

March 8, 2021

[REDACTED]

Dear [REDACTED]

**Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [JPS/8/2021]**

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On January 4, 2021 the Department of Justice and Public Safety (JPS) received your request for access to the following records:

**Memorandums, presentations, briefing notes I am requesting final copies of all memorandums, presentations, briefing notes, or other similar documents regarding COVID-19 and correctional institutions or parole offices. Timeframe – January 1, 2020 – August, 2020.**

On January 5, 2021, you confirmed that your request related to Adult Probation.

On January 29, 2021 you were notified of a 15 day extension. On February 10, 2021, you were notified of an additional 10 day extension.

Please be advised that a decision has been made by the Deputy Minister for JPS to provide access to most of the requested information. However, some information has been refused in accordance with the following exception to disclosure, as specified in the **Access to Information and Protection of Privacy Act, 2015** (the Act):

31. (1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to
- (a) interfere with or harm a law enforcement matter;
  - (c) reveal investigative techniques and procedures currently used, or likely to be used, in law enforcement;
  - (l) reveal the arrangements for the security of property or a system, including a building, a vehicle, a computer system or a communications system;
  - (n) adversely affect the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention;

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request as set out in section 42 of the Act (a copy of this section has been enclosed for your reference). A request to the Commissioner must be made in writing not later than 15 business days of the date of this letter or a longer period that may be allowed by the Commissioner. The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that this request will be published three business days after the response is sent electronically to you or five business days in the case where records are mailed to you. The goal is to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any questions please contact me by telephone at 709-729-7128, or by email at [sonjaelgohary@gov.nl.ca](mailto:sonjaelgohary@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink that reads "Sonja El-Gohary". The signature is written in a cursive style.

Sonja El-Gohary  
ATIPP Coordinator

**Access or correction complaint**

**42.** (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

**Direct appeal to Trial Division by an applicant**

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 , the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

## El-Gohary, Sonja

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**From:** Hardman, Ashley  
**Sent:** Tuesday, March 17, 2020 12:49 AM  
**To:** Bennett, Bailey; Browne, Emilie; Burke, Lynn; Butler, Brenda M.; Campbell, Stella; Channing, Robert; Coffin, Sharon; Cumby, Tracy; Delaney, Barry; Eddy, Ashley; Gould, Julie 1; Greene, Gerard; Groves, Renee M.; Hall, Marion; Kelloway, Jason; Bradley, Angela; Lucas, Graham; Lyall, George; Morrissey, Robert; Olson, Anna; Power, Michele; Power, Patricia A; Roach, Heather; Russell, Erin V. E.; Sampson, Meagan; Snow, Chris; Sweet, Katherine; Waterman, Danielle; Waye, Rhonda G.; Whiffen, Jerry; Wiseman, Monica; Bozec-Young, Carmie; Chiasson, Edith; Collier, Holly; Dollimount, Rhonda; Farewell, Bernadine; Holloway, Penny; King, Charlotte; Oates, Johanna; Piercey, Elaine; Wicks, Dana (Justice)  
**Cc:** Pottle, Kimberly; Pierce, Kevin  
**Subject:** COVID-19 Contingency plan - Probation

Hi all,

Everyone has received a call tonight from myself, Kevin, or your APOII regarding our COVID-19 contingency plan. As you are aware, this plan is subject to change as new information becomes available, and any changes will be communicated to you via the BCP call trees and with a follow up email.

As per the request of some, I have summarized the key points of the plan below. A few items have been added based on questions posed in the calls this evening, so please read the below carefully, and contact Kevin or I should you have any questions.

Thank you,  
Ashley

**All staff are to report to the office between the hours of 9:00 am and 10:00 am on March 17<sup>th</sup>. Prior to leaving the office on March 17<sup>th</sup>, the following should be completed:**

- All staff have updated their voicemails and email out-of-office replies.
- All staff who have access to a laptop are to bring them home, and have ensured VPN's are active and working as per the BCP's.
- There is a sign on the office door indicating the office is closed temporarily, and includes the cell phone number for the APOII.
- Scheduled office visits have been cancelled and clients have been advised to report by phone.
- APO's without access to a laptop should have a copy of their caseload (along with contact information).
- APO's are to bring files for CSO clients home. Be sure these files are transported and stored in secure means. No files should be left unattended.
- Any additional file information that is required for work from home is prepared and secure.
- CTIII's have printed all Legal Forms necessary to enable APO's to work from home to the greatest extent possible.
- Take away kits as referenced in the BCP are prepared. The APOII will take these home for the time being.
- ***Should clients report while you are completing the above, please have them desk report ONLY. Do not permit clients access to the office space(s). Provide a follow up appointment by means of phone report.***

**Voicemails should state:**

"You have reached (*APO/front desk*) with the (*office location*) Regional Probation Office. For precautionary measures in relation to COVID-19, our office is currently closed. During this closure messages left on this voicemail will be monitored, but calls will only be returned under limited circumstances. If you are calling for reporting purposes, messages left on this number will be recognized as your phone or office report until further notice. This voicemail will be updated to indicate office reopening when the information is available; otherwise any messages left on this line will be returned once the office reopens. In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668."

**Notices on office doors should state:**

For precautionary measures in relation to COVID-19, our office is currently closed.

If you have just received a new Court Order, you are **required** to call (APOII number) for further instruction.

Should you need to speak with an Adult Probation Officer, please call (APOII number). Messages of a limited nature will be returned.

In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668.

**Out of office replies should state:**

Please be advised that for precautionary measures in relation to COVID-19, our office is currently closed. During this closure emails are not being monitored. Should you require assistance, contact (your number) and leave a message. Please note that only messages of a limited nature are being returned at this time.

In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668.

**Supervision:**

- **Probation**
  - Until further notice, voicemails **WILL** be accepted as phone reports, and in lieu of office reports.
  - Clients should be instructed to phone report via voicemail, but also advised that calls will only be returned under limited circumstances until offices reopen.
  - Phone reports via voicemail will replace direct offender contact and alternate modes of supervision until further notice.
- **CSO's**
  - Until further notice, voicemails **WILL** be accepted as phone reports, and in lieu of office reports.
  - Clients should be instructed to report via voicemail, but also advised that calls will only be returned under limited circumstances until offices reopen.
  - Curfew checks may be completed via work cell phones. As always, ensure the privacy of clients is protected at all times when working from home.
  - Phone reports via voicemail will replace direct offender contact and alternate modes of supervision until further notice.
  - Staff may need to approve time-outs from home. Should you receive a voicemail from a client requesting a pre-approved time out during regular business hours, this call should be returned with an approval/denial for same. Staff should ensure they use the number blocking feature when doing so whenever possible.
- **PSR's**

- APO's will still be required to complete PSR's as Court will be proceeding with limited matters. As such, PSR's should be completed from home.
- Staff may have to deliver PSR's in person to the Court in their Region.

#### **General Work from Home Procedures:**

- APO's should check the voicemail on their individual lines hourly, and follow up with any urgent matters.
- CTIII's should check the voicemail on the main line hourly: Any urgent matters on the main line should be forwarded to the APOII for follow up. APOII's will advise the supervising APO of any matters requiring their attention/action.
- The APOII;PC (Renee Groves) will monitor 0738 and will advise the appropriate APO of matters involving any clients that they supervise.
- While working from home APO's will be required to prioritize items pertaining to court proceedings. This includes, but is not limited to: breach proceedings, subpoenas, CSO violations and PSR's.
- There may be instances where staff will have to report to the office, to court, or to holding cells/lock up. In these cases staff are to exercise due diligence and use universal precautions in ensuring their health and safety.
- When working from home be sure to take all precautions necessary to protect the privacy of your clients and the information you have available to you while at home.

#### **On-call/EM/WASH and Bail Supervision Pilot**

- The commencement of the Bail Supervision Pilot Program will be suspended for the time being. Further updates to come.
- New referrals to the EM program will be suspended for the time being. Further updates to come.
- With the exception of the above, all other standard operating procedures for EM/On-Call and WASH will remain in place.

#### **Contacts:**

- Ashley and Kevin will be available by phone and email. Both of us will be working from home and office lines will be forwarded to our cell phones.
- A list of contact numbers (work cell phones) will be provided to ensure staff are able to maintain contact with one another as needed. APOII's should ensure this information is available to their offices.
- Any additional updates to this plan will be communicated by phone utilizing the office call trees in the BCP's, with an email follow up.
- As per our BCP, we will advise partners of our pandemic plan, and will update them as necessary. Please be mindful that during a period of constantly evolving information we cannot guarantee that partners will be fully informed at all times, however every reasonable means of ensuring up to date communication is provided will be utilized.

#### ***Ashley Hardman***

Chief Adult Probation Officer (A)  
 Corrections and Community Services  
 Department of Justice and Public Safety  
 Office: (709) 729-0407  
 Cell: (709) 631-2006





Government of Newfoundland and Labrador  
Department of Justice and Public Safety  
Corrections and Community Services

**Adult Probation COVID-19 Contingency Plan  
Update #2  
March 24<sup>th</sup>, 2020**

Attention: All Employees of Adult Probation

We are currently experiencing unprecedented times, and information is continually changing. Adult Probation has been maintaining constant contact with our Partners and Stakeholders to ensure we remain aware of what changes are occurring in order to adjust practices accordingly.

Below you will find both an update on the status of key partners as well as an update to how Probation will adjust services based on the information and resources we have available to us. Please keep in mind that our contingency plan may have to change at any point in time to ensure we are able to complete critical duties, and can do so based on what information, services, and/or resources are currently available.

Our contingency plan will remain fluid, and will be updated whenever new direction or information is received from Justice and Public Safety, the Department of Health and Community Services, or if updated information from a key stakeholder or partner will change the way in which we will provide services.

We will hold a conference call for all staff tomorrow, Wednesday March 24<sup>th</sup> at 2:00pm. The call-in information is as follows:

Toll free dial in number: 1 855-453-6963

Conference ID: [REDACTED] s.31(1)(l)

On a go-forward basis, we will have a conference call each Tuesday at 11:00 am. Please keep in mind that we are currently experiencing difficulties with conference calling due to high volumes of users. You may have to attempt to connect a few times before the call successfully connects.

Please remember that despite best efforts, information is constantly changing and we may not have answers to all challenges immediately. We rely on staff to present challenges in their respective regions for resolve, and may at times rely on offices to find solutions with partners in their specific regions. Thank you all for your patience and continued efforts during this challenging time,

**REVISION - March 25<sup>th</sup>, 2020: Please see highlighted area for "Partner and Stakeholder Information" for an update from the NSOR.**

Take care and stay safe.

Kim, Kevin and Ashley

### Update on Probation Practices:

#### **Working from Home, and Working in an Office:**

- All staff are to continue to work from home for the time being;
- Staff at times, may have to present to the office, to court, or to an alternate location to complete duties as required;
  - This includes, but is not limited to:
    - Completing PSR duties that cannot be completed from home;
    - Completing breaches, CSO violations, or completing the issuance of subpoenas or warrants;
    - To attend to EM matters (updates to follow);
    - Attend court as required, or in the manner court requires.
- Staff are still permitted access to their offices to complete work related duties.
  - Should an office be informed that the building in which their office is located is closed, please advise your RM immediately.
  - Should an employee be self-isolating, or if an employee is advised by a medical professional that they are to limit contact due to existing medical conditions, please advise your RM;
  - Staff attending the office should advise their direct report that they will be on site. All efforts are to be made to limit the number of staff present at any given time, and to ensure appropriate social distancing is observed;
  - Offenders should not be seen in office at this time.
- Staff should not use personal email addresses for work related purposes;
- Staff with a GNL laptops but no VPN capabilities are currently able to access the GNL network (instructions are attached for doing so);
- All staff should continue to monitor their work phone lines hourly and return calls as necessary.

#### **General Supervision and Case Management Practices**

Staff are reminded that supervision and case management processes are subject to change as new information becomes available. This may result in an increase or decrease in supervision or case management expectations from update to update. There is currently no indication as to how long staff may be working from home; therefore, we need to plan and act in such a way that ensures we maintain contact with offenders, and that we uphold our duty to maintain public safety in the best way possible, with the resources available to us.

## 1. New Orders and New PSR Requisitions

- Provincial Court:
  - The APOII, or designate, in each office is to contact the Provincial court in their region every 2 days to inquire into if any new orders or requisitions are there for their office.
  - Provincial Court has agreed to provide any new orders/requisitions to the requestor via scan.
- Supreme Court
  - No response received to date - will update when information is available. It should be noted that Supreme Court locations outside of St. John's are closed.
- The scanned version of the order can be forwarded to Holly Collier and she will enter the order(s) in PCOMS. The APO who sends the order will have to indicate to Holly who the order is assigned to.

## 2. Probation Supervision

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- For the time being, voicemails will continue to be accepted as phone reports;
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards:
  - High risk will now report [REDACTED]
  - Medium risk will report [REDACTED]
  - Low risk will report [REDACTED]
  - (keep in mind that deviations in frequency of contact will still need a consult and documentation).
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards;
- Although we will accept voicemails as phone reports, APO's should continue to respond to urgent items that arise with clients;
- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. APOII's in each region should reach out to their local Detachment and CSSD office to inquire into if an emailed notification can be accepted. Due to challenges in accessing CPIC's and Offense details Static 99's are not required at this time;
- Should any new clients be assigned:
  - Acknowledgement is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
  - Consent – may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted;

- Given the difficulty in acquiring CPIC's in some regions, the nature of the conversation to be had remotely, and limited access to PCOMS for some staff, LS/CMI's for intake (or reassessment) are not required. Any new clients will be supervised as high until an LS/CMI can be completed;
- Reassessments – continue to supervise at the previous risk level. A consult can occur with a direct report if there have been significant changes since the previous assessment;
- The scanned version of the order can be forwarded to Holly Collier and she will enter the order(s) in PCOMS. The APO who sends the order will have to indicate to Holly who the order is assigned to.

