

June 24, 2021

Justin Piche

Dear Justin Piche:

Re: You are entitled to the information you requested - 2021-00959-JUS

Justice received your application for access to information under the *Freedom of Information and Protection of Privacy Act* on May 11, 2021.

In your application, you requested a copy of the following records:

*Requesting all memorandums, briefing notes, information notes and powerpoint decks held by the Deputy Minister outlining labour and workplace safety recommendations concerning the prevention and treatment of COVID-19 inside provincial correctional institutions in Nova Scotia.
(Date Range for Record Search: From 3/1/2020 To 4/30/2021)*

Responsive records have been located and are attached.

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

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

If you have any questions, you may contact me at 902-424-8472 or Robert.Bay@novascotia.ca.

Yours truly,



Robert Bay, CIPP/C
IAP Administrator / Team Lead

Attach

BRIEFING NOTE
Department of Justice

ISSUE: Correctional Services Response to COVID-19

KEY MESSAGES:

- Due to the unique and unprecedented challenges presented by the COVID-19 pandemic, Correctional Services was required to implement restrictive measures to prevent the potential introduction and/or spread of the virus into custodial facilities.
- Correctional Services had the benefit of Dr. Lisa Barrett (Infectious Diseases) and Public Health to ensure that the facilities were implementing the appropriate processes to reduce the risk of significant impact of COVID-19 on the staff and inmates.

CURRENT STATUS:

- A subcommittee for COVID-19 Planning and Response in Correctional Facilities/East Coast Forensic Hospital/Inmate Health was convened on Thursday, March 12, 2020, and has met several times a week since that time. The initial mandate of the group was to establish processes for infection control, case identification, and management in provincial correctional settings. The Chief Judge of the Provincial Courts, Pamela Williams, is an ex-officio member of the subcommittee.
- All safeguards, protective processes, and procedures necessitated by the pandemic are being maintained until discussions with Public Health experts indicate changes are warranted.
- In consultation with and under the direction of the Public Health experts, to prevent the introduction of the virus from outside/the community into the facilities, Correctional Services:
 - suspended all external visitors (personal, professional, and volunteers)
 - initiated a COVID-19 screening tool upon admission for all inmates
 - placed Intermittent Sentence inmates on temporary absence
 - all sentenced inmates within the last 30 days of their sentence were assessed for temporary absence and some released
 - began a flu shot process for all inmates and staff
 - all cells were single bunk capacity- no double bunking
 - instituted a single-entry system and screening process for staff
 - updated signage content and placement to be consistent with direction from Public Health
 - communicated ongoing up to date healthcare information to staff and inmates
 - ensured proper PPE was available to staff
 - increased inmate telephone access to communicate with loved ones and families; and provided video conferencing/visitation for inmates
 - direct supervision units had staff placed just outside the unit door to reduce the risk of potential for staff to transmit to inmates
 - a Director was deployed to our largest facility and our Chief Superintendent to another facility to support communication and operations
 - Department of Labour re-deployed a professional to assist management and staff in areas of occupational health and safety

- all Court proceedings were conducted by video
- in person appearances resumed June 8, 2020
- Correctional Services supported Court operations specifically related to reviewing all remanded population. Bail releases were issued, custody counts lowered and maintained by about 50 per cent of that prior to the pandemic.
- There was one positive COVID-19 case in the Central Nova Scotia Correctional Facility. This inmate has since recovered, and no other inmates or staff tested positive for the virus.
- Due to correctional facilities staff and inmate population being deemed high risk, and as such testing of inmates was a priority, currently all new admissions are tested for COVID.
- A risk assessment process is being developed in consultation with Dr. Lisa Barrett to plan for reducing restrictions and re-instituting such activities as programs and visitation. This plan will address the risks and provide safety to staff and inmates and will be implemented under the direction of Dr. Barrett.

BACKGROUND:

- Correctional Services has a contingency policy for dealing with pandemics but would have limited experience with such an event; the assistance of Public Health and Infection Control are significant contributors to risk management.
- Staff attendance, while often a challenge in Correctional Services, was at an all time high during the pandemic.

