

May 6, 2021

Dear X:

Re: You are entitled to part of the information you requested – 2021-00658-JUS

Justice received your application for access to information under the *Freedom of Information and Protection of Privacy Act* on April 6, 2021. In your application, you requested a copy of the following records:

I am requesting final copies of memorandums, presentations, briefing notes regarding COVID-19 and correctional institutions or probation offices. (Date Range for Record Search: From 02/29/2020 To 03/30/2020)

You are entitled to part of the record(s) requested. However, we have removed some of the information from this record according to subsection 5(2) of the *Act*. The severed information is exempt from disclosure under the *Act* for the following reason(s):

- Section 14: advice by or for a public body or minister.

Section 14(1), The head of a public body may refuse to disclose to an applicant information that would reveal advice, recommendations or draft regulations developed by or for a public body or a minister.

The remainder of the records are enclosed.

You have the right to ask for a review of this decision by the Information Access and Privacy Commissioner (formerly the Review Officer). You have 60 days from the date of this letter to exercise this right. If you wish to ask for a review, you may do so on Form 7, a copy of which is attached. Send the completed form to the Information Access and Privacy Commissioner, P.O. Box 181, Halifax, Nova Scotia B3J 2M4.

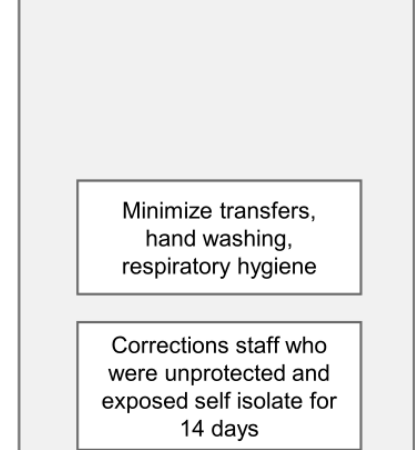
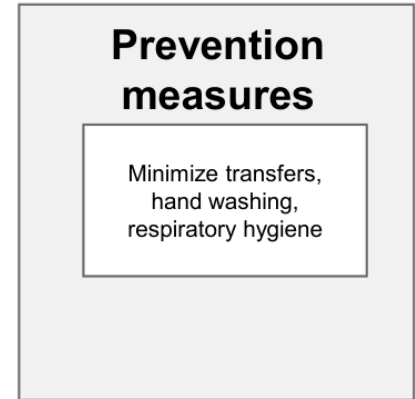
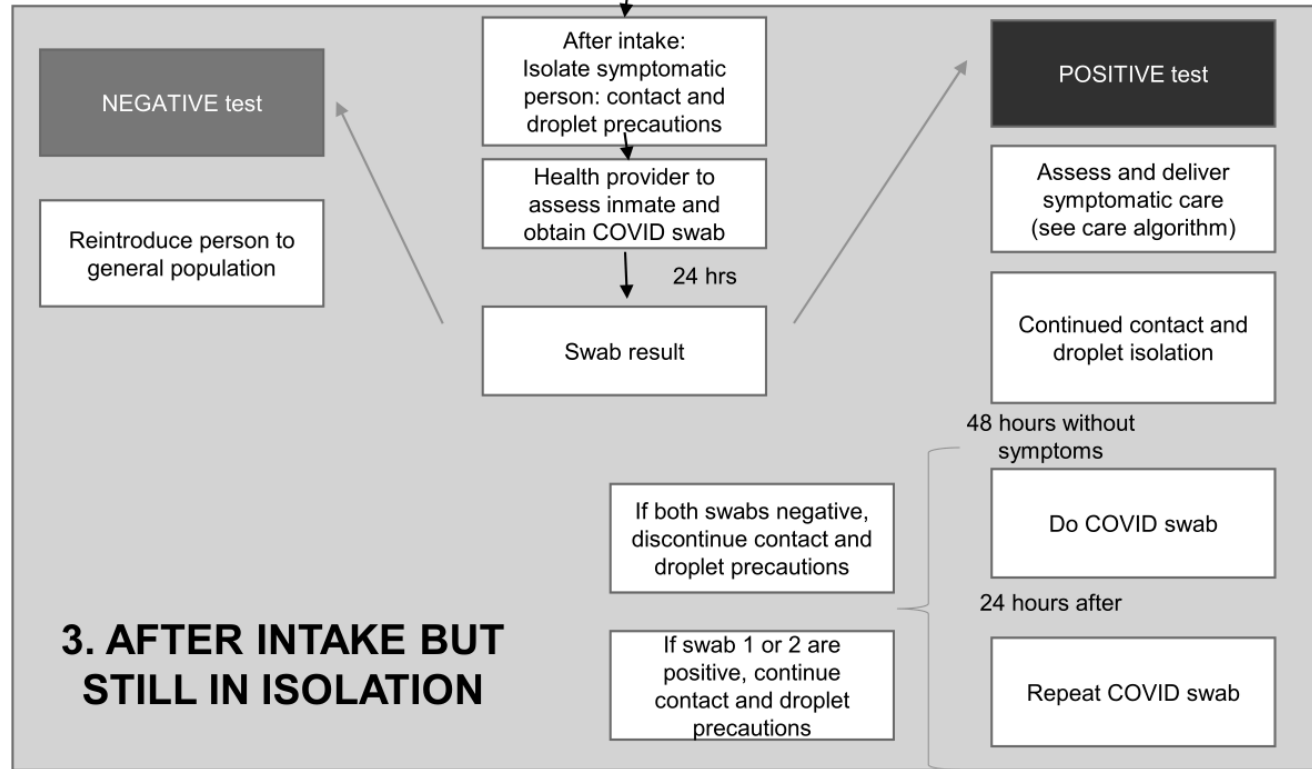
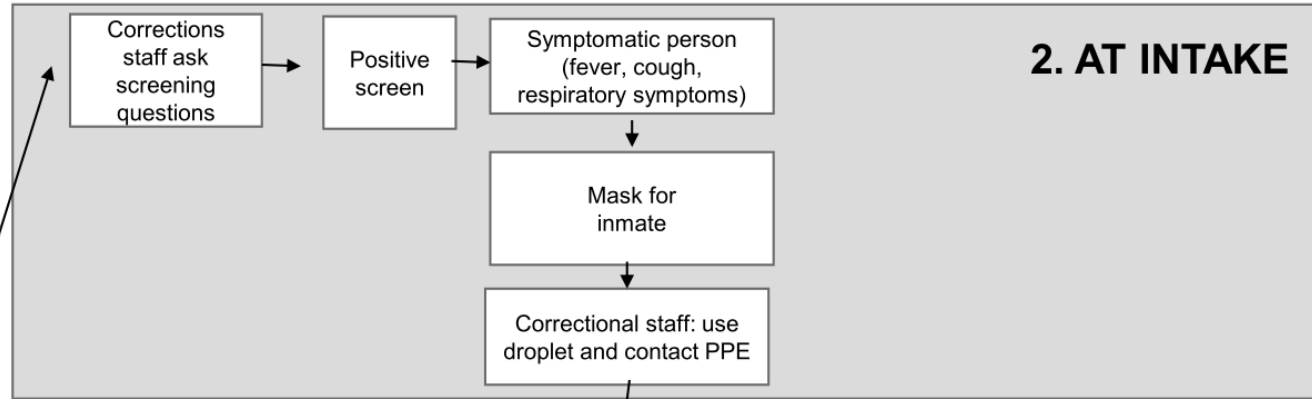
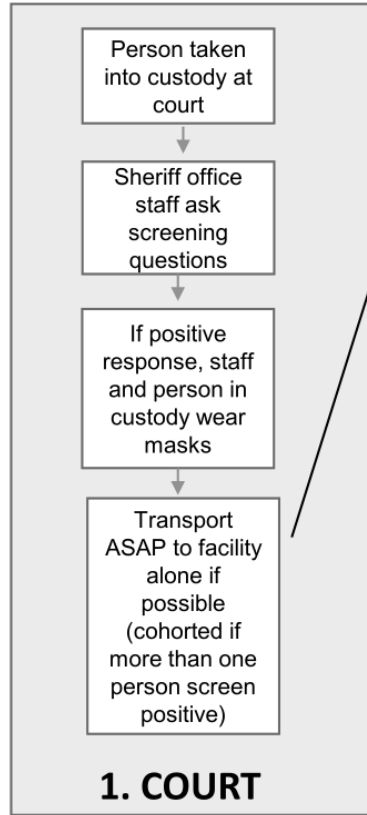
Please be advised that a de-identified copy of this disclosure letter and the attached response to your FOIPOP application will be made public after 14 days. The package will be posted online at <https://openinformation.novascotia.ca/>. The letter will not include your name, address or any other personal information that you have supplied while making your application under FOIPOP.