### 3. CSO Supervision

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- For the time being, voicemails will continue to be accepted as phone reports;
- APO's will continue to have to respond to requests for time-outs as needed;
- Curfew checks should continue as per usual standards;
- Home visits for the purpose of on-going supervision are cancelled for the time being. Home visits should be replaced with [REDACTED] phone report or curfew check. This can be at the APO's discretion, but will have to be documented;
- There may be instances where an APO determines that a home visit is necessary for supervision/public and/or victim safety (ie. Completing the community investigation for a sexual offender). In these cases, the APO is to consult their RM;
- In instances where a home visit is approved, only a Level One – Drive By will be permitted;
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards previous assessment:
  - High risk will now report: [REDACTED]  
[REDACTED]  
[REDACTED];
  - Medium risk will report: [REDACTED]  
[REDACTED];
  - Low risk will report [REDACTED]
  - (keep in mind that deviations in frequency of contact will still need a consult and documentation).
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards;
- Although we will accept voicemails as phone reports, APO's should continue to respond to urgent items that arise with clients;

- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. **APOII's in each region should reach out to their local Detachment and CSSD office to inquire into if an emailed notification can be accepted.** Due to challenges in accessing CPIC's and Offense details Static 99's are not required at this time;
- Should any new clients be assigned:
  - Acknowledgement is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
  - Consent – may need to be emailed where possible to the client and returned by email;
  - Given the difficulty in acquiring CPIC's in some regions, the nature of the conversation to be had remotely, and limited access to PCOMS for some staff, LS/CMI's for intake (or reassessment) are not required. Any new clients will be supervised as high until an LS/CMI can be completed;
  - Reassessments – continue to supervise at the previous risk level. A consult can occur with a direct report if there have been significant changes since the previous assessment;
  - The scanned version of the order can be forwarded to Holly Collier and she will enter the order(s) in PCOMS. The APO who sends the order will have to indicate to Holly who the order is assigned to;
  - The initial home visit for CSO's are to be discussed with the RM. Should one be deemed necessary, only a Level One drive by will be permitted.

#### 4. New Releases

- With Court priority being given to in-custody matters, all APO's are to monitor the docket to ensure release dates have not changed for any remand or incarcerated files assigned to them;
- Release planning, wherever possible should continue to occur with Classification, and reporting instructions provided to have the initial report completed by phone, and further reporting instructions provided.

#### 5. PSR's

- With priority being given to in-custody matters, it is imperative that APO's make every effort to ensure that in-custody PSR's are completed/submitted;
- All other PSR's assigned should be completed as per the dates identified in the requisition as other "urgent" matters are proceeding and we are not notified at this point, of what those are;
- Consent – may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted;
- Existing consent forms can be scanned to your P: drive so they are accessible;
- **Provincial Court PSR's:**

- PSR's are to be emailed in secure format (Zip file instructions are attached) directly to the Judge, Crown and Defense;
- APO's should contact each party before sending to ensure they are still assigned to the matter. When confirmation is received the email can be sent, with the password to follow in a separate email.
- **Supreme Court PSR's**
  - All PSR's are to be emailed in secure format (Zip file instructions are attached) to [inquiries@supreme.court.nl.ca](mailto:inquiries@supreme.court.nl.ca), with the password to follow in a separate email;
  - The court will then distribute as necessary;
  - The subject line of the email is to state the Judicial Center the PSR was prepared for and the court file number.

## 6. CPIC

Please note that we are currently experiencing challenges in this regard as information between Regions has varied. **APOI's are to maintain contact with their local detachments for further updates into how a CPIC can be requested and received.**

As of this afternoon, below is the information we have been provided:

- St. John's: Can continue to request by fax. RNC will call when they are available, and then can be picked up at the detachment;
- Carbonear: Request as usual, will be emailed when prepared;
- Marystown: Request as usual, will be emailed when prepared;
- Clarenville: Request as usual, will be emailed when prepared;
- Gander: Request as usual, will be emailed when prepared (may differ between detachments);
- Grand Falls: Request as usual, will be emailed when prepared;
- Corner Brook RCMP: email [Janice.pennell@rcmp-grc.gc.ca](mailto:Janice.pennell@rcmp-grc.gc.ca) with the request, it will be emailed when prepared;
- Corner Brook RNC: Awaiting response;
- Stephenville: Request by fax, will be faxed back when prepared;
- Port Saunders: Awaiting response;
- Wabush: email officer, will deliver when prepared;
- Happy Valley-Goose Bay: Can continue to fax requests, will be faxed back when prepared;
- Nain: Awaiting response.

## 7. Breach

- Given current circumstances, APO's are to exercise sound professional judgement when deciding if a breach charge is needed.

s.31(1)(a):(c);(n)

- [REDACTED]
- Should an APO be concerned for public safety or victim safety and believe a breach is required, APO's should proceed by way of warrant.
- Certified copies: Can be requested in person, by fax or by email;
- Summons/Warrants: For the time being APO's are still permitted access to Provincial Court locations;
- **APOI's in each region are to connect with the lock-ups in their area to determine if breach packages for weekday CSO violations can be served and returned to court by the lock-up staff.**

### 8. WASH Court (inclusive of on-call and standby)

- On-Call and Standby for WASH as well as EM will continue as scheduled. Any schedule changes will be communicated by Patricia Power and/or Renee Groves;
- For the time being, there will be no transportation of in custody accused to the Provincial Court from the St. John's lock up for the purposes of WASH court. Any accused will appear in WASH Court by telephone;
- Until further notice, Correctional Officers at the St. John's lock up will provide service of CSO breach packages when required for WASH;
- In the event of a breach, APO's are to fax the documents to the lock up at [REDACTED] s.31(1)(l) for service. APO's are to include a blank affidavit and request that it be signed and returned to Court;
- APO's are to call ahead at 729-3873 to consult with lock up staff and arrange service, and are advised that while operating at restricted capacities that service may take additional time;
- Once the breach package is complete – email the full package (using all legal sized paper) to yourself. Save it as a file, and then zip the file and email it to the Crown Attorney's office. Email address is: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) . Send the password for the zip file in a second email.

### 9. Documentation

- Each APO who has a GNL laptop are to maintain documentation standards as outlined in Adult Probation Policies and Procedures;
- APO's who do not have access to a GNL laptop are to maintain written records, which will be entered in PCOMS when operations resume;
  - All documentation is to be kept confidential and secure.

### Update on Pilot Programs and Speciality Courts

#### 1. FVIC

- There will be no new participants accepted into FVIC until further notice;
- All FVIC matters have been set over for 10 weeks from their next appearance date;

- Both Bail Supervisors will continue to provide updates to the FVIC team monthly, on the first Monday of the month, commencing April 1st. In some instances an immediate update may be required;
- Updates will be provided by email;
- Bail Supervision should continue as per supervision standards outlined in FVIC Policies and Procedures, with all modes of contact being replaced with phone reports only.

## **2. Electronic Monitoring**

A further update on Electronic Monitoring will be provided in the coming days. Consideration is being given to those eligible for EMTA to be released as such, and all avenues of necessary health and safety requirements are being explored.

For the time being:

- On-Call and Standby will continue as scheduled;
- Those currently subject to EM will continue to be supervised on EM. Further direction will come as to what the removal process will entail;
- APO's will not place any new Probation or CSO clients on EM until further notice.

## **3. Bail Supervision**

- The Bail Supervision Program remains on-hold until further notice.

## **4. Fines Repayment**

- The Fines Repayment Program remains on hold until further notice.

## **5. Diversion**

- Diversion referrals will cease until notified otherwise;
- Current Diversion files, where possible, can be completed and the final report emailed to the Crowns office for closure. Emails should be secure with passwords to follow.

## **Partner and Stakeholder Information**

### **1. Provincial Court (Criminal Matters)**

- Cases that are not in-custody matters are scheduled for 10 weeks out from the scheduled appearance. Court will adjourn the matter without the offender being present via a bench warrant with discretion;
- All in-custody matters will proceed, including:
  - Bail hearings
  - Sentencings
  - Preliminary trials and inquiries

- Effective 3/26/20 public access will be restricted and main doors will be locked. APO's and other JPS stakeholders will be granted access if needed as long as they are not showing any symptoms.
  - Provincial Court is moving to appearances by phone/teleconference. If an APO is required to appear, the call in numbers are attached.

## **2. Supreme Court (Criminal Matters)**

- Normal operations have been suspended. Supreme Courts outside of St. John's have closed;
- Not in custody matters are being adjourned by means of a bench warrant with discretion;
- Only the following in-custody criminal matters will be heard:
  - Bail hearings and reviews;
  - Sentencing hearings;
  - Any other matter the Court deems necessary and appropriate to hear on an urgent basis.
- Where it is not possible to obtain a signature from a person authorized to administer oaths, parties may file unsworn/unaffirmed affidavits or documents without signature. The court may require participation by telephone or videoconference to swear/affirm facts in an affidavits or other documents.

## **3. Adult Custody**

- Operations as usual, but limiting persons entering the prisons.

## **4. Sheriff's Office**

- Operations as usual.

## **5. John Howard Society**

- Staff for LRP, C-STEP and CBIP are no longer working on site and are working from home as of 03/23/20;
- They will continue individual sessions by phone;
- They will respond to messages;
- They will provide general support as needed by phone;
- They will maintain contact with Probation when there is failure to maintain contact with the offender(s);
- Howard House and West Bridge House continue to fully operate with necessary precautions in place;
- Staff continue to be available by email;
- JHS staff will email final reports and termination reports to the supervising APO via password protected documents.

## **6. Victim Services**

- All VSRC's are working from home;

- All VSRC's are monitoring email and voicemails hourly;
- Will continue to provide Victim Impact Statements and other services as necessary and able.

#### **7. Crown Attorney's Office**

- Working remotely, except for necessary court related duties;
- Offices are not fully staffed and not accessible/open.

#### **8. Legal Aid Offices**

- Working remotely, except for necessary court related duties;
- Offices are not fully staffed and not accessible/open.

#### **9. RNC**

- Locations are closed for non-emergencies;
- No indication at this stage that APO's will not be provided access.

#### **10. RCMP**

- Suspended front counter services for non-emergencies;
- No indication at this stage that APO's will not be provided access;
- Persons required to report to the RCMP are directed to call the detachments.

#### **11. National Sex Offender Registry (NSOR)**

- Annual in-person registrations will not be completed until further notice due to the COVID-19 pandemic;
- All offenders must call the NSOR office at 709-772-8479 or 1-866-709-6767 for further direction on or before their registration due date;
- Failure to contact the NSOR on or before their registration due date may result in criminal charges;
- All other NSOR conditions remain in effect during the COVID-19 pandemic (only in person-registrations are impacted).

### **Other Items/General Operations**

#### **1. Leave**

- Annual Leave continues to be subject to operational requirements. This will be monitored on an on-going basis. Staff requiring leave should contact their RM well in advance to discuss;
- Updates will be provided as they become available.

#### **2. Mail Services:**

- Internal Mail:
  - Is continuing but anticipate a slower service due to reduced staff.
- External Mail:

- St. Johns: Mail services are currently halted until at least 03/25/2020
- No update for other areas.

Provincial Court Temporary Teleconference Numbers  
 During COVID-19 Pandemic  
 Effective March 24, 2020

Provincial Court Location	TOLL FREE #	CONFERENCE ID #	Courtroom #
St. John's			1
St. John's			3
St. John's			4
St. John's			5
St. John's			6
Happy Valley-Goose Bay			1
Happy Valley-Goose Bay			2
Harbour Grace			
Clarenville Court			
Grand Bank			
Gander			
Grand Falls-Windsor			
Corner Brook			
Stephenville			
Wabush			

s.31(1)(l)



Government of Newfoundland and Labrador  
Department of Justice and Public Safety  
Corrections and Community Services

**Adult Probation COVID-19 Contingency Plan  
Update #3  
April 6, 2020**

Attention: All Employees of Adult Probation

We are currently experiencing unprecedented times, and information is continually changing. Adult Probation has been maintaining constant contact with our Partners and Stakeholders to ensure we remain aware of what changes are occurring in order to adjust practices accordingly.

Below you will find both an update on the status of key partners as well as an update to how Probation will adjust services based on the information and resources we have available to us. Please keep in mind that our contingency plan may have to change at any point in time to ensure we are able to complete critical duties, and can do so based on what information, services, and/or resources are currently available.

Our contingency plan will remain fluid, and will be updated whenever new direction or information is received from Justice and Public Safety, the Department of Health and Community Services, or if updated information from a key stakeholder or partner will change the way in which we will provide services.

We will continue to hold voluntary weekly conference calls for all staff every Tuesday at 11:00am. You will be advised of any upcoming mandatory conference calls. The call-in information is as follows:

Toll free dial in number: 1 855-453-6963

Conference ID: [REDACTED] s.31(1)(l)

Please keep in mind that we are currently experiencing difficulties with conference calling due to high volumes of users. You may have to attempt to connect a few times before the call successfully connects.

Please remember that despite best efforts, information is constantly changing and we may not have answers to all challenges immediately. We rely on staff to present challenges in their respective regions for resolve, and may at times rely on offices to find solutions with partners in their specific regions. Thank you all for your patience and continued efforts during this challenging time,

Take care and stay safe.

