

JUSTICE

2001-2004 BUSINESS PLAN

1. VISION

Residents of the Northwest Territories (NWT) will have a justice system that meets their needs, ensures their rights and reflects their cultural aspirations and values. All residents will have ready access to essential legal services. Core services provided by the Department of Justice will continue to support a stable economic and social framework necessary for economic growth, political stability and social development.

Communities will be safer and levels of crime will be reduced. They will have increased decision-making powers and responsibilities, and will participate in the supervision and coordination of programs for victims and offenders. They will also have community justice committees and police officers that are well integrated into the life of the community.

The Department will provide a network of support services for offenders that complement community initiatives, including alternative homes, camps and culturally appropriate correctional programs and treatment services. These services should give offenders an opportunity to change their behavior and lead productive lives.

Values

- ◆ Justice and rights for all;
- ◆ Equal access to justice for all;
- ◆ The safety and security of communities through the least restrictive means possible;
- ◆ Excellence and courtesy in the provision of services;
- ◆ Respect for community and aboriginal values;
- ◆ Healthy communities working to resolve disputes and restore relationships;
- ◆ Co-operative relationships with government departments, agencies, and communities;
- ◆ Positive, supportive and creative work environments for our employees.

Principles

The principles that form the work of the Department are:

- ◆ An effective justice system is one that is sanctioned by the communities it serves;
- ◆ Community involvement leads to the development of a justice system that is accepted by the communities it serves and which meets the needs and aspirations of these communities;
- ◆ The affairs of the Government of the NWT are to be conducted in accordance with law;
- ◆ Litigation matters for or against the Government of the NWT shall be in the control of the Department of Justice;
- ◆ All public bills are to be drafted in accordance with the Constitution of Canada, the *Northwest Territories Act*, and the principles of legal drafting recognized in Canada;
- ◆ Labour standards are necessary to make the NWT an attractive and fair place to work.

2. MISSION

The mission of the Department of Justice is to:

- ◆ Assist communities to develop safe and secure environments;
- ◆ Ensure that the NWT is a just and law-abiding society with accessible, efficient and fair courts;
- ◆ Provide quality services to the government, client departments and agencies, and the public; and
- ◆ Promote justice and respect for rights and freedoms, the law and the Constitution.

Mandate

The Department of Justice has the mandate for the administration of justice in the NWT, including policing and corrections.

3. CORE BUSINESS

The Department pursues its vision and mandate through seven core businesses:

- ◆ Providing legal services to the government;
- ◆ Preserving public order and safety;
- ◆ Providing courts and court services that are impartial, timely and accessible;
- ◆ Providing institutional facilities and community-based supervision of offenders in order to carry out dispositions imposed by the court;
- ◆ Providing services to the public such as legal registries, legal aid, labour standards enforcement, maintenance orders enforcement, fair practices investigations, public trustee services, residential tenancies dispute resolution and coroners services;
- ◆ Supporting restorative justice and healing strategies in the communities; and
- ◆ Supporting victims of crime.

4. ENVIRONMENTAL SCAN / CRITICAL ISSUES

The ability of the Department of Justice to fulfil its mission and carry out its core business is, like many departments, affected by the demographic pressures associated with our young and growing population.

The current age breakdown of our population plays an important role in our continued high crime rate, as the majority of crimes in the NWT are committed by persons between 16 and 25 years of age. This group currently represents 15% of our population, and will continue to grow as a proportion of our population over the next several years.

As well, the high and increasing rate of unemployment, continued rapid growth in population, limited educational achievement, housing shortfalls, and low health status, are indicators of social conditions which lead to a high incidence of individuals coming into conflict with the law. Given this, and a context of rapid social change and cultural disruption, it is not surprising that the NWT has the highest rate of crime per capita in Canada, and a rate of violent crime which is exceeded only by Nunavut's. The rate of violent crime in the NWT has declined steadily over the past eight years, but remains unacceptably high at five times the national average.

The demographic pressures impact all aspects of the justice system: the RCMP, legal aid, the courts and corrections systems. As in the previous years, the need persists to continue to provide adequate resources to support existing programs, while developing alternative approaches and programs aimed at improving the responsiveness of the justice system and reducing the pressures on the existing infrastructure.

