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W.R. OUBREY
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THE REPORT OF THE PRINCE EDWARD ISLAND CORRECTIONS COMMITTEE



The Department of the Solicitor General, Canada
The Department of Justice, Province of Prince Edward Island



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Prince Edward Island Corrections Committee

REPORT
OF THE
PRINCE EDWARD ISLAND
CORRECTIONS COMMITTEE

JANUARY, 1971

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INTRODUCTION

The Prince Edward Island Corrections Committee was established in October, 1970, by agreement between the Attorney-General of Prince Edward Island, the late Honourable Elmer Blanchard, and the former Solicitor General of Canada, the Honourable George McIlraith. Establishing this Committee was one of the final acts of Mr. Blanchard's distinguished career. We undertook our work, mindful of his sincere interest in raising the standards of correctional practice on the Island, and we trust that whatever progress may follow from our report will be made in his memory.

This study was approved, and largely financed by the Correctional Consultation Centre of the Department of the Solicitor General. Its development, however, came about through discussion, and understanding between officials of both Governments. It represents, as well, the recognition by a University that its research and educational extension responsibilities can take novel directions when it also is willing to share its resources in an academically unorthodox way.

The spirit of co-operation which underlays the foundation of this Committee has continued throughout its work. We present this report to both Governments trusting that it will be received in a continuation of this spirit, and acted upon to the extent that its conclusions are sound, and feasible, and merit favourable action.

During the course of the Committee's investigations, we visited those correctional institutions on the Mainland to which juvenile and adult offenders from Prince Edward Island are sentenced. These institutions are:

1. Coverdale Home for Girls, Moncton, N.B.
2. Dorchester Penitentiary, Dorchester, N.B.
3. Springhill Medium Security Institution, Springhill, N.S.

4. Nova Scotia Home for Girls, Truro, N.S.
5. Nova Scotia Home for Boys, Shelburne, N.S.
6. St. Euphrasia's Home for Girls, Halifax, N.S.

Visits were also made to various jails which serve populations similar to those on Prince Edward Island. The Committee visited all the Island Institutions currently in use for corrections inmates. All Prince Edward Island inmates, wherever placed, were interviewed, and the Committee talked with most of the employees of the Provincial jails.

A private hearing was held by the Committee for Court officers and officials, and Chiefs of police. Interviews were conducted with Provincial Public Servants in the Department of Public Works, Tourist Development, Agriculture (Forestry Division), Welfare, Health, and the Civil Service Commission. The inter-relationship of corrections problems with various facets of the Island's Government was apparent throughout all these contacts.

Briefs were received from the following organizations:

1. The Prince Edward Island Branch of the Canadian Association of Social Workers.
2. The Alcoholism Foundation of Prince Edward Island.
3. The Prince Edward Island Federation of Home and School Associations.
4. The John Howard Society, Prince Edward Island Branch.
5. The Legion of Mary, St. Paul, s Parish, Summerside, P.E.I.
6. The Fraternity of Grey Knights.
7. The Charlottetown Inter-Faith Committee.
8. The Prince Edward Island Federation of Labour.

We found the briefs to have been thoughtfully prepared, and contained much information and many recommendations of value to the study. The Committee was heartened by the interest exhibited in the Province through the number and quality of briefs received, and we trust this interest will persist.

We would like to also acknowledge the support received from Dr. Malcolm Beck, former Director of Mental Health, the research assistance of Mr. Hugh Brownhill of the Centre of Criminology, University of Ottawa, and Mr. Gordon DeWolfe and the research staff of the Department of Development of Prince Edward Island.

Appreciation is also expressed to the members of the Fraternity of Grey Knights who brought to our attention a perspective on the problems which, without their forthright public appearance, might well have been overlooked.

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The Committee would like further to acknowledge its appreciation to several other private citizens and various individuals with special competence who were contacted for opinions, and advice. We are particularly indebted to Mr. Arthur McQuigan without whose quiet support our Committee could not have functioned.

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The Committee recommendations are in capital letters. Specific wording of each of these recommendations was unanimously approved except in a few instances when Committee members abstained from taking a position on certain recommendations which were closely related to, or in conflict with, established policy in their respective organizations. In each such instance, the member advised the other Committee members of his organization's policy in advance of a vote.

The rationale, as it appears in the text, was written by the Chairman, and does not necessarily reflect the perspective of the individual members, nor adequately reveal their reasons for supporting the recommendations.

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SECTION 1

CRIME ON THE ISLAND

SECTION 1CRIME ON THE ISLAND

It is unusual in 1970 to find a place where drunken driving is the most serious crime problem, but it is also reassuring. A way of life, and an outlook toward other people, and toward Government persists here from another time. The middle aged visitor who listens closely enough to the pulse of this society cannot escape a nostalgia for those simpler, less devious ways in human relations which seem somehow to be lost in direct proportion to the distance in spirit which man moves from the land, or the sea.

We wondered why the crime rate here should be the lowest in Canada, or why this Island seemed more rural than other rural areas. We think it is because many farms are still small, schools are small, distances are short, and people know and care about one another. In spite of the media, there is also a sense of being isolated.

Islanders should reflect, however, that these things are going. Jet Aircrafts connect Charlottetown and Montreal. The small schools are going and with them will go some of the sense of community which their presence brings to a rural area. An expanded tourist industry providing entertainment as well as beaches will bring more money into the Province, but will also develop a different style. Things, alas, are going to change, and one of the prices of change will be an increasing crime rate. If the Island will prepare for this change before it comes, as a farmer must prepare for the seasons, it will be distinguished by future historians as being among the very few Governments to have done so.

SECTION 11 ANOTHER KIND OF PROBATION SERVICE

SECTION 11RECOMMENDATION 1:

THAT PROVINCIAL AND FEDERAL LEGISLATION BE AMENDED TO PROVIDE FOR PROBATION SERVICES AND SUPERVISION FOR A PERIOD OF UP TO THREE YEARS, AND SUCH AMENDMENTS SHOULD VEST JURISDICTION IN THE COURT TO EXTEND THE INITIAL PROBATION PERIOD ESTABLISHED BY THE COURT, UPON APPLICATION OF THE PROBATION SERVICE, FOR A FURTHER PERIOD, OR PERIODS, BUT IN NO CASE SHOULD THE TOTAL PROBATION PERIOD EXCEED FIVE YEARS.

RECOMMENDATION 2:

THAT THE PROVINCE ENACT LEGISLATION TO PERMIT THE COURT TO PLACE ANY PERSON ON PROBATION WHO HAS BEEN CONVICTED UNDER A PROVINCIAL STATUTE.

RECOMMENDATION 3:

FOR A TRIAL PERIOD OF THREE YEARS THE NATIONAL PAROLE SERVICE SHOULD MAINTAIN A DISTRICT OFFICE ON PRINCE EDWARD ISLAND. THIS OFFICE SHOULD ACCEPT RESPONSIBILITY FOR ADULT PROBATION AS WELL AS PAROLE.

The most serious gap in the Corrections Service on Prince Edward Island is the absence of probation. Few jurisdictions in North America are without a probation department. It is particularly unfortunate in that such a large percentage of the Prince Edward Island law violators might benefit from quality probation supervision.

We hope that the above recommendations will not be interpreted outside the Province as suggesting we believe that this is necessarily the best way of providing quality probation supervision elsewhere. Our assessment of the criminal population on the Island, the legal system and tax base suggests that this is the most expeditious way of establishing the service. Previous attempts at Provincial sponsorship of probation service have terminated although the service, while it lasted, is regarded as having been very desirable, and is sorely missed. At a later time, revision of this arrangement can be undertaken if circumstances warrant.

The Committee believes that the administrative structure necessary to support and supervise a complex probation service is simply unavailable, and is unlikely to be created in the near future. The Canadian Committee on Corrections has recommended Federal involvement in initiating new programs, and this would seem consistent with that recommendation.

Combining a probation, and parole case load is not an inherently unsound practice. It is being done in many jurisdictions with good success, and in many respects it logically combines similar services and responsibilities. We believe that with the implementation of the legal and institution changes suggested elsewhere in this report, that the probation service can undertake functions which are somewhat more extensive than is frequently considered to be the limits of a probation officer's responsibility.

(A) Functions:

1. Pre-sentence work for the Courts. This service is not done now, and courts must depend on various sources of information, or personal knowledge of the defendant. This

results in sentencing which may be less precisely related to the needs of the individual, and the danger he presents to society than to other matters.

If an individual is committed to a Federal Institution, an entirely new social history document must now be prepared. Had a pre-sentence investigation followed him to the institution, work with him could commence much sooner, and the classification delay could be shortened.

A careful pre-sentence observation of a prisoner might have suggested a probation plan, or an institution program of which the court should know before sentencing.

2. Probation Supervision. A view of the research data prepared by the Committee Staff, and our study of the P.E.I. inmates in the Mainland and Federal Institutions persuades us that with the careful use of probation, a combined probation and parole case load for the Island would, in a matter of three years, develop to the point where approximately 90% of the work would be in the area of probation, and 10% with parole. The majority of the probation cases will be alcoholics for whom the Probation Officers supervision would include:

(a) As far as possible he would impose needed controls, and encourage treatment in a skillful way. In this function, close co-operation with the Alcoholic Foundation would be needed. There are cases who should have a greater margin of control than a volunteer service can provide without it becoming a Probation Department.

(b) The Probation Officer could help locate and maintain employment using the jail as a resource as necessary. Many persons with serious drinking problems are nevertheless good workers when sober. Legal control of their pay check could be established if such persons were on probation, and the family could be partially supported therefrom. In many cases, restitution to the victim of an offence could be paid from monies a probationer earned while under supervision.

(c) We believe that legal changes should be made which would give the Probation Officer clear authority to use discretion to incarcerate for brief times for investigation, or refuge, or discipline any probationer without necessarily returning him to court for a formal review of each rule violation. Abuse of this authority can be prevented by court review of incident reports in all cases, and even more effectively by administrative review and quality supervision. We would expect that approximately 10% of the probation case load would be composed of property and certain sex offenders (mostly young adults), and certain serious and dangerous auto offenders who may or may not be alcoholics.

(B) Office Space:

We believe that the Province should provide some office space in the Queens County Jail if this is possible.

(C) Timing:

After an office is established, we believe the work load will quickly increase. The following schedule should accommodate the increase. One officer should start by May of 1971. A second officer should start by August of 1971, and a third be assigned by July of 1972. One or two graduate student summer trainees should be assigned to the Island.

(D) Financing:

Probation has not traditionally been considered a Federal responsibility. Costs should be shared by the Province. We believe costs can best be calculated by using the work unit system of analysis.

- (a) That portion of the work which is parole or necessitated by parole should be an exclusively Federal responsibility.
- (b) That portion of the work which is probation or necessitated by probation should be cost shared under the same formula as the R.C.M.P. service is cost shared by the Province.

During the trial period, until experience is accumulated on which to assess the proportion of the work load necessitated by Probation, it is suggested that the Governments should contract on the basis of it being 50%. The majority of work at the beginning will be parole, but this percentage will change as the Service becomes established.

(E) Personnel:

(a) Preference for the Federal positions to be assigned to the P.E.I. office should be given to persons who have lived on the Island for several years, and anticipate remaining there. This practice should not be established at the expense of quality, but it is important to recognize that a turnover in staff positions after a case load has been established is a great handicap to quality service. Tenure is apt to be longer if employment of local people is undertaken.

(b) The Committee recommends that the Attorney General of Prince Edward Island should continue to be responsible to see that Probation Service is provided in the Province, and it is suggested that he should initiate contract negotiations between the Province and the Federal Government.

RECOMMENDATION 4:

THE NATIONAL PAROLE SERVICE SHOULD CREATE AN ATLANTIC PROVINCES REGION UNDER THE ADMINISTRATION OF A REGIONAL DIRECTOR.

The new Prince Edward Island District Office should report to a Regional Director of the Atlantic Provinces who would report to Ottawa. The Regional Director will have to give leadership in initiating a probation program on the Island. He should be given considerable latitude and authority in formulating regional policies appropriate to the local situation which may not necessarily be appropriate elsewhere.