Kim, Kevin and Ashley

### Update on Probation Practices:

#### **Working from Home, and Working in an Office:**

- All staff are to continue to work from home for the time being;
- Staff at times, may have to present to the office, to court, or to an alternate location to complete duties as required;
  - This includes, but is not limited to:
    - Completing PSR duties that cannot be completed from home;
    - Completing breaches, CSO violations, or completing the issuance of subpoenas or warrants;
    - To attend to EM matters (updates to follow);
    - Attend court as required, or in the manner court requires.
- Staff are still permitted access to their offices to complete work related duties.
  - Should an office be informed that the building in which their office is located is closed, please advise your RM immediately.
  - Should an employee be self-isolating, or if an employee is advised by a medical professional that they are to limit contact due to existing medical conditions, please advise your RM;
  - Staff attending the office should advise their direct report that they will be on site. All efforts are to be made to limit the number of staff present at any given time, and to ensure appropriate social distancing is observed;
  - Offenders should not be seen in office at this time.
- Staff should not use personal email addresses for work related purposes;
- Staff with a GNL laptops but no VPN capabilities are currently able to access the GNL network (instructions are attached for doing so);
- All staff are required to continue to monitor their office voicemail as well as their emails on an hourly basis and return calls and messages as soon as possible.
  - If you have access to email please adjust your 'out of office' email replies to indicate the following:  
*Please be advised that for precautionary measures in relation to COVID-19, our office is currently closed and I am currently working from home. Emails and voicemails will be monitored and returned as soon as possible.  
 In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811.  
 Thank you,  
 (add signature information)*

For those who do not have access to email their 'out of office' should indicate the following:

*Please be advised that for precautionary measures in relation to COVID-19, our office is currently closed. During this closure my emails are not being monitored.*

*Should you require assistance, please contact (your number) and leave a message. Voicemails will be monitored and returned as soon as possible. In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811.*

*Thank you,  
(add signature information)*

- Below is an updated voicemail message. **All APOII's will also need to please ensure that front desk messages are changed and that APOI's without email access are advised to make this change.**

*You have reached (APO/front desk) with the (office location) Regional Probation Office. For precautionary measures in relation to COVID-19, our office is currently closed and we are working from home. During this closure messages left on this voicemail will be monitored and returned as soon as possible. If you are calling for reporting purposes, messages left on this number will be recognized as your phone or office report until further notice. This voicemail will be updated to indicate office reopening when the information is available. In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811. Thank you.*

- Should an employee be unavailable for hourly email and voicemail checks during regular working hours, please advise your direct report of the reason and duration of your absence.
- An updated contact list for all probation staff is attached.

## **General Supervision and Case Management Practices**

Staff are reminded that supervision and case management processes are subject to change as new information becomes available. This may result in an increase or decrease in supervision or case management expectations from update to update. There is currently no indication as to how long staff may be working from home; therefore, we need to plan and act in such a way that ensures we maintain contact with offenders, and that we uphold our duty to maintain public safety in the best way possible, with the resources available to us.

### **1. New Orders and New PSR Requisitions**

- Provincial Court:
  - **The APOII, or designate, in each office is to contact the Provincial Court in their region by telephone every 2 days to inquire into if any new orders or requisitions are there for their office. All courts outside of St. John's are only available by phone periodically so you will therefore have to leave a voicemail clearly indicating your email address and requesting they email you any new orders. Also advise them of your telephone number in case of**

difficulties. You may also request that they automatically email you new orders as they occur. Please ensure to notify them immediately if you are designating receipt of new orders to another individual in your office.

- Provincial Court has agreed to provide any new orders/requisitions to the requestor via email.
- Supreme Court
  - No response received to date - will update when information is available. It should be noted that Supreme Court locations outside of St. John's are closed.
- The emailed version of the order can be forwarded to Holly Collier by email and she will enter the order(s) in PCOMS. The APO who sends the order will have to indicate to Holly who the order is assigned to.

## 2. Probation Supervision

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- For the time being, voicemails will continue to be accepted as phone reports;
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards:
  - High risk will now report [REDACTED]
  - Medium risk will report [REDACTED]
  - Low risk will report [REDACTED]
  - (keep in mind that deviations in frequency of contact will still need a consult and documentation).
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards;
- Although we will accept voicemails as phone reports, APO's should continue to respond to urgent items that arise with clients;
- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. **APO's in each region should reach out to their local Detachment and CSSD office to inquire into if an emailed notification can be accepted.** Due to challenges in accessing CPIC's and Offense details Static 99's are not required at this time;
- Should any new clients be assigned:
  - Acknowledgement is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
  - Consent – may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted;
  - Given the difficulty in acquiring CPIC's in some regions, the nature of the conversation to be had remotely, and limited access to PCOMS for some

staff, LS/CMI's for intake (or reassessment) are not required. Any new clients will be supervised as high until an LS/CMI can be completed;

- Reassessments – continue to supervise at the previous risk level. A consult can occur with a direct report if there have been significant changes since the previous assessment;

### 3. CSO Supervision

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- For the time being, voicemails will continue to be accepted as phone reports;
- APO's will continue to have to respond to requests for time-outs as needed;
- Curfew checks should continue as per usual standards;
- Home visits for the purpose of on-going supervision are cancelled for the time being. Home visits should be replaced with [REDACTED] phone report or curfew check. This can be at the APO's discretion, but will have to be documented;
- There may be instances where an APO determines that a home visit is necessary for supervision/public and/or victim safety (ie. Completing the community investigation for a sexual offender). In these cases, the APO is to consult their RM;
- In instances where a home visit is approved, only a Level One – Drive By will be permitted;
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards previous assessment:
  - High risk will now report [REDACTED]  
[REDACTED]  
[REDACTED];
  - Medium risk will report: [REDACTED]  
[REDACTED];
  - Low risk will report [REDACTED]
  - (keep in mind that deviations in frequency of contact will still need a consult and documentation).
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards;
- Although we will accept voicemails as phone reports, APO's should continue to respond to urgent items that arise with clients;
- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. **APOI's in each region should reach out to their local Detachment and CSSD office to inquire**

into if an emailed notification can be accepted. Due to challenges in accessing CPIC's and Offense details Static 99's are not required at this time;

- Should any new clients be assigned:
  - Acknowledgement is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
  - Consent – may need to be emailed where possible to the client and returned by email;
  - Given the difficulty in acquiring CPIC's in some regions, the nature of the conversation to be had remotely, and limited access to PCOMS for some staff, LS/CMI's for intake (or reassessment) are not required. Any new clients will be supervised as high until an LS/CMI can be completed;
  - Reassessments – continue to supervise at the previous risk level. A consult can occur with a direct report if there have been significant changes since the previous assessment;
  - The initial home visit for CSO's are to be discussed with the RM. Should one be deemed necessary, only a Level One drive by will be permitted.

#### 4. New Releases

- With Court priority being given to in-custody matters, all APO's are to monitor the docket to ensure release dates have not changed for any remand or incarcerated files assigned to them;
- Release planning, wherever possible should continue to occur with Classification, and reporting instructions provided to have the initial report completed by phone, and further reporting instructions provided.

#### 5. PSR's

- With priority being given to in-custody matters, it is imperative that APO's make every effort to ensure that in-custody PSR's are completed/submitted;
- All other PSR's assigned should be completed as per the dates identified in the requisition as other "urgent" matters are proceeding and we are not notified at this point, of what those are;
- Consent – may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted;
- Existing consent forms can be scanned to your P: drive so they are accessible;
- Electronic signatures are required on PSR's (instructions attached)
- **PSR's must be saved as pdf documents prior to being emailed to court.**
- **PSR's must be emailed in secure format (Zip file instructions are attached) and the password must be sent in a separate email.**
- **Provincial Court PSR's:**
  - Provincial Court will accept PSR's without having the PSR Requisition and Informations attached.

- PSR's *can* be emailed in secure format directly to the Judge, Crown and Defense ONLY in cases where APO's have contacted each party before sending to ensure they are still assigned to the matter. When confirmation is received the email can be sent in secure format.
- PSR's from all regions can also be submitted directly to the St. John's Registry by email. APO's MUST call the St. John's Registry at 729-1539 or [REDACTED] on the day the report is due to obtain an email address as the email address for submitting PSR's can change on a daily basis. The St. John's Registry will circulate the PSR's.
- **Supreme Court PSR's**
  - All PSR's are to be emailed in secure format to [inquiries@supreme.court.nl.ca](mailto:inquiries@supreme.court.nl.ca)
  - The court will then distribute as necessary;
  - The subject line of the email is to state the Judicial Center the PSR was prepared for and the court file number.

## 6. CPIC


Please note that we are currently experiencing challenges in this regard as information between Regions has varied. **APOI's are to maintain contact with their local detachments for further updates into how a CPIC can be requested and received.**

As of today, below is the information we have been provided:

- St. John's: Request via email with "Attention CPIC" as the subject on our standard form to: [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca) Indicate your phone number in the email and request a call when ready. When picking up CPIC's call the RNC Headquarters front desk at [REDACTED] or [REDACTED] when you arrive in the parking lot and they will either unlock the door or bring them to the door for you.
- Carbonear: Request as usual, will be emailed when prepared;
- Marystown: Request as usual, will be emailed when prepared;
- Clarenville: Request as usual, will be emailed when prepared;
- Gander: Request as usual, will be emailed when prepared (may differ between detachments);
- Grand Falls: Request as usual, will be emailed when prepared;
- Corner Brook RCMP: email [Janice.pennell@rcmp-grc.gc.ca](mailto:Janice.pennell@rcmp-grc.gc.ca) with the request, it will be emailed when prepared;
- Corner Brook RNC: email either [danielreid@rnc.gov.nl.ca](mailto:danielreid@rnc.gov.nl.ca) or [patriciabarrett@rnc.gov.nl.ca](mailto:patriciabarrett@rnc.gov.nl.ca) ; include your phone # / email address and they will contact you to come pick it up in person
- Stephenville: Request by fax, will be faxed back when prepared;
- Port Saunders: Fax as usual 709-861-3140, returned by fax
- Wabush: email officer [peterkelly@rnc.gov.nl.ca](mailto:peterkelly@rnc.gov.nl.ca) , will deliver when prepared
- Happy Valley-Goose Bay: Can continue to fax/email requests, will be faxed/emailed back when prepared

- Nain: fax as usual, faxed back

## 7. Breach

- Given current circumstances, APO's are to exercise sound professional judgement when deciding if a breach charge is needed. s.31(1)(a);(c);(n)
  - 
  - Should an APO be concerned for public safety or victim safety and believe a breach is required, APO's should proceed by way of warrant.

As of March 30, 2020, Provincial Court is operating virtually we are now filing our breaches electronically.


**All breach packages must be emailed in secure format whenever they are being circulated to any stakeholder (Zip file instructions are attached) and the password must be sent in a separate email.**

### Breach of CSO

- The process for a CSO breach remains unchanged as we will still be relying on police to swear affidavits for CSO breaches and WASH Court.
- **APOI's in each region are to connect with the lock-ups in their area to determine if breach packages for weekday CSO violations can be served and returned to court by the lock-up staff.**

s.31(1)(l)

### Breach of Probation

- Consult with direct report regarding the necessity of filing the breach.
- Request certified copies of the Probation Order and Criminal Record. In St. John's, call the Registry at 729-1539 or  to get an email address to forward the request. They can return the copies by email to the address specified in the email request. St. John's Registry does not have access to original court orders from across the province so all offices outside St. John's will have to call the applicable Provincial Court and leave a message requesting certified copies. They may require you to email a request form.
- Complete your Information and sign with electronic signature (instructions attached). Below the charge, in a new paragraph, include the statement: ***All matters contained in this information are true to the best of my knowledge and belief.***
- Warrants – If proceeding by way of warrant you must add the additional statement in the Information, in a new paragraph below the above statement: ***I pray a warrant for the arrest of the said (enter offender name)***
  - ***All warrants must be endorsed unless it has been agreed through consultation that there is an immediate risk to safety. If it is determined that a warrant will not be endorsed please contact the RCMP detachment by telephone with an explanation for same.***

- **Summons** - The court are currently asking that no summons are to be issued with a date prior to May 22, 2020. This may change, so if a decision is made to proceed by way of summons you must call the St. John's Registry to confirm an acceptable date.
- Call the St. John's Registry to obtain an email address to send the breach package on the day. **All breach packages from the entire province are to be submitted to St. John's Registry.**
- In your email to the St. John's Registry, please be sure to clearly indicate that you need the signed documents returned to you by email as you will need to circulate the documents to the Crown, RNC/RCMP or Sheriff's office. The Court cannot circulate these documents on our behalf.
- Crown copies – Complete Breach packages including certified copies of order and record, information, and summons or warrant are to be emailed to: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) Please indicate your region in your email to allow for faster processing by the Crown.
- RCMP warrants and summons – Email to the appropriate RCMP detachment in your area. If you have difficulty reaching the detachment please call the RCMP Communications Centre at 709-772-5400.
- RNC (Provincially) warrants (or summons as applicable outside St. John's) – Email to [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca)
- St. John's Sheriff's Office summons – Please email summons to 3 parties: [kerrysears@gov.nl.ca](mailto:kerrysears@gov.nl.ca) ; [KatherineYates@gov.nl.ca](mailto:KatherineYates@gov.nl.ca) ; [NicholasBruce@gov.nl.ca](mailto:NicholasBruce@gov.nl.ca) . Please also include any special instructions that may be received from the court for the individual being summonsed referencing how they are appearing, and any telephone number for them to call for more information. This information can be requested when you call the St. John's Registry to determine an appropriate date for the summons.

