, I find that a curious administrative management model. Is that where the money went? Did that 13% that was reduced from transfer partners go into hiring the parole and probation officers?

Ms Newman: I think probably you're referring to a constraint measure from several years ago. There was a reduction in terms of community contracts at that time. I think that was around 1996.

Mr Patten: Or 1997, something like that, yes.

Ms Newman: Or 1997, thereabouts. I think what we do is try to manage in a fiscally prudent way. We take the money we have available and try and maximize that funding to make best use of it and ensure that we're focusing our resources in the best way and in the right areas. Certainly we continue to value our partnerships with community agencies. They complement the service delivery that our probation officers provide.

Mr Patten: The auditor does not comment on policy; of course, I can, and some of these questions correctly should be asked of the minister. I know you have to sit there and answer these questions in a context that is not of your making, nor are the priorities of your making, necessarily, especially from my experience.

But I'd like to ask you this: we're talking about people and often we're talking about young people, even in the adult area. We're not talking about 50-, 60- or 70-year-olds, except in rare experiences. By and large, we're talking about young people. When we look at those, as we've already acknowledged, who come into the system with mental health difficulties and problems, and we look at the aboriginal populations, especially in the northern communities, which are way out of proportion to their demographics, and we look at the West Indian populations, which likewise are way out of proportion to their demographics, their proportion of the population—I recall that at one of the conferences of corrections, and I

think it was at the London School of Economics, one minister had said, “You might look at your corrections systems as a thermometer of your minorities, because they tend to be made up disproportionately of minority people.”

How is that being addressed? There are kind of three minorities in a sense: people with mental illnesses who end up in corrections and shouldn't be there, aboriginal populations, and West Indian populations. Are there any special efforts made? I'm speaking specifically through community corrections.

Ms Newman: Yes, there are in fact efforts made to address and provide programming that's specific and sensitive to aboriginal populations and certainly to other groups, with particular sensitivity to their needs. So we have a number of arrangements with community agencies to provide aboriginal programming and we have 32 contracts with native community correctional workers who provide aboriginal-specific supervision and programming with respect to that population. We're allocating our contract dollars, I think, to ensure that we are meeting the needs of the diverse kind of population that we're serving in the province.

The Vice-Chair: Thank you, Mr Patten. Mr Kormos?

Mr Kormos: What was wrong with the auditor's methodology in determining the number of outstanding warrants?

Ms Newman: I think the concerns we had were simply that there wasn't a number that any of us could validate at that time. It was an estimate that was being made, a guesstimate.

Mr Kormos: It was an estimate. What was wrong with the methodology to arrive at an estimate? You still don't have a count.

Ms Newman: We have a count now through CPIC.

Mr Kormos: No, no. We were told earlier that somebody's counting every single one of these—right?—and we're still in the process. What was wrong with his methodology to arrive at an estimate?

Ms Newman: Simply that it was an estimate. It wasn't a validated number, and the only way that we feel we're going to be able to get that is to do this very labour-intensive manual count and reconciliation across the system.

Mr Kormos: Of course.

Ms Newman: What we were trying to point out at the time was that simply extrapolating on the basis of five offices right across the province and making assumptions that every office is identical—that its population is identical, that the composition of the population is identical—may not be the case.

Mr Kormos: But the auditor surely adjusted for population, didn't he?

Ms Newman: I don't recall the ins and outs of all of that discussion. I think we expressed concern that there was no way of knowing what the number actually was, that what we were accepting was the issue and that we needed to work on that issue with policing services, although we had some considerable discussion about the

fact that this was a correctional services audit and that we didn't have jurisdiction over this issue.

Mr Kormos: You had jurisdiction over the number of warrants that your people—probation officers, parole officers—obtained, didn't you?

Ms Newman: That's right.

Mr Kormos: And you still do.

Ms Newman: Yes, our probation officers exercise discretion in laying a charge of breach of probation.

Mr Kormos: And it's of some distinct and valid interest for the ministry of corrections, if you will, to know that once it has obtained a warrant, something is being done with that warrant, isn't it?

Ms Newman: That then becomes a police responsibility.

Mr Kormos: But it's of extreme interest and value to the ministry of corrections to know what happens to the warrants that your probation and parole officers obtain, isn't it?

Ms Newman: It's of interest to us, yes. It's not our responsibility, nor our jurisdiction.

Mr Kormos: I understand that, but it's of valid interest for the ministry of corrections to know what happens to the warrants that your probation and parole officers obtain.

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Ms Newman: I'd accept that.

Mr Kormos: Mr Peters never characterized his numbers as anything other than an estimate, did he?

Ms Newman: No.

Mr Kormos: He made that quite clear from the get-go.

Ms Newman: That's correct.

Mr Kormos: And has never changed his position in that regard.

Ms Newman: No.

Mr Kormos: And his estimate was based on hard, accurate counts of warrants obtained in five regional areas.

Ms Newman: That's correct.

Mr Kormos: There's nothing wrong with that data, is there?

Ms Newman: No. Well—

Mr Kormos: I'm sorry?

Ms Newman: I should just qualify that the other part of the discussion we had was that absolutely there's nothing wrong with that data; it was based on an actual count in five offices—

Mr Kormos: There's no question as to its accuracy.

Ms Newman: No. What we don't know is, of those offenders where warrants are issued—essentially, then, they would be entered into CPIC, presumably. That's the policy, that they would be entered into CPIC; that's the process that's followed by police services.

Mr Kormos: If the police services get the warrant.

Ms Newman: We believe that police services get the warrant. That's the process.

Mr Kormos: You were here earlier, and I'm not aware, still, of any protocol, any policy, that dictates how

warrants, once obtained by a probation or parole officer, are then put into the hands of the police.

Ms Newman: We will provide that information.