Please contact me at 902-424-6572 or by e-mail at crystal.mcgraw@novascotia.ca, if you need further assistance regarding this application.

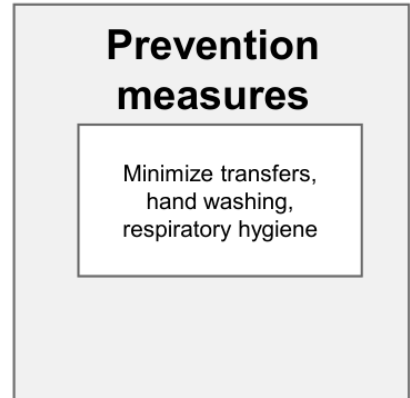
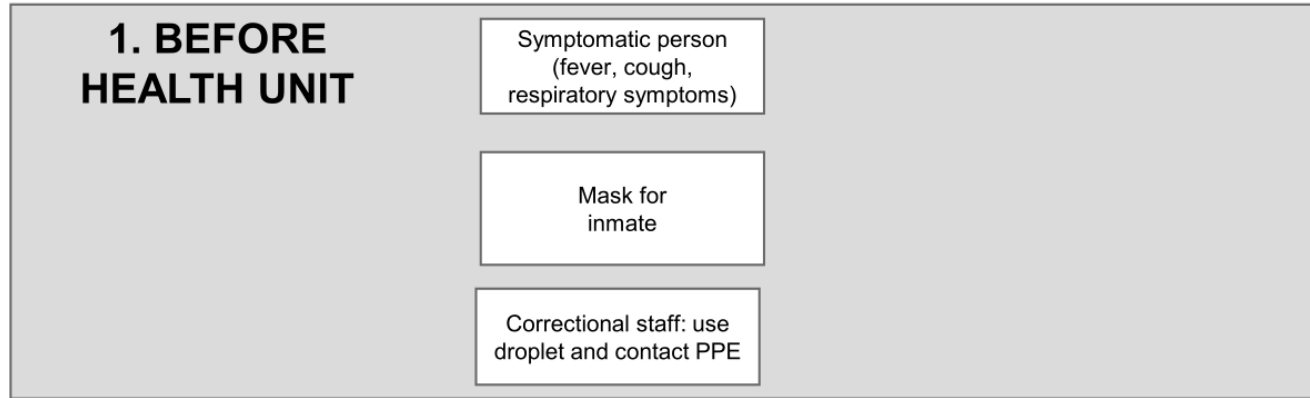
Yours truly,