#### 8. WASH Court (inclusive of on-call and standby)

- On-Call and Standby for WASH as well as EM will continue as scheduled. Any schedule changes will be communicated by Patricia Power and/or Renee Groves;
- At the end of the day on Friday Patricia Power will update the On-Call Voicemail at

s.31(1)(a);(l)

██████████ as follows:

s.31(1)(a);(l)

- *You have reached ██████████ the breach line with Corrections and Community Services. Due to Covid 19 Corrections and Community Services has made adjustments to the conditional sentence breach process. On call workers continue to monitor the breach line for court purposes. Should you have a conditional sentence breach, please leave a detailed message on this line for the on call worker. In addition, we also ask that you please email a copy of the CSO as well as the event occurrence to (person on call @ gov.nl.ca) Thank you.*
- Voicemail is updated after WASH Court to Renee Groves email address.
- There will be no transportation of in custody accused to the Provincial Court from the St. John's lock up for the purposes of WASH court. Any accused will appear in WASH Court by telephone;

- Until further notice, Correctional Officers at the St. John's lock up will provide service of CSO breach packages when required for WASH;
- **Breach packages must be emailed in secure format (Zip file instructions are attached) and the password must be sent in a separate email.**
- In the event of a St. John's breach, APO's are to call the lock up at 729-3873 or [REDACTED] to consult with lock up staff and arrange service. APO's are to arrange to send the breach package by email to the on duty correctional officer; APO's are to include a blank affidavit and request that it be signed and returned by email to the APO once the documents are served to the offender. Please be advised that while operating at restricted capacities that service may take additional time.
- In the event of an out of town breach the police are advised on our voicemail to email their documents to us instead of faxing them. Upon contacting the police and confirming the police email address, please send them the breach package and a blank affidavit by email, requesting that they serve the offender and send the affidavit by fax to the court as per normal processes or you may request it by email.
- Once the breach package is complete email it in secure format to the Court and to the Crown Attorney's office. The court clerk responsible for receiving CSO breach packages for WASH court may change on a weekly basis, this will be updated in the weekly WASH Court email. Crown Attorney's email address is: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) .

## 9. Documentation

- Each APO who has a GNL laptop are to maintain documentation standards as outlined in Adult Probation Policies and Procedures;
- APO's who do not have access to a GNL laptop are to maintain written records, which will be entered in PCOMS when operations resume;
  - All documentation is to be kept confidential and secure.

## Update on Pilot Programs and Speciality Courts

### 1. FVIC

- There will be no new participants accepted into FVIC until further notice;
- All FVIC matters have been set over for 10 weeks from their next appearance date;
- Both Bail Supervisors will continue to provide updates to the FVIC team monthly, on the first Monday of the month, commencing April 1st. In some instances an immediate update may be required;
- Updates will be provided by email;
- Bail Supervision should continue as per supervision standards outlined in FVIC Policies and Procedures, with all modes of contact being replaced with phone reports only.

## 2. Electronic Monitoring

A further update on Electronic Monitoring will be provided in the coming days. Consideration is being given to those eligible for EMTA to be released as such, and all avenues of necessary health and safety requirements are being explored.

For the time being:

- On-Call and Standby will continue as scheduled;
- Those currently subject to EM will continue to be supervised on EM. Further direction will come as to what the removal process will entail;
- APO's will not place any new Probation or CSO clients on EM until further notice.

## 3. Bail Supervision

- The Bail Supervision Program remains on-hold until further notice.

## 4. Fines Repayment

- The Fines Repayment Program remains on hold until further notice.

## 5. Diversion

- Diversion referrals will cease until notified otherwise;
- Current Diversion files, where possible, can be completed and the final report emailed to the Crowns office for closure. Emails should be secure with passwords to follow.

### Partner and Stakeholder Information

#### 1. Provincial Court (Criminal Matters)

- Cases that are not in-custody matters are scheduled for 10 weeks out from the scheduled appearance. Court will adjourn the matter without the offender being present via a bench warrant with discretion;
- All in-custody matters will proceed, including:
  - Bail hearings
  - Sentencings
  - Preliminary trials and inquiries
- Effective 3/30/20 a Virtual Court plan has been implemented. St. John's Registry is operating virtually from Monday to Friday, 8:30am to 4:30pm except for statutory holidays. Provincial Court locations outside of St. John's are operating as required but not maintaining regular office hours. Main doors will be locked.
  - Provincial Court is moving to appearances by phone/teleconference. If an APO is required to appear, the call in numbers are attached.

#### 2. Supreme Court (Criminal Matters)

- Normal operations have been suspended. Supreme Courts outside of St. John's have closed;

- Not in custody matters are being adjourned by means of a bench warrant with discretion;
- Only the following in-custody criminal matters will be heard:
  - Bail hearings and reviews;
  - Sentencing hearings;
  - Any other matter the Court deems necessary and appropriate to hear on an urgent basis.
- Where it is not possible to obtain a signature from a person authorized to administer oaths, parties may file unsworn/unaffirmed affidavits or documents without signature. The court may require participation by telephone or videoconference to swear/affirm facts in an affidavits or other documents.

### **3. Adult Custody**

- Operations as usual, but limiting persons entering the prisons.

### **4. Sheriff's Office**

- Operations as usual.

### **5. John Howard Society**

- Staff for LRP, C-STEP and CBIP are no longer working on site and are working from home as of 03/23/20;
- They will continue individual sessions by phone;
- They will respond to messages;
- They will provide general support as needed by phone;
- They will maintain contact with Probation when there is failure to maintain contact with the offender(s);
- Howard House and West Bridge House continue to fully operate with necessary precautions in place;
- Staff continue to be available by email;
- JHS staff will email final reports and termination reports to the supervising APO via password protected documents.

### **6. Victim Services**

- All VSRC's are working from home;
- All VSRC's are monitoring email and voicemails hourly;
- Will continue to provide Victim Impact Statements and other services as necessary and able.

### **7. Crown Attorney's Office**

- Working remotely, except for necessary court related duties;
- Offices are not fully staffed and not accessible/open.

**8. Legal Aid Offices**

- Working remotely, except for necessary court related duties;
- Offices are not fully staffed and not accessible/open.

**9. RNC**

- Locations are closed for front counter access.

**10. RCMP**

- Suspended front counter services for non-emergencies;
- No indication at this stage that APO's will not be provided access;
- Persons required to report to the RCMP are directed to call the detachments.

**11. National Sex Offender Registry (NSOR)**

- Annual in-person registrations will not be completed until further notice due to the COVID-19 pandemic;
- All offenders must call the NSOR office at 709-772-8479 or 1-866-709-6767 for further direction on or before their registration due date;
- Failure to contact the NSOR on or before their registration due date may result in criminal charges;
- All other NSOR conditions remain in effect during the COVID-19 pandemic (only in person-registrations are impacted).

**Other Items/General Operations****1. Leave**

- Annual Leave continues to be subject to operational requirements. This will be monitored on an on-going basis. Staff requiring leave should contact their RM well in advance to discuss;
- Updates will be provided as they become available.

**2. Mail Services:**

- Internal Mail:
  - Is continuing but anticipate a slower service due to reduced staff.
- External Mail:
  - St. Johns mail services have resumed but are limited, expect delays.
  - No update for other areas.



Government of Newfoundland and Labrador  
Department of Justice and Public Safety  
Corrections and Community Services

**Adult Probation COVID-19 Contingency Plan  
Update #4  
April 28, 2020**

Attention: All Employees of Adult Probation

We are currently experiencing unprecedented times, and information is continually changing. Adult Probation has been maintaining constant contact with our Partners and Stakeholders to ensure we remain aware of what changes are occurring in order to adjust practices accordingly.

Below you will find both an update on the status of key partners as well as an update to how Probation will adjust services based on the information and resources we have available to us. Please keep in mind that our contingency plan may have to change at any point in time to ensure we are able to complete critical duties, and can do so based on what information, services, and/or resources are currently available.

Our contingency plan will remain fluid, and will be updated whenever new direction or information is received from Justice and Public Safety, the Department of Health and Community Services, or if updated information from a key stakeholder or partner will change the way in which we will provide services.

We will continue to hold voluntary weekly conference calls for all staff every Tuesday at 11:00am. You will be advised of any upcoming mandatory conference calls. The call-in information is as follows:

Toll free dial in number: 1 855-453-6963

Conference ID: [REDACTED] s.31(1)(l)

Please keep in mind that we are currently experiencing difficulties with conference calling due to high volumes of users. You may have to attempt to connect a few times before the call successfully connects.

Please remember that despite best efforts, information is constantly changing and we may not have answers to all challenges immediately. We rely on staff to present challenges in their respective regions for resolve, and may at times rely on offices to find solutions with partners in their specific regions. Thank you all for your patience and continued efforts during this challenging time,

Take care and stay safe.

Kim, Kevin and Ashley

### Update on Probation Practices:

#### **Working from Home, and Working in an Office:**

- All staff are to continue to work from home for the time being;
- Staff at times, may have to present to the office, to court, or to an alternate location to complete duties as required;
  - This includes, but is not limited to:
    - Completing PSR duties that cannot be completed from home;
    - Completing breaches, CSO violations, or completing the issuance of subpoenas or warrants;
    - To attend to EM matters (updated below under Pilot Programs);
    - Attend court as required, or in the manner court requires.
- Staff are still permitted access to their offices to complete work related duties.
  - Should an office be informed that the building in which their office is located is closed, please advise your RM immediately.
  - Should an employee be self-isolating, or if an employee is advised by a medical professional that they are to limit contact due to existing medical conditions, please advise your RM;
  - Staff attending the office should advise their direct report that they will be on site. All efforts are to be made to limit the number of staff present at any given time, and to ensure appropriate social distancing is observed;
  - Offenders should not be seen in the office at this time, unless they are reporting to the waiting room area of the St. John's office for EMTA alterations or removals.
  -
- Staff should not use personal email addresses for work related purposes;
- Staff with a GNL laptops but no VPN capabilities are currently able to access the GNL network (instructions are attached for doing so);
- All staff are required to continue to monitor their office voicemail as well as their emails **on an hourly basis** and return calls and messages as soon as possible.
  - If you have access to email please adjust your 'out of office' email replies to indicate the following:  
*Please be advised that for precautionary measures in relation to COVID-19, our office is currently closed and I am currently working from home. Emails and voicemails will be monitored and returned as soon as possible.*  
*In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811.*  
*Thank you,*  
*(add signature information)*

For those who do not have access to email their 'out of office' should indicate the following:

*Please be advised that for precautionary measures in relation to COVID-19, our office is currently closed. During this closure my emails are not being monitored. Should you require assistance, please contact (your number) and leave a message. Voicemails will be monitored and returned as soon as possible. In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811.*

*Thank you,  
(add signature information)*

- Below is an updated voicemail message. **All APOI's will also need to please ensure that front desk messages are changed and that APOI's without email access are advised to make this change.**

*You have reached (APO/front desk) with the (office location) Regional Probation Office. For precautionary measures in relation to COVID-19, our office is currently closed and we are working from home. During this closure messages left on this voicemail will be monitored and returned as soon as possible. If you are calling for reporting purposes, messages left on this number will be recognized as your phone or office report until further notice. This voicemail will be updated to indicate office reopening when the information is available. In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811. Thank you.*

- Should you choose to activate the voicemail on your government cell phone please ensure to indicate in the message that it is not monitored regularly and indicate your landline number as the voicemail that is monitored. We do not want to encourage clients to use these cell phone numbers when our offices reopen.
- Should an employee be unavailable for hourly email and voicemail checks during regular working hours, please advise your direct report of the reason and duration of your absence.
- An updated contact list for all probation staff is attached.

### **General Supervision and Case Management Practices**

Staff are reminded that supervision and case management processes are subject to change as new information becomes available. This may result in an increase or decrease in supervision or case management expectations from update to update. There is currently no indication as to how long staff may be working from home; therefore, we need to plan and act in such a way that ensures we maintain contact with offenders, and that we uphold our duty to maintain public safety in the best way possible, with the resources available to us.

## 1. New Orders and New PSR Requisitions

- Provincial Court:
  - APOII's are no longer required to call Provincial Court to obtain copied of new orders. All new orders and PSR requisitions will be sent from Provincial Court to Kim/Kevin by email for distribution.
  - APOII's (or designate) are still required to check IPCIS daily for new sentencings and advise Kim/Kevin if new orders are not received.
  - Kim/Kevin will forward new court orders to the APOII for each office and will copy Elaine, Holly, or Rhonda for the purpose of PCOMS entry and saving a copy on the shared drive. Orders received for St. John's region will be sent to Elaine, the remainder of Central/Eastern to Holly, and Western/Labrador to Rhonda. APOII's will have to advise CTIII's who the order is to be assigned to. The APOII is responsible to inform the APOI in their office when a new order is assigned.
- Supreme Court:
  - No response received to date - will update when information is available. It should be noted that Supreme Court locations outside of St. John's are closed.