The Regional Director who supervises this project must have a thorough knowledge of the unique local features of the Island, its Government, and people. Close working relationships on an operational level between the Federal and Provincial Governments will become even more necessary than it is at present when only parole cases are handled by the Federal Service.

SECTION 111

ANOTHER KIND OF INSTITUTION PROGRAM

SECTION 111RECOMMENDATION 1:

PRINCE EDWARD ISLAND SHOULD REQUEST THE FEDERAL GOVERNMENT TO ENTER INTO A CONTRACT SIMILAR TO THAT WHICH IT HAS CONCLUDED WITH NEW BRUNSWICK ALLOWING FOR THE TRANSFER OF PRISONERS TO THE FEDERAL INSTITUTIONS IF THEIR SENTENCES EXCEED ONE YEAR.

There are very few prisoners whose sentences are in excess of one year, but less than two. The Committee feels this may in part be the result of the present division of responsibility between Governments fixing the Federal Penitentiary Service with responsibility only for those prisoners whose sentences exceed two years. We believe there are individuals who might benefit from residence in the Federal Program for a shorter time than would be provided by the present two-year minimum term. Hopefully, the classification process can be accelerated, and individuals placed into program at an earlier date if a presentence investigation can accompany the commitment, and be used by the institutions as a social history document.

RECOMMENDATION 2:

JAILS SHOULD BE EQUIPPED WITH LAUNDRY FACILITIES CAPABLE OF BEING OPERATED BY INMATE LABOUR UNDER STAFF SUPERVISION.

RECOMMENDATION 3:

JAIL INMATES SHOULD BE ISSUED INSTITUTION CLOTHING.

The operation of a jail laundry which must care for privately owned clothing of inmates is a much more complicated problem than it would appear from the street. Personal clothing which is shredded or shrunk by improper handling, or because of its inherently shoddy quality, can become the focus of many complaints. It is simpler, more sanitary, and usually more economical to issue institution garments to all inmates.

The present situation, in which men are confined sometimes for many months in their street clothing, without adequate laundry facilities, or close supervision and inspection of their attempts at laundering by hand, is not tolerable. Bedding and mattresses and other institution property which come into intimate contact with human bodies must not be interchanged without proper laundering.

Technical advice and assistance with this problem has been made available to the Province by a consultant to this Committee. His report has been transmitted, and we are reporting that we have been given reason to believe that the present situation is being remedied.

FOOD SERVICE:

The Committee has not made a recommendation regarding food service. The practice has been to have food catered to the jails by local suppliers. The quality of food was inspected and sampled by the Committee members and staff at unexpected times during our visits to the jails. While it was not carefully analysed by a dietician, to our unprofessional scrutiny, it did not appear to be of lesser quality than is commonly seen in jails which have their own food preparation service.

For the next several months, we do not believe the jails should undertake food preparation. They are not equipped for this, nor is there staff, nor are there among the inmates a supply of cooks.

The unfavourable part of this program, is that it denies the inmates an opportunity to work in food preparation chores which would at least occupy some of them.

We believe the new institution, which is described elsewhere in this report, should be equipped, and staffed for food preparation service, adequate food storage, and a scullery.

RECOMMENDATION 4:

INMATES WHO ARE ATTENDING SCHOOL ON DAY PAROLE SHOULD BE PROVIDED WITH AN ADEQUATE STUDY ROOM AT THE JAIL.

The Committee wants it to be on record as favouring the development of specialized educational programs to be conducted within the jail. In the near future, when administrative personnel will have been on the job long enough to come to grips with some of the more urgent problems, we suggest that the Department of Education approach the University of P.E.I. with the suggestion that the jail might be a resource for teachers-in-training which could help the latter develop teaching skills, and insight into the nature of deviant behaviour. This will be of value to them later as they work with children from disrupted homes. We visualize this as a program which a criminology graduate student on a summer job might begin developing during the summer of 1971.

We believe also, that when it is reasonable to do so, younger inmates should continue to be granted day parole to attend school. If they are in classes, they must of course, have a place where they can study in the evenings. We believe that by utilizing some of the vacant space in the Queens County Jail, as described elsewhere in this report, a space for this purpose can be found.

The development of this kind of education opportunity in the jail will require help from interested volunteer groups. Refer Section V, Recommendation 5, for comments about new areas of service for private agencies.

RECOMMENDATION 5:

THE PROVINCE UNDERTAKE IMMEDIATELY A PROGRAM OF CATCH-UP MAINTENANCE IN THE JAIL FACILITIES.

RECOMMENDATION 6:

THE DEPARTMENT OF JUSTICE SHOULD INCLUDE IN ITS BUDGET A SUM SUFFICIENT FOR MINOR MAINTENANCE EXPENDITURES FOR JAILS, AND USE OF THESE FUNDS SHOULD, WHERE APPROPRIATE, BE APPROVED BY AND EXPENDED UNDER THE SUPERVISION OF THE DEPARTMENT OF PUBLIC WORKS.

In its terms of reference, the Committee was expected to review organization responsibilities, and suggest ways of avoiding duplication, and promoting efficiency. In view of the evidence of maintenance insufficiency which we saw in the jails, we considered whether it is a sound Government policy to assign ownership of buildings to a department which is not also functionally responsible for their use; particularly for those buildings which have 24-hour occupancy such as hospitals and jails, from which persons cannot be evacuated with ease, and for whom the building itself constitutes the total daily environmental experience. We considered whether this division of responsibility which is typical of other provinces as well, contributes to the almost universal tendency for jails to slide into disrepair. We concluded that it does.

Despite this, however, we decided not to recommend the combining of ownership, maintenance, and program under a single executive in the Justice Department at this time. The

Provincial Government is small, and easy communication between departments will allow for agreement on areas of responsibility. Executive accountability for various aspects of maintenance can be established. We believe the present delegation of responsibilities can function efficiently if jail maintenance is given the priority it deserves among the diverse demands upon the Department of Public Works.

In assigning priorities, we urge the Department of Public Works to give its highest priorities to those buildings having 24-hour occupancy, and lesser priority to offices.

We believe, furthermore, that the Department of Public Works must view jail maintenance in a different perspective than it can view almost any other public building. A prime concern should be to put idle men to work on a task which will constructively occupy their time, and from which they can realize some sense of accomplishment. It is essential that jails be clean, sanitary, and safe. It is not important whether the paint on the walls is applied with professional skill if, in applying the paint, an inmate learns how to do this work, is thereby constructively occupied and sees an accomplishment. There are many such things which can, and should be done by inmates which the jail staff should be trained to supervise. We think the Department of Public Works should provide the jails with technical advice, and, as needed, some supervision for this kind of project.

It is not reasonable, however, to expect the Department of Public Works to be involved in every trivial repair matter in the jails, nor is it reasonable for that Department to expect to have absolute and exclusive control over every penny devoted to maintenance. The jail staffs should be concerned with "Preventive" as well as "Catch-up" maintenance. A jail should have those things done which a person would do in his own home to prevent a small problem from becoming a major, and very expensive one. The Head Jailor should have a small sum at his disposal which he can use as his common sense dictates for such things as putty, patching plasters, paint, etc.

The Head Jailor should be accountable for these things. He should also be responsible for, and accountable for submitting regular written reports on the physical conditions and maintenance problems of the jails as he sees them.

In respect to the above comments, it should be observed that inadequate maintenance of jails is a direct threat to public health. Vermin and diseases incubated in a jail are not contained by its bars and walls.

RECOMMENDATION 7:

THE LOCK-UP FACILITIES AT ALBERTON AND SOURIS WHICH ARE OWNED BY THE TOWNS AND USED BY THE R.C.M.P. SHOULD CONTINUE TO BE USED.

The Department of Justice should arrange for regular inspections of these premises for sanitation and safety. Our inspection of these facilities persuaded us that they were suitable only for short-term lockup use. See Appendix (Photo Supplement).

The Committee feels that the Department of Justice should adopt a policy that withdrawal of authority to use the facility, and cancellation of the stipend paid to the town for its maintenance will be undertaken if adequate standards of sanitation and safety are not maintained.

RECOMMENDATION 8:

THE PROVINCIAL GOVERNMENT SHOULD USE INMATE LABOUR IN OFF-GROUNDS PROGRAMS IN DEPARTMENTS WHERE SUCH LABOUR CAN ACCOMPLISH NECESSARY, AND USEFUL WORK WHICH IS NOT OTHERWISE BEING DONE.

In many jurisdictions inmates are being used for work which the Governments recognize as necessary, but which is not funded from other sources, and is not otherwise being done. In Prince Edward Island we believe that forestry and parks development work can be done by jail inmates released on day parole under the supervision of a forestry or parks employee. We think a crew could be transported on a daily basis to most of the areas on the Island.

Under this kind of program, inmates should be paid on an incentive basis even though the pay is nominal. Good work should be rewarded with higher return to the worker than poor work, or no work. Other incentives involving reduction in time to be served, or in the granting of extra privileges, can be developed after the Province has further experience with this kind of activity.

The Committee is concerned, however, that employees who may be assigned responsibility for work crews be properly trained for this duty. Before this program is started, the Province should carefully select the employees of whatever department is going to use inmate labour, and provide them opportunities for special training. A visit to a New Brunswick Forestry Camp, and the Federal Camp at Blue Mountain, as well as additional training, is recommended for the persons who are to undertake this duty.

RECOMMENDATION 9:

PRINCE EDWARD ISLAND SHOULD NOT DEVELOP A PRISON FARM AT THIS TIME.

The Committee heard many recommendations, and suggestions for this program. We gave it careful consideration. Our study of the inmate population, and the projections of the potential future inmate population led us to conclude that it would not be best to try to make an all-purpose institution from prison farm.

It was our impression that persons who recommended such a program were concerned with the idleness in the jails, and felt that exercise, and work on a farm would be a preferable alternative. For many inmates, we believe that this is quite true. We think, however, that there are better ways of giving an inmate this experience than building and staffing a farm operation. We suggest that with the development of Probation Services on the Island, and with the careful use of day parole, many inmates who are serving time in jail could be released during working hours for employment with private farmers in a situation more nearly resembling the work experience they will have when they leave the institution. Wages earned in this way could be controlled, and used for child support, or to make restitution to the victim of the offence for which he was sentenced.

Prison farms are very effective in many jurisdictions, and they can provide an excellent program. They work most effectively, however, when they are a satellite of a prison system having a large number of inmates from which to select persons for the farm program, and to which uncooperative inmates may be returned. A farm requires a dependable labour force to perform work when it needs to be done. With a small inmate population, this could not be guaranteed. Furthermore, in northern climates with seasonal production, there are wide fluctuations in the volume of labour needed. Without a major wood lot or forestry work, we could see little besides food preparation, and machinery care to occupy a complement of thirty inmates during the winter months, unless there was also a sizeable dairy herd, or other animal husbandry. We concluded that idleness on a farm might be a problem which would be quite as complicated as idleness in the jails. A farm which would be located some distance from a city, because of the cost of land, could provide day parole opportunities for persons to work in the city only by providing transportation. Furthermore, its isolation would make communication with the courts more difficult, and would require extra staff to maintain machinery, and insure that necessary work was done if the inmate supply were inadequate. With a primarily alcoholic population in Island jails, security responsibilities could be expected to include considerable vigilance on the part of the staff to

frustrate the almost inevitable attempts at the production of various kinds of "Home brew" as well as the "Planting" of contraband bottled goods along fences, and hedge rows by cronies of the inmates who sympathize with their unquenched thirst. Finally, we wondered to what use the production from a Prison Farm could be put. Most prison farms in the larger jurisdictions produce food for other government institutions. Whether or not the competition with the local independent farmers is an even more complicated question.

The future needs of the Province may well include one or two Forestry and/or Park Development Camps as satellites of the central institution. One of these should be located at each end of the Island. Their development should follow, and be planned as a result of the needs which are revealed by experience with the central institution.

For further comments on the type of institution program the Committee supports see Recommendations 2,4,6,8.