Mr Kormos: All right. So no dispute with the accuracy of his counts. Were you aware of which five regions it was that he did the counts in?

Ms Newman: Yes.

Mr Kormos: Was it big city and not-so-big city?

Ms Newman: I'm not recalling which five offices it was, now.

Mr Kormos: Was it fairly representative of the province of Ontario, as your recollection would tell you?

Ms Newman: I don't recall that.

Mr Kormos: Did you question the representativeness of the five regions at the time Peters put forward his estimate?

Ms Newman: I'd have to go back and look at which five offices it was. I think there was reason to question whether in fact one could simply extrapolate, as I indicated earlier.

Mr Kormos: Sure. But short of a hard count, which is what the ministry is doing now, is there any better way than what Mr Peters did to arrive at some sense or some estimate of the numbers?

Ms Newman: The deputy would like to respond to that.

Mr Kormos: OK. You first, though. Is there any better way, short of a hard count?

Mr Rabeau: I think maybe just a couple of points of clarification. One is that it wasn't regions; it was offices that were looked at. Secondly, what was counted was files, not necessarily outstanding warrants. The dilemma we have here is that obviously there's a file that indicates there is a warrant in a backroom of an office. Some of those warrants in fact could have been executed and the filing not done. In other words, the file is still there and the warrant is already done and has been disposed of.

Mr Kormos: Absolutely.

Mr Rabeau: I think the issue that was raised by the auditor talked to files and not necessarily warrants. So in response to one of your questions in terms of the methodology, I think that was one of the concerns that was raised at the time, it's my understanding. However, at the end of the day, as I think we've tried to indicate, the issue was not necessarily around the number, but around the problem, and we recognized the problem. Even if there are files where the warrant has been executed and we're not aware of that, obviously that's of some concern to us.

The Vice-Chair: Excuse me. The auditor would like to make a clarification.

Mr Peters: Yes, if I may. Thank you, Chair. Sorry, John, it was warrants that we counted, not just files. We visited five of the 41 area offices. So it was warrants, not just files.

Mr Rabeau: I know that, Erik. There were warrants in our files. It doesn't mean that the warrant hadn't been executed, however. In other words—

Mr Peters: That's correct.

Mr Rabeau: That's the point I was making. Obviously it's a piece of paper that's a warrant that was in a

file. We recognize that. But the warrant may have been executed.

Mr Kormos: Similarly, I might ask Mr Peters, were there instances of files in which you observed that a warrant had been obtained and indeed executed, such that you didn't count that warrant as an outstanding warrant?

Mr Peters: This is Rudy Chiu, from my office.

Mr Rudolph Chiu: When the warrant is executed, the file will be removed, from the outstanding file anyway.

Mr Kormos: Unless of course there is an error made in removing the file, correct?

Mr Chiu: That I can't speak to.

Mr Kormos: Of course, but the same sort of human error that might flow from not delivering a warrant to the police or the police not filing the warrant with CPIC.

There was never any doubt that Mr Peters provided an estimate. Do you have a better way of arriving at a mere estimate than what Mr Peters did? We know that if we want an exact number, we do a hard count, correct? That's what you're doing now. It has taken a whole long time. Mr Peters, I presume, had neither the staff nor the time to count every file in the province. Is there a better way for Mr Peters to have arrived at an estimate than the manner in which he did?

Mr Simpson: Mr Kormos, what we are doing is physically going through and checking them, and that involves working closely with the police services and on occasion with local crowns to do that. That is the process that is undertaken. So it's more than just going through and counting warrants in a file.

Mr Kormos: Of course it is. Was there anything about Mr Peters's report, as an estimate, that was indeed prima facie inaccurate, in view of the fact that it was characterized as an estimate—nothing more, nothing less?

Ms Newman: No, it was characterized as an estimate. I'm not sure what you're asking me.

Mr Kormos: Would you characterize it as inaccurate in terms of it being an estimate?

Ms Newman: We expressed that we had concerns about the methodology. In the absence of any better way at the time of determining what the exact number was, short of going through a process which we're now going through, which will take a number of months and is extremely time-intensive for our staff, there wasn't any better way, no, of determining what that was short of any kind of an estimate. I think our concern was more around dealing with the issue than the number.

Mr Kormos: Of course, and you've made that quite clear. You've said the issue wasn't around the numbers. You said that just a few minutes ago, and I believe you. And I believe you speak for all your colleagues. You just repeated it.

Once again, Mr Peters came up with an estimate. He described the manner in which he arrived at the estimate, because a guess would be to say, "Well, I don't know. There's probably got to be a few thousand outstanding warrants." That would be a guess, huh? Is that right? If a person like me said, "Oh, I bet you there's got to be more than a few outstanding warrants," that would be a guess,

wouldn't it? An estimate is based on some process by which you go from point A to point B. As an estimate, that's not inaccurate, is it?

Ms Newman: It's an estimate.

Mr Kormos: Is it inaccurate as an estimate?

Ms Newman: I have no idea. I think we'll find out when we complete the manual check and then we'll be able to compare it.

Mr Kormos: So there's no way of determining its accuracy as an estimate until you do your count, isn't that correct?

Ms Newman: The best method we had short of that was using CPIC, in the end.

Mr Kormos: There's no way to determine the accuracy or inaccuracy of Mr Peters's estimate until you finish your actual count, is there?

Ms Newman: I'd say that's the best way of determining it, yes.

Mr Kormos: Similarly, was Mr Peters's estimate misleading? Was it misleading in any way in view of the fact that he laid out all of the foundation for arriving at that estimate? He didn't conceal, so far as you're aware, any of the approach that he used, did he?

Ms Newman: We talked about how the estimate was obtained; that's correct.

Mr Kormos: Did he appear candid in that regard or did he appear to be concealing things?

Ms Newman: There's never been any question whatsoever about the credibility or the—I would never suggest that the auditor was anything less than completely open and forthcoming.