## 2. Probation Supervision

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- For the time being, voicemails will continue to be accepted as phone reports;
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards:
  - High risk will now report [REDACTED]
  - Medium risk will report [REDACTED]
  - Low risk will report [REDACTED]
  - (keep in mind that deviations in frequency of contact will still need a consult and documentation).
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards;
- Although we will accept voicemails as phone reports, APO's should continue to respond to urgent items that arise with clients;
- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. **APOII's in each region are responsible to have current email contacts for their local Detachment and CSSD office.** Due to challenges in accessing CPIC's and Offense details Static 99's are not required at this time;

- Should any new clients be assigned:
  - Acknowledgement is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
  - Consent – may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted;
  - Given the difficulty in acquiring CPIC's in some regions, the nature of the conversation to be had remotely, and limited access to PCOMS for some staff, LS/CMI's for intake (or reassessment) are not required. Any new clients will be supervised as high until an LS/CMI can be completed;
  - Reassessments – continue to supervise at the previous risk level. A consult can occur with a direct report if there have been significant changes since the previous assessment;

### 3. CSO Supervision

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- For the time being, voicemails will continue to be accepted as phone reports;
- APO's will continue to have to respond to requests for time-outs as needed;
- Curfew checks should continue as per usual standards;
- Home visits for the purpose of on-going supervision are cancelled for the time being. Home visits should be replaced with an additional phone report or curfew check. This can be at the APO's discretion, but will have to be documented;
- There may be instances where an APO determines that a home visit is necessary for supervision/public and/or victim safety (ie. Completing the community investigation for a sexual offender). In these cases, the APO is to consult their RM;
- In instances where a home visit is approved, only a Level One – Drive By will be permitted;
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards previous assessment:
  - High risk will now report: [REDACTED]
  - Medium risk will report: [REDACTED]
  - Low risk will report [REDACTED]
  - (keep in mind that deviations in frequency of contact will still need a consult and documentation).
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards;
- Although we will accept voicemails as phone reports, APO's should continue to respond to urgent items that arise with clients;

- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. **APOII's in each region are responsible to have current email contacts for their local Detachment and CSSD office.** Due to challenges in accessing CPIC's and Offense details Static 99's are not required at this time;
- Should any new clients be assigned:
  - Acknowledgement is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
  - Consent – may need to be emailed where possible to the client and returned by email;
  - Given the difficulty in acquiring CPIC's in some regions, the nature of the conversation to be had remotely, and limited access to PCOMS for some staff, LS/CMI's for intake (or reassessment) are not required. Any new clients will be supervised as high until an LS/CMI can be completed;
  - Reassessments – continue to supervise at the previous risk level. A consult can occur with a direct report if there have been significant changes since the previous assessment;
  - The initial home visit for CSO's are to be discussed with the RM. Should one be deemed necessary, only a Level One drive by will be permitted.

#### 4. New Releases

- With Court priority being given to in-custody matters, all APO's are to monitor the docket to ensure release dates have not changed for any remand or incarcerated files assigned to them;
- Release planning, wherever possible should continue to occur with Classification, and reporting instructions provided to have the initial report completed by phone, and further reporting instructions provided.

#### 5. PSR's

- With priority being given to in-custody matters, it is imperative that APO's make every effort to ensure that in-custody PSR's are completed/submitted;
- All other PSR's assigned should be completed as per the dates identified in the requisition as other "urgent" matters are proceeding and we are not notified at this point, of what those are;
- Please do not postpone the completion of a PSR in anticipation of a sentencing postponement. A backlog of PSR's can occur quite easily and we will not be requesting extensions to complete reports that were not completed when initially requested.
- Consent – may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted;
- Existing consent forms can be scanned to your P: drive so they are accessible;

- Electronic signatures are required on PSR's (instructions attached)
- **PSR's must be saved as pdf documents prior to being emailed to court to ensure that documents cannot be edited after we submit them.**
- **PSR's must be emailed in secure format using the Managed File Transfer system (instructions are attached). An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions (attached) for you to copy and paste into the initial email.**
- **Provincial Court PSR's:**
  - Provincial Court will accept PSR's without having the PSR Requisition and Informations attached.
  - All Provincial Court PSR's are to be emailed in secure format to: [virtual@provincial.court.nl.ca](mailto:virtual@provincial.court.nl.ca) We will no longer be contacting the Judge, Crown, and Defense to confirm if they are still assigned and we will not be distributing to them directly.
  - The Provincial Court dockets are now updated to reflect the 10 week postponement for all non-custody matters. For any outstanding PSR's you are required to check IPCIS appearance dates and if the matter is postponed then do not submit the PSR until 5 days prior to the new court date. You are still required to complete PSR's as they are assigned for their original due date as they may still be required on that date. During the PSR process please advise the client that if their matter is postponed then you will be calling them prior to their new court date to discuss any changes or updates that may need to be included in the PSR. If the court date has not been updated then submit the PSR on the date indicated on the requisition.
  - When submitting a Pre-Sentence Report, the subject line of your email should include the accused's name, date of birth, court date and court jurisdiction. For example:
  - PSR – JOHN DOE 1985/01/30 – APRIL 16th, 2020 – Gander
- **Supreme Court PSR's**
  - All Supreme Court PSR's are to be emailed in secure format to: [inquiries@supreme.court.nl.ca](mailto:inquiries@supreme.court.nl.ca)
  - The court will then distribute as necessary;
  - The subject line of the email is to state the Judicial Center the PSR was prepared for and the court file number.

## 6. CPIC

Please note that we are currently experiencing challenges in this regard as information between Regions has varied. **APOII's are to maintain contact with their local detachments for further updates into how a CPIC can be requested and received.**

As of today, below is the information we have been provided:

- St. John's: Request via email with "Attention CPIC" as the subject on our standard form to: [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca) Indicate your phone number in the email and request a call when ready. When picking up CPIC's call the RNC Headquarters front desk at [REDACTED] when you arrive in the parking lot and they will either unlock the door or bring them to the door for you.
- Carbonear: Request as usual, will be emailed when prepared;
- Marystown: Request as usual, will be emailed when prepared;
- Clarenville: Request as usual, will be emailed when prepared;
- Gander: Request as usual, will be emailed when prepared (may differ between detachments);
- Grand Falls: Request as usual, will be emailed when prepared;
- Corner Brook RCMP: email [Janice.pennell@rcmp-grc.gc.ca](mailto:Janice.pennell@rcmp-grc.gc.ca) with the request, it will be emailed when prepared;
- Corner Brook RNC: email either [danielreid@rnc.gov.nl.ca](mailto:danielreid@rnc.gov.nl.ca) or [patriciabarrett@rnc.gov.nl.ca](mailto:patriciabarrett@rnc.gov.nl.ca) ; include your phone # / email address and they will contact you to come pick it up in person
- Stephenville: Request by fax, will be faxed back when prepared;
- Port Saunders: Fax as usual 709-861-3140, returned by fax
- Wabush: email officer [peterkelly@rnc.gov.nl.ca](mailto:peterkelly@rnc.gov.nl.ca) , will deliver when prepared
- Happy Valley-Goose Bay: Can continue to fax/email requests, will be faxed/emailed back when prepared
- Nain: fax as usual, faxed back

s.31(1)(l)

## 7. Breach

- Given current circumstances, APO's are to exercise sound professional judgement when deciding if a breach charge is needed.
  - [REDACTED]
  - Should an APO be concerned for public safety or victim safety and believe a breach is required, APO's should plan to proceed by way of warrant.

s.31(1)(a);(c);(n)

- [REDACTED]

s.31(1)(a);(c);(n)

As of March 30, 2020, Provincial Court is operating virtually and we are now filing our breaches electronically.

- **Breach documents must be saved as pdf documents prior to being emailed to court to ensure that documents cannot be edited after we submit them.**
- **All breach packages must be emailed in secure format whenever they are being circulated to any stakeholder (instructions are attached). ). An initial email must be sent to the recipient notifying them that you will be sending them documents**

through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions (attached) for you to copy and paste into the initial email.

### **Breach of CSO**

- Complete the documentation for a breach of CSO as per policy.
- Arrange for arrest with or without warrant. **Breach documents must be emailed in secure format (instructions are attached). An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions (attached) for you to copy and paste into the initial email.**
  - RCMP – Call and then email to the appropriate RCMP detachment in your area. If you have difficulty reaching the detachment please call the RCMP Communications Centre at 709-772-5400.
  - RNC (Provincially) – Call and then email (if requested) to [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca)
- Once arrested we continue to rely on police to swear affidavits for CSO breaches outside of St. John's. Correctional Officers at The St. John's Lock Up will swear to affidavits for St. John's clients. Please see the process below under **Section 8. WASH Court** for arranging service of documents at the St. John's Lock Up.
- **APOII's in each region are to connect with the lock-ups in their area to determine if breach packages for weekday CSO violations can be served on offenders and the affidavit returned to us by email. APO's will include the affidavit in the full breach package when we send it to court. If the affidavit is not received in time, please forward the breach package to the court and indicate in the email that the affidavit will be forwarded when received from (indicate detachment).**
- **All breach packages must be emailed in secure format (instructions are attached). An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions (attached) for you to copy and paste into the initial email.**
- All breach packages from the entire province are to be submitted to: [virtual@provincial.court.nl.ca](mailto:virtual@provincial.court.nl.ca) , and to the Provincial Crown at: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) or to the Federal Crown at: [Elaine.Reid@ppsc-sppc.gc.ca](mailto:Elaine.Reid@ppsc-sppc.gc.ca)

### **Breach of Probation**

- Request certified copies of the Probation Order and Criminal Record by emailing Provincial Court at: [virtual@provincial.court.nl.ca](mailto:virtual@provincial.court.nl.ca). Request that they return the copies by email to the address specified in the email request.
- Complete your Information and sign with electronic signature (instructions attached). Below the charge, in a new paragraph, include the statement: ***All matters contained in this information are true to the best of my knowledge and belief.***

- **Warrants** – If proceeding by way of warrant you must add the additional statement in the Information, in a new paragraph below the above statement: ***I pray a warrant for the arrest of the said (enter offender name)***
  - ***We are currently unable to endorse warrants.***
- **Summons** - The court are currently asking that no summons are to be issued with a date prior to July 15, 2020. This may change, so if a decision is made to proceed by way of summons you must discuss the date with your Regional Manager.
- **Breach documents must be saved as pdf documents prior to being emailed to court to ensure that documents cannot be edited after we submit them.**
- **All breach packages must be emailed in secure format (instructions are attached). An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions (attached) for you to copy and paste into the initial email.**
- **All breach packages from the entire province are to be submitted to:**  
[virtual@provincial.court.nl.ca](mailto:virtual@provincial.court.nl.ca)
- In your email submission please be sure to clearly indicate that you need the signed documents returned to you by email as you will need to circulate the documents to the Crown, RNC/RCMP or Sheriff's office. The Court cannot circulate these documents on our behalf.
- Crown copies – Complete Breach packages including certified copies of order and record, information, and summons or warrant are to be emailed to:  
[provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) Please indicate your region in your email to allow for faster processing by the Crown.
- RCMP warrants and summons – Email to the appropriate RCMP detachment in your area. If you have difficulty reaching the detachment please call the RCMP Communications Centre at 709-772-5400.
- RNC (Provincially) warrants (or summons as applicable outside St. John's) – Email to [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca)
- St. John's Sheriff's Office summons – Please email summons to 3 parties:  
[kerrysears@gov.nl.ca](mailto:kerrysears@gov.nl.ca) ; [KatherineYates@gov.nl.ca](mailto:KatherineYates@gov.nl.ca) ; [NicholasBruce@gov.nl.ca](mailto:NicholasBruce@gov.nl.ca) . Please also include any special instructions that may be received from the court for the individual being summonsed referencing how they are appearing, and any telephone number for them to call for more information. This information can be requested when you call the St. John's Registry to determine an appropriate date for the summons.

#### 8. WASH Court (inclusive of on-call and standby)

- On-Call and Standby for WASH as well as EM will continue as scheduled. Any schedule changes will be communicated by Patricia Power and/or Renee Groves;
- At the end of the day on Friday Patricia Power will update the On-Call Voicemail at

s.31(1)(a);(l) [REDACTED] as follows:

s.31(1)(a);(l)

- You have reached [REDACTED] the breach line with Corrections and Community Services. Due to Covid 19 Corrections and Community Services has made

*adjustments to the conditional sentence breach process. On call workers continue to monitor the breach line for court purposes. Should you have a conditional sentence breach, please leave a detailed message on this line for the on call worker. In addition, we also ask that you please email a copy of the CSO as well as the event occurrence to (person on call @ gov.nl.ca) Thank you.*

- Voicemail is updated after WASH Court to Renee Groves email address.
- There will be no transportation of in custody accused to the Provincial Court from the St. John's lock up for the purposes of WASH court. Any accused will appear in WASH Court by telephone;
- **Breach packages must be emailed in secure format (instructions are attached). An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions (attached) for you to copy and paste into the initial email.**
- In the event of a St. John's breach, APO's are to call the lock up at 729-3873 or [REDACTED] s.31(1)(l) to consult with lock up staff and arrange service. APO's are to arrange to send the breach package by email to the on duty correctional officer; APO's are to include a blank affidavit and request that it be signed and returned by email to the APO once the documents are served to the offender. Please be advised that while operating at restricted capacities that service may take additional time.
- In the event of an out of town breach the police are advised on our voicemail to email their documents to us instead of faxing them. Upon contacting the police and confirming the police email address, please send them the breach package and a blank affidavit by email, requesting that they serve the offender and send the signed affidavit back to you by email for you to forward to the court.
- The Provincial Court clerk for WASH Court is Audrey Genge. All breach packages are to be emailed to her in secure format [AudreyGenge@provincial.court.nl.ca](mailto:AudreyGenge@provincial.court.nl.ca). To ensure that we have confirmation the documents are received please send the email with a "Send notification on file delivery" option that requires a check mark to be enabled; it is located just above the "Send" button. This is included in the general MFT instructions. If there is any reason that Ms. Genge is not available the on-call probation officer will be notified by probation management of the alternate contact person. As a backup plan, in the event of any difficulty connecting with Provincial Court by email for WASH Court, the WASH Court clerk will monitor messages left at 729-1539. The WASH Court clerk is on duty beginning at 8:30am. Please note that the clerk will be in the courtroom at 10:45am and cannot monitor the voicemail while court is in session. If you anticipate any delay in providing the documents prior to 10:45am please call and advise the clerk of the delay prior to that time. You may also be able to communicate with the clerk via Skype.
- Once the breach package is complete email it in secure format to the Court as above, and to the Crown Attorney's office at: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) .

s.31(1)(l)

s.31(1)(l)

## 9. Documentation

- Each APO who has a GNL laptop are to maintain documentation standards as outlined in Adult Probation Policies and Procedures;
- APO's who do not have access to a GNL laptop are to maintain written records, which will be entered in PCOMS when operations resume;
  - All documentation is to be kept confidential and secure.