Community Justice

Given the complexity of the problems facing our residents, it is becoming increasingly clear that solutions to the many health and social challenges faced by individuals, families and society must emerge from within communities themselves. It is not surprising therefore that communities are increasingly demanding a greater capacity to deal with issues that were previously addressed exclusively by the police, the courts and the corrections service. Communities are demanding that they have a greater role in matters that are addressed by the police or go before the courts and that matters be diverted to them to be dealt with in their own way.

Recognition of the limits of the current justice system has also resulted in the development of new approaches to address justice issues. In the NWT, as in other jurisdictions, we are pursuing the development of alternatives to the formal system of justice for solving problems. Alternatives are being pursued that will not only result in more effective resolution at the community level, but will leave the formal justice system to focus on the resolution of matters which truly require the intervention of the police, the courts and the correctional system.

Through the Community Justice Initiative and programs such as the Community Constable Program, Community Justice Committees, and numerous crime prevention initiatives, the Department is working with communities to solve local justice problems and to develop local strategies for peace and order.

Governance

The approach to governance is evolving to reflect the inherent right of aboriginal peoples to self-government and the need to develop new relationships with aboriginal governments. The Department of Justice, as the Government's legal counsel, will continue to play a role in supporting this process, as well as participate as a Department providing services which may be affected by new intergovernmental arrangements.

Investment in Correctional Facilities

Due to the high incidence of violent crime, incarceration rates per capita in the NWT are the highest in the country. This coupled with continued pressure due to population growth, means that the demand for space in our correctional institutions has grown steadily. At the same time, there have been no new facilities built in more than 12 years. Consequently, the Government is investing in new facilities to replace the aged and overcrowded facilities that are a barrier to the pursuit of restorative justice and healing.

New young offender facilities are being built in Inuvik and Yellowknife and a new adult facility to replace the Yellowknife Correctional Centre (YCC) is being built in Yellowknife. The Inuvik female young offenders' facility is expected to be completed by December 2001, and the Yellowknife young offenders' facility completed by early 2002. The adult facility in Yellowknife will begin construction in 2001 and be completed in 2003.

The design of the new facilities in Yellowknife and Inuvik reflects our focus on healing and restorative justice, alleviating overcrowding in some facilities and facilitating program opportunities not possible in the existing facilities.

In the interim, before the new facilities are completed, and despite the lack of space, investment in programs has allowed for new opportunities in all facilities. In addition to programs directed at core educational and literacy needs, the Department is also providing offenders with the opportunity to participate in the following programs: Sex Offender Relapse Prevention, Cognitive Skills, Anger Management, and Aboriginal Healing. These programs focus on factors that reduce criminal behaviour, and incorporate aboriginal values in their design and delivery.

Alternatives to Incarceration

Several years ago, the Department introduced a program of on-the-land camps. This program was intended to provide an opportunity to develop alternatives to incarceration in facilities for low risk adult and young offenders, reduce the burden on institutional facilities, and provide better options to support offender healing. These original camps were family run operations that accommodated one or two offenders at a time, and provided positive role models of family life, taught traditional skills and provided offenders with a closer connection with their own culture.

As the program evolved, another kind of camp developed alongside the small traditional family run camp. The newer camps house as many as ten to twelve offenders and are run more or less as a business. In the last year it has become apparent that there are problems with the financial sustainability of the larger camps and camp operators from both categories contended that the per diem is insufficient. Consequently, and in recognition of the increase in the cost of living, the Department increased the remuneration to all camp operators in 2000-2001. The Department also commissioned a study of the camp program asking for recommendations on future directions for the program. These recommendations will help to steer the direction and development of this program in future years.

Community Supervision

One of the most effective alternatives to incarceration is community-based supervision or probation. As part of the new Community Corrections Program, probation positions have been established in Yellowknife, Rae-Edzo, Inuvik, Tuktoyaktuk, Fort McPherson, Fort Good Hope, Deline, Hay River, Fort Smith and Fort Simpson.

In 2001/2002, the first full year of operation of this new program, the Department is focusing on establishing consistent service delivery throughout the NWT and on training our new probation staff. By the end of 2001-2002 all probation staff will have received comprehensive training on community based supervision practices and will be receiving further training to target the specific needs of probation clients. During this period, the Department will also be monitoring and analyzing service delivery, and making any necessary changes to the program.