RECOMMENDATION 10:

THE PROVINCE SHOULD BEGIN IMMEDIATELY TO PLAN A SINGLE CORRECTIONS AND REHABILITATION CENTER TO BE LOCATED NEAR CHARLOTTETOWN.

We believe this institution should be under the general administration of the Department of Justice, but it should share the professional services of other Departments as it deals with common cases. The Province needs the facility which can provide secure detention for a limited number of cases, and at the same time meet a number of other needs.

(a) It will be necessary to replace the drunk tanks with a modern sanitary secure place designed to provide maximum observation by the staff, and easy sanitary maintenance. This facility should be used by the Charlottetown Police as a lockup as needed, and by the R.C.M.P. throughout the Province for lockups for persons who are difficult or dangerous to manage during the initial period of detoxication.

(b) A sufficient number of secure cells must be built to insure that custody imperatives are met for the limited number of high escape risk prisoners who must be housed in the Province.

(c) Dormitory space must be provided for persons on day parole, or an off-grounds program.

(d) Female quarters, Juvenile quarters, adequate office space, and common room space must be provided in the new institution as well as food preparation, laundry, and other necessary facilities.

It is our belief that this building should be planned and ready for occupancy by January of 1973, in order that major expensive remodelling of the present jails can be avoided. In making this recommendation, we were not unaware of the needs in other areas of Government in the Province. Of all the institutions which house citizens, jails have received a rather low priority for attention and expenditure. This has often proved to be a very costly economy.

The Committee undertook very careful evaluation of the present jail facilities, and consulted with experts who are knowledgeable in the technical problems and costs of remodelling. Since the central cell blocks support the roof of the Queens County Jail, it is impossible to remodel it in a way which will provide adequate space for institution programming, and at the same time allow segregation and security for a diverse inmate population. The size of the

grounds is inadequate, and cannot be enlarged except by a very expensive land purchase. The cleaning, painting, and provision of the minimum amenities of life, which is now being undertaken, will not be able to convert that facility into something which can meet the diverse needs of the future.

The jail at Summerside is similarly inflexible in that it is in the basement of the Court House, and forms the foundation and support for the structure above. Its location limits its usefulness for any program other than detention, and it cannot be expected to meet future needs.

The Committee believes that the contractors who are employed to construct the new facility should be encouraged to employ carefully selected inmate labour for construction work on a day parole basis. This practice should not, however, be accepted by government as a legitimate bargaining item in the cost negotiations with the bidders. There is ample evidence from other areas that inmates on day parole can work under the same conditions as other employees, and produce a fair return on their wages. It is a sound business policy, and realistic public policy for them to be given this rehabilitative opportunity as a by-product of an expenditure on construction which itself is made to affect their rehabilitation.

Location:

So as not to encourage land speculation, the Committee's recommendations as to the specific site are being submitted to the Government under separate cover.

RECOMMENDATION 11:

THE CORRECTIONAL CONSULTATION CENTER OF THE DEPARTMENT OF THE SOLICITOR GENERAL SHOULD PROVIDE CONTINUING CONSULTATION AND SERVICE TO THE DEPARTMENT OF JUSTICE OF PRINCE EDWARD ISLAND IN CONNECTION WITH THE PLANNING AND CONSTRUCTION OF THE NEW CORRECTIONS INSTITUTION.

As noted elsewhere, the central institution we visualize must meet diverse needs. Common use of some spaces, as well as good access control, and security for others should be carefully planned. Corrections institutions have historically been copies of a very limited number of basic designs. Only in recent times have creative architect developed sufficient knowledge of correctional programming needs to look beyond the superficial salving of societies' conscience by designing secure features which do not look secure. This practice impresses the public, but does not fool inmates, nor necessarily create a treatment atmosphere. Concern should instead be with program, and the creation of internal spaces offering flexibility as well as security. Planning should be thorough and precise. The planning process to be followed should itself be planned. This need not take long, nor become bureaucratic. Selection of a planning committee should be representative, but also creative. Successful administrators are not necessarily creative people. The Committee should have some bright young employees who are willing to work, understand the need for consensus in decision making, and have a different perspective.

We hope that Prince Edward Island will build an institution which is flexible, and designed for its needs, and that it will not copy a structure which may have been successful in meeting another kind of need in a different place, as so many Governments do, and as P.E.I. itself did many years ago when it reproduced the stock jail design of an earlier era, in which, through the decades since, prisoners have been confined in unproductive idleness.

RECOMMENDATION 12:

THE CITY OF CHARLOTTETOWN SHOULD NOT BUILD A LOCK-UP FACILITY UNLESS THE PROVINCE DECLINES TO COMMIT ITSELF TO CONSTRUCTING A NEW CORRECTIONAL FACILITY AS RECOMMENDED ELSEWHERE IN THIS REPORT.

The Committee found itself obliged by the recent tragic suicides in the lockup to carefully consider procedures, policies, and facilities. We believe that with some remodelling of the reception cells, staff training, some direct help from the medical profession, and the professional staff of A.T.F., that it will be possible within a few months to provide a lockup facility in the Queens County Jail, administered by the jail staff, which will be secure and sanitary, and will more economically service the interim needs in Charlottetown.

The Committee believes that it is not reasonable to expect the Duty Officer at the Police Station to perform all the other duties which are required, and at the same time, function as a Jailer. In the long run, it is better policy to train jail staff to handle the complicated problems of managing inmates, and allow police to specialize in police work.

For the police of Charlottetown to be permanently responsible for managing a lockup does not seem to us to be a good policy. We believe this would probably happen if the city builds cells in its new police headquarters. The city should not duplicate what must be done by the Province. In this matter, the city building plans, and the provincial building plans must be correlated, not merely in the construction of lockup space, but more significantly in program planning, and mutually acceptable divisions of responsibility for various aspects of the criminal justice process.

The city should continue to pay an appropriate fee to the Province for the use of the lockup facility.

For further comment on training and duties of a Jailer, See Appendix, Jailer Job Description and Position Specifications, and for further comments on the planning process, refer to Recommendation 10, Section 111.

RECOMMENDATION 13:

THE GEORGETOWN JAIL SHOULD BE USED FOR LOCK-UP PURPOSES ONLY. AFTER THE COMPLETION OF NEW CONSTRUCTION, THE CONTINUED USEFULNESS OF THE GEORGETOWN JAIL FOR LOCK-UP PURPOSES SHOULD BE RE-EVALUATED.

Because of its small inmate population, continued operation of the Georgetown Jail is not justifiable on grounds of economy. More efficient use of staff time could be made by assigning the Georgetown inmates to the Charlottetown facility, and employing the Georgetown staff in Charlottetown in an expanded program. As a result of program developments, and a reduction in working hours through discontinuance of casual employment, it is expected that positions will become available to which Georgetown staff could be transferred without layoff.

The Committee believes that the Justice Department policy should be to phase into this change with every possible consideration being made to assist the employees of the Georgetown Jail to undertake their new assignments. Seniority in service should be recognized.

The Committee was not unmindful of the problems which this kind of change will impose on the employees, and to a lesser extent, the Georgetown community. In view of this, we earnestly considered whether it was reasonable to expect people to commute to the Charlottetown area in order to continue their employment. In comparing the inconvenience of this with what is experienced by vast numbers of commuters in the daily urban traffic mess elsewhere, we found it was certainly not "Unreasonable" by that standard of comparison. We felt further, from our own experiences as civil servants, that it was not "Unreasonable" for an employee to be asked to exchange ease of commuting to work for better opportunity for promotion within a service which offers new challenge and a higher social purpose. We would expect, therefore, that if this

recommendation is adopted by the government that the changes which will necessarily be imposed on the employees of the Georgetown Jail will coincide with a general upgrading of the service which will assure them compensatory opportunity if they qualify.

SECTION 1V
ORGANIZATIONAL STRUCTURE

SECTION 1VRECOMMENDATION 1:

THE DEPARTMENT OF JUSTICE SHOULD EMPLOY TWO PERSONS TO ADMINISTER ITS CORRECTIONS PROGRAM.

Early in 1971, the Director of Corrections should be selected. He should be employed in Pay Range 44-D.

Among the usual criteria for selection, candidates for the position should be evaluated in relation to their ability to administer and develop a sound correctional program founded on realistic treatment objectives, and based in the community. We would hope that the candidates for this significant position would also be evaluated in relation to their ability to develop those recommendations contained in this report which the Government elects to adopt. The Committee believes it would be unfair to a candidate for this position for him to be selected to implement a program with which he is not in accord. Likewise, it would be an unsound practice for the Government to adopt significant recommendations from this report, and then to expect them to be implemented by a person who had no opportunity to help formulate them, and does not agree with them.

RECOMMENDATION 2:

AN ASSOCIATE DIRECTOR OF CORRECTIONS SHOULD BE EMPLOYED IN THE NEAR FUTURE TO IMPLEMENT AND CO-ORDINATE THE EDUCATION TREATMENT AND COUNSELLING PROGRAMS INSIDE THE INSTITUTIONS AND TO DIRECT AND CO-ORDINATE THE COMMUNITY BASED ASPECTS OF THE PROGRAM FROM THE PROVINCIAL STANDPOINT AS RECOMMENDED AND DESCRIBED ELSEWHERE IN THIS REPORT. THIS PERSON SHOULD BE PROFESSIONALLY TRAINED ON A MASTER'S DEGREE LEVEL TO WORK IN THIS FIELD. HE SHOULD BE PAID IN RANGE 42.

It is necessary to co-ordinate those aspects of corrections programming which are generally called "Treatment". It is thought that a number of activities will be carried out in the institution which will involve civilian volunteers, private agencies, parole, and probation officers, education, alcoholic program, to name a few. Proper case records must be kept and shared as appropriate with other agencies. (See Section V, Recommendation 1). Information must be forwarded to prisons and persons committed there after staying in jail from arrest through sentencing.

The jail is the first correctional experience after arrest. The impact of the experience for the first timer can be very significant. In terms of rehabilitation it may well be true that first experiences are the most important of all.

RECOMMENDATION 3:

BY SEPTEMBER 1971, THE JAILOR POSITION SHOULD BE RECLASSIFIED AND UPGRADED. ALL PERSONS PRESENTLY IN THESE POSITIONS SHOULD HAVE AN OPPORTUNITY FOR APPROPRIATE TRAINING AFTER WHICH, AS A CONDITION OF EMPLOYMENT, THEY SHOULD BE EXPECTED TO PASS A QUALIFYING EXAM. EXAMINATION SHOULD TEST KNOWLEDGE AND GENERAL SUITABILITY FOR THE POSITION. IT SHOULD INCLUDE AN EVALUATION OF EMOTIONAL STABILITY AND PHYSICAL ABILITY. THE USE OF UNCLASSIFIED EMPLOYMENT CATEGORIES SHOULD BE DISCONTINUED.

RECOMMENDATION 4:

THE CIVIL SERVICE TITLE OF "JAILOR" SHOULD BE CHANGED TO "CORRECTIONS OFFICER". PERSONS IN CORRECTIONS OFFICER I, II, AND III CATEGORIES SHOULD BE IN UNIFORM WHEN ON THE JOB.

The responsibilities which custody personnel have to assume in modern times are changing rapidly. Legal and medical problems of inmates, and the fast changing conditions in society, require persons of sensitivity and competence for these difficult jobs.

This is not to say that the Committee took it as its duty to evaluate the present personnel, and we are not suggesting that from our brief contacts with them we have concluded that any persons now employed are unsuitable. It is, rather, to say we observed that training opportunities have not been provided, nor has this staff received the supervisory contacts which are customary in jurisdictions having a full administrative complement.

In the course of our contacts with the Civil Service Commission, we have made suggestions for staff training. Our specific recommendations are, therefore, not being repeated here. A recent meeting of Head Jailors which was called by the Committee has led to further suggestions for training programs of which responsible persons are already aware.

The Committee wishes to go on record, however, as stating that training for corrections personnel should have a very high priority for the next two years, and that every reasonable opportunity be afforded to persons to receive training, and to qualify for promotion on the basis of merit.