### Update on Pilot Programs and Speciality Courts

#### 1. FVIC

- There will be no new participants accepted into FVIC until further notice;
- All FVIC matters have been set over for 10 weeks from their next appearance date;
- Both Bail Supervisors will continue to provide updates to the FVIC team monthly, on the first Monday of the month, commencing April 1st. In some instances an immediate update may be required;
- Updates will be provided by email;
- Bail Supervision should continue as per supervision standards outlined in FVIC Policies and Procedures, with all modes of contact being replaced with phone reports only.

#### 2. Electronic Monitoring

- As indicated in previous contingency plans, consideration was being given to those eligible for EMTA to be released as such, and all avenues of necessary health and safety requirements were being explored.
- In preparation for the operationalization of EMTAs during this pandemic, Safe Work Procedures (SWP's) were developed for the following processes:
  - Hook-up at HMP;
  - Alterations in the Probation Office;
  - Removal at HMP for EMTA Revocations;
  - Removal at an Offenders Home;
  - Removal in the Probation Office, and
  - Cleaning Practices
- Occupational Health and Safety were consulted throughout the SWP development and operationalizing process, and have approved the above noted SWP's. OH&S advised of the necessary PPE's and all PPE's have been secured. SWP's are attached.
- Removal of the EM equipment for offenders subject to EM prior to the pandemic will follow the above noted SWP's.
- Otherwise, the following remains in place:
  - On-Call and Standby will continue as scheduled;
  - Those currently subject to EM will continue to be supervised on EM.

Note: SWPs referenced above were provided in relation to JPS/2/2021.

- APO's will not place any new Probation or CSO clients on EM until further notice. This is subject to change, and updates will be provided as they become available.
- New EMTA referrals will be processed as per normal EMTA policy and procedures.

### 3. Bail Supervision

- The Bail Supervision Program remains on-hold until further notice.

### 4. Fines Repayment

- The Fines Repayment Program remains on hold until further notice.

### 5. Diversion

- Diversion referrals will cease until notified otherwise;
- Current Diversion files, where possible, can be completed and the final report emailed to the Crowns office for closure. Emails should be sent in secure format.

## Partner and Stakeholder Information

### 1. Provincial Court (Criminal Matters)

- Cases that are not in-custody matters are scheduled for 10 weeks out from the scheduled appearance. Court will adjourn the matter without the offender being present via a bench warrant with discretion;
- All in-custody matters will proceed, including:
  - Bail hearings
  - Sentencings
  - Preliminary trials and inquiries
- From Monday to Friday all communication with Provincial Court, province wide, is to go through this email only: [virtual@provincial.court.nl.ca](mailto:virtual@provincial.court.nl.ca) , **not** through telephone contact with the St. John's Registry. This email address is meant to streamline how all information is shared with all stakeholders. PSR submissions, breach packages, requests for certified copies are all to be sent to this email. It is **not** necessary to call ahead. Be sure to indicate in your email request for certified copies that you need to receive the copies by email. All Provincial Court locations will be locked.
- Provincial Court appearances are by phone/teleconference. If an APO is required to appear they will be informed of the call in numbers.

### 2. Supreme Court (Criminal Matters)

- Normal operations have been suspended. Supreme Courts outside of St. John's have closed;
- Not in custody matters are being adjourned by means of a bench warrant with discretion;

- Only the following in-custody criminal matters will be heard:
  - Bail hearings and reviews;
  - Sentencing hearings;
  - Any other matter the Court deems necessary and appropriate to hear on an urgent basis.
- Where it is not possible to obtain a signature from a person authorized to administer oaths, parties may file unsworn/unaffirmed affidavits or documents without signature. The court may require participation by telephone or videoconference to swear/affirm facts in an affidavits or other documents.

### **3. Adult Custody**

- Operations as usual, but limiting persons entering the prisons.

### **4. Sheriff's Office**

- Operations as usual.

### **5. John Howard Society**

- Staff for LRP, C-STEP and CBIP are no longer working on site and are working from home as of 03/23/20;
- They will continue individual sessions by phone;
- They will respond to messages;
- They will provide general support as needed by phone;
- They will maintain contact with Probation when there is failure to maintain contact with the offender(s);
- Howard House and West Bridge House continue to fully operate with necessary precautions in place;
- Staff continue to be available by email;
- JHS staff will email final reports and termination reports to the supervising APO via password protected documents.

### **6. Victim Services**

- All VSRC's are working from home;
- All VSRC's are monitoring email and voicemails hourly;
- Will continue to provide Victim Impact Statements and other services as necessary and able.

### **7. Crown Attorney's Office**

- Working remotely, except for necessary court related duties;
- Offices are not fully staffed and not accessible/open.

### **8. Legal Aid Offices**

- Working remotely, except for necessary court related duties;
- Offices are not fully staffed and not accessible/open.

### 9. Law Society

- Should an APO require the email address for lawyers throughout NL, The Law Society of NL website has a search engine which can be found at: <https://lsnl.memberpro.net/main/body.cfm?menu=directory&submenu=directoryPractisingMember>
- Enter the first and last name of the lawyer required, and click “search”. The email address will then be provided.

### 10. RNC

- Locations are closed for front counter access.

### 11. RCMP

- Suspended front counter services for non-emergencies;
- No indication at this stage that APO’s will not be provided access;
- Persons required to report to the RCMP are directed to call the detachments.

### 12. National Sex Offender Registry (NSOR)

- Annual in-person registrations will not be completed until further notice due to the COVID-19 pandemic;
- All offenders must call the NSOR office at 709-772-8479 or 1-866-709-6767 for further direction on or before their registration due date;
- Failure to contact the NSOR on or before their registration due date may result in criminal charges;
- All other NSOR conditions remain in effect during the COVID-19 pandemic (only in person-registrations are impacted).

### 13. DNA Orders

- The RNC are trying to reschedule as many of the DNA Order appointments as possible for everybody’s safety. If the client already has a DNA profile on the National DNA Databank then they are being rescheduled. If the client does not have a profile on the Databank and doesn’t have any symptoms of COVID-19 and hasn’t traveled, then they are executing the orders. If there are any questions regarding upcoming DNA Order appointments, Sgt. Stuckless has been identified as a contact with the RNC. She can be reached by phone at (709)729-8144.
- For questions regarding DNA Orders outside of RNC jurisdictions, contact the local RCMP detachment for local practices during COVID-19

## Other Items/General Operations

### 1. Leave

- Annual Leave continues to be subject to operational requirements. This will be monitored on an on-going basis. Staff requiring leave should contact their RM well in advance to discuss;
- Updates will be provided as they become available.

### 2. Mail Services:

- Internal Mail:
  - Is continuing but anticipate a slower service due to reduced staff.
- External Mail:
  - St. Johns mail services have resumed but are limited, expect delays.
  - No update for other areas.



Government of Newfoundland and Labrador  
Department of Justice and Public Safety  
Corrections and Community Services

**Adult Probation COVID-19 Contingency Plan  
Update #5: Return to Work  
June 29<sup>th</sup>, 2020**

**Attention:** All Employees of Adult Probation

On Thursday, June 25, the Provincial Government began increasing the number of public service employees in the physical workplace. For Probation, this resulted in Adult Probation Officer II's (APOII's) and Clerk Typist III's (CTIII's) returning to their Regional Offices on June 25<sup>th</sup>, with the remainder of staff returning to the workplace on Monday, June 29<sup>th</sup>. This is in effect for all areas where PPE was available. In areas where PPE are not yet on-site, staff will continue to work from home, but will monitor mail, and will advise their Regional Manager as soon as PPE has arrived.

Our contingency plan has been updated to reflect the return to the workplace. Below you will find both an update on the status of key partners as well as an update to how Probation will adjust services based on the information and resources we have available to us. Please keep in mind that our contingency plan may have to change at any point in time to ensure we are able to complete critical duties, and can do so based on what information, services, and/or resources are currently available.

As always, our contingency plan will remain fluid, and will be updated whenever new direction or information is received from the Department of Justice and Public Safety, the Department of Health and Community Services, or if updated information from a key stakeholder or partner will change the way in which we will provide services.

We will continue to hold mandatory bi-weekly conference calls for all staff every other Tuesday at 11:00am. Everyone has received a calendar invite for these calls. The call-in information is as follows:

Toll free dial in number: 1 855-453-6963

Conference ID: [REDACTED] -s.31(1)(l)

Please remember that despite best efforts, information is constantly changing and we may not have answers to all challenges immediately. We rely on staff to present challenges in their respective regions for resolve, and may at times rely on offices to find solutions with partners in their specific regions. Thank you all for your patience and continued efforts during this challenging time.

Take care and stay safe,

Ashley, Kim and Kevin

## Update to General Probation Practices

### Working from Home:

- As of Monday, June 29<sup>th</sup> staff are no longer permitted to work from home.
  - The only exception to the above are in the areas where PPE have not yet arrived. Staff in those areas will continue to work from home until PPE is available.
  - When PPE has arrived, the office is to contact their RM for direction on when/how to return to the office.
- Should anyone not be able to return to the workplace as a result of childcare, personal, or other matters, they are to advise their RM or CAPO immediately as anyone requiring an accommodation will have to be engaged with IDM, and the referral process started.

### Working from the Office:

- As per email directives, there is various training to be completed and information requiring review prior to, or immediately upon, returning to the workplace. The required training and information for review is as follows:
  - PAccess Modules (4 separate modules): *Returning to Work; Preparing the Workplace; Distancing and Hygiene; and Controlling Access.*
  - WHIMIS 2015
  - Pandemic Recovery Plan information and video. This can be found at: [REDACTED] s.31(1)(l)
- The information on the Pandemic Recovery Plan site is to be reviewed regularly as information is continuously changing.
- Information circulated by the Human Resource Secretariat on June 19<sup>th</sup> states that online and telephone access to services by the general public is still preferred with urgent in-person matters by appointment only.
  - As such, the Regional Probation Offices are currently not open to the general public, and the main door will remain locked.
  - A sign will be placed on the office door indicating that Service Providers are to call the main line and speak with the CTIII to determine if access is required. Those reporting to the office for supervision purposes will be directed to call their APO. (the sign for the office door is attached).
- Safe Work Procedures (SWP's) were circulated on June 24<sup>th</sup>. All staff are to remain familiar with the SWP's and are to be diligent in ensuring the health and safety of themselves and others.
- Staff are to update their voicemails to ensure the COVID based message is removed. The message to use until further notice is as follows:
  - *You have reached (APO/Front Desk) of (location) Regional Probation Office. Please be advised that (I/we) are currently on-site, however for precautionary measures, our office remains closed to the general public, and services will continue to be provided by phone and/or email. This voicemail will be updated to indicate when the office is open to the public when the information is available.*

*If you are calling for reporting purposes, please note that voicemails will no longer be accepted as phone reports, and you must speak directly with your Probation Officer.*

*In case of police or medical emergency please dial 911. The Mental Health Crisis Line is also available at 1-888-737-4668. For other health related concerns please call 811. Thank you.*

- Staff are to update their email out of office replies to ensure the COVID based reply is removed;
- All staff will check email, answer/return calls, and check voicemails as per pre-COVID practices.

### **Working from the Office: Visitors**

- If it is determined that access for an individual is required (i.e. for the delivery of mail), it is recommended that access be granted into a waiting room only, wherever possible. Where possible, the visitor will remain in the waiting area and the staff person behind the front wicket plexi-glass divider.
- Whenever a person is required to enter a Regional Probation Office, the office is responsible for communicating what SWP's are in place for social distancing and personal hygiene;
- Should it be necessary for a person to enter the office space beyond the waiting room (i.e. OCIO) the following will occur:
  - Staff will advise what SWP's are in place for social distancing and hygiene;
  - The bottle of hand sanitizer labeled "shared" will be placed in the waiting room for visitor use;
  - The visitor will be instructed to use the hand sanitizer, and then don a mask, if they are not already wearing one;
    - If the person does not have a mask, one will be provided to them;
  - The staff and the visitor will maintain social distancing measures as outlined in the SWP at all times while the visitor is within the staff areas;
  - At the conclusion of the visit, staff will escort the visitor to the waiting room where they will exit.

<b>General Supervision and Case Management Practices</b>
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Staff are reminded that supervision and case management processes are subject to change as new information becomes available. This may result in an increase or decrease in supervision or case management expectations. There is currently no indication as to when opening to the general public may occur; therefore, we need to plan and act in such a way that ensures we maintain contact with offenders, and that we uphold our duty to maintain public safety in the best way possible, with the resources available to us.

### **New Orders:**

- CTIII's in each Regional Offices will resume the entering of all orders, PSR requisitions, and the preparation of the hard copy files.
- **Provincial Court Orders:**
  - All new orders and PSR requisitions will continue to be sent from Provincial Court to Kim/Kevin by email for distribution;
  - APOII's (or designate) are still required to check IPCIS daily for new sentencings and advise Kim/Kevin if new orders are not received;
  - Kim/Kevin will forward a scanned copy of new court orders to the APOII and the CTIII for each office for the purpose of PCOMS entry and saving a copy on the shared drive. APOII's will have to advise CTIII's who the order is to be assigned to.

The APOII is responsible for informing the APOI in their office when a new order is assigned.

- **Supreme Court Orders:**
  - No response received to date - will update when information is available.