Mr Kormos: God bless both of you. How could one possibly reach the conclusion that his estimate was misleading, then?

Ms Newman: We think that the number is lower. We had that discussion. When we've completed the manual count, we'll have the benefit of being able to determine what the real, actual number is.

Mr Kormos: Why, then, back on December 3, did the Minister of Public Safety and Security say that Mr Peters's report was "inaccurate and misleading"?

Ms Newman: I think the minister had the benefit—we all had the benefit—of the CPIC information that we hadn't previously had, in terms of having a different number, and what the minister was speaking to was the number that had been obtained through CPIC.

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Mr Kormos: Was the minister aware that you had embarked on a hard count or actual count of outstanding warrants in contrast to the information you received from CPIC at that point, December 3?

Mr Simpson: I'm not sure whether he was at that point. We were just getting going with that work, and I don't know if the minister's staff had been briefed on that initiative at that point.

Mr Kormos: Clearly at some point you made a decision to do a hard count of outstanding warrants, didn't you?

Mr Simpson: Yes.

Mr Kormos: That was as compared to or in contrast to relying on the CPIC data.

Mr Simpson: It is in addition to the CPIC data. We wanted to take a closer look at this issue.

Mr Kormos: And you wanted to determine the actual number based on a hard count rather than relying solely upon CPIC data. That's fair, isn't it?

Mr Simpson: More than just getting a number, we wanted to work with policing services, and where appropriate the crown, to clean up any outstanding warrants where they had already been dealt with but we hadn't been notified they had gone to court and been dealt with there. So it's more than just counting; it's actually taking a hard look at them and, if there are ways in which they've already been dealt with, getting them off our books.

Mr Kormos: It's axiomatic in the law that the courts impose the length of the sentences and the ministry determines where and how they shall be served. That's fair, isn't it?

Mr Rabeau: Yes, that's correct.

Mr Kormos: I understand there currently are temporary absence programs available to the ministry of corrections; for instance, for inmates to be released during the day or for a successive number of days, during the time they're serving their sentence.

Mr Rabeau: Correct.

Mr Kormos: I similarly read statistics that indicate that only 28% of parole applications were approved in the year 2000-01, the seventh consecutive year in which the approval rate dropped.

Mr Rabeau: Are you referring to—

Mr Kormos: Parole.

Mr Rabeau: We aren't really prepared to deal with parole today.

Mr Kormos: Fair enough; we'll put that aside. I just wanted to throw that into the hopper because I'm interested in the types of inmates who are going to be released with ankle bracelets compared to those who have been released on TAPs, for instance, without ankle bracelets. Why would you put an ankle bracelet on one and not on another?

Mr Low: You're referring to the inmate portion, which is a program that has been in place in our institutions for some time. The determination of the superintendent, based on an application of the inmate, is based on a risk assessment. It is basically a determination of whether it would be an enhancement to the level of supervision that would enable them to meet the conditions of the TAP they establish.

Mr Kormos: So if I have to wear an ankle bracelet and Mr Patten doesn't, that implies that I'm a higher risk than Mr Patten?

Mr Low: I'd hate to compare the two—

Mr Kormos: I can live with it.

Mr Patten: Yes, you would be.

Mr Low: —but that would allow a higher level of supervision to exist.

Mr Kormos: And you would want a higher level of supervision on an inmate who is a higher risk.

Mr Low: If you were going to determine there should be a release at all.

Mr Kormos: Quite right. Will inmates continue to be released on TAPs and other release programs without ankle bracelets?

Mr Low: Yes, I expect they will be.

Mr Kormos: Again, the ones who will not have surveillance will be lower-risk inmates; is that correct?

Mr Low: Without the electronic surveillance?

Mr Kormos: Yes.

Mr Low: Yes.

Mr Kormos: Why would we want to release inmates who have a measurable element of risk such that they need an ankle bracelet? Why would we want them outside the institution rather than serving their sentences inside?

Mr Low: Again, it may be that we're looking at programs they would be involved in. It may be there are opportunities for them to be involved in work placements or re-entry into the community and those types of things. There are a variety of purposes, as I think was actually explained when we talked about adult institutions last week.

Mr Kormos: OK.

We've had ankle bracelets for how long now in the province of Ontario? I remember the minister's announcement.

Mr Low: Since approximately 1996.

Mr Kormos: Prior to the involvement of JEMTEC—that contract dates from when?

Mr Low: Which contract are you referring to?

Mr Kormos: The newest contract, the newest agreement with JEMTEC.

Mr Low: The term began on January 15. The contract was actually signed in the fall.

Mr Kormos: January 2003?

Mr Low: That's correct.

Mr Kormos: Up until January 2003, how many ankle bracelets did we have in the province administered by the ministry of corrections or owned by them?

Mr Low: Very generally, in the neighbourhood of approximately 100 at any given time.

Mr Kormos: Of those 100 ankle bracelets, how many of them were being used for people who were supposed to be serving weekend sentences or intermittent sentences?

Mr Rabeau: I think around 60, if I'm not mistaken.

Mr Kormos: Of the other 40, what types of inmates were they being used with?

Mr Rabeau: Folks who were out on TAP who would be out during the week to go to school; regular inmates with regular sentences, not weekend sentences.

Mr Kormos: So 60% of the ankle bracelets were used to deal with intermittent sentences, colloquially called weekenders?

Mr Rabeau: Right.

Mr Kormos: And 40% were used with people to go to school. Were those GPS bracelets?

Mr Low: No, the only equipment that was used during that time and the only equipment we had available to us was radio frequency.

Mr Kormos: That radio frequency required a stationary corresponding unit in the location where the inmate was supposed to be?

Mr Low: That's correct.

Mr Kormos: Which schools had these corresponding units?