Further information on responsibilities, functions and pay ranges, see Appendix, Organization Chart and Job Description.

RECOMMENDATION 5:

THE PROVINCE SHOULD GRANT BURSARIES TO GRADUATE STUDENTS WHO WILL ENROLL IN PROGRAMS WHICH TRAIN THEM FOR PROFESSIONAL CALIBRE WORK IN THE FIELD OF CORRECTIONS ON PRINCE EDWARD ISLAND. IF UPON GRADUATION, SUCH PERSONS ACCEPT EMPLOYMENT WITH THE NATIONAL PAROLE SERVICE WITH ASSIGNMENT AND RESIDENCE ON THE ISLAND, THEY SHOULD BE CREDITED WITH FULFILLING THEIR WORK OBLIGATION TO THE P.E.I. GOVERNMENT UNDER THE SAME TERMS AS WOULD HAVE PREVAILED HAD IT EMPLOYED THEM DIRECTLY.

The granting of a bursary to a promising student is a desirable and a profitable personnel practice. Of equal importance, however, is the employment of students with special interest and potential for career service during the summer months. Elsewhere in this report we have described an activity we believe would be appropriate for the summer student project, and we are confident there are many many others which an imaginative administration can create.

SECTION V

AGENCIES: WORKING TOGETHER

SECTION VRECOMMENDATION 1:

A SOCIAL CASUALTY CASE REGISTER, INCLUDING COURT AND JAIL RECORDS, SHOULD BE ESTABLISHED IN THE PROVINCE. THIS REGISTER SHOULD UTILIZE THE SOCIAL INSURANCE NUMBER.

The Committee believes that the Government should support proposals which are being put forward by the Department of Development for the establishment of a record linkage system under the evaluation section of the Development Plan. We want it known, however, that we are making this recommendation with serious misgivings about the potential for abuse which is inherent in such system.

The following comments may not be necessary as we are not aware of the safeguards which the planners of this system have in mind. We didn't have time to fully explore this with them. In our meetings, however, sufficient concern was expressed about safeguards that the Committee directed that specific comments about this be made a part of the record of our work. Citizens of the Island cherish their rightful privacy, and in comparison with much of urban North America, are relatively inexperienced with a computerized consumer credit card economy. It was our belief that after bringing us here to deliberate on matters involving their welfare, we were obliged to express our concerns about this recommendation for whatever value they may be to those who will be studying the proposal in much greater depth.

Before allowing personal information about its citizens to be registered in a Central Data Bank, it is the duty of the Prince Edward Island Government to be assured that procedures for releasing information are proper, and are codified. Access to information from this register must be most carefully controlled. Consumer credit investigators, private investigators, curious snoopers and others whose need for information about citizens is suspect, must be refused access to the material, and this must somehow be guaranteed.

The Committee was moved to support the proposal to establish this register because we heard several reports of work duplication necessitated by the fact that information available in one agency's records was not accessible to others. The idea seemed to have professional support. When the time comes to start the program, however, we believe some agencies may insist on a degree of confidentiality for their records which will prove irritating to others. Hard feelings and strained working relationships result between agencies when one takes the position that its information is privileged, and exclusive without gaining prior agreement to this position by others. Cooperation, inter-agency planning, and policy making will be necessary in order to standardize procedures.

We were also concerned about the impact of sophisticated mechanical record keeping upon the work style, and the decision-making processes in an agency which deals with people. Mechanical record keeping and decision making in an organization dealing with inanimate or financial matters is on a lower level of complexity having lesser ethical consequences than is the case with agencies which deal with people. Technicians and others in Government who work with technical matters are urged to be aware of this.

It is people, and not records which are important. A computer is only a machine. It has neither compassion, nor values, nor common sense. In matters of human relations it must serve only as an information giver, and never as a decision maker.

RECOMMENDATION 2:

THE PRINCE EDWARD ISLAND LIQUOR CONTROL COMMISSION SHOULD BE DIRECTED BY APPROPRIATE LEGISLATION TO PAY FROM PROFITS REALIZED FROM THE SALE OF ALCOHOLIC BEVERAGES A PER CAPITA COST FOR THE CARE OF PERSONS IN PROVINCIAL INSTITUTIONS FOR LIQUOR-RELATED CAUSES.

The Committee suggests that the exact percentage of the total per capita cost which should be paid by the Liquor Control Commission be determined by a careful cost analysis which we did not have time to undertake.

We think, however, that it is desirable for the Prince Edward Island Government to establish the principle that funds should be earmarked from this dependable source of revenue which is related to, but not alone responsible for the social problems which necessitate institutionalization. This should be done as soon as possible without reference to, or delay caused by the reexamination of the Liquor Control Act which is recommended elsewhere in this report.

In many jurisdictions throughout North America, other governmental activities such as highways and game conservation have earmarked funds which derive from special taxes or fees related to the need. In Prince Edward Island, there is precedent for this in the Health Tax Act.

By a "Provincial Institution" the Committee had in mind the inmates of the Jails, Lockups, the Alcoholic Foundation Treatment Facility, and Riverside Hospital whenever the inmates confinement in these institutions is necessitated by an arrest under the Liquor Control Act, or upon clinical certification that incarceration was primarily for liquor-related causes. It was not our intention that private institutions, or hospitals who might occasionally have such persons as inmates would qualify for funding from this source.

The Committee has declined to stipulate the percentage of the total per capita cost which institutions should charge to this source of funds. This percentage should be negotiated and given public attention.

RECOMMENDATION 3:

WE AGREE WITH THE PRACTICE OF AGENCIES AND COURTS ENDEAVOURING TO TREAT A JUVENILE OFFENDER WITHIN THE COMMUNITY AND SUPPORT THE PRINCIPLE THAT CORRECTIONAL INSTITUTIONS SHOULD BE USED AS A LAST RESORT..

Our study of Prince Edward Island community leads us to conclude that there is a healthy sense of community and a concern for Prince Edward Island people by Prince Edward Island people which makes possible the community based programs which in other places might be less successful. Amongst the many fine suggestions we received in the briefs was the recommendation that a facility be built which the speaker described in vocational educational terms, but which in special treatment terms resembled a specialized group home associated with an educational institution. This suggestion has been noted in our files for future reference by the Justice Department Administrators, and without detailing the various ways in which group homes can be organized and managed, we commend this type of program to the attention of interested persons with the suggestion that it could be further expanded on the Island.

By indicating that the correctional institution should be used as a last resort, we are not implying that we feel they have no value. It is rather to assert that irrespective of how well staffed and adequately endowed with educational and treatment resources these institutions may be, they must exercise a control and a disciplinary function with persons from various localities frequently having advanced criminal attitudes than are found in Prince Edward Island. To justify the incarceration of a person in a major correctional institution on the basis that he will be "Helped" may be a misapplication of institution treatment objectives.

The Committee believes people should be sent to correctional institutions as a result of criminal behaviour which violates the rights of other people and endangers the public. If these people also need education, or various kinds of treatment, they should receive it; but no one should be sent to a correctional institution primarily for that reason alone. In the long run, it will prove to be essential in modern society that there evolve a clear-cut distinction between services based on individual needs, and services founded on social defence.

We recognize an inconsistency between the above stated principle, and our suggestion for an all-purpose institution. We think, however, that due to its small size, and easy communication, individuals on the Island tend to retain their individual identities in relation to the rest of society, and to their Government. Potential for abuse is controlled by status rather than contract and these larger definitions of agency purpose are, therefore, of less consequence than in larger organizations, or in mass care institutions, or in an urban area.

RECOMMENDATION 4:

WE AGREE WITH THE PRACTICE OF NOT SENDING ANYONE BELOW THE AGE OF 12 YEARS OF AGE FROM PRINCE EDWARD ISLAND FOR INSTITUTION CARE EXCEPT IN RARE AND EXCEPTIONAL CASES WHEN A JUDGE DEEMS IT TO BE IN THE CHILD'S BEST INTEREST.

In a case when a judge deems it necessary for special reasons to send a child from the Island, he should state the facts on which the decision is based.

RECOMMENDATION 5:

A REPRESENTATIVE OF THE NATIONAL JOHN HOWARD SOCIETY SHOULD BE CALLED TO PRINCE EDWARD ISLAND TO REVIEW THE LOCAL PROGRAM IN LIGHT OF CHANGES IN PAROLE AND PROBATION SERVICE WHICH WILL FOLLOW THE ESTABLISHMENT OF THE NATIONAL PAROLE OFFICE ON THE ISLAND.

During the course of the work on the Island, the Chairman of the Committee conferred with the John Howard Organization and discussed some possibilities for new areas of service. These items are not, therefore, being repeated here.

The Committee deliberated at length on the role of the Aftercare Agencies, and the functional relationships which should exist between the governmental and voluntary agencies. Prince Edward Island is unique. The division of responsibility which may prove workable elsewhere need not necessarily apply here. The historic role of John Howard Society has been prison reform. In Canada, it has pioneered many changes and has been utilized for parole supervision.

Many significant changes are taking place in the parole service due to rapidly changing responsibilities with advent of statutory parole. Almost all persons will soon be released under some form of field supervision. Even with the increase in cases from statutory parole the projections of the potential parole caseload on Prince Edward Island does not lead us to conclude there can be enough parolees to occupy a full-time professional person in the John Howard Society who does that function alone. Other areas of service must be developed.

Some observations about parole are appropriate here:

(a) Parole is granted to persons who are selected, according to the best possible means, on the basis of their being a good risk.

(b) Parole is denied to those persons who, by using the same evaluation process are found to be a poor risk. They must remain in the institution until the end of their term, and before the advent of statutory parole, will be released without any supervision even though they are possibly the ones most in need of it.

(c) Persons will be released on statutory parole to serve their "Remission time" under field supervision. These persons, who do not receive a parole prior to their release date, and who, because of uncooperativeness, or bad behaviour in the institution fail to receive remission time credits will be released at the end of their sentence without supervision even though they may be the most dangerous and are most in need of supervision and help.

The reason for this paradoxical situation is that officials in the Parole and Prison Service can use discretion in timing release dates. They do this in relation to their assessment of the dangerousness of an individual. The judgement factors hinge on the issue of dangerousness and the balance of risks are weighed. In some cases the public is best protected by retaining a dangerous offender for as long as possible. In many other cases, however, the public is best protected in the long run by paroling a dangerous offender so that his behaviour in society can be supervised, and those characteristics which led to his dangerous behaviour monitored. The effectiveness of this practice depends upon the continued ability of parole personnel to exercise discretion in returning a dangerous person to the institution when he evidences a likelihood of more trouble. This discretion is being challenged by persons who clamour for further legal process to determine whether a person who has already been sentenced and could have been retained in the institution, can now be returned to the institution prior to the commission of a new crime. The practice of assigning a stated, or an unstated portion of the responsibility for terminating parole to a private agency cannot for long be justified. We

believe the voluntary agency must hold to its voluntary role, and the Parole Service must retain its authority role. These two roles should not be allowed to become confused, particularly by the inmates or the parolees.

We believe a process must be developed by which persons who do not qualify for parole, or who have a short sentence and a very short period of parole, but who need continued help and supervision following the expiration of their sentence, may receive such help and advice as they will voluntarily accept. To develop a program which would serve this need on a greatly expanded basis, would be a major contribution which might be made by the John Howard Organization.

It is our belief that the new role of the John Howard Society will be proportional in scope to the interest and initiative of its membership. If a professionally administered office is to be established, it is obvious that new sources of revenue must be found. We believe there are sources which might be approached in various interested foundations. We think these sources will be more susceptible to solicitation if the society is pioneering new areas of service rather than appearing to duplicate what can be done by the Government. Professor Alex Edmison, Centre of Criminology, University of Ottawa, who has had a distinguished career of service to the John Howard Organization in Canada will be on the Island in January. He will consult with the society members further on this subject.

A COMMITTEE STATEMENT:

We want the records to show that the Committee was impressed by the progressive attitude of those members of the John Howard Society who expressed interest in working to establish new services which will complement, but not duplicate the work of the full-time professional persons who we hope will be employed on the Island to do probation and parole work.