### **Intake**

- The Acknowledgement of Court Order is to be completed by phone (we will note verbal acknowledgement until the form can be signed);
- Consent may need to be emailed, where possible, to the offender and returned by email;
- The completion of LS/CMI's and Static 99's will resume. (See below for additional information).

### **New Releases:**

- APO's are to continue to monitor the docket to ensure release dates have not changed for any remand or incarcerated files assigned to them;
- Release planning, wherever possible, should continue to occur with Classification and reporting instructions are to be provided to have the initial report completed by phone, and further reporting instructions provided.

### **LS/CMI's and Static 99's:**

- LS/CMI completion will resume and will be completed as per Adult Probation Policies and Procedures. This is inclusive of completion within policy timelines.
  - LS/CMI interviews will be completed by phone;
  - In acknowledging that there will be a number of overdue LS/CMI's and LS/CMI reassessments, the following will occur:
    - If an LS/CMI could not be completed between March 17<sup>th</sup>, 2020 and June 29<sup>th</sup>, 2020 due to COVID, the APO will enter a contact note stating that this is the case;
    - Any LS/CMI's that became overdue during that period will be given a grace-period of three (3) months from June 29<sup>th</sup>. Therefore, overdue LS/CMI's for that time period will be due by September 29<sup>th</sup>.
    - For those with overdue LS/CMI's as a result of COVID, the offender will continue to be supervised as high risk until the risk assessment is completed.
- Static 99 completion will resume and will be completed as per Adult Probation Policies and Procedures. This is inclusive of completion within policy timelines.
  - Static 99 interviews will be completed by phone;
  - In acknowledging that there will be a number of overdue Static 99 the following will occur:
    - If the Static 99 could not be completed between March 17<sup>th</sup>, 2020 and June 29<sup>th</sup>, 2020 due to COVID, the APO will enter a contact note stating that this is the case;
    - Any Static 99 that became overdue during that period will be given a grace-period of three (3) months from June 29<sup>th</sup>. Therefore, overdue Static 99 for that time period will be due by September 29<sup>th</sup>.

## **Documentation**

- Documentation standards will return to those outlined in the Adult Probation Policies and Procedures.

## **Probation Supervision**

- There continues to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- Voicemails will no longer be accepted as phone reports. The offender is required to speak directly with their APO. APO's are to schedule and complete phone reports as per pre-COVID practices;
- Phone reporting will continue to replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards:
  - High risk will report [REDACTED]
  - Medium risk will report [REDACTED]
  - Low risk will report [REDACTED]
- Keep in mind that deviations in frequency of contact will still need a consult and documentation.
- APO's are to ensure that all clients have a scheduled phone appointment(s) as per the above standards, and they are to ensure the appointment is entered in PCOMS;
- APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
- A consultation on notifications for sexual offenders will still be required. APO's in each region are responsible to have current email contacts for their local Detachment and CSSD office;
- Home visits may be considered as a means of supervision for offenders on Probation. This is to assist in regaining contact with offenders who were difficult to maintain contact with due to COVID. The following is in place for home visits:
  - The rationale for the home visit will be documented in PCOMS;
  - ONLY a Level One – Drive By will be permitted. At no time should the APO have direct contact with the offender for the purposes of a home visit.

## **Conditional Sentence Supervision:**

- There is to be no direct offender contact at this time for the purposes of regular supervision (office visits);
- Voicemails will no longer be accepted as phone reports. The offender is required to speak directly with their APO. APO's are to schedule and complete phone reports as per pre-COVID practices.
- APO's will continue to respond to requests for time-outs as needed;
- Curfew checks should continue as per policy standards;
- The initial home visit for CSO's is to be completed as per policy;
  - ONLY a Level One – Drive By will be permitted at this time. At no time should the APO have direct contact with the offender for the purposes of a home visit.
- Phone reporting will replace direct and alternate modes of supervision. This means that APO's should schedule phone reports to maintain the frequency of contact that is required for monthly supervision standards previous assessment:

- High risk will report: [REDACTED]
  - Medium risk will report: [REDACTED]; [REDACTED]
  - Low risk will report [REDACTED]
- Keep in mind that deviations in frequency of contact will still need a consult and documentation
  - APO's are to ensure that all clients have a scheduled appointment(s) as per the above standards and they are to ensure the appointment is entered in PCOMS;
  - APO's are reminded that high risk, sexual offenders, and domestic offenders remain a priority and efforts should be made to maintain up to date information on these clients;
  - A consultation on notifications for sexual offenders will still be required. APO's in each region are responsible to have current email contacts for their local Detachment and CSSD office.

### **PSR's: General**

- It is imperative that PSR's assigned are completed as per the dates identified in the requisition; A backlog of PSR's can occur quite easily and we will not be requesting extensions to complete reports that were not completed when initially requested;
- Consent may need to be emailed where possible to the client and returned by email. A picture of a consent can be accepted.

### **PSR's Provincial Court**

- Provincial Court will accept PSR's without having the PSR Requisition and Informations attached.
- PSR's must be saved as pdf documents prior to being emailed to court to ensure that documents cannot be edited after we submit them.
- PSR's must be emailed in secure format using the Managed File Transfer system. An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions for you to copy and paste into the initial email.
- All Provincial Court PSR's are to be emailed in secure format to appropriate court centre. Email addresses for each court centre are as follows:
  - [stjohns@provincial.court.nl.ca](mailto:stjohns@provincial.court.nl.ca)
  - [harbourgrace@provincial.court.nl.ca](mailto:harbourgrace@provincial.court.nl.ca)
  - [grandbank@provincial.court.nl.ca](mailto:grandbank@provincial.court.nl.ca)
  - [clareville@provincial.court.nl.ca](mailto:clareville@provincial.court.nl.ca)
  - [gander@provincial.court.nl.ca](mailto:gander@provincial.court.nl.ca)
  - [grandfallswindsor@provincial.court.nl.ca](mailto:grandfallswindsor@provincial.court.nl.ca)
  - [cornerbrook@provincial.court.nl.ca](mailto:cornerbrook@provincial.court.nl.ca)
  - [stephenville@provincial.court.nl.ca](mailto:stephenville@provincial.court.nl.ca)
  - [happyvalleygoosebay@provincial.court.nl.ca](mailto:happyvalleygoosebay@provincial.court.nl.ca)
  - [wabush@provincial.court.nl.ca](mailto:wabush@provincial.court.nl.ca)
- The Provincial Court dockets are updated to reflect postponements. For any outstanding PSR's you are required to check IPCIS appearance dates and if the matter is postponed then do not submit the PSR until 5 days prior to the new court date. You are still required to

complete PSR's as they are assigned for their original due date as they may still be required on that date. During the PSR process, please advise the client that if their matter is postponed then you will be calling them prior to their new court date to discuss any changes or updates that may need to be included in the PSR. If the court date has not been updated then submit the PSR on the date indicated on the requisition.

- When submitting a Pre-Sentence Report, the subject line of your email should include the accused's name, date of birth, court date and court jurisdiction. For example:
- PSR – JOHN DOE 1985/01/30 – APRIL 16th, 2020 – Gander

### **PSR's Supreme Court**

- The original, plus two copies, of all PSR's will either have to be mailed to Supreme Court, or placed in their drop boxes;
- If you cannot access a drop box you will have to mail your PSR in;
- Please refer to the following should you use the mail in option:
  - Given that the delivery times for mail may be unpredictable, please ensure you mail your PSR in at least one week prior to the due date to ensure it arrives in time.
  - Fax a copy of the PSR to Supreme Court when you are mailing the original. This is used as an added measure to ensure that a copy of the PSR is available should the mail be delayed. The fax cover page should state that all hard copies have been mailed.
  - The court will distribute as necessary when received.

### **CPIC**

Please note that we have experienced some challenges in this regard as information between Regions has varied. APOII's are to maintain contact with their local detachments for further updates into how a CPIC can be requested and received.

The below information remains in place:

- St. John's: Request via email with "Attention CPIC" as the subject on our standard form to: [RNCIMD@rc.gov.nl.ca](mailto:RNCIMD@rc.gov.nl.ca) Indicate your phone number in the email and request a call when ready. When picking up CPIC's call the RNC Headquarters front desk at [REDACTED] when you arrive in the parking lot and they will either unlock the door or bring them to the door for you.
- Carbonear: Request as usual, will be emailed when prepared;
- Marystown: Request as usual, will be emailed when prepared;
- Clarenville: Request as usual, will be emailed when prepared;
- Gander: Request as usual, will be emailed when prepared (may differ between detachments);
- Grand Falls: Request as usual, will be emailed when prepared;
- Corner Brook RCMP: email [Janice.pennell@rcmp-grc.gc.ca](mailto:Janice.pennell@rcmp-grc.gc.ca) with the request, it will be emailed when prepared;
- Corner Brook RNC: email either [danielreid@rc.gov.nl.ca](mailto:danielreid@rc.gov.nl.ca) or [patriciabarrett@rc.gov.nl.ca](mailto:patriciabarrett@rc.gov.nl.ca) ; include your phone # / email address and they will contact you to come pick it up in person
- Stephenville: Request by fax, will be faxed back when prepared;
- Port Saunders: Fax as usual 709-861-3140, returned by fax
- Wabush: email officer [peterkelly@rc.gov.nl.ca](mailto:peterkelly@rc.gov.nl.ca) , will deliver when prepared
- Happy Valley-Goose Bay: Can continue to fax/email requests, will be faxed/emailed back when prepared

s.31(1)(l)

- Nain: fax as usual, faxed back

### **Breach: General**

- We will continue to file our breaches electronically as follows:
  - Breach documents must be saved as pdf documents prior to being emailed to court to ensure that documents cannot be edited after we submit them;
  - All breach packages must be emailed in secure format whenever they are being circulated to any stakeholder. An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions for you to copy and paste into the initial email.

### **Breach of Probation**

- Request certified copies of the Probation Order and Criminal Record by emailing the appropriate court centre. Request that they return the copies by email to the address specified in the email request (court email addresses are listed above in the PSR section);
- Complete your Information and sign with electronic signature. Below the charge, in a new paragraph, include the statement: *All matters contained in this information are true to the best of my knowledge and belief.*
- **Warrants** – If proceeding by way of warrant you must add the additional statement in the Information, in a new paragraph below the above statement: *I pray a warrant for the arrest of the said (enter offender name).*
  - A consultation must occur with your Regional Manager regarding whether or not we will request the endorsement of a warrant.
- **Summons** – Prior to issuing a summons the APOII for each office is responsible for connecting with their individual court centre to discuss the date for the court appearance.
- Breach documents must be saved as pdf documents prior to being emailed to court to ensure that documents cannot be edited after we submit them.
- All breach packages must be emailed in secure format. An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions for you to copy and paste into the initial email.
- All breach packages are to be submitted to the appropriate court centre at the previously noted email addresses;
- In your email submission please be sure to clearly indicate that you need the signed documents returned to you by email as you will need to circulate the documents to the Crown, RNC/RCMP or Sheriff's office. The Court cannot circulate these documents on our behalf.
- Crown copies – Complete Breach packages including certified copies of order and record, information, and summons or warrant are to be emailed to: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) Please indicate your region in your email to allow for faster processing by the Crown.
- RCMP warrants and summons – Email to the appropriate RCMP detachment in your area. If you have difficulty reaching the detachment please call the RCMP Communications Centre at 709-772-5400.

- RNC (Provincially) warrants (or summons as applicable outside St. John's) – Email to [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca)
- St. John's Sheriff's Office summons – Please email summons to 3 parties: [kerrysears@gov.nl.ca](mailto:kerrysears@gov.nl.ca); [KatherineYates@gov.nl.ca](mailto:KatherineYates@gov.nl.ca); and [NicholasBruce@gov.nl.ca](mailto:NicholasBruce@gov.nl.ca). Please also include any special instructions that may be received from the court for the individual being summonsed referencing how they are appearing, and any telephone number for them to call for more information. This information can be requested when you call the St. John's Registry to determine an appropriate date for the summons.

### **Breach of CSO**

- Complete the documentation for a breach of CSO as per policy;
- Arrange for arrest with or without warrant. Breach documents must be emailed in secure format. An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions for you to copy and paste into the initial email;
- RCMP – Call and then email the appropriate RCMP detachment in your area. If you have difficulty reaching the detachment please call the RCMP Communications Centre at 709-772-5400;
- RNC (Provincially) – Call and then email (if requested) to [RNCIMD@rnc.gov.nl.ca](mailto:RNCIMD@rnc.gov.nl.ca)
- Once arrested we continue to rely on police to swear affidavits for CSO breaches outside of St. John's. Correctional Officers at The St. John's Lock Up will swear to affidavits for St. John's clients. Please see the process in the WASH Court Section below for arranging service of documents at the St. John's Lock Up. APO's are to request that a copy of the signed affidavit be returned to them via email upon signing;
- APO's will include the affidavit in the full breach package when we send it to court. If the affidavit is not received in time, please forward the breach package to the court and indicate in the email that the affidavit will be forwarded when received from (indicate detachment);
- All breach packages must be emailed in secure format. An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions for you to copy and paste into the initial email.
- All breach packages from the entire province are to be submitted to the appropriate court centre at the previously noted email addresses, and to the Provincial Crown at: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) or to the Federal Crown at: [Elaine.Reid@ppsc-sppc.gc.ca](mailto:Elaine.Reid@ppsc-sppc.gc.ca)

### **Court Appearances**

- Prior to attending a court center, staff are to review the following:
  - Supreme Court: Guidelines for Reopening: <https://court.nl.ca/supreme/covid-19-information.html>
  - Provincial Court: Operational Plan: [https://court.nl.ca/provincial/Revised-COVID-19\\_Operational\\_Plan-Issued\\_June12-Provincial-Court.pdf](https://court.nl.ca/provincial/Revised-COVID-19_Operational_Plan-Issued_June12-Provincial-Court.pdf)
- **Appearances With a Subpoena (Provincial Court)**

All information redacted on this page under s.31(1)(a);(l)

- If you are subpoenaed to appear in court you will be advised if you are required to appear virtually or in person. If you are required to report in person you should advise the Sheriff's Officer at the court and follow their direction.
- **Appearances Without a Subpoena (Provincial Court)**
  - We will not attend a court appearance without a subpoena unless prior arrangements are made as you may not be able to get into the courtroom if numbers are already at capacity. Contact your court centre in advance.