The Creation of a Diamond Industry

Canada's first diamond mine is in production, a second mine is expected to be in production by 2002 and other exploration efforts show promise for the NWT. While diamond mines and associated industries represent an important economic development opportunity for the NWT, the expansion and development of the diamond industry will result in security and policing issues previously not faced before. Organized crime, which has not been a significant problem to date in the North, will inevitably be attracted by the enormous wealth associated with the diamond industry. The Department is working with the RCMP and national law enforcement groups to focus and coordinate efforts on this issue.

Information Technology

Information technology, including computers and new communications systems, are improving our ability to deliver services and provide information to the public. At the same time this technology presents new law enforcement and security challenges. To address these issues the Department will accelerate intrusion detection, encryption and anti-hacking measures in 2001-2002.

In 2001-2002 the Department will also carry out an analysis of a new document imaging system, and will consider the development of a new Legal Services (Legal Aid) application. Document imaging technology will protect records in both legal and court registries. These paper records are currently at significant risk in the event of a fire or other major physical disaster. The current Legal Aid Information System does not reflect the current needs of the Legal Services Board. Of particular concern is the accessibility of applications for community-based legal aid. These two studies will provide the Department with information on costs and recommendations to address these issues.

Implemented in 2000-2001 and expected to be fully operational in 2001-2002 are two new computer systems that provide crucial management and statistical information to the Department on our Courts and Corrections Service. The new court information management program (FACTS) and the Corrections Offender Management System (COMS) will assist the Department to co-ordinate case management, collect statistics, and provide management information so that resources are used more effectively. The FACTS system will allow the Department to collect and consolidate information for all levels of courts into one database. The COMS system also integrates adult, youth and probation data to track offender information and statistics for the GNWT and the Canadian Centre for Justice Statistics (CCJS).

A Representative Workforce

The Department of Justice is continuing its efforts to recruit and retain a workforce representative of the public it services. Within the corrections field the Department is building on past successes in recruiting aboriginal employees through the continuation of such initiatives as the Corrections Entry Level Training Program and The Criminal Justice Certificate Program. Efforts are now being focused on the development of these employees. In planning for the opening of new Young Offender facilities in Inuvik and Yellowknife two female aboriginal employees have been trained and direct appointed to senior management positions at these facilities.

Efforts are also being made to expand the focus of affirmative actions initiatives outside of the Corrections field. An Aboriginal Employee Training and Recruitment Plan is being implemented in the Court Services Division and the Legal Career Development Program will continue. This second program provides funding, summer employment, mentoring and articling support to aboriginal students pursuing an education in law.

Legislative Initiatives

A key task for 2001-2002 is the finalization of human rights legislation that reflects issues and concerns raised through public consultations. This legislation will replace the *Fair Practices Act* and will allow the NWT to join all the provinces and the Yukon Territories as jurisdictions with modern and effective human rights legislation. In 2001-2002 the Department will also be consulting on changes to Maintenance Enforcement Legislation to improve the effectiveness of this legislation.

Legal Services Board

The Department will also continue to work with the Legal Services Board to develop solutions to the backlog of family law legal aid cases.

5. GOALS

Many of the core activities of the Department are essential for social and economic development and wellbeing. It would not be possible to address the Government's main priorities in *Towards a Better Tomorrow* without a stable legal framework including a reliable system of legal registration and efficient and independent courts. "Self-reliant individuals, families and communities working with governments, toward improving social well-being" requires safety and security in our communities and the opportunity for northerners to be actively involved in addressing local justice issues.

A "northern-controlled economy that is balanced, diversified, stable and vibrant" is not possible without legal registries that are reliable, objective and efficient, and without security and justice systems that safeguard against crime. A functioning judiciary, which is clearly perceived as impartial and independent from the legislative and executive branches of government, is also essential.

Although the activities of the Department support the broad range of goals and priorities in *Towards a Better Tomorrow*, the goals of the Department of Justice focus most specifically on providing "safety, security and respect for all citizens" and on supporting "Northerners to make responsible personal choices".

Towards a Better Tomorrow, Goal 1: "Healthy, educated Northerners making responsible personal choices for themselves and their families."