RECOMMENDATION/ADVICE (if appropriate):

- For your information

CONFIDENTIAL - INTERGOVERNMENTAL DISCUSSIONS

PREPARED BY: John Scoville, Director, Correctional Services – 902 424 0458
DATE: June 9, 2020
CONTACT: Chris Collett, Executive Director, Correctional Services – 902 424 6278

BRIEFING NOTE
Department of Justice

ISSUE: Correctional Facilities Counts pre- COVID-19 to today

KEY MESSAGES:

- Due to the unique and unprecedented challenges presented by the COVID-19 pandemic, Correctional Services was required to reduce facility counts to eliminate our past practice of “double bunking” and to implement COVID-19 protocols as directed by Public Health.
- Correctional Services had the benefit of Dr. Lisa Barrett (Infectious Diseases) and Public Health guidance to ensure that the facilities were implementing the appropriate processes to reduce the risk of significant impact of COVID-19 on staff and inmates.

COUNT STATUS:

- Correctional Services pre-COVID-19 counts, at the start of the pandemic, presented challenges which had a huge impact on facility operations. In consultation with Public Health and our Justice partners, the number of people in custody was reduced to a level that increased the safety of inmates and staff. Actions taken:
- All eligible inmates were considered for Temporary Absence, which resulted in many inmates being released from custody into the community.
- 34 inmates who were within 10-30 days from the completion of their sentence were released between March to the present. They were released to their own homes or appropriate housing. Extensive work was conducted, in consultation with community partner organizations, to achieve this result.
- 84 people serving Intermittent Sentences were released on Temporary Absence.
- In partnership with the judiciary, the implementation of a weekend Bail Court facilitated many releases from custody. This extra court process assisted in reducing the number of remanded inmates in the facility.
- Multiple working groups were formed to provide guidance and assist with managing the Correctional Facilities during the pandemic. The membership of these groups included: Public Health, the judiciary, crown prosecutors, legal aid lawyers, and correctional services.
- A subcommittee for COVID-19 Planning and Response in Correctional Facilities/East Coast Forensic Hospital/Inmate Health was convened on Thursday, March 12, 2020, and has met several times a week since that time. The initial mandate of the group was to establish processes for infection control, case

identification, and management in provincial correctional settings. Chief Judge of the Provincial Courts, Pamela Williams, is an ex-officio member of the subcommittee.

- Persons in Custody Working Group, comprised of members of Public Health, the judiciary, crown prosecutors, legal aid lawyers, and Correctional Services, continue to work to determine options to reduce facility counts.
- Correctional Services supported Court operations specifically through reviewing the total remanded population. Bail releases were issued, custody counts lowered, and maintained by about 50 per cent of what existed prior to the pandemic. To facilitate this required increasing the number of staff given Commissioner of Oath status.
- Correctional Services continues to address the issue through: Bi-weekly meetings of the In Custody group, sentenced inmates released on Temporary Absences through the case management process, weekly meetings with Public Health (Dr. L. Barrett and Dr. R. Sommers), and ongoing communication between Correctional Services and Public Prosecution Service, NS Legal Aid, and Chief Judge P. Williams.
- Intermittent sentences are assessed for release based on risk. Currently we have only 4 intermittents reporting; we have several inmates on I/S for sexual and domestic related offences.

BACKGROUND:

- At the beginning of the pandemic, provincial facility counts were 456. Due to the work conducted by the above noted working groups, and others, the initial actions taken resulted in the lowest provincial count of 245.
- As provincial COVID-19 cases began decreasing, an increase in our facility counts rose to a high of 341. This has created increased pressures on the facilities, while maintaining Public Health protocols.
- Currently two (2) of our facilities' counts have increased to the point where we have been very close to returning to "double bunking", particularly with newly admitted inmates who need to be isolated pending results of their "swabbing" (testing).