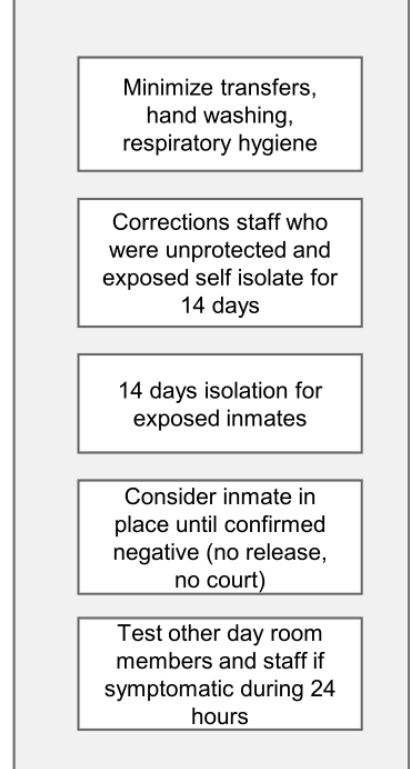
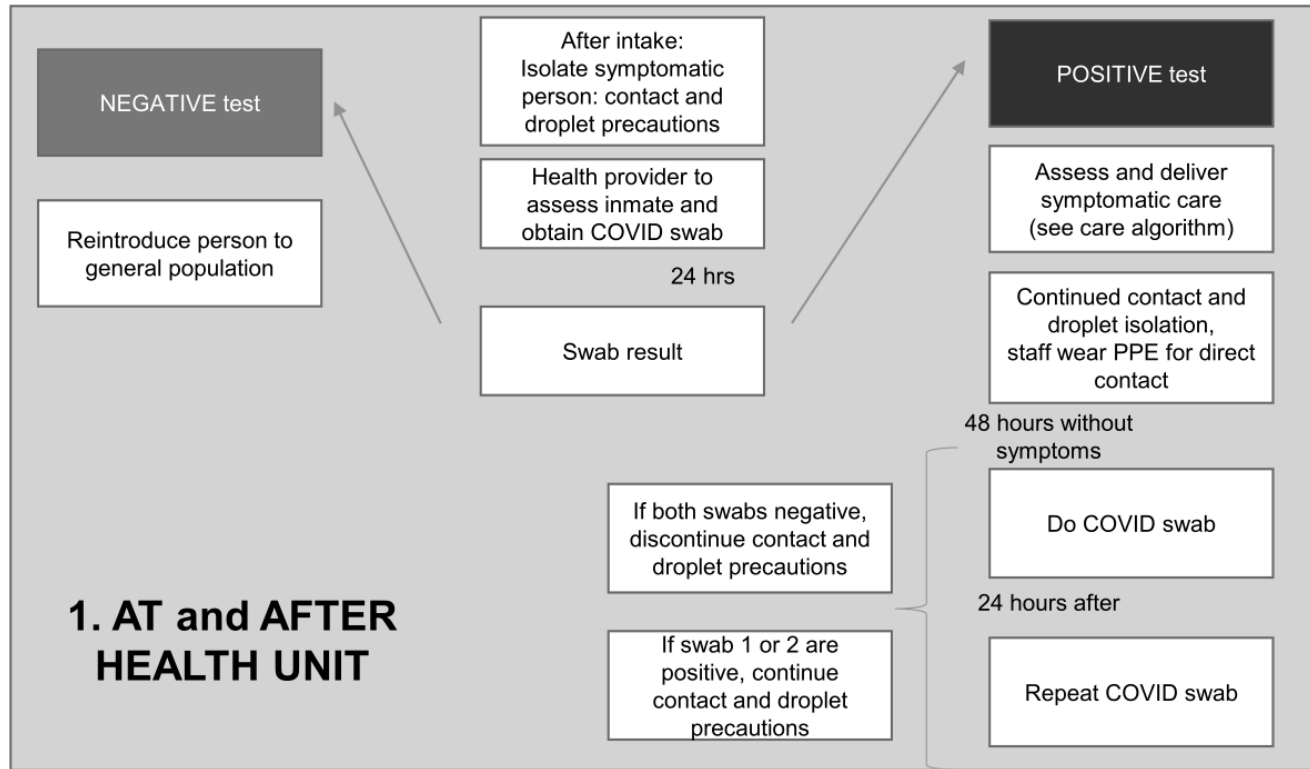
Crystal McGraw
Team Lead
Attach.



New to the facility
(including MIOU, ECFH)



Co-inmates go into group isolation (no unnecessary movement from the unit, no visitors) until test results back



EXISTING INMATES (incl. MIOU)

**Advice to Minister
CONFIDENTIAL**

**BRIEFING NOTE
Department of Justice**

ISSUE: COVID 19

KEY MESSAGES:

- With the progression of COVID 19 Correctional Services needs to continue to decrease custody counts by implementing the conditional release program (temporary absence) for offenders whose custody terms expire within the next thirty (30) days.

