

Chapter 4

Ministry of Children and Youth Services

Section 4.12

Youth Justice Services Program

Follow-up to VFM Section 3.13, *2012 Annual Report*

RECOMMENDATION STATUS OVERVIEW					
	# of Actions Recommended	Status of Actions Recommended			
		Fully Implemented	In Process of Being Implemented	Little or No Progress	Will Not Be Implemented
Recommendation 1	2		2		
Recommendation 2	4	1	1	2	
Recommendation 3	5		4		1
Recommendation 4	2		2		
Recommendation 5	3	1	1	1	
Recommendation 6	4	1	3		
Recommendation 7	1		1		
Total	21	3	14	3	1
%	100	14	67	14	5

Background

The Ministry of Children and Youth Services (Ministry) provides community and custodial programs and services to Ontario youths aged 12 to 17 who have been charged with a crime and are awaiting trial, or who have been found guilty by a court. The Ministry also provides services to divert youths from formal court proceedings and some services for youths at risk of committing a crime. The Youth Justice Services program aims to reduce the incidence of reoffending and to contribute to

community safety, largely through rehabilitative programming.

During the 2013/14 fiscal year, the average daily population in Ontario's youth justice system was about 6,900—6,500 under community supervision and 400 in youth custody/detention facilities (250 in open facilities and 150 in secure facilities). Comparatively in 2011/12, the average daily population in Ontario's youth justice system was about 9,200—8,600 under community supervision and 600 in youth custody/detention facilities (200 in open facilities and 400 in secure facilities).

In 2013/14, the Ministry spent \$352 million on the Youth Justice Services program (\$370 million in 2011/12), including \$180 million in transfer payments (\$168 million in 2011/12) to approximately 200 community-based agencies. The federal government contributed \$52 million toward these costs under various cost-sharing agreements (\$67 million in 2011/12).

In our *2012 Annual Report*, we noted that as in many other jurisdictions, the program had undergone a shift in philosophy over the previous decade, from an incarceration-based approach to a community-based rehabilitation approach. Between 2005/06 and 2010/11, total program expenditures in the Youth Justice Services program increased by 25%–30%, while the number of youths served increased by only 5%. As well, ministry operating costs grew at a much faster rate than funding to transfer-payment agencies (47% and 19%, respectively), even though the number of Ministry-funded programs and services offered by transfer payment agencies grew by almost 40% because of the shift to community-based rehabilitation. The growth in direct operating costs was primarily due to an increase in employee costs.

Our observations included the following:

- Over the five-year period ending 2010/11, all youth justice program areas, except for probation offices, saw a substantial increase in the number of full-time employees. More than 60% of all full-time ministry staff in the Youth Justice Services program were working in Ministry-operated secure facilities. Although the average daily youth population in these facilities decreased by 37% from 2006/07 to 2010/11, the number of full-time youth services officers increased by 50%. Most of this increase occurred in 2008 and 2009 when three newly built, Ministry-operated facilities became operational. The Ministry acknowledged that the facilities it operates directly were likely overstaffed and had started to take action to reduce staffing levels.

- In the 2010/11 fiscal year, on average, only about 50% of the beds in custody facilities were occupied. Over the years, the Ministry has tried to improve the utilization rate by reducing the number of beds available in the system, either by closing facilities or by funding fewer beds in existing facilities. However, the Ministry projected that the overall utilization rate would still be just 58% in 2012/13.
- The average daily cost per youth varied significantly among both open and secure facilities. For example, in 2011, the average daily cost per youth ranged from \$331 to \$3,012 for agency-operated open facilities, from \$475 to \$1,642 for agency-operated secure facilities, and from \$1,001 to \$1,483 for Ministry-operated secure facilities. These cost differences led us to question whether funding practices among facilities were in proportion to the need for services.
- In the 2010/11 fiscal year, 6.5% of youth services officers in Ministry-operated facilities were placed on long-term permanent medical accommodations. These accommodations allow an employee who is temporarily or permanently unable to perform the essential duties of his or her job because of a medical condition or disability to be placed in another job that does not demand the same physical abilities. This increases the cost of Ministry-operated facilities because the employee's vacated position must be filled by someone else.
- The Ministry's "single-case management" model has been a positive initiative. The aim is to have a youth's case assigned the same probation officer any time the youth is in the system. As well, in our review of case files, we noted many times where the knowledge and experience of probation officers was put to good use to manage youths' needs. However, many of the required risk assessments and identified rehabilitation needs were not being documented by probation officers. Also,

many court-ordered conditions were either not being complied with or not documented sufficiently for us to determine compliance, or the conditions were unverifiable.

- Ministry recidivism (reoffending) rates were 35% for youths with community sentences and 59% for youths who had served custody sentences. However, these recidivism statistics excluded more than 80% of youths who had come into contact with the program. Groups excluded from the calculation were all youths held in detention prior to trial, all youths diverted from court through extrajudicial sanctions (that is, youths who are made to perform other actions to take responsibility for their behaviours, instead of going to court), more than 90% of youths sentenced to custody and approximately two-thirds of youths sentenced to community supervision. The Ministry informed us that it excludes these groups because these youths do not spend at least six months in custody, and studies indicate that the Ministry cannot influence a person's behaviour in less than six months. Therefore, the Ministry was not evaluating how effective its programs and services were in improving outcomes for 80% of youth that entered the system.

We made a number of recommendations for improvements and received commitments from the Ministry that it would take action to address them.