Mr Low: That would depend on the supervision. In fact, it's inmate-specific, and in most instances it would be so that they would stay at home or be in their program. As you said, there are a variety of ways to provide supervision, one of which would be an attendance record.

Mr Kormos: But your colleague said it was about going to school—TAP to go to school during the week. I'm interested in which schools had the corresponding transmitter-receiver that would facilitate the monitoring of these 40% wearing ankle bracelets, some of whom we're told were using them to go to school during the week.

Mr Rabeau: I think there's been some misunderstanding. The bracelet was on the individual. The equipment would be in the individual's home.

Mr Kormos: But you talked about going to school.

Mr Rabeau: Yes, but the bracelet would not be monitoring the individual at school. The bracelet is monitoring the individual's attendance in their residence. So if they are to be home between 6 at night and 6 in the morning, that's what the bracelet allows us to measure. There isn't attendant equipment in a school or a place of work.

Mr Kormos: I misunderstood. My apologies.

Mr Rabeau: I think that what might have occurred earlier is, with the new technology, the global positioning technology, we will be able—we haven't got it working yet at the moment, but it's coming—to track individuals wherever they are in the community. The bracelets are attached to a piece of equipment that's in the individual's home.

Mr Kormos: So the people you're talking about, of the 100, 60% of them—the total number of 60 being intermittent sentences, the other 40 being other programs—these are people who can't be trusted outside of the institution without an ankle bracelet and surveillance. Correct?

Mr Rabeau: First of all, intermittent sentences are out every day of the week except the weekend, so I think they are trusted outside the institution.

Mr Kormos: I was talking about the other 40%.

Mr Rabeau: Do you want to run that by me again, then?

Mr Kormos: Yes. Of the 100 bracelets now, 60% are intermittent, where a judge expected them to serve a sentence intermittently. The judge didn't order them to be under house arrest intermittently. The judge said, "I want you to serve weekends to do your 14 days for your drunk driving." Is a second offence 30 days? Thirty days for drunk driving—a third offence, rather. It might be more.

The Vice-Chair: You need to get to the question.

Mr Kormos: Yes, I understand. So the other 40% are people who can't be trusted without the ankle bracelet because they are too high-risk. Right?

Mr Rabeau: They've been judged that there is some risk, yes. You want them to attend wherever you want them to attend, and that would be at home.

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Vice-Chair: The government caucus, any questions?

Mr McDonald: Chair, we have no further questions.

The Vice-Chair: The Liberal caucus?

Mr Levac: Yes, just a few for me, and Mr Patten may have one or two.

I find this exercise profoundly important, and to get a grasp of the entire picture I want to follow up on some other points that were made earlier. We talked about OTIS and you indicated to me that inside OTIS its design is evolving somewhat and that you're in that five-year time period in which you are changing the system. So you actually opted out of the present system that we're using at the time to correspond with or be a partner to—if I've got this right—the integrated justice project.

Mr Rabeau: Yes. The OTIS program is part of the integrated justice endeavour, yes.

Mr Levac: Right. And you had indicated earlier that the changes you are now implementing, because of the difficulties that some of the people were having applying it and doing the database and improvements, are supposed to make it better management in terms of case managing?

Mr Rabeau: That's correct.

Mr Levac: The auditor has somewhat of a concern with that—unless this is what you're now working on in between that time. Because as you know, the auditor's report was a little earlier than what we've been talking about. So I want to make sure this is the point.

“The design of the new system does not allow officers to easily and readily assess an offender's history and the types of offences committed (because the information is not captured and displayed on one screen but is instead stored and arranged among several different screens). As a result, there is an increased risk that critical information is missed when officers are reviewing information concerning offenders under their supervision.”

Can I assume, then, that the new evolution you're talking about is addressing that very issue?

Mr Simpson: Yes, we're working on that issue along with a whole number of other issues. The thing about OTIS is that as we get in and get using it, we discover ways that we want to improve it. So in my view it's an evolving piece of technology and it will continue to change and evolve as our demands change and how we use it changes.

Mr Levac: Is that including the frequent crashes that the auditor is concerned about because it's Internet-based?

Mr Simpson: Yes, we've taken steps to address that issue and to decrease the frequency of that.

Mr Levac: Some of the information that I obtained from some probation and parole officers is that it almost doubles their work because they're afraid of the crash

and they don't have written notes, they're just transferring them on to the database entry, and you turn around and you find out your case has crashed. So I'm assuming that's what that means, that you're going to prevent that duplication of work, and the proper use of those professionals.

Mr Simpson: Yes, that issue was raised by probation officers and observed as an issue, and it's one of the issues that's being dealt with.

Mr Levac: Great. I will ask the next question, then. In the contract you have with the providers of OTIS, are they implementing some of these changes at a cost, or is it part of the contract that the upgrades are built into the contract?

Mr Simpson: It's my understanding that some of these changes are part of the present contract and then some of the other changes that we've asked for fall outside of that contract, and there is an additional cost for those changes.

Mr Levac: And that'll include, if I'm hearing correctly, the potential that you're looking into—I hate like heck to put words into people's mouths, so I'm leaving it as open as possible—the possibility of your negotiation with CPIC.

Mr Simpson: I'm not sure about that yet. I have to take a look at it.

Mr Levac: So that's really at the preliminary stage in terms of your discussion with CPIC and OTIS.

Mr Simpson: Absolutely.

Mr Levac: Having said that, may I suggest, then, an evaluation of OTIS with that implemented into it, because if we can address—the auditor's concern was not being able to identify levels 1, 2, 3 within one system, and right now, from what I understand this to be, you have to go to a second or even a third source to get that information.

Mr Simpson: Your worthwhile suggestion may be a little premature in that we're not sure yet whether we can actually do this. As I said before, we're just starting discussions on this to investigate it. But I think if we can work something out, by all means we will monitor it and see if it gives us the results that we're after.