RECOMMENDATION 6:

THAT PAROLE AND AFTER-CARE PROGRAMS PROVIDE FOR EMPLOYING SELECTED EX-CONVICTS IN PARTICULAR SITUATIONS UNDER THE SUPERVISION OF PROFESSIONAL STAFF.

In many places former inmates are involved in assisting in the rehabilitation of others. We endorse this in principle, but suggest that careful selection and management of such programs is necessary. Failure to do so is not in the best interests of the former inmates who wish to help, nor in the interest of those who are to be helped. We believe that responsible former inmates will recognize perhaps better than others could, the kind of problems which would result if certain unsuitable individuals were encouraged into this activity.

The Committee wishes, however, to register the same reservation about the unsupervised use of volunteers from the general public. Volunteer programs are very desirable and are presently becoming very popular. It is important that it be recognized that they cannot replace, or substitute professional staff.

SECTION VI

SOME LEGISLATIVE AND POLICY CHANGES

SECTION VIRECOMMENDATION 1:

THE COUNTY COURT BE MADE THE COURT OF APPEAL FOR SUMMARY CONVICTION APPEALS UNDER SECTION 719 OF THE CRIMINAL CODE AND ANY PROVINCIAL STATUTE.

RECOMMENDATION 2:

THE FILING OF AN AFFIDAVIT BY THE APPELLANT STATING HIS BELIEF IN THE VALIDITY OF THE GROUNDS OF APPEAL SET FORTH IN HIS NOTICE OF APPEAL, AND THAT THE APPEAL IS TAKEN IN GOOD FAITH AND NOT FOR THE PURPOSE OF DELAYING OR DEFEATING THE DUE PROCESS OF LAW, SHOULD BE MADE REQUISITES FOR THE JURISDICTION TO HEAR APPEALS UNDER SECTION 722, AND SECTION 743, OF THE CRIMINAL CODE.

RECOMMENDATION 3:

BY BOTH FEDERAL AND PROVINCIAL STATUTES THE PERIOD FOR FILING AND SERVING THE NOTICE OF APPEAL IN SUMMARY CONVICTION CASES SHOULD BE RETURNED TO THE 10 DAY PERIOD, BUT WITH POWER IN A JUDGE OF THE APPEAL COURT TO EXTEND SUCH PERIOD FOR GOOD CAUSE SHOWN BY AFFIDAVIT.

RECOMMENDATION 4:

IN THE TRIAL OF CRIMINAL AND QUASI-CRIMINAL CASES, THE COURTS SHOULD BE ENJOINED BY STATUTE TO YIELD TO THE GRANTING OF POSTPONEMENT ONLY IN CASES WHERE NECESSITY IS SHOWN.

In the briefs and the testimony the Committee received, one observation was frequently heard. There are very great delays in the finalization of trials in Criminal and Quasi-Criminal Cases. Persons who have been charged with offences against Federal and Provincial Statutes are brought before the courts only to be adjourned to later dates. This procedure is common enough to cause criticism. Sometimes delays are requested on behalf of the prosecution, and on other occasions, at the request of the accused.

The Committee recognizes that delays are often unavoidable. It cannot be expected that the prosecution can go to court on the first occasion with all the necessary witnesses on hand to complete the trial. It cannot be known at that time whether the accused will offer a plea of guilty to the charge. To go to court prepared for a trial which may not require the hearing of witnesses would be a waste of time for the witnesses, and would unnecessarily add to the cost of the prosecution. On the other hand, it would be unfair to the accused to expect him to have witnesses available until there is some definite knowledge as to the time when their evidence may be heard. Beyond this point, delays should be reduced to a minimum. The maxim, justice delayed is justice denied, should be the guiding rule in all cases.

Delays In The Hearing Of Appeals

In this Province, in summary conviction matters, both Federal and Provincial offences come under the same statutory procedures. Unlike most other Canadian Provinces,

there is in Prince Edward Island no Provincial Statutes regarding Appeals in summary conviction matters. But, Section 7 of the Magistrates Act, R.S.P.E.I. 1951, Chapter 89, reads as follows:

"In all summary prosecutions for the enforcement of any Statute of the Province, or for the recovery, or imposing of any fine, imprisonment, or other penalty thereby provided, notwithstanding any procedure prescribed therefor by any Statute of the Province, the proceedings may be had and taken in all respects under the procedure laid down by Part XXIV of the Criminal Code of Canada."

This Statute serves the need of the Province in respect to summary conviction proceedings up to the time of the appeal. The length of time which is prescribed by Sections 722, and 723 of the Criminal Code for the taking of steps towards the hearing of appeals has often assisted in the entering of appeals merely as a delaying tactic. The Statute gives a convicted person up to 44 days delay in the execution of the penalty imposed. This practice is particularly obvious in criminal driving offences.

While the provisions of Section 722 of the Criminal Code, which provide for a 30-day period in which to enter an appeal, may be necessary in provinces having greater distances to travel to the place where appeals are filed, there does not seem to be a valid reason why a much shorter term could not serve the needs in Prince Edward Island where distances are so short. The 10-day period formerly prescribed by the Criminal Code with the right of extension for good cause would seem to be adequate for the needs of the Province.

While the Provincial Legislature could alter the situation with respect to delays in relation to offences under Provincial Statutes, it is powerless to effect any change respecting appeal from convictions under Federal Statutes. It would seem, therefore, that the solution to delays due to the unnecessarily long period prescribed by

Section 722 of the Criminal Code could best be found through an amendment to the provisions of Part XXIV of the Criminal Code.

Another cause of delay is the facility with which an appeal may be heard in Criminal and Quasi-Criminal Cases, especially in summary conviction cases. Under the existing provisions of the Criminal Code, all that need be done by a person who has been convicted and wishes to appeal from such conviction is to prepare, serve, and file his notice of appeal, in which notice he may with impunity set forth grounds of appeal which he may know with certainty cannot be established in the Appeal Court, and there is no express requirement in Section 724 of the Criminal Code that the giving of the security mentioned is a requisite to found jurisdiction in the Court of Appeal before the appeal may be set down for hearing.

It would seem from the abandonment of so many appeals after being set down for hearing, that many are being entered only for purposes of delay and would not be entered if the length of time for completing appeals were shortened, and the person appealing were required to file an affidavit stating that he has been advised that he has valid grounds for appealing, and that the appeal is not being entered for purposes of defeating or delaying due processes of law. With changes in the existing legislation, it is felt that a number of delaying appeals would never be entered.

RECOMMENDATION 5:

PERSONS CONVICTED OF DRINKING AND DANGEROUS DRIVING OFFENCES UNDER THE CRIMINAL CODE, OR HAZARDOUS MOVING VIOLATIONS UNDER THE HIGHWAY TRAFFIC ACT, IN ADDITION TO OR IN PLACE OF ANY OTHER PENALTY, SHOULD BE ORDERED TO ATTEND AND SUCCESSFULLY PASS A COURSE IN SAFE DRIVING, AS A CONDITION OF RESTORATION OF DRIVING PRIVILEGES.

RECOMMENDATION 6:

LEGISLATION IN THE PROVINCE RELATING TO THE SENTENCING OF PERSONS CONVICTED OF DRIVING OFFENCES INVOLVING LIQUOR SHOULD BE AMENDED TO PROVIDE FOR AN AUTOMATIC SUSPENSION OF DRIVING PRIVILEGES, EXCEPT IN THE CASE OF A PERSON WHO CAN PROVE TO THE COURT THAT SUSPENSION OF DRIVING PRIVILEGES WOULD RESULT IN A SERIOUS FINANCIAL BURDEN, OR IN A LOSS OF LIVELIHOOD, AND IN SUCH CASE, THE COURT SHOULD BE EMPOWERED TO PERMIT SUCH PERSON TO DRIVE DURING THE PERIOD HIS DRIVING PRIVILEGES WOULD OTHERWISE HAVE BEEN SUSPENDED, AT SUCH TIMES AND BETWEEN SUCH PLACES AS THE COURT MAY CONSIDER EXPEDIENT UNDER THE CIRCUMSTANCES.

The national traffic fatality rate per 100,000,000 vehicle miles is 78.6 persons killed. On Prince Edward Island the rate is 91.2 persons killed per 100,000,000 vehicle miles. In 1969, 33 fatal accidents took the lives of 35 persons.

In the opinion of the Committee, drunken driving constitutes the most serious crime problem on the Island. It is the crime which most seriously threatens the lives of its citizens. Support of measures which would assist the police to reduce this danger, while not otherwise restricting the liberty of citizens, is the only prudent reaction a reasonable person can have in the face of the facts.

It is suggested that any person driving an automobile under sufferance of the court, should have appended to the licence plates of the motor vehicle, a marker which would be of assistance to the court and the police in supervising the terms of the court order.

The Committee recognizes that the above suggestion would tend to make a person who is driving under special restrictions very conspicuous. We believe this is justified. Social pressures, as well as law enforcement pressures should be brought to bear on the problem.

RECOMMENDATION 7:

THE MINISTER OF JUSTICE OF PRINCE EDWARD ISLAND SHOULD INTRODUCE LEGISLATION FOR THE ESTABLISHMENT OF A LEGAL AID SYSTEM FOR THE PROVINCE, AND SHOULD PROVIDE LEADERSHIP FOR THE DRAFTING AND IMPLEMENTATION OF THIS SYSTEM.

The Committee was advised that the Law Society has a committee which is studying this subject, and which maybe in a position to contribute to the implementation of the above recommendation.

RECOMMENDATION 8:

THE DEPARTMENT OF THE SOLICITOR GENERAL SHOULD SEEK LEGISLATION SIMILAR TO THE CANADA ASSISTANCE ACT WHICH WOULD PROVIDE FOR FEDERAL - PROVINCIAL COOPERATION AND ASSISTANCE IN THE FIELD OF CORRECTIONS, AND WHICH WOULD INCLUDE OBJECTIVE CONDITIONS OF ELIGIBILITY FOR COST SHARING.

Regional disparity in resources which can be devoted to corrections programs should be recognized in this legislative change, and allowance should be made for utilizing differing formulas of cost sharing between regions based on economic prosperity.

This practice would tend to give uniform standards of service, and we feel would be of particular advantage to the prosperous areas of the country, who now must accept an increasing flow of disadvantaged and potentially criminal persons from the less prosperous provinces who tend to congregate in the advantaged areas of the urban centres, and there compete for space, opportunity, and welfare assistance.

At the present time, corrections is excluded from cost sharing under the Canada Assistance Plan except in certain matters involving juveniles when administration is vested in Welfare rather than Justice, or another department. The Committee believes that cost sharing for direct service should be as available to one department of the Provincial Government as to another. Provinces should not be required to reorganize their governmental services in order to qualify for cost sharing except to meet objective standards of service. Quality services can be provided by one department as well as another. The Committee believes that the Solicitor General's Department has competence in corrections, and is best equipped to administer cost sharing for direct service in the field of corrections.

RECOMMENDATION 9:

THAT THE PROVINCE PROVIDE LEGISLATION ENABLING THE RECORDING OF EVIDENCE IN CIVIL AND CRIMINAL MATTERS IN OPEN COURT BY A SOUND RECORDING SYSTEM, AND ENABLING A TRANSCRIPT THEREOF CERTIFIED BY THE PRESIDING JUDGE TO SERVE AS A PERMANENT RECORD OF SUCH PROCEEDINGS.

The present system of operating courts without a professional recorder is not adequate. We think it is appropriate to introduce a mechanical aid which can be provided at a reasonably modest cost.

RECOMMENDATION 10:

WE GAVE CONSIDERABLE ATTENTION TO PRESS-COURT RELATIONS IN CONNECTION WITH PROBLEMS RESULTING FROM THE PUBLICATION OF THE NAMES OF THE ACCUSED PRIOR TO TRIAL. THIS PRACTICE CAN JEOPARDIZE THE CHANCES OF A FAIR TRIAL. IT PUNISHES THE INNOCENT ACCUSED AND RISKS THE CONVICTION OF THE GUILTY.