### WASH Court (inclusive of On-Call and Standby)

- On-Call and Standby for WASH as well as EM will continue as scheduled. Any schedule changes will be communicated by Patricia Power and/or Renee Groves;
- At the end of the day on Friday Patricia Power will update the On-Call Voicemail at [REDACTED] as follows:
  - *You have reached [REDACTED] the breach line with Corrections and Community Services. Due to COVID 19 Corrections and Community Services has made adjustments to the conditional sentence breach process. On call workers continue to monitor the breach line for court purposes. Should you have a conditional sentence breach, please leave a detailed message on this line for the on call worker. In addition, we also ask that you please email a copy of the CSO as well as the event occurrence to (person on call @ gov.nl.ca). Thank you.*
  - Voicemail is updated after WASH Court to Renee Groves email address;
- There will be no transportation of in custody accused to the Provincial Court from the St. John's lock up for the purposes of WASH court. Any accused will appear in WASH Court by telephone;
- Breach packages must be emailed in secure format. An initial email must be sent to the recipient notifying them that you will be sending them documents through a secure MFT link/email, as well as providing them with the receiving instructions. You will find the receiving instructions listed in the general MFT instructions for you to copy and paste into the initial email;
- In the event of a St. John's breach, APO's are to call the lock up at 729-3873 or [REDACTED] to consult with lock up staff and arrange service. APO's are to arrange to send the breach package by email to the on duty correctional officer; APO's are to include a blank affidavit and request that it be signed and returned by email to the APO once the documents are served to the offender. Please be advised that while operating at restricted capacities that service may take additional time;
- In the event of an out of town breach the police are advised on our voicemail to email their documents to us instead of faxing them. Upon contacting the police and confirming the police email address, please send them the breach package and a blank affidavit by email, requesting that they serve the offender and send the signed affidavit back to you by email for you to forward to the court;
- The Provincial Court clerk for WASH Court is Audrey Genge. All breach packages are to be emailed to her in secure format [AudreyGenge@provincial.court.nl.ca](mailto:AudreyGenge@provincial.court.nl.ca). To ensure that we have confirmation the documents are received please send the email with a "Send notification on file delivery" option that requires a check mark to be enabled; it is located just above the "Send" button. This is included in the general MFT instructions. If there is any reason that Ms. Genge is not available the on-call probation officer will be notified by probation management of the alternate contact person. As a backup plan, in the event of any difficulty connecting with Provincial Court by email for WASH Court, the WASH Court clerk will monitor messages left at 729-1539. The WASH Court clerk is on duty beginning at

s.31(1)(l)

8:30am. Please note that the clerk will be in the courtroom at 10:45am and cannot monitor the voicemail while court is in session. If you anticipate any delay in providing the documents prior to 10:45am please call and advise the clerk of the delay prior to that time. You may also be able to communicate with the clerk via Skype;

- Once the breach package is complete, email it in secure format to the Court as above, and to the Crown Attorney's office at: [provcrownwash@gov.nl.ca](mailto:provcrownwash@gov.nl.ca) .

### **Status of Pilot Programs and Speciality Courts**

All speciality Courts are fully reinstated.

#### **Family Violence Intervention Court (FVIC)**

- The court will notify if appearances are required virtually or in person;
- Bail Supervision for FVIC should continue as per supervision standards outlined in FVIC Policies and Procedures, with all modes of contact being replaced with phone reports only.

#### **Electronic Monitoring**

- SWP's have been developed and implemented for EMTA's in the St. John's Region;
- SWP's have been developed and have OHS approval for the resumption of EM in St. John's and Happy-Valley Goose Bay. These are awaiting final sign off and will be distributed once this occurs;
  - Prior to resuming EM the APOII;PC will hold a call with staff in each Region completing EM duties to ensure there is an opportunity to review and seek any needed clarification on the SWP's.
- SWP's for Wabush and Nain will be developed in the coming weeks;
- The following remains in place:
  - On-call and standby will continue as scheduled;
  - Those currently subject to EM will continue on EM;
  - APO's will not place any new Probation or CSO clients on EM until the SWP's are in place and reviewed;
  - New EMTA referrals will be processed as per the normal EMTA policies and procedures.

#### **Bail Supervision**

- Remains on hold until further notice.

#### **Fines Repayment**

- Remains on hold until further notice;
- It is of note that this may commence when the appropriate community resources are in place and operational.

#### **Diversions**

- Remains on hold until further notice;
- Should a new referral be received, please advise your RM;

- It is of note that this program will recommence when the appropriate community resources are available;
- Current Diversion files, where possible, are to be completed and the final report emailed to the Crowns office for closure. Final reports should be sent in secure format;
- Currently, any existing files that did not have a contract in place can be completed remotely. The Crown will accept an email from the APO confirming that the accused has entered into the contract.

## Partner and Stakeholder Information

### **Provincial Court**

- Effective June 29, 2020 the Provincial Court of Newfoundland and Labrador will expand Court operations. However, access to the Court will be restricted to those persons who are participants in the proceedings before it. These will include counsel, parties, witnesses, victims, support workers, probation officers, victim services workers, parents of a young person, members of the media and any person authorized in advance by a Judge. The presiding Judge may limit access to the courtroom.
- Front counter service may be restricted in some areas.
- All matters will proceed as scheduled unless otherwise notified. For matters which were rescheduled due to the pandemic, please refer to the Provincial Court Docket at <https://docket.court.nl.ca/>.
- For in-custody accused: Arraignments, judicial interim release (bail) hearings and sentencings will be conducted using audio and video technology unless otherwise directed by the Judge. The Accused will attend their trials or preliminary inquiries in-person unless otherwise ordered by a Judge.
- For those accused not in-custody: they are scheduled to appear in Court (first appearance, trial, preliminary inquiry sentencing hearing or other hearing, or to vary an existing order), and they are not represented by counsel, they must appear in Court on their scheduled date. For matters which were rescheduled due to the pandemic, please refer to the Provincial Court Docket at <https://docket.court.nl.ca/>;
- Travel to most Court circuits remains suspended until further notice. Where exceptions apply, the parties will be notified accordingly. Any party, upon application, can request a case conference for any outstanding matter on the Court circuit docket;
- Current WASH court procedures remain unchanged. The general public will not be permitted to attend. All parties, including the Accused, will appear by audio or video technology;
- Drug Treatment Court, Mental Health Court, and Family Violence Intervention Court will be fully reinstated. Audio and video technology including virtual court may be used where practicable.
- Commencing July 2, 2020, Plea Day (normally held in Courtroom #5), will be heard on the 3rd floor of the Beothuck Building, located at 20 Crosbie Place, St. John's, for mornings only. Afternoon appearances scheduled in Courtroom #5 will occur in Courtroom #5 in Atlantic Place.
- You will be asked screening questions before entering the Court house. Masks must be worn in the Court (the Court will provide a mask if necessary). Sanitizer will be available and all staff are to follow any social distancing measures in place. In addition to the requirement of wearing a mask, stakeholders are expected to sanitize spaces they touch, before and after use, inside the courtroom and counsel/interview rooms.

- Please refer to the recent updates from the Provincial Court for more information (Notice to the Profession and the general public revised COVID-19 Operational Plan issued June 12<sup>th</sup>, 2020; The Provincial Court’s media releases “Return to Business Operational Plan” and “What you need to know before coming to Court” issued on June 27<sup>th</sup>, 2020)
  - [https://court.nl.ca/provincial/Revised-COVID-19\\_Operational\\_Plan-Issued\\_June12-Provincial-Court.pdf](https://court.nl.ca/provincial/Revised-COVID-19_Operational_Plan-Issued_June12-Provincial-Court.pdf)
  - [https://court.nl.ca/provincial/Need to Know Coming to Provincial Court June 27 2020.pdf](https://court.nl.ca/provincial/Need_to_Know_Coming_to_Provincial_Court_June_27_2020.pdf)

### **Supreme Court**

- Registries re-open to the public – August 3, 2020
- Trials (judge alone/jury) resume – September 14, 2020
- In-person appearances may resume – July 2, 2020
- Visitors will be asked COVID-19 screening questions before being permitted to enter the Court
- Court attendees will be required to wear masks and gloves in all areas where the two-metre physical distancing cannot be maintained, for instance, at the security screening station. The Court will supply masks and gloves to court attendees. Persons wishing to wear their own mask will be encouraged to do so.
- Court staff members and court users must be provided access to sanitary wipes or disinfectant sprays where possible, so they can wipe down surfaces before and after use, including chairs, desks, tables, keyboards, kitchen surfaces (fridges, microwaves, taps, countertops), and washroom surfaces (toilet seat, taps, countertops). Wipes, hand sanitizer, gloves and masks will be provided at appropriate locations in and outside of the courtroom to ensure they are available for use as required.
- Effective June 8, 2020, the Supreme Court returned to its normal process for filing court documents. That means the Court will no longer accept emailed documents for filing; counsel and parties will be expected to file paper copies of documents with the Court by mail or in person (whether that be by dropping the documents in one of the drop-boxes located at all Judicial Centres or at the registry counter when they re-open).
- The Court is seeking to return to in-person proceedings as soon as possible. While the Court will endeavor to return to in-person hearings in most centres as of July 2, 2020, remote appearances will still be preferred;
- The Supreme Court has issued a Notice to the Profession and General Public indicating that jury trials will be postponed until at least September 2020.
- Please refer to the recent update from the Supreme Court for more information: Supreme Court of NL “Guidelines for Reopening” issued on June 23<sup>rd</sup>, 2020  
<https://court.nl.ca/supreme/pdf/2020%2006%2023%20-%20Supreme%20Court%20of%20NL%20Guidelines%20to%20Re-opening.pdf>

### **Adult Custody**

- Operations as usual, but limiting persons entering the prisons.

### **Sheriff’s Office**

- Operations as usual.

### **John Howard Society**

- Currently in-office 3 days per week, and working remotely for 2 days per week. Will be transitioning to full time in-office in the coming weeks;
- Currently not completing group programming. All programming is being completed on an individual basis;
  - Participants are being advised to make appointments in advance rather than drop-in;
- APO's are to continue to make referrals to JHS where appropriate;
- Howard House and West Bridge House are fully operational.

### **Victim Services**

- VSRC's are on-site, but offices are not open to the general public.

### **Crown Attorney's Office**

- Have reopened, meetings by appointment only.

### **Legal Aid Offices**

- Gradually reopening. No in person meetings, but continuing to accept applications.

### **National Sex Offender Registry (NSOR)**

- Annual in-person registrations will not be completed until further notice due to the COVID-19 pandemic;
- All offenders must call the NSOR office at 709-772-8479 or 1-866-709-6767 for further direction on or before their registration due date;
- Failure to contact the NSOR on or before their registration due date may result in criminal charges;
- All other NSOR conditions remain in effect during the COVID-19 pandemic (only in person-registrations are impacted).

### **DNA Orders**

- The RNC are trying to reschedule as many of the DNA Order appointments as possible for everybody's safety. If the client already has a DNA profile on the National DNA Databank then they are being rescheduled. If the client does not have a profile on the Databank and doesn't have any symptoms of COVID-19 and hasn't traveled, then they are executing the orders. If there are any questions regarding upcoming DNA Order appointments, Sgt. Stuckless has been identified as a contact with the RNC. She can be reached by phone at (709)729-8144.
- For questions regarding DNA Orders outside of RNC jurisdictions, contact the local RCMP detachment for local practices during COVID-19

<b>Other Items/General Operations</b>
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### **Accommodations: When/If a Person Cannot Return to Work:**

- Should a staff require an accommodation, the following is in place:

- Staff will have to request an accommodation with the RM/CAPO. This request will be forwarded to IDM;
- For medical accommodations: IDM will follow up with the individuals Medical Doctor to assess whether or not a return to work is possible;
- For childcare/family accommodations: IDM will advise on what documentation is required in order to assess whether or not a return to work is possible;
- In any event, if a person cannot report to work while the accommodation is being assessed, they are required to use leave.

### **Leave: General**

- Requests for annual will return to pre-COVID practices. As a reminder:
  - Annual leave must be approved by the direct report prior to the leave being taken;
  - APOII's will return to the practice of emailing the weekly leave requests/approvals to their RM each Friday.

### **Sick Leave: General**

- As per usual practice, all staff are to inform their direct report of SL as soon as it is known that they will not be able to report to work due to illness.

### **Sick Leave: COVID and SWP related**

- All GNL employees are directed to not report to work if they are feeling ill. You are to return home if you become ill during the workday;
  - Any person who cannot report to work due to illness is required to use leave.
- If a person is returning home due to illness that they suspect may be COVID related they are to immediately inform their RM or CAPO;
- Individuals experiencing COVID like symptoms are advised to call 811 and follow the direction of the Health Authority;
  - The staff person is to advise the RM/CAPO should they be required to self isolate;
  - If a staff is being tested for COVID they are to advise their RM/CAPO.

### **Sending/Receiving Mail**

- Internal and external mail services are available.