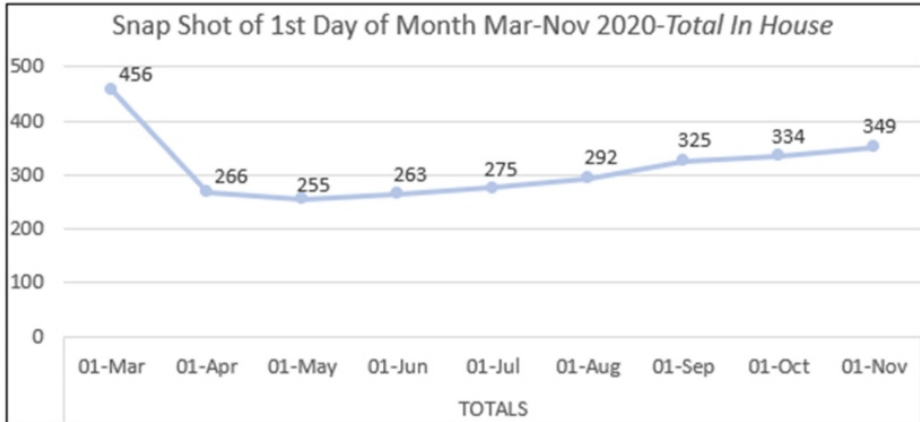
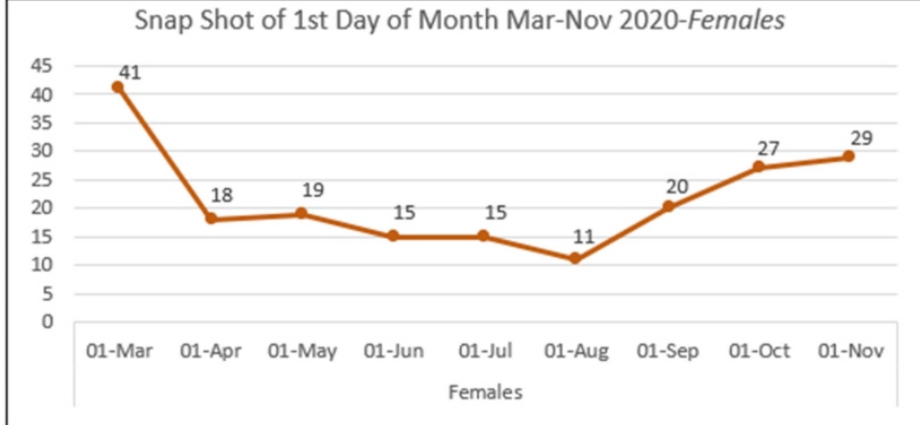
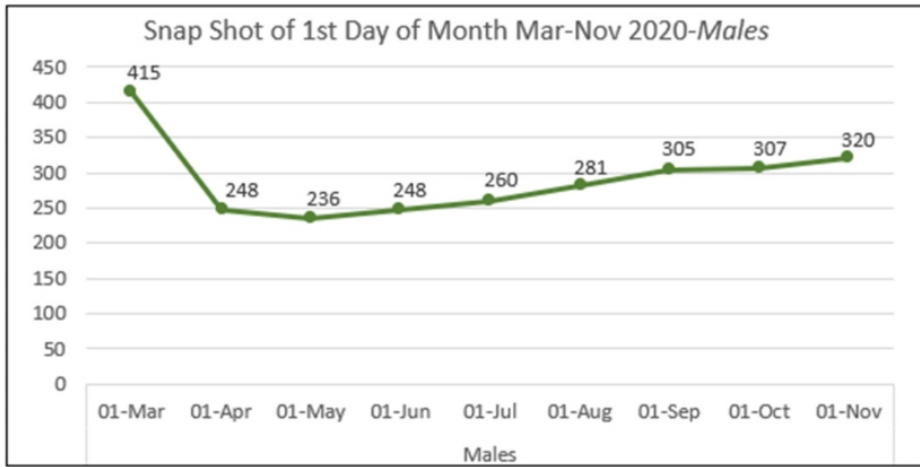
RECOMMENDATION/ADVICE (if appropriate):

- For your information

CONFIDENTIAL - INTERGOVERNMENTAL DISCUSSIONS

PREPARED BY: John Scoville, Director, Correctional Services – 902 424 0458
DATE: November 16, 2020
CONTACT: Chris Collett, Executive Director, Correctional Services – 902 424 6278