CURRENT STATUS:

- Custody counts in adult provincial correctional facilities are as follows
 - CBCF – 64
 - CNSCF – 155
 - NNSCF – 112
 - SNSCF – 22
 - Total – 353
- The above count does not include intermittent sentences that enter out provincial correctional facilities every weekend.
- To date Correctional Services in consultation with Dr. Lisa Barrett have implemented the following measures to prevent the spread of COVID 19 into our provincial correctional facilities
 - discontinued visits
 - volunteers are no longer entering correctional facilities
 - ceased interprovincial transfers between correctional facilities
 - added processes to the admission procedure to screen for inmates entering with symptoms
 - releasing intermittent sentenced offenders on temporary absence
- Additionally, Correctional Services has been
 - working with the legal community to assist with reviewing remanded inmates who may be appropriate for release
 - communication with FPT working groups regarding best practice

BACKGROUND:

- Correctional Services have put in place a process for the release of intermittent sentenced offenders on temporary absence and would use this process to release sentenced offenders on temporary absence. (see Appendix A)

RECOMMENDATION/ADVICE (if appropriate):

14(1)

Prepared by: Paulette MacKinnon
Date: March 19, 2020
Contact: 902 424 6967
Department: Justice

APPENDIX A – Temporary Absence Process

Section 79 of the Correctional Services Act states:

Adult offenders serving sentences of less than two years and young persons serving custody sentences may, in accordance with the regulations, apply to a designated employee for a conditional release from custody for

- (a) medical reasons;
- (b) humanitarian reasons; or
- (c) reintegration or rehabilitative reasons, including education and employment

The Administrative Releases will be implemented to facilitate the responsible management of correctional facility for humanitarian reasons during a time of crisis. This will apply to all sentenced offenders.

The procedures for investigating a proposed administrative release are much less onerous than required if the application were initiated by an offender, however, due diligence requires that essential information be reviewed by the releasing authority (Head Office).

An application form will be completed on JEIN by each facility and will include:

- rationale for proposed release : “Pursuant to the Public Health Act as part of the Correctional Services COVID-19 contingency plan”
- reference to criminal history and any pending charges
- Security Risk Assessment
- DV, SO and HRDV designations
- contact with the home to confirm address and contact information
- recommended conditions

Upon completion of the required documentation on the **Administrative Release Profile** form, the superintendent or designate must notify the Manager, Policy and Program that the profile is available for processing on the *Justice Enterprise Information Network*.

The Manager, Policy & Programs will approve or deny the request and inform the Superintendent or designate of the decision.

The Conditional Release Certificate must be prepared and authorized by the superintendent.

The administrative release certificate must also include requirements that

- the offender is to remain under house arrest for the duration of the release
- the offender may be subject to telephone checks by the correctional facility staff or other electronic monitoring while subject to TA release

The conditions of the release must be explained to the offender.

The offender must sign the certificate.

The superintendent or designate must ensure that a copy of the signed certificate is forwarded to the police agency in the area where the offender is to be released.

Correctional Services Division COVID-19 Contingency Plans as of March 22, 2020

Correctional Services is an essential service and the following contingency plans have been put in place to ensure everyone's safety while maintaining Community Corrections and Correctional Facility operations.

All offices and facilities have PPE and are using as required and in consultation with NSHA.

Improved cleaning and hygiene standards supported throughout the service delivery model.

Supports for staff via communications regarding the COVID-19 situation and any impact on operations. In addition, staff have been communicated the following available resources:

- For the most up-to-date public health information and advice, visit the public health [coronavirus \(COVID-19\) website](#). You can also watch government's regular media updates, which are [livestreamed](#).
- The latest government news releases can be found [here](#).
- For the latest employee and work-related information, including Frequently Asked Questions (FAQ), visit [TheHUB](#).
- For detailed information about your departmental or unit operations, watch for emails from your Deputy Ministers and Managers.
- If you're a social media user, follow government and department channels.
- If you have questions at any time, speak to your Manager or your department's [HR Business Partner](#).
- If you're feeling anxious or stressed, you can talk to a professionally trained counsellor through our Employee and Family Assistance Program (EFAP), which is confidential and available for you [24/7](#) by calling [1-800-777-5888](#).