Mr Levac: If it can't, then I'm assuming you're still going to look back to OTIS, because you are doing an evaluation now and making those upgrades, as you presently are aware, and as the auditor indicated—I believe he was saying there wasn't, at this particular time, unless that's been changed since his report, critical information being missed.

Mr Simpson: With OTIS, we have an OTIS users' group, which will continue to help us monitor the success of OTIS, help us to identify user-specific problems with it. Then over and above that we take a look at how OTIS is working overall, whether it's giving us the results that we need, whether it's able to give us the reports we need.

Mr Rabeau: Just a couple more points, Mr Levac. Prior to OTIS, with OMS, our offices were reliant on paper files to get information from one office to another. We now have a system where offices can access information on-line about an offender, even if an offender

shows up at another office. So access to information is much more readily available and is one of the real selling points for OTIS. Certainly, there still are issues in terms of how you run through the different screens in accessing information, to pick up on the point the Provincial Auditor was making. We're really trying to rectify the ease of access into the system.

The second point I'd like to make is that when we get down the road a bit, the intent of the integrated justice system was to allow easy access between corrections, the police and the courts. So one would hope that as that system becomes available, the issue of CPIC itself may not be all that relevant in that we'll have a much better way of sharing information between corrections and the policing community generally and hence have control of the issue that you're referring to.

Mr Levac: I appreciate that. That observation basically speaks to my overall concern, that it's a communication issue, a morale issue, and asking your professionals to perform at such a level. Regardless of the new system or the old system, you're asking people to perform at a certain level of competency, which I would suggest to you is there. I would never question that. I visited many, many probation and parole offices with very dedicated people. I concur with what Michael said about that. But—and I say this guardedly—if they don't have confidence in that system, if they don't have confidence and their morale is low because of that communication problem, not using their professional skills to their utmost, and they simply see themselves—and you already acknowledged this as a concern that you have—as database enterers instead of probation and parole officers, that destroys any credibility that you're trying to work toward. So along with what you've described for me, I would suggest and recommend strongly that they be brought right along. If they're not part and parcel of that correcting part that's taking place—and I think the auditor has alluded to it; we need some work on this—then you know how management is. Human resources don't respond to anything other than being invited to be part of the solution, versus part of the problem, and not made to think they are part of the problem. That's the other issue that I find it's important to bring up.

Could anything have been done—I just want to go back to this collecting of data for a short moment. I'm not fixated on this one, but I do think it needs to be addressed. From the time at which the auditor indicated that we started with 11,500, modified to a low-end 10,000 to an upper end 11,500, to 5,900—let's not pick at the numbers, but I want to pick at the concern of what changes are taking place now. Because you indicated that through the manual review—in between that time, has anyone been communicated with to strictly find the types of outstanding warrants that you're designating, or I think I heard someone saying to clean up the file along with it? There may be a perception out there—and I want to say this guardedly—that “cleaning up the file” might necessarily be translated into, “Let's make sure those numbers are right where we think they are.” We're talking about

an actual snapshot of exactly what's happening from that moment to this moment, and that includes identifying the levels, which obviously Jeff indicated CPIC does not do.

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Lastly, just in terms of a picture of the outstanding warrants, which would be what Mr Kormos was referring to earlier, because I have a concern that the public may be under the impression that that's all of the outstanding warrants, we're talking about just what probation and parole has access to.

Mr Kormos: Provincial.

Mr Levac: Provincial. So could you address a couple of those issues?

Mr Simpson: Sure. I want to go back to my discussions with my counterpart in policing services. One of the things we decided to do was to send a reminder out to both the policing field and our staff and to request the cooperation of staff in first of all taking a look at the protocols that we have existing with police services and identifying if there are any needs in terms of updating those so that we've got a good, tight system in place in terms of following up on high-risk offenders in our community. That was done by both of us.

The next thing that was decided on was that I directed all of our offices to begin this task of going through and checking all of the warrants on both open and closed files—any existing warrants that the offices have—and approaching local police services to take a look at those, update them and find out what their present status is. We discovered things like someone may have moved completely out of the province, someone may have passed away or the matter may have been dealt with as part of another court matter. Sometimes that information doesn't get back to us. That process—and as was mentioned earlier, it is fairly labour-intensive—is ongoing.

Over and above that, I think what you're suggesting is, how then do we keep a better eye on this issue? One of the things that we can monitor more closely is the existence of outstanding warrants in active files, and through our police protocols, staff can work with police services around those. We can also, on a regular basis, take a look at outstanding warrants in closed files. It's my intent that this kind of review is done on a regular basis, at least annually.

The third part is that we have a case audit process. One of the things I have directed is that, as part of that case audit process, to be sure that this issue of warrants is included so that we don't have a situation where that's just sitting there idle; in other words, something is being done about it.

Mr Levac: That's part of the whole underlying confidence that the public has; not just simply the probation and parole officers but the challenge that has been laid before you by this government or any other government, and that is to make sure that our public is safe and secure. If they get that information and they know it's updated, it's regular, it's timely, that gives me a sense of confidence, and I'm sure it would do that.

I defer to Mr Patten.

Mr Patten: I'd just like some further information on the treatment centre in Brockville. I understand there were some negotiations between health and your ministry on who was footing the bill or operating the facility. What's the latest word on that?

Mr Low: Perhaps I can respond to that. The St Lawrence Valley Correctional and Treatment Centre is a correctional institution in the province, so the responsibility for the operation of the institution is with the Ministry of Public Safety and Security. Having said that, as part of our transformation we recognize that our core business is corrections and that in the provision of mental health programs we would like to have those with the expertise there. So we have had discussions with the Ministry of Health to assist us in the provision of additional mental health services, so that we can enhance what we have had in the past. We are currently in discussions with the Royal Ottawa Hospital in terms of our partnership, for the Royal Ottawa to provide the actual treatment services within the institution as part of the treatment program. Having said that, correctional institution security and ultimately public safety and security are the responsibility of this ministry.