March - November 2020					
1st Day of Each Month					
	Month	Remanded ONLY	Sentenced ONLY	Other	IN HOUSE Males
Males	01-Mar	258	90	67	415
	01-Apr	155	71	22	248
	01-May	168	51	17	236
	01-Jun	186	44	18	248
	01-Jul	200	41	19	260
	01-Aug	223	37	21	281
	01-Sep	243	29	33	305
	01-Oct	244	35	28	307
	01-Nov	247	42	31	320
		Month	Remanded ONLY	Sentenced ONLY	Other
Females	01-Mar	32	3	6	41
	01-Apr	14	4	0	18
	01-May	14	4	1	19
	01-Jun	13	2	0	15
	01-Jul	14	1	0	15
	01-Aug	10	1	0	11
	01-Sep	18	2	0	20
	01-Oct	21	6	0	27
	01-Nov	26	2	1	29
		Month	Remanded ONLY	Sentenced ONLY	Other
TOTALS	01-Mar	290	93	73	456
	01-Apr	169	75	22	266
	01-May	182	55	18	255
	01-Jun	199	46	18	263
	01-Jul	214	42	19	275
	01-Aug	233	38	21	292
	01-Sep	261	31	33	325
	01-Oct	265	41	28	334
	01-Nov	273	44	32	349



BRIEFING NOTE
Department of Justice

ISSUE: Correctional Facilities Counts pre- COVID-19 to today

KEY MESSAGES:

- Due to the unique and unprecedented challenges presented by the COVID-19 pandemic, Correctional Services was required to reduce facility counts to eliminate our past practice of “double bunking” and to implement COVID-19 protocols as directed by Public Health.
- Correctional Services had the benefit of Dr. Lisa Barrett (Infectious Diseases) and Public Health guidance to ensure that the facilities were implementing the appropriate processes to reduce the risk of significant impact of COVID-19 on staff and inmates.

COUNT STATUS:

- Correctional Services pre-COVID-19 counts, at the start of the pandemic, presented challenges which had a huge impact on facility operations. In consultation with Public Health and our Justice partners, the number of people in custody was reduced to a level that increased the safety of inmates and staff. Actions taken:
- All eligible inmates were considered for Temporary Absence, which resulted in many inmates being released from custody into the community.
- 41 inmates who were within 10-30 days from the completion of their sentence were released between March to the present. They were released to their own homes or appropriate housing. Extensive work was conducted, in consultation with community partner organizations, to achieve this result.
- 105 people serving Intermittent Sentences were released on Temporary Absence.
- In partnership with the judiciary, the implementation of a weekend Bail Court facilitated many releases from custody. This extra court process assisted in reducing the number of remanded inmates in the facility.
- Multiple working groups were formed to provide guidance and assist with managing the Correctional Facilities during the pandemic. The membership of these groups included: Public Health, the judiciary, crown prosecutors, legal aid lawyers, and correctional services.
- A subcommittee for COVID-19 Planning and Response in Correctional Facilities/East Coast Forensic Hospital/Inmate Health was convened on Thursday, March 12, 2020, and has met several times a week since that time. The initial mandate of the group was to establish processes for infection control, case

identification, and management in provincial correctional settings. Chief Judge of the Provincial Courts, Pamela Williams, is an ex-officio member of the subcommittee.

- Persons in Custody Working Group, comprised of members of Public Health, the judiciary, crown prosecutors, legal aid lawyers, and Correctional Services, continue to work to determine options to reduce facility counts.
- Correctional Services supported Court operations specifically through reviewing the total remanded population. Bail releases were issued, custody counts lowered, and maintained by about 50 per cent of what existed prior to the pandemic. To facilitate this required increasing the number of staff given Commissioner of Oath status.
- Correctional Services continues to address the issue through: Bi-weekly meetings of the In Custody group, sentenced inmates released on Temporary Absences through the case management process, weekly meetings with Public Health (Dr. L. Barrett and Dr. R. Sommers), and ongoing communication between Correctional Services and Public Prosecution Service, NS Legal Aid, and Chief Judge P. Williams.
- Intermittent sentences are assessed for release based on risk. Currently we have only 4 intermittents reporting; we have several inmates on I/S for sexual and domestic related offences.