AS AN EXAMPLE OF RESPONSIBLE JOURNALISM WHICH THE MEDIA OF THE NATION WOULD DO WELL TO EMULATE, WE URGE THE NEWS MEDIA OF PRINCE EDWARD ISLAND TO PRACTICE RESTRAINT IN THIS MATTER. A FREE PRESS IN A FREE COUNTRY EXISTS NOT TO SERVE ITS OWN FREEDOM, BUT TO HELP INSURE THE FREEDOM OF EVERY MAN. IN ONLY A FEW SITUATIONS SHOULD IT EXERCISE ITS FREEDOM NOT TO EXPOSE NEWSWORTHY MATERIAL. THIS IS ONE SUCH MATTER.

The Committee believes the Department of Justice should take whatever action it can, legislative or otherwise, to accomplish this affect.

RECOMMENDATION 11:

THAT THE PROVINCE PROVIDE LEGISLATION ADOPTING THE RECOMMENDATIONS OF THE CANADIAN COMMITTEE ON CORRECTIONS REPORT ON BAIL PRACTICE AND PROCEDURE.

See Pages 99-130, Chapter 8 of the Canadian Committee on Corrections Report published March 31, 1969.

RECOMMENDATION 12:

THAT THE FAMILY COURT FOR WHICH THE GOVERNMENT HAS PASSED LEGISLATION BE MADE OPERATIVE.

Our contacts with the citizens on the Island repeatedly brought to our attention the interest they have in this court.

The Committee endorses the proposal that the judge of this court be selected on the basis of interest and qualifications to deal with the social as well as the legal implications of the matters to be adjudicated. Training in the Social Sciences, in addition to legal training should be a requisite.

RECOMMENDATION 13:

THE LIQUOR CONTROL ACT SHOULD BE RE-EXAMINED.

Areas which should receive attention are:

- (a) Policing regulations
- (b) Age limits

- (c) Prohibition orders
- (d) Enforcement procedures
- (e) Evidence and presumptions

The Committee's inquiry into the crime problem on the Island led it again and again to consideration of the drinking habits of Islanders which seem almost invariably related to their law violations. We believe that the inspection of clubs cannot be adequately performed by the personnel available to the commission for this purpose. Bootlegging of legally taxed and produced liquors purchased at Commission outlets is a well-known and seemingly quite well accepted phenomena.

When we started the work on the Island we were advised by knowledgeable people that Prince Edward Islanders seemed to become addicted to alcohol quicker, and at a younger age than elsewhere in Canada, and that the percentage of alcoholics per 100,000 population was greater. We were inclined to doubt this thinking instead that such problems were simply more visible on the Island due to its small size which did not allow the development of a "Skid row" in which thousands of alcoholics can be lost from sight and statistical tabulation. Our initial impression proved to be inaccurate, and we concluded that the abuse of alcohol was a problem of greater relative magnitude here than elsewhere in Canada. We don't know why this should be so.

The sale of bottled goods to minors through adult intermediaries, usually alcoholic, or other devices is a common practice. Since operating an automobile with an open bottle carries a heavy penalty, it has become the practice for young people to park in an isolated place and drink quickly, perhaps thereby ingesting more alcohol more rapidly at a younger age and without developing social drinking habits. The usual steps to alcoholism may thus be hurdled with the objective of drinking from the start to get drunk.

In any case, the Island authorities must deal with the facts as they are for whatever reason they occur. We think that an appropriate place to begin is by reviewing the Liquor Control Act and debating the various consequences of its requirements.

For further comments on the drinking and driving problems, see Recommendations 5 and 6, Section VI.

RECOMMENDATION 14:

JAIL TERMS PROVIDED BY THE VARIOUS PROVINCIAL STATUTES IN DEFAULT OF PAYMENT OF A FINE SHOULD BE MADE UNIFORM WHERE POSSIBLE.

RECOMMENDATION 15:

THE PROVINCE SHOULD AMEND ALL LEGISLATION PROVIDING FOR THE IMPRISONMENT OF DEBTORS BY REPEALING SUCH PROVISIONS.

RECOMMENDATION 16:

RECOGNIZING THAT CERTAIN ALCOHOLICS ARE NOT SUITED TO THE PROGRAM OF THE ALCOHOLIC FOUNDATION TREATMENT FACILITY AND HALF-WAY HOUSE, OR RIVERSIDE HOSPITAL, AND THAT FOR THESE FACILITIES TO ACCEPT THEM MIGHT BE AN INCONVENIENCE OR A WASTE OF TIME, THE STAFFS OF THESE FACILITIES ARE URGED NEVERTHELESS TO CONSIDER THE AVAILABLE ALTERNATIVES BEFORE REFUSING ACCEPTANCE AND TO MAKE THIS DECISION NOT ON INTERNAL PROGRAM NEEDS ALONE. IN MOST CASES THE ALTERNATIVE IS ARREST AND JAIL.

The Committee was impressed by the position taken by professional persons that alcoholics are "Sick" and in need of help. We feel, therefore, that the professional personnel employed by the foundation in the hospital will recognize an obligation to reach into the jails to serve those needs which their facilities cannot now service.

RECOMMENDATION 17:

AS AN EXAMPLE TO PRIVATE EMPLOYERS, THE PROVINCE SHOULD FORMALLY ADOPT AN EMPLOYMENT POLICY WHICH DOES NOT UNREASONABLY DISCRIMINATE AGAINST FORMER LAW VIOLATORS WHO HAVE BEEN CONVICTED, AND SERVED THEIR TIME AND NOW HAVE FULL CITIZENSHIP RIGHTS.

Much has been said about punishment for crime and the Committee feels no need to enter into the continuing rather futile debate which attempts either to justify punishment or treatment as though the two could be distinguished. On one matter, however, all can agree.

Punishment, if it is to be used, should be terminated when it is over. For society to continue to withhold employment opportunity from a former law violator who has been punished is an endless punishment which has no rational, legal, moral, or practical value and appears to be practised out of the guilt of the punisher, not that of the punished.

RECOMMENDATION 18:

THE ATTORNEY-GENERAL IN HIS ANNUAL REPORT TO THE LEGISLATIVE ASSEMBLY SHOULD ANSWER TO THE GRAND JURY REPORT ON THE CORRECTIONAL INSTITUTIONS IN THE PROVINCE.

Considerable sentiment exists for eliminating the Grand Jury. The Committee cannot support continuing its use to deliberate in criminal matters.

Events in the past decade in corrections however, now place this archaic form in a new light. Throughout the country, substantial efforts have been made to involve and to interest citizens in corrections problems. A built-in formal structure for doing precisely that has survived in Prince Edward Island, It has not, however, been used to that end.

We were dismayed to find that the Grand Jury reports over the years had been duly recorded, but subsequently ignored. Some could not be located for our review. Those we were able to acquire contained some recommendations and observations which we felt to be sound and reasonable, reflecting the common sense of the citizens who went to the institutions and saw for themselves what they were and what needed to be done.

The Committee feels it is a very undesirable thing to place citizens on a grand jury, direct them to investigate and recommend, and then to ignore what they say. This weakens confidence and adds to cynicism about Government.

The Committee recognizes the potential value of the Grand Jury and thinks Prince Edward Island could pioneer in putting it to appropriate modern use. By placing its reports in the political arena, we hope to see them receive the attention we believe they deserve.

RECOMMENDATION 19:

PRINCE EDWARD ISLAND SHOULD ENDEAVOUR TO CONVENE
A MEETING OF THE ATTORNEYS-GENERAL AND THE CHIEF ADMINISTRATORS
OF CORRECTIONAL PROGRAMS OF THE ATLANTIC PROVINCES TO DISCUSS
WAYS OF STRENGTHENING INTER-PROVINCIAL COOPERATION IN
CORRECTIONS.

Suggested topics for the agenda:

(a) Creation of a Maritimes Corrections Training Policy and development of further training courses for corrections personnel to be shared by the Maritime Provinces.

(b) Consider the development of a professional Maritime Parole Authority which could recommend or grant parole from provincial institutions.

(c) Consider development of a Maritime Treatment Facility for dangerous persons who are being held under a Lieutenant-Governor's Warrant.

There are a relatively small number of very dangerous and sometimes very difficult inmates of Provincial Hospitals being held under Lieutenant-Governor's Warrant. These patients frequently present serious management problems to the hospital and require a degree of surveillance and custody which is inconsistent with modern psycho-therapeutic methods. There are not, however, enough such persons in any one of the Atlantic Provinces to justify the development of a special facility for one province alone. Every indication is that such persons will continue to appear occasionally. There is no treatment regime which will render them reasonable risks for release to society. It appears, therefore, that this problem will be with the provinces for many years to come, and long-range planning should be undertaken.

(d) Uniform legislation.

(e) Inter-provincial recruiting of correctional personnel.

(f) Standardized record keeping and use of common forms and recording process.

(g) Consider the further use and joint purchase and operation of Coverdale Home for Girls at Moncton, New Brunswick.

RECOMMENDATION 20:

A COMMITTEE CONSISTING OF REPRESENTATIVES OF VARIOUS POLICE FORCES AND THE DEPARTMENT OF JUSTICE SHOULD EXAMINE ENFORCEMENT POLICY AND PROCEDURES IN ORDER THAT A GREATER DEGREE OF UNIFORMITY MAY BE ESTABLISHED.

Police practices and policies should be consistent throughout the Island. Since most crime on the Island is associated with the use of an automobile and the most pressing law enforcement problem on the Island is the regulation of driving, the Committee felt that discussion between departments of police should begin. The Department of Justice should take the initiative to bring this about.

RECOMMENDATION 21:

THE FEDERAL GOVERNMENT SHOULD ESTABLISH A POLICE PUBLIC RELATIONS BRANCH OF THE SOLICITOR GENERAL'S DEPARTMENT. THIS BRANCH SHOULD BE STAFFED BY REPRESENTATIVES OF MAJOR POLICE FORCES AND BY PERSONS WITH SPECIAL COMPETENCE IN PUBLIC RELATIONS WORK. AN OFFICE OF THIS BRANCH SHOULD BE LOCATED IN THE ATLANTIC PROVINCES.

The Committee believes that the police forces should have the support of a sophisticated Public Relations Department which employs the best scientific knowledge available in public opinion assessment and public education.

Law enforcement, courts, and corrections are a part of a single criminal justice system. Internal public relations and communication between elements of this system is in some ways a more pressing need than improving relations with the general public,

It is no longer acceptable to an increasingly knowledgeable public and a rapidly developing correctional staff for progressive corrections programs to be publicly and dramatically denounced by a very few policemen whose point of view, as sometimes presented by the press, is not representative of the great majority of their associates.

RECOMMENDATION 22:

THE GOVERNMENTS SHOULD RECONVENE THIS COMMITTEE IN 18 MONTHS, OR AT ANOTHER TIME AGREEABLE TO EACH MEMBER OF THE COMMITTEE, IN ORDER TO REVIEW THE EFFECTIVENESS OF SUCH PROGRAMS AS ARE ADOPTED FROM THE RECOMMENDATIONS CONTAINED HEREIN AND TO SUGGEST APPROPRIATE REVISIONS AND ADJUSTMENTS.

The Committee was reluctant to make the above recommendation feeling it might be misinterpreted as suggesting we were soliciting assignments. We decided, however, to publicly indicate our recognition of the fact that it is not going to be an easy task to implement these recommendations, and that we don't presume to be able to unerringly anticipate all of the possible ramifications of changes in organizations and functions.

Our recommendations are inter-related. Together, they form a comprehensive plan which we believe can be made to work efficiently if the significant parts are available, but which will not work if they are not.

We have undertaken a substantial study and have accumulated information which should continue to be at the disposal of the Government as needed and as desired.

Of particular importance will be an evaluation of the effectiveness of utilizing the National Parole Service for adult probation supervision on the Island and the review of progress and problems encountered in construction of the new institution.