Mr Patten: Are you referring to the Brockville facility, or are you talking about the ROH in Ottawa?

Mr Low: Actually, I'm talking about the Brockville site, which will be the St Lawrence Valley Correctional and Treatment Centre.

Mr Patten: And you have arrangements with the ROH?

Mr Low: Upon completion of a contract with them to provide the treatment services, they will actually staff the treatment services and be on site doing that within the correctional institution.

Mr Patten: At the present time, the ROH is laying off 70 staff, because they haven't received adequate funding from the Ministry of Health. I know they are waiting on the completion of this particular facility as well, because they now have a regional responsibility for all of eastern Ontario.

My final question to you, Deputy, is, you will recall Dr Rozanski, who was invited by the government to do a review of the funding formula for education and ended up recommending that indeed the high schools and elementary schools in our province were underfunded by \$1.6 billion and that should be rectified. Would you welcome Dr Rozanski to do a review of your ministry?

Mr Rabeau: Obviously there are days when we could benefit from further funding on some issues, but we are continuing to look at ways of doing this job in the best and most efficient way we can. I think our first responsibility is to make sure we're getting the best bang for what we're spending now, let alone expanding.

Mr Patten: That's right. You're short of resources, and I know you can't beat up your political masters; I appreciate that. However, these decisions are out of your hands. I have some experience, and I feel for the job you have. It's not an easy one, and it's a major challenge. But I do hope there is a recognition at some point about the potential of your relationships in the community, which I

think is far greater—and I think you probably know that too, perhaps beyond the scope of your resources—in contributing to helping people who are unhealthy or who need more support in one fashion or another to get back into some kind of productive and meaningful community life. Thank you very much for your answers.

Mr Kormos: Let's talk about the hiring of the new probation officers. I understand the caseload is, on average, 80 cases per probation/parole officer?

Ms Newman: The average is 85.

Mr Kormos: When we're talking about caseload, are we talking about probationers and parolees?

Ms Newman: Yes.

Mr Kormos: So that's 85 per probation/parole officer. What, then, is considered the number of hours a month a probation officer will spend preparing pre-sentence or pre-disposition reports?

Ms Newman: We haven't allocated, in terms of our standards, how much time probation officers should spend on preparation of reports for the courts or liaising with community agencies or supervising offenders. Essentially our probation officers are trained professionals, and we expect them to use their professional discretion in terms of managing their time and fulfilling their responsibilities.

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Mr Kormos: Sure. But preparing PSR/PDRs is a time-consuming effort, isn't it?

Ms Newman: Certainly it requires proper time and attention to complete. Definitely.

Mr Kormos: It could take two, three, four, even more days to prepare a complete PSR/PDR, can't it?

Ms Newman: I think preparation of a report for the court will vary. While some circumstances are quite straightforward, others are not. We don't have a measure of the average time it takes to prepare a report.

Mr Kormos: Of course. I wasn't saying average. I said it can take two, three or four days even to prepare a PSR/PDR. It means interviews with an employer, interviews with faculty at a high school or college. It means interviews with family. It means sometimes tracking down people who are hard to find. It means talking to people who sometimes are not inclined to want to be interviewed. It can be as long as four days in terms of preparation to the final word processing of a PSR/PDR, can't it?

Ms Newman: That's possible.

Mr Kormos: And then court time. A probation officer can be compelled and is more often than not accompanying his or her PSR/PDR to court. Is that true?

Ms Newman: On occasion they may attend court. Our model generally is that we have court liaison officers whose duty it is to be an officer to the court and to do that coordination.

Mr Kormos: I'm not talking about the intake. I'm talking about presenting the PDR/PSR, and it's not the rare case that the probation officer preparing that PDR/PSR is required to attend the court with that report, is it?

Ms Newman: That's not a requirement of the service, that every probation office must attend court with their report. The report is turned in to the court and it's read.

Mr Kormos: I understand, and if defence counsel wants to cross-examine the probation officer on the contents of that report, that probation officer is compelled to be there, isn't he or she?

Ms Newman: That happens on a very rare occasion.

Mr Kormos: When you're talking about 85 cases per probation/parole officer, you're not including then potential probationers, people for whom that parole officer/probation officer is preparing a PDR/PSR?

Ms Newman: No. When I'm talking about average caseload, I'm talking about active cases on the caseload and not necessarily the report preparation.

Mr Kormos: There seems to be, in all fairness to the ministry, a whole lot of response around the area, for instance, of the outstanding warrants. That message is loud and clear. There has been significant response around that area, hasn't there?

Ms Newman: Yes.

Mr Kormos: A whole lot of work being done around the area of outstanding warrants.

Ms Newman: That's correct.

Mr Kormos: Determining why they're outstanding, right? Determining the accurate numbers; putting into place ways and means of tracking them. And none of this activity was taking place until Mr Peters's report.

Ms Newman: I don't know if I can say this in any other way because I've said it several times today, but I think the issue for us was a matter of not having jurisdiction, recognizing that once a warrant is issued, it becomes a police responsibility over which we have no jurisdiction. Nevertheless, when Mr Peters made the recommendation that we work more closely with the police, we agreed and accepted that recommendation, and that's exactly what we've been doing.

Mr Kormos: Quite right. And just between you and me, notwithstanding how the minister wants to characterize the auditor and his report, I think he's prompted some very good activity on the part of the ministry.

In terms of caseload, what's the optimum caseload for a probation officer for him or her to do their job effectively?

Ms Newman: I don't think there is any magical number in terms of a caseload. A caseload can vary significantly. The composition of that caseload varies. Some offenders take up a lot of probation officer time; other offenders take up very little time. Some require intensive supervision and some don't require intensive supervision.