Departmental Goals in response:

- GOAL 1: Increase the capacity, role, scope and impact of communities in addressing their own justice issues.**
- GOAL 2: Safe, secure custody and control of offenders.**
- GOAL 3: Effective community supervision of offenders.**
- GOAL 4: Provide appropriate programming support to all offenders.**

6. OUTCOMES, MEASURES AND TARGETS

1. To increase the capacity, role, scope and impact of communities in addressing their own justice issues.		
Desired Outcome	What We Will Measure	What We Are Aiming For (Target & Time Frame)
Communities are able to make decisions and participate in Community Justice (CH) initiatives in their community.	# of Community Justice Committees (CJC) # of justice matters that were dealt with by CJsCs and didn't go through the courts. Rate of completion by existing CJC of their workplans	Increase CJsCs by 10 % from 21 to 23 in 2001-2002. Establish baseline of justice matters dealt with by CJC 2000/2001 and set target in 2001/2002. Increase rate of completion from current rate of approximately 50% to 75% in 2001/2002.
The public and police support CJ initiatives in their communities.	Increase in total the # of CJ activities taking place in communities. # diversions.	Increase # of activities by 10% in 2001-2002. Set baseline in 2001/2002 and establish target.
Victims of crime are supported through the justice system.	# of direct services victim programs in communities	Increase # of community organizations providing direct victim services by 40% (from 3 to 5 by 2003).
Local people are active in policing in their communities.	# of community constables trained	Increase by 10% in 2001-2002.
<p>Supporting Strategies:</p> <p><i>Community Justice Initiative</i></p> <ul style="list-style-type: none"> ◆ Regional Community Justice Coordinators work with communities to build capacity of existing CJsCs and to develop new committees. Delivery of new training materials and resource materials. ◆ Implementation of evaluation framework supporting the collection of information on CJsCs and clients to determine impact of initiative on the justice system and on the people that are dealt with through community justice approaches. ◆ Implement public awareness programs, to increase awareness of community justice approaches and options and how they can be applied to communities. ◆ Work with the federal government and community organizations to expand the number of direct service providers of victim's services. ◆ Work with RCMP to complete a manual on restorative justice. Provide to officers along with an orientation on the manual. ◆ In partnership with MACA, continue to support the Community Constable Program. 		

2. Safe, secure custody and control of offenders.		
Desired Outcome	What We Will Measure	What We Are Aiming For (Target & Time Frame)
Offenders in custody are safe, secure and control is maintained.	# of incidences of violence by offenders against staff or other offenders.	Establish baseline of information in 2001-2002 and set targets.
<p>Supporting Strategies:</p> <p><i>Corrections Facilities</i></p> <ul style="list-style-type: none"> ◆ completion of new female young offenders in Inuvik by December 2001; ◆ completion of new facility for young offenders in Yellowknife early in 2002; ◆ completion of adult facility in Yellowknife in 2003. <p><i>Offender Programs</i></p> <ul style="list-style-type: none"> ◆ all offenders are assessed to determine risk for re-offending, to establish the level of security that the offender is held at, to determine special needs and need for educational/literacy or other programs. ◆ Use of the Yellowknife Correctional Centre is being reduced for special need/high risk offenders. 		

3. Offenders receive appropriate programming support.		
Desired Outcome	What We Will Measure	What We Are Aiming For (Target & Time Frame)
Offenders leave custody less likely to re-offend.	% of the offender population who were assessed as having a "good response" to programs. (Based on Offender Risk Assessment Management System).	Baseline will be established in 2001/2002 and then a target will be set.
Offenders have an opportunity to participate in programs that meet their needs.	Capacity of staff to provide program support - # of staff certified in main program areas.	9 staff will be fully trained and certified by 2001-2002.
	% of facilities that have appropriate dedicated program space.	Increase percentage of facilities with dedicated program space from 40% to 70% by 2003-2004.
<p>Supporting Strategies:</p> <p><i>Corrections Facilities</i></p> <ul style="list-style-type: none"> ◆ Construct new facilities to provide dedicated program space for adult and young offenders. <p><i>Offender Programs</i></p> <ul style="list-style-type: none"> ◆ all offenders are assessed to determine risk for re-offending, to establish the level of security that the offender is held at, to determine special needs and need for educational/literacy or programs such as Sex Offender Relapse Prevention, Cognitive Skills, Anger Management, and Aboriginal Healing Pretreatment. ◆ Delivery of "elder-centered" programs, i.e. elders assist work with staff and inmates. ◆ Delivery of Wilderness Camp programs as an alternative to institutional incarceration. 		