BACKGROUND:

- At the beginning of the pandemic, provincial facility counts were 456. Due to the work conducted by the above noted working groups, and others, the initial actions taken resulted in the lowest provincial count of 245.
- As provincial COVID-19 cases began decreasing, an increase in our facility counts rose to a high of 341. This has created increased pressures on the facilities, while maintaining Public Health protocols.
- Currently two (2) of our facilities' counts have increased to the point where we have been very close to returning to "double bunking", particularly with newly admitted inmates who need to be isolated pending results of their "swabbing" (testing).

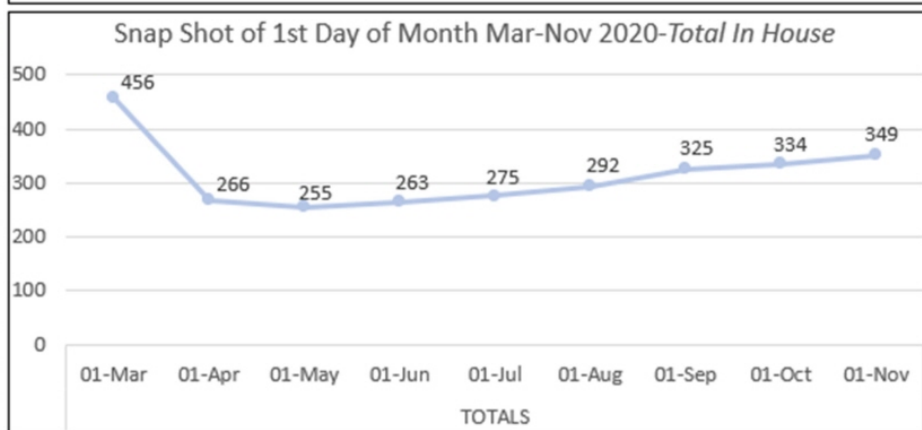
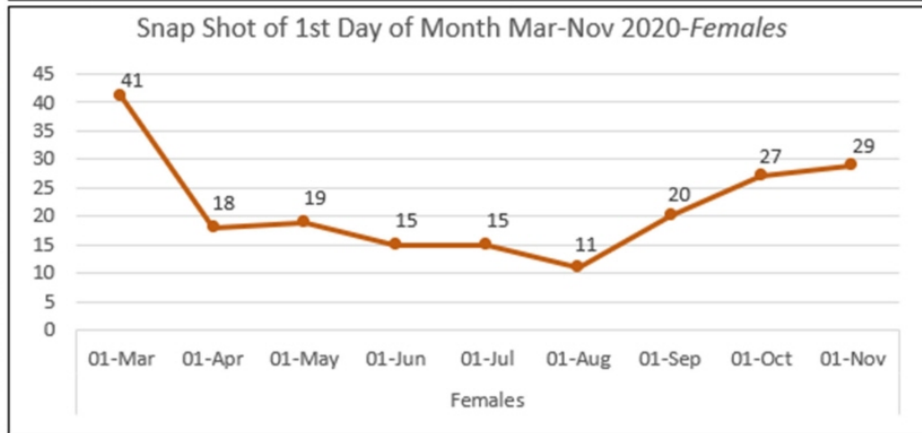
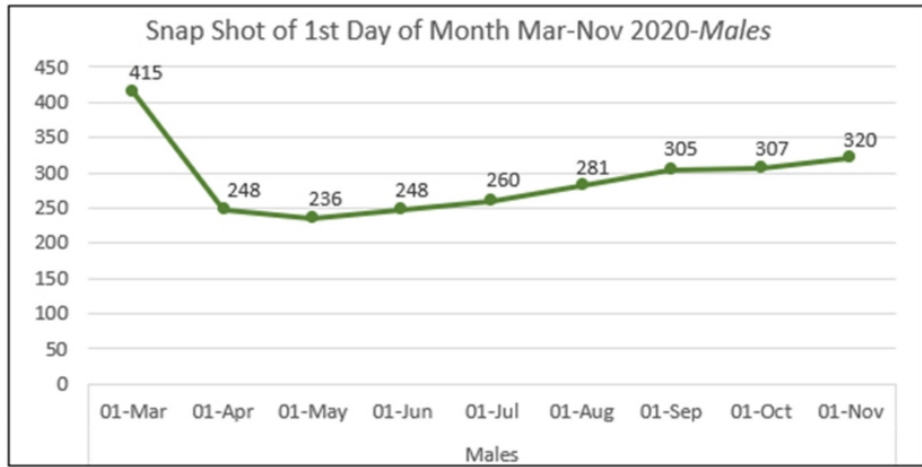
RECOMMENDATION/ADVICE (if appropriate):