POST SCRIPT

POST SCRIPT

We think it should be known that some of the things we recommend have been started while our study progressed. It is not unlikely they would have been started whether or not the Committee had been formed. We are, however, very pleased to be able to report to those many interested citizens who followed our activities with concern that progress has begun.

We are persuaded that if the people of Prince Edward Island want progress to continue, it will do so. If it does not continue, this will not mean they want it to stop. The bitter fact is that many people, most of the time, simply don't care. But there are those who do. They came to us from all walks of life and in every circumstance. There are ministers and officials of the government who care, who will sponsor what is right even if it is not popular. There are Christian laymen and former thieves who care, and sober alcoholics and children, police, students, businessmen and farmers who care and there are others. Together they comprise a minority in numbers, but a majority in interest. Their numbers, therefore, will surely grow.

If accelerated progress does not come now, those who wish it to come can be consoled by the certainty that it must come soon. But if it does come now, and come quickly, those who have wanted it will do well to reflect that it cannot be allowed to outstrip their interest. A poor corrections system needs community interest to improve, a good one needs it even as much to stay vital.

APPENDICES

APPENDIX A

SUGGESTEDPOSITION SPECIFICATION - JAILOR 1 (Correctional Officer 1)DEFINITION

This position involves the supervision of jail property and all of its inmates during the hours in which a Jailor 111 is not on duty.

Employees in this classification are responsible for maintaining order among prisoners through the application of appropriate disciplinary measures, the supervision of inmates in work assignments, the supervision of family visits, the decision as to the acceptability of certain persons for confinement in the institution when delivered to the jail by the police during evening hours. The Jailor must be able to encourage confidence and cooperation on the part of the inmates and must understand their difficult behaviour. A Jailor must work at inconvenient hours and maintain constant vigilance in the discharge of his duties.

He must accept responsibility for cataloguing and storing inmate property, determining what medical and psychiatric attention is needed by inmates and observing them for symptoms of physical or emotional problems which threaten the security of the institution or the health and well being of other inmates or society.

SUPERVISION IS RECEIVED FROM THE JAILOR 111 but in the absence of the Jailor 111, he must assume management responsibility for the institution. Examples - supervises inmates performing a variety of manual activities such as general work in laundry, clothes storage, general cleaning and scrubbing, maintenance of the equipment, food preparation, institution maintenance and many other manual tasks in the institution. He is also responsible for supervision of inmates when assigned to an off-grounds work party, keeping proper records and accounting and meeting visitors and other members of the public.

He maintains order and discipline at all times. He patrols the buildings and surrounding areas, keeps accurate count of inmates, inspects cells and uses judgement in avoiding problems and calling for assistance when the need for help is anticipated. He supervises visiting periods, church services, recreation and all activities of inmates in the yard; he censors and distributes mail, magazines, medicines and supervises food service to inmates. He searches and checks newly arrived inmates for contraband, and assists inmates in preparation for a discharge from the institution as required, and he examines newly arrived inmates for such things as intoxication by alcohol or drugs, and administers breathalyzer tests.

DESIRABLE KNOWLEDGE, AND ABILITIES AND SKILLS.

A Correctional Officer 1 has knowledge of methods of security and rehabilitation as established by regulations of the Department of Justice. He must understand the behaviour patterns of persons under restraint and be adept at handling disturbed, depressed or angry persons.

He must have knowledge of non-specialized occupations performed in institution maintenance, and be aware of fire hazards and such other dangers to the institution, and he must be able to establish and maintain positive working relations with inmates and other staff and have the ability to control and direct individuals and groups under his supervision. He must have ability to follow written and verbal instructions.

He must be aware of inmates legal rights and able to understand and fulfill the orders of the Court and department policy, and should have a good knowledge of medical problems associated with alcoholism and be trained in the methods of first aid.

He should be aware of modern correctional treatment methods and be able to assist in their implementation.

PHYSICAL REQUIREMENTS

A Correctional Officer 1 must be in good physical condition and have strength and agility, and have freedom from serious diseases and disabling defects.

DESIRABLE EXPERIENCE AND EDUCATION

A Correctional Officer must have completed grade 12, or an equivalent combination of experience and education, and have satisfactory completion of a jailor-training course, when available, prior to his gaining full employment rights.

APPENDIX B

Further comments about Jailor (Correctional Officer).

1. Record Keeping

Keeping jail records is becoming an increasingly complicated task due to changes in the law in many jurisdictions which permit various conditional releases for inmates under sentence. The trial process is tending to become more protracted as legal aid resources are made available. This results in additional remands, which likewise increase the chance of processing error. Improper recording of an inmate's sentence structure, or court status, or earned remission time can result in illegal confinement and, many legal and personal problems resulting therefrom.

The Correctional Officer must record inmate count and manage an accurate count book. Inaccurate or sloppy work can result in undetected escape, loss of continuity in the program, or mistaken identities.

2. Supervises Inmates Work

With the advent of day parole and various off-grounds activities under work release plans, correctional Officers are frequently responsible for supervising inmates in such activities as cleaning public beaches, soil conservation and reforestation. This requires them to control inmates where they are in contact with the public, and requires considerably more supervisor skill than programs which simply keep them detained behind locked doors.

3. Stores Inmate Property

The storage of inmate property in an institution populated by persons for whom stealing is not a seldom practiced art becomes a difficult problem when inmates are given greater latitude under modern treatment programs.

The theft of property being held for an inmate by the administration can lead to many problems such as fights between inmates, bad publicity and irrecoverable loss. This task is increasingly complicated due to increasing numbers of visits which are allowed in progressive programs and the complications of modern life. Considerable vigilance is necessary to insure that contraband materials or weapons are not delivered into the institution during visits.

4. Evaluates Inmates

In a modern program this is a continually difficult task which Correctional Officers must perform. Signs of emotional illness, suicidal tendencies, physical illness, or abuse of one inmate by another, aggressive homosexuality, depression etc., should be noted, evaluated and reported.

Custody employees should take a part in recommending inmates for day parole, or other off-grounds privileges.

5. Inspects Premises

Careful regular inspection of premises for contraband and security is essential. Alertness and judgement are required.

6. Censors Mail

Mail must be censored in a dignified way and personal matters of no security, or consequence to inmates must be held confidential. A Correctional Officer must be alert to hidden messages, codes and other matters affecting the security of the institution. Letters to Administration or the Department of Justice or Premier should be posted uncensored.

7. Gives First Aid

A Correctional Officer must have sufficient knowledge and skill of first aid to do the appropriate thing to sustain the life of an injured or sick inmate. In Prince Edward Island, the jail population is characterized

by alcoholics, many of whom come to the institutions in periods of alcoholic withdrawal or while intoxicated. Sufficient knowledge of medical conditions is necessary so that the Correctional Officer can acquire medical attention for persons who need it, particularly those with head injuries, or whose symptoms may be from physical causes other than alcohol. Detection of the symptoms of these medical problems requires knowledge, judgement, and ability to describe symptoms verbally on the phone.

8. Computes Remission Time

The Correctional Officer must be aware of the procedures and be able to compute the remission time accurately so as to avoid improper detention.

9. Breathalyzer Tests

RECOMMENDATION:

The Committee recommends that breathalyzer tests for blood alcohol be routinely administered at the jails by the Correctional Officer as necessary. Being able to interpret the results of this test to professional persons on call would enable the jail to maintain better care of the alcoholic during the lock-up stage immediately following his arrest.

10. Laundry Supervision

See Section 111, Recommendations 2 and 3 for detailed comment on laundry and food service.

11. Food preparation Supervision

The preparation of food in institutions is always difficult and particularly so in the low population jails where it is unusual to have a qualified cook as an inmate. Careful supervision for sanitation and quality food preparation is necessary.

12. Off-Grounds Supervision

See Point 2.

13. Recommends Day Parole

See Point 5.

14. Group Program

A modern jail utilizes various community resources. Volunteers are often used to create activities of rehabilitative value.

In many places, custody employees are leading group counselling sessions, and under supervision of professional persons are taking a significant part in therapy activities. Prince Edward Island's major group activity in the jail will involve the Alcoholic Anonymous Organization. A thorough knowledge of this organization and its methods is necessary by the Correctional Officer.

15. Counsels Inmates

A good Correctional Officer will counsel inmates in an effective and appropriate way. This need not be an involved therapy, but it can be very significant. This counsel often takes place somewhat casually during conversations while they are working together, etc. A good Correctional Officer is alert to the inmates needs and responds appropriately to requests for advice which often comes indirectly. The Correctional Officer also serves as a model of successful life adjustment, and is the only such model provided on a constant basis by the institution.

16. Referral For Treatment

See 5. Special problems of acquiring professional medical help are encountered by Prince Edward Island Jailors. An inmate of questionable health or sanity usually cannot be seen by a physician unless he is transferred to a hospital. Jailors are reluctant to take it upon themselves to request this transfer and at the present time find themselves alone and responsible for persons whose ailments they cannot diagnose. It is necessary therefore, for the Correctional Officer to be able to make appropriate referrals and to carry sufficient weight with professional community so that he can solicit help as needed.

MINISTER
DEPUTY

FUNCTIONS

1. Administration
2. Planning
3. Budgeting
4. Personnel
5. Procedures
6. Inspection
7. Training
8. Public Relations
9. Liaison with Govts

FUNCTIONS

1. Coordinates Program with Welfare
Volunteers
Education
Federal Parole
Families
Other Provinces
Central Records
Alcoholic Foundation
2. Treatment and Counselling
3. Institution Programs
4. Classification

DIRECTOR OF CORRECTIONS
RANGE 44B

ASSOCIATE DIRECTOR
RANGE 42

LOCK-UPS

Central Correctional Institution
HEAD JAILOR (Superintendent)
(JAILOR IV)
RANGE 37

FUNCTIONS

1. Detention
 - (a) Juveniles
 - (b) Charlottetown Lock-up
 - (c) Women
 - (d) Sentenced Prisoners

2 IC (Cor. Officer III)
(Jailor III)
Range 31

FUNCTIONS

in charge in absence of Head Jailor

CHARGE JAILER (Cor. Officer II)
ON SHIFT
(JAILOR II)
Range 31

FUNCTIONS

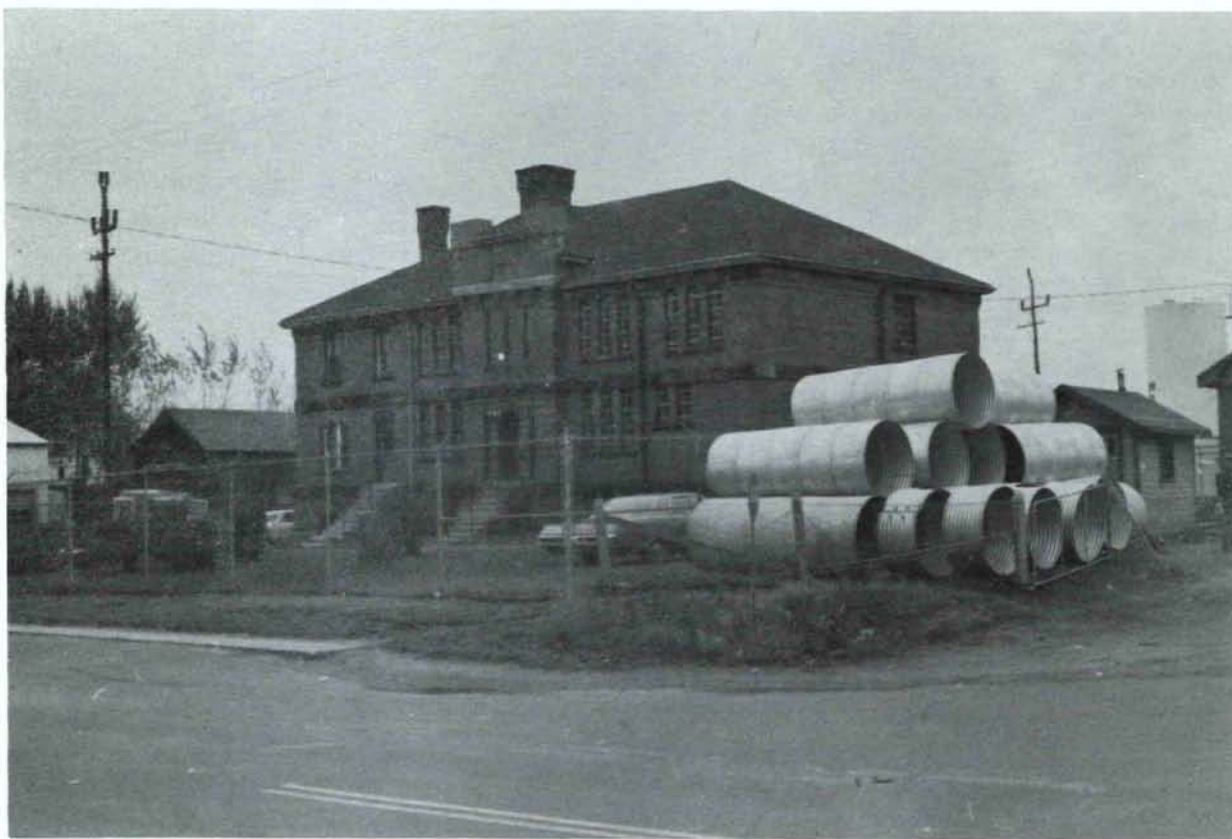
in charge of shift

JAILORS I (Cor. Officer I)
Range 28

NOTE - FOR JOB DESCRIPTIONS REFER TO APPENDIX A
FOR FURTHER COMMENT SEE APPENDIX B

APPENDIX A

The following are a series of photographs taken at Queens County Jail, in Charlottetown, and at Prince County Jail, in Summerside, which are representative of jail conditions on Prince Edward Island. These pictures were all taken in the fall of 1970.