To enhance mental health supports during this time, the following measures have been implemented:

- Social workers, case management officers, program officers, and spiritual advisors are available in facilities offering daily check-ins with inmates.
- Social workers will conduct daily check ins with staff.
- The above services are being expanded to cover weekend day hours.
- Correctional Services continues to work closely with the Nova Scotia Office of Workplace Mental Health to ensure services and supports are widely available to staff.
- Navigators from the Office of Workplace Mental Health are available to all staff.

The Inspector, Correctional Services has facilitated the following measures:

- Business Continuity Plans (BCP) development and training with divisional BCP Coordinators.
- Liaise with EMO to ensure resources are in place for all divisions.
- Ensured all divisions have active internal phone trees.
- Reviewed requirements of divisional and departmental critical business functions with BCP Coordinators and Local Incident Commanders.
- Sits on Courts Services Committee, EMO Multi Jurisdictional Committee, and Critical Infrastructure Resiliency Committee.

The following contingency plans have been implemented:

Head Office:

The Executive Director, 2 Directors, and 1 Manager remain onsite to provide direction and support to the operating units.

One Director and Chief Superintendent have been redeployed to provide onsite direction and support to the Correctional Facilities.

All other managers and administration staff have been set up to work from home but are available to attend Head Office if required onsite.

Community Corrections:

The following plans have been implemented for the 22 community corrections offices:

- There have been several teleconferences with senior management and Senior Probation Officers to ensure information regarding COVID-19 and operational impacts is shared.
- There are 109 operational staff that have been redeployed as follows: 59 working from home 50 coming into offices. Some of those 48 on rotations to maintain minimum staff levels and create social distancing.
- Those working from home have technology to do so, including access to iPhone, Outlook, and JEIN.
- Until further notice all satellite offices will be closed. Offenders in these locations will be required to contact main offices in the respective areas.
- Office supervision appointments have been cancelled and replaced with alternative intervention modes currently approved by Correctional Services including telephone, texting, Electronic Supervision, voice verification, Skype, and email.
- Group programming and scheduled meetings with outside stakeholders are to be suspended until further notice.
- Presentence reports are, unless necessary, to be completed via telephone and/or video. Offices which have Secure Interview rooms may complete PSR interviews in this space if necessary, as a last resort.
- All pre-session RJ work shall continue via phone, email, etc. There will be no attendance at RJ sessions until further notice as Community Justice has suspended in-person sessions.

Custody:

The following COVID-19 contingency plans have been implemented at the 4 adult and 1 youth correctional facility:

- All visits at Correctional Facilities have been cancelled.
- All Inmates are given 2 free 10-minute phone calls per day and \$20 added to their commissary account every 7 days.
- Facility senior managers have been onsite at unconventional hours throughout the last week to support staff and operations.
- Case Management staff are providing coverage 7 days/week to assist with increased releases from custody and meet with inmates.

- All inmates serving intermittent custody sentences have been placed on temporary absences.
- Remanded inmates are being reviewed for release that has included implementing video court appearances.
- Inmates who require signing of sureties is being facilitated by Correctional Services staff who are Commissioners of Oath at Correctional Facilities.
- Dr. Lisa Barrett and Director John Scoville have attended all Adult Facilities except SNSCF in the past week to provide updates while meeting with inmates and staff.
- Extra leisure items have been purchased to relieve stress on the units
- Work is being done in consultation with NSHA and Dr. Barrett to change medication distribution (including methadone) in order to reduce movement and contact.
- Youth are receiving daily phone calls.
- Youth centre staff are meeting with youth daily to assess their needs.
- Chaplaincy and mentoring services have been made to available to youth over the phone.
- Additional incentives are being provided to youth on their living units.