Status of Actions Taken on Recommendations

The Ministry provided us with information in the spring and summer of 2014 on the current status of our recommendations. According to this information, the Ministry has fully implemented a few of the recommended actions in our *2012 Annual Report*, and was in the process of implementing most of the other recommended actions. For

example, the Ministry developed a Program Evaluation Framework to help it evaluate programs and services across the youth justice sector. However, other recommended actions are requiring more time to fully address. In particular, more work is needed to investigate high rates of long-term permanent medical accommodation and implement measures to reduce those rates among staff; and compare and analyze agency costs of similar programs across the province, and investigate and reduce significant variances that seem unjustified.

We noted that the Ministry did consider requiring people working in youth custody/detention facilities to undergo a Canadian Police Information Check every five years, as we recommended, but it decided against implementing such a requirement. In our view, the Ministry should reconsider this decision, since these people are frequently in contact with people under the age of 18. In addition, we would expect policies surrounding youth service officers to be consistent, whether the officers are working in Ministry-operated facilities or agency-operated facilities. Currently, officers in Ministry-operated facilities must self-report regarding criminal charges or convictions, but those in agency-operated facilities must do so only if the agency requires it.

The status of the actions taken on each recommendation is described in the following sections.

Program Expenditures

Recommendation 1

To help ensure that spending for secure and open custody/detention facilities in the Youth Justice Services program is commensurate with the need for services, the Ministry of Children and Youth Services should:

- *take additional steps to improve utilization rates by reducing bed capacity in significantly underused facilities; and*

Status: In the process of being implemented.

- *review all facilities' per diem costs for reasonableness and reduce funding for those whose per*

diem costs significantly exceed the provincial average, keeping in mind the quality and scope of services provided by each facility.

Status: In the process of being implemented.

Details

From March 31, 2012, to March 31, 2014, the Ministry reduced the number of beds in two secure custody/detention facilities and increased in one, for a net decrease of 70 beds (or 12%); and closed four open custody/detention facilities and reduced beds in 24 other open custody/detention facilities, for a total reduction of 85 open custody/detention beds in the province (that is, a 20% reduction). Over the last two years, the average utilization rates have worsened even with these reductions, dropping to 47% from 55% in secure facilities and to 39% from 46% in open facilities. This is likely due to a greater decrease in the average daily population in facilities relative to the change in the number of beds. The Ministry's target utilization rate remains at 70% for both secure and open facilities.

In July 2013, the Ministry retained a consultant to evaluate its approach to capacity planning for the youth custody and detention system in Ontario, and to make recommendations to improve the overall effectiveness of the capacity planning process while ensuring alignment with the Ministry's guiding principles. According to the Ministry, these principles include, among other things, maintaining a safe environment for youth and staff; maintaining capacity to serve special populations, such as females and aboriginals; maintaining capacity for volume fluctuations; and housing youth close to home. The consultant noted that there were gaps in forecasting, such as adjusting for demographics, including trends in the average daily population and the length of stay. The consultant also said that factors other than the guiding principles had to be considered when making decisions on capacity rationalization, such as the facility operator's performance. The Ministry indicated it would use the consultant's findings where appropriate to strengthen the existing process of monitoring

utilization rates and making decisions about significantly underutilized facilities.

In November 2013, the Ministry completed a review of actual per diem costs for the 2012/13 fiscal year for select custody/detention facilities in order to assess reasonability. The Ministry set a threshold of 30% above the provincial average for open facilities and 15% above the provincial average for secure facilities, to define which facilities "significantly" exceeded the provincial average. The Ministry identified 16 of 31 open facilities and five of 12 secure facilities whose per diem costs exceeded the provincial average by more than 30% and 15% respectively. The average per diem cost for open facilities was \$699, and those identified as significantly exceeding the average had per diems ranging from \$910 to \$2,100. The average per diem for secure facilities was \$873, and those identified as significantly exceeding the average had per diems ranging from \$1,038 to \$1,310. The Ministry considered factors that tend to increase per diem costs, such as geographic location, gender of the youth served, bed capacity and utilization. The Ministry concluded that the per diem rates across the Youth Justice Services program were reasonable and appropriate in light of the quality and scope of services being provided and given specific cost drivers associated with the respective facilities. Consequently, no funding changes were made. We question the Ministry's conclusion, since there was no evidence that the Ministry's analysis included a review of the quality and scope of services being provided. In addition, seven open facilities exceeded the threshold the Ministry established for not only the average overall per diem rate for all open custody/detention facilities, but also the average per diem rates for facilities with similar capacity and facilities serving the same gender. Similarly, two secure facilities not only exceeded the Ministry's threshold for average overall per diem rate for all secure facilities, but also the average per diem rates for facilities with similar types of operators and facilities serving the same gender.

The Ministry informed us that it will continue to look for ways to deliver services more economically. Aside from closing two open custody facilities in 2013/14, the Ministry is starting a joint review in November 2014 with the Ministry of Community Safety and Correctional Services (MCSCS) to determine whether it is feasible to build three small youth justice facilities in the GTA and transition the Roy McMurtry Youth Centre to MCSCS for use as an adult female facility. It is also considering alternative uses within the Ministry for some custody/detention facilities.

Factors Influencing Employee Costs at Ministry-operated Facilities

Recommendation 2

To help reduce employee operating costs, particularly at Ministry-operated facilities, the Ministry of Children