4. Effective community supervision of offenders.		
Desired Outcome	What We Will Measure	What We Are Aiming For (Target & Time Frame)
There is confidence in the Community Corrections Program.	Increase in # of people sentenced to probation.	Set baseline 2001-2002 and establish target in next year.
Offenders complete community probation less likely to re-offend	% of offenders who were assessed as having a "good response" at completion of probation. (Based on Offender Risk Assessment Management System).	Set baseline in 2001-2002 and establish target in next year.
Supporting Strategies: <i>Stand-alone Probation Service</i> <ul style="list-style-type: none"> ◆ Implementation of a stand-alone probation service within Corrections Service, focus on training of staff and development of support materials including a Community Corrections manual. ◆ Offender Risk Assessment Management System is used to assess offenders on probation in all communities. 		

7. STRATEGIES

The following are the key strategies or activities of the Department for the 2001-2004 planning period:

Community Justice Initiative

◆ **Description**

Through the Community Justice Initiative programs such as the Community Constable Program, Community Justice Committees and numerous crime prevention initiatives, the Department is working with communities to solve local justice problems and to develop local strategies for peace and order. Through this initiative, communities receive contribution funding to assist them with the development of community-based justice projects. Funding is also available to communities for projects and programs aimed at providing support to victims of crime.

◆ **Links to "Towards a Better Tomorrow":**

This strategy supports the following goals from the 14th Legislative Assembly's vision:

Goal 1: Healthy, educated Northerners making responsible personal choices for themselves and their families.

Community Corrections Program

◆ **Description**

The Community Corrections Programs involves the development of a stand-alone probation service within the Corrections Service. New probation positions are located in Yellowknife, Rae-Edzo, Inuvik, Tuktoyaktuk, Fort McPherson, Fort Good Hope, Deline, Hay River, Fort Smith and Fort Simpson.

◆ **Links to “Towards a Better Tomorrow”:**

This strategy supports the following goal from the 14th Legislative Assembly’s vision:

Goal 1: Healthy, educated Northerners making responsible personal choices for themselves and their families.

Goal 2: A Healthy and diversified economy providing employment opportunities for Northerners in all communities.

Corrections Facilities

◆ **Description**

Corrections Facilities require a comprehensive plan to deal with overcrowding, lack of dedicated program space, deterioration of existing facilities and contraventions of the national fire code in corrections facilities in the NWT. As part of this plan, the Department is constructing a new female young offenders’ facility in Inuvik (to be completed in 2001), a young offender facility in Yellowknife (to be completed in 2002), and an adult facility in Yellowknife (to be completed in 2003).

The completion of these facilities will also mean re-profiling some of the existing young offender facilities, i.e. Dene K’onia becomes an open custody facility, School Draw open custody facility is closed, and female young offenders are moved from Dene K’onia to the new Inuvik Young Offenders facility.

◆ **Links to “Towards a Better Tomorrow”:**

This strategy supports the following goal from the 14th Legislative Assembly’s vision:

Goal 1: Healthy, educated Northerners making responsible personal choices for themselves and their families.

Goal 2: A Healthy and diversified economy providing employment opportunities for Northerners in all communities.

Offenders Programs

◆ **Description**

This includes a full range of programs aimed at those factors that reduce crime. Using the Offender Risk Assessment Management System (ORAMS) all offenders are assessed to determine risk to re-offend, security level, and their specific and/or special needs. Based on this assessment offenders are given the opportunity to participate in a variety of programs including: core education and literacy programs, Anger Management, Cognitive Skills, Sexual Offender Relapse prevention, Aboriginal Healing, as well as the Wilderness Camp Program. Programs are developed and delivered to reflect the aboriginal culture of the majority of the inmates.

◆ **Links to “Towards a Better Tomorrow”:**

Goal 1: Healthy, educated Northerners making responsible personal choices for themselves and their families.