Mr Kormos: Sure, but the best we can do is talk about average caseload per probation officer, right?

Ms Newman: That's still how we characterize it.

Mr Kormos: It's down to 85 from where?

Ms Newman: From 107.

Mr Kormos: And 85 surely isn't perceived as the optimum number of cases per probation officer, is it?

Ms Newman: Again, as I say, I don't think there's actually any research that suggests what an optimum

caseload size is. We've done exhaustive reviews to determine if there is any kind of research that suggests what the optimal size is, and there is not. We've added 165 probation officers, and we've brought that number down. Our probation officers are still indicating that they're experiencing workload pressures. I think that's very legitimate.

Mr Kormos: What's the cost saving per day of people on electronic surveillance—ankle bracelets versus incarceration?

Mr Low: If we were to look at our average per diem in an institution being approximately \$138, we could maintain a person in the community on radio frequency, after the activation fee, for approximately \$12 per monitoring event that takes place.

Mr Kormos: You say the monitoring is done 24/7, but in fact it's done intermittently during the course of that 24-hour period, isn't it?

Mr Low: No.

Mr Kormos: Help me with that, because I really don't understand it.

Mr Low: The equipment is electronic, as you imagine—and I'm continuing with your conversation with regard to radio frequency. The equipment is operative 24/7. Monitoring of the equipment and of any events that would signify a breach, which may be a breakdown of the equipment or an actual breach of the terms or conditions, is also on a 24/7 basis. So if there is an alarm signalled at any time throughout the day while they are engaged or active on the program, then notice would be provided.

Mr Kormos: Like a burglar alarm in my house.

Mr Low: That would be an analogy.

Mr Kormos: But the GPS doesn't have that same characteristic, does it?

Mr Low: It depends on exactly what the expectation would be. It has the ability to be monitored on an on-going basis. You have frequencies; how often do you want to upload or download information? You will have a continual printout of time, and then you will see at what points you actually signify whether they have stayed within the bounds or perimeters. So it really sets out what are expectations. The equipment has the ability to be monitored on a continual basis. That could be extremely expensive to do.

Again, part of the terms of the original RFP was to look at those events and what type of monitoring would take place with the GPS, and then if there was a breach, because a breach would be notified at any time—just to be clear, any time there would be a breach, notice would be given and active surveillance would take place immediately at that time. But if you're just looking at where a person was during that period of time, you don't need to have someone watching the little arrow go over the screen on a continual basis.

Mr Kormos: I read the reference to the ministry's reduction in the number of successful parole applications for the seventh consecutive year in a row, which isn't part of the conversation today because it's not in the scope of what people prepared for. As I understand it, it

was a commitment on the part of the government to reduce the number of people who would be eligible for parole. Fair enough. Is electronic monitoring going to increase the number of people who in fact don't serve their jail sentences in jails?

Mr Low: I can take you back to a conversation we had last week that outlined the intent of this program, which is clearly to enhance the supervision of community offenders. We've had the discussion. I think we had the discussion with regard to institutional participants last week with our colleague Mr Commeford. The intent of this program and the expansion in the numbers all relate to offenders with conditions within the community. That's really what we're expanding throughout the province at this point in time.

Mr Kormos: Conditional sentences under the Criminal Code?

Mr Low: That's correct.

Mr Kormos: That's interesting, because to date, none of the ankle bracelets have been used for fulfillment of conditional sentences, and conditional sentences have been with us since the 1996 amendments, right?

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Mr Low: Yes. I'm sure you'd understand that with a new program coming on, we have a great deal of experience with our staff and with the technology on a program that was in existence. So in the introduction of any new program, we look at a transition period and we look at what we would call a ramp-up. What we see in the first year is we are very slowly increasing the numbers that we will have involved in the program, and that involves, as we introduce this to the community and for a conditional sentence and so forth, a need to provide orientation and training for those who will be most highly involved. That can include the justices, the crowns, the defence and, as well, our own staff.

So we have a couple of things happening here. The first is the actual implementation of the service, so we have our staff who are being trained in the community and actually doing the implementation, and second, it's the orientation and provision of information for those who will take advantage of the service, meaning the justice system.

Mr Kormos: Sure. So if you're going to make these available to the courts for the completion of conditional sentences, I suppose part of the ministry's perspective is that you'd be giving the courts another tool to facilitate conditional sentences.

Mr Low: In fact, we look at a further means that can enhance the supervision and strengthen the position of the probation officer.

Mr Kormos: As a matter of fact, there have been courts in this province that have said, "No, we won't impose a conditional sentence, but we would have, were there an ankle bracelet program available." Are you familiar with any of those?

Mr Low: Certainly we've had interest expressed in this program. Again, in terms of enhancing the security and public safety for those who are on conditional sentences, that is one means to do it.

Mr Kormos: You see, what I'm inferring is that judges have been saying, "I would like to put you out on a conditional sentence, but I don't quite trust you. So because we don't have an ankle bracelet program for you yet, you're going to jail." Yet your ankle bracelet program is going to let more judges put more inmates out on conditional sentences. I think that's a fair enough assessment, isn't it?

Mr Low: Certainly where the judge makes that decision based on the risk assessment of the individual, if it provides them with one further option, it will do that.

Mr Kormos: So this government is going to be letting higher-risk people avoid serving sentences in jail. That's remarkable.

Mr Low: It's interesting. I think you could characterize it as those lower-risk individuals now have an opportunity for a less intrusive way to serve their sentence.

Mr Kormos: But you see, the lower-risk people who are being released on conditional sentences now—you're giving the judge one more tool for a person whom he or she wouldn't otherwise consider releasing on a conditional sentence, aren't you?