- For your information

CONFIDENTIAL - INTERGOVERNMENTAL DISCUSSIONS

PREPARED BY: John Scoville, Director, Correctional Services – 902 424 0458
DATE: February 23, 2021
CONTACT: Chris Collett, Executive Director, Correctional Services – 902 424 6278

March - November 2020					
1st Day of Each Month					
	Month	Remanded ONLY	Sentenced ONLY	Other	IN HOUSE Males
Males	01-Mar	258	90	67	415
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Department of Justice**

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- Intermittent sentences are assessed for release based on risk. Currently we have only 4 intermittents reporting; we have several inmates on I/S for sexual and domestic related offences.
- In Dec 2020 to total of 110 persons were remanded. The number of persons who were subsequently released in 7 days or less was 104. This equates to a 95% release rate within 7 days of being admitted.
- In Jan 2021 to total of 122 persons were remanded. The number of persons who were subsequently released in 7 days or less was 118. This equates to a 97% release rate within 7 days of being admitted.

BACKGROUND:

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- As provincial COVID-19 cases began decreasing, an increase in our facility counts rose to a high of 345. This has created increased pressures on the facilities, while maintaining Public Health protocols.
- Currently two (2) of our facilities' counts have increased to the point where we have been very close to returning to "double bunking", particularly with newly admitted inmates who need to be isolated pending results of their "swabbing" (testing).

CONFIDENTIAL - INTERGOVERNMENTAL DISCUSSIONS

PREPARED BY: John Scoville, Director, Correctional Services – 902 424 0458
DATE: March 12, 2021
CONTACT: Chris Collett, Executive Director, Correctional Services – 902 424 6278

Mar 2020 - Mar 2021 1st Day of Each Month

OTHER includes: Dual Status (Remanded and Sentenced), Intermittents In,
 w/ Federal ONLY, Federals for Court ONLY, Federal - Provincial Transfers,
 role Suspensions ONLY, Parole Suspensions with Remands, Immigration ONLY

Month	Remanded ONLY	Sentenced ONLY	OTHER*	INHOUSE Males
1-Mar-20	258	90	67	415
1-Apr-20	155	71	22	248
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1-Nov-20	247	42	31	320
1-Dec-20	232	53	22	307
1-Jan-21	215	44	29	288
1-Feb-21	252	41	24	317
1-Mar-21	230	63	33	326

Month	Remanded ONLY	Sentenced ONLY	OTHER*	INHOUSE Females
1-Mar-20	32	3	6	41
1-Apr-20	14	4	0	18
1-May-20	14	4	1	19
1-Jun-20	13	2	0	15
1-Jul-20	14	1	0	15
1-Aug-20	10	1	0	11
1-Sep-20	18	2	0	20
1-Oct-20	21	6	0	27
1-Nov-20	26	2	1	29
1-Dec-20	19	6	0	25
1-Jan-21	22	5	0	27
1-Feb-21	15	5	2	22
1-Mar-21	14	6	0	20

Month	Remanded ONLY	Sentenced ONLY	OTHER*	INHOUSE Totals
1-Mar-20	290	93	73	456
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1-Oct-20	265	41	28	334
1-Nov-20	273	44	32	349
1-Dec-20	251	59	22	332
1-Jan-21	237	49	29	315
1-Feb-21	267	46	26	339
1-Mar-21	244	69	27	340