Queens County Jail: Typical Jail Design



Main Cell Block: Queens County Jail



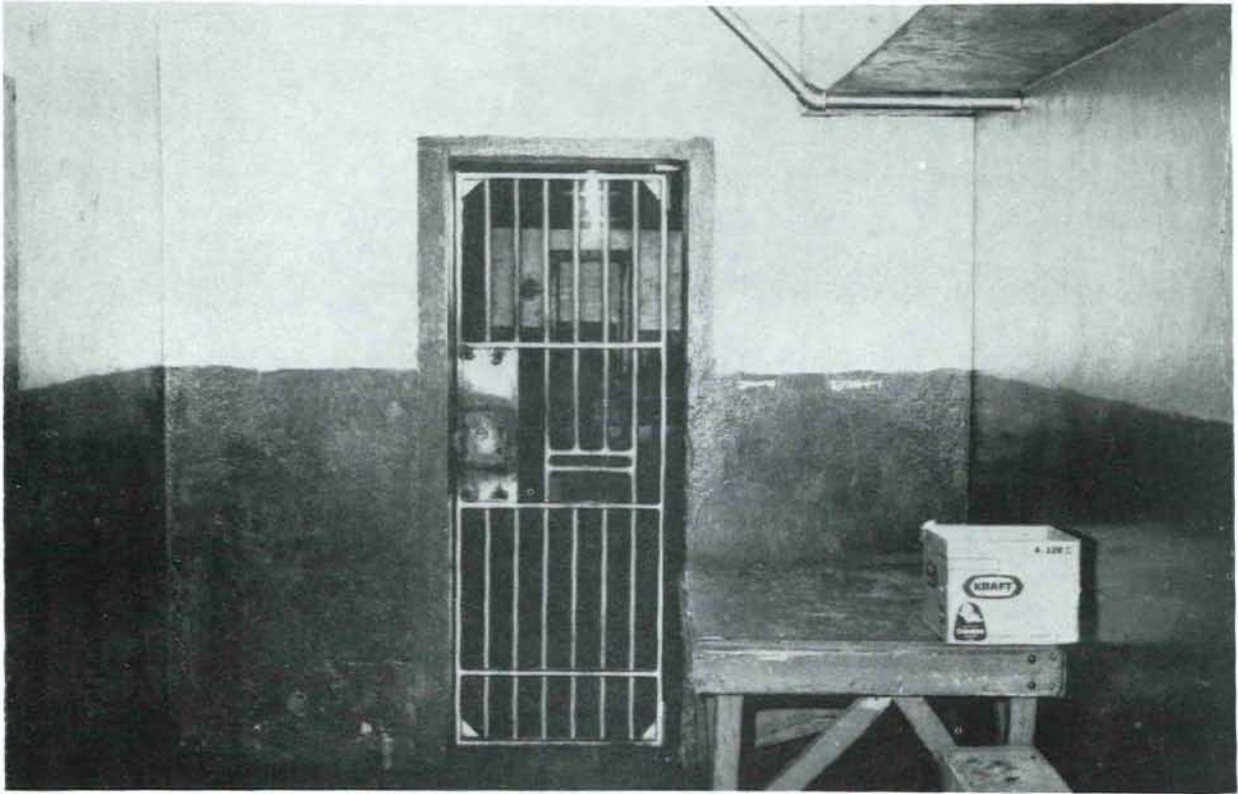
Dining Room: Queens County Jail



"Bucket" Cell: Queens County Jail



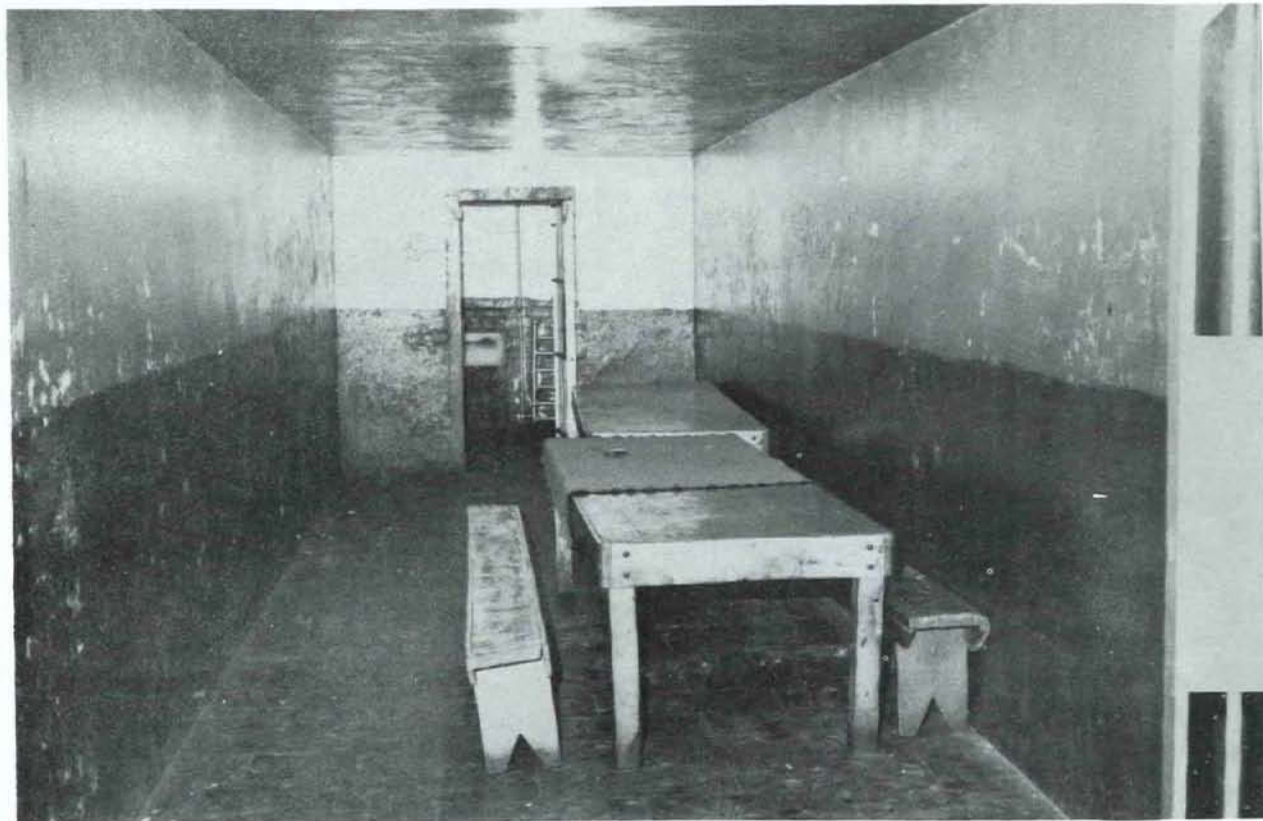
Female - Juvenile Section: Queens County Jail



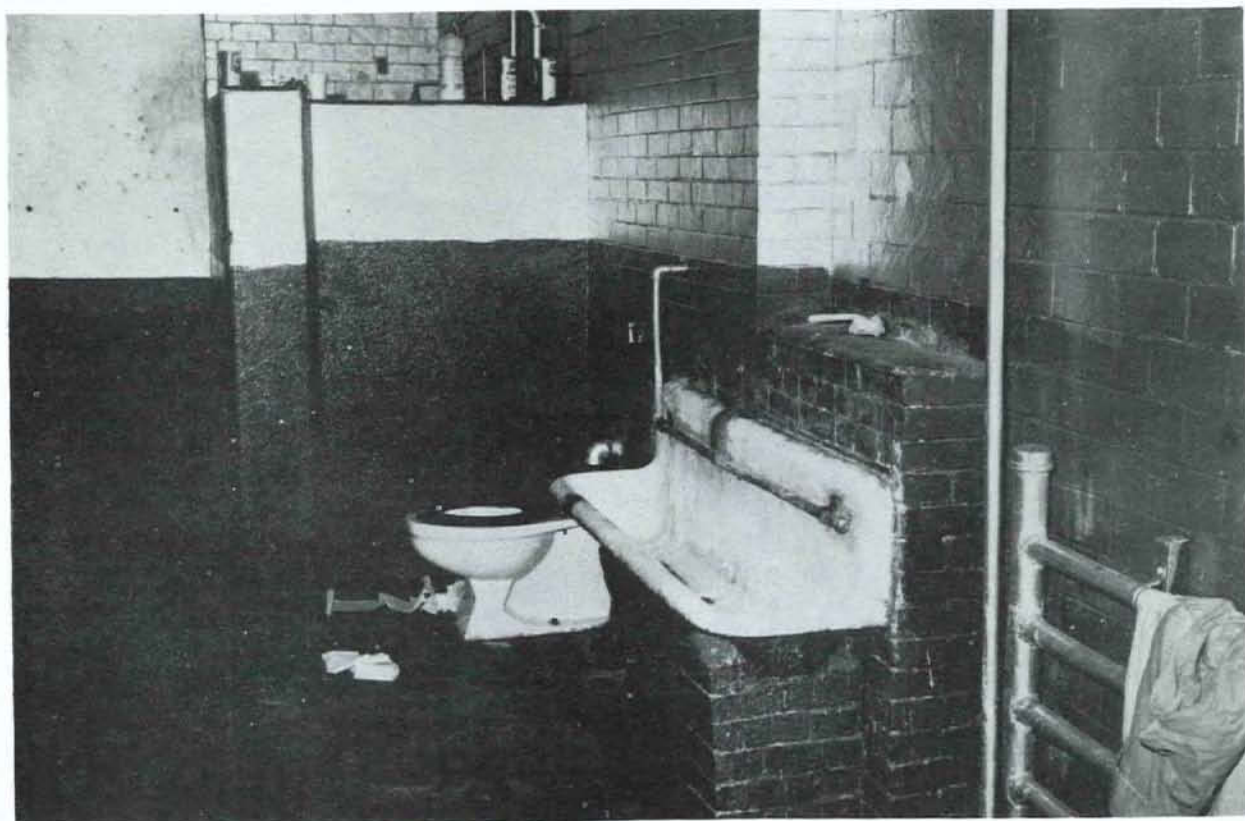
Entrance to Cell Block: Prince County Jail



"Bucket Cell": Prince County Jail



Games Room: Prince County Jail



Washroom: PRINCE County Jail

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