Mr Low: I think the decision the courts make is one we have to leave to the courts. What we have to do is, when there are conditions, ensure that our staff have the very best way to maintain those conditions and to look at supervision. This is one enhancement to ensure that we're able to do our jobs.

Mr Kormos: I trust that you, being the mature, capable professional civil servants that you are, are embarking on these programs with the full approval of the minister?

Mr Low: Certainly a new program like this has the support of the minister.

Mr Kormos: I'm just pleased to see Minister Runciman eager to have more convicted people out on the streets rather than in jail serving sentences. Aren't you, Mr Levac?

Mr Levac: The mike's not on.

Mr Kormos: Turn his mike on. Let him respond.

The Vice-Chair: The question should be directed there, not between members.

Mr Kormos: I'm sorry. You told us last week about—

Ms Newman: Could I add a comment to that?

Mr Kormos: Go ahead. Yes.

Ms Newman: I think the ministry is not intending this to be a net-widening program. It's essentially to provide a measure of compliance for house arrest on conditional sentence, so that for those conditionally sentenced offenders that our probation officers are doing their utmost to supervise, it provides our probation officers with a compliance tool to ensure that offenders in fact are abiding by those conditions. We have been, in our discussions with the judiciary, attempting to ensure that that objective is very clear and that this provides a way of ensuring public safety for those that the courts deem appropriate to place on a conditional sentence. So as I say, it's not intended to be a net-widening exercise.

Mr Kormos: But at the same time, it certainly doesn't narrow the net, does it?

Ms Newman: We think it will allow us to do our jobs better. That's the intent.

Mr Kormos: The prison population is, what did we say last week, 6,000 on any given day?

Mr Rabeau: It's 8,500.

Mr Kormos: What is the goal in terms of reducing the size of that inmate population by what was the ministry of corrections?

Mr Rabeau: We don't have a goal to reduce that population.

Mr Kormos: There is no goal to reduce the inmate population in the province of Ontario?

Mr Rabeau: No.

Ms Newman: Other than by reducing recidivism.

Mr Kormos: What would be the purpose of expanding a surveillance system that would require fewer intermittent sentences to be served in custody, in contrast to being served under surveillance outside the institution?

Mr Low: I think if we go back—maybe we haven't been able to explain it clearly enough.

Mr Kormos: It's probably me.

Mr Low: The electronic surveillance program has two parts. One was a continuation of an existing program, which was a very small institutional-based program that we felt we wished to continue. It had approximately 100 inmates who were involved with that program. It is being absorbed into the program that we call the electronic surveillance program, which is, as has been characterized and we've discussed before, an enhancement to the supervision of conditions that is a strategy for our probation officers.

Mr Kormos: Look, I don't quarrel with anything you folks say, but judges can order probation as a sentence, they can order probation either following a custodial sentence or accompanying a fine, but not both, or they can order it stand-alone. Judges can order conditional sentences for certain types of offences. Judges can order intermittent sentences that are to be served in custody.

I appreciate that the concept of serving your intermittent sentence outside of the jail is not a new one. I go back a long time now to the John Howard programs and so on. Quite frankly, the history will demonstrate that intermittent sentences were as much a response to the enhanced enforcement and sentences for drunk driving as they were anything else, which I find an interesting little bit of historical trivia. There used to be a day when judges would order your licence suspended but for usage at work, for instance. None of you is old enough to remember that; I certainly am. As the law got tougher, the courts and somehow the ministry bent over backwards to accommodate drunk drivers, to make sure they didn't pay the penalties that the courts expected them to.

Where is the policy objective in not having convicted persons serve the sentences that judges impose? In other words, if it's probation, let them be on probation; if it's in jail on an intermittent basis, let it be in jail; if it's in jail for 90 days or six months, let it be in jail for 90 days or six months; if it's a conditional sentence, let it be one. Where is the policy initiative coming from that causes this government to want to not have people serve the sentences which are imposed on convicted persons? I appreciate it's not new. This is a new regime since 1995. What's the policy being served there?

Mr Rabeau: Let me speak to the intermittent issue, if that's the one you're interested in. I think the policy objective here is—and always has been with this program—to ensure that, after screening, we are giving weekend offenders who are in custody access to a program that we feel will benefit them in terms of recidivism. That may be attendance at a drug rehab program or an alcohol rehab program. It may be a period of paying back the community in terms of work for that community, whether it's cleaning up roads or graffiti or working on a community park—some kind of consequence for an individual. So there's been long experience in this province with a group of weekend offenders who have participated in work programs or rehab programs, which from a policy perspective is seen as better than just sitting around an institution for the day. They're doing something that's of benefit to them and/or to the community.

As it relates to another issue you're concerned with, and that's the conditional sentence, one of our big concerns in implementing the electronic monitoring program was to respond to the concerns judges had that they were not feeling necessarily all that comfortable that the conditions they imposed were being met. Our staff, not being able to watch individuals 24 hours a day, weren't able to assure judges that the conditions were being met. I think this program allows us to have a better feel and sense that folks on conditional sentence are meeting the conditions imposed by the courts, and we can assure the courts that in fact that's the case.

Mr Kormos: Thank you, folks.

The Vice-Chair: Are there any further questions? If not, I think we've had a pretty complete day. We appreciate you and your colleagues, Deputy Minister, coming before the committee—you and others for two days now—and thank you very much for your attendance and comments.

The committee will meet tomorrow morning, Tuesday, February 18, first in closed session at 9:30 and then in open session to consider section 3.10, the tourism program, Ministry of Tourism and Recreation, of the 2002 Provincial Auditor's report. This committee stands adjourned.

The committee adjourned at 1542.

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Mr Rudolph Chiu, Office of the Provincial Auditor

Clerk / Greffière

Ms Anne Stokes

Staff / Personnel

Mr Ray McLellan, research officer,
Research and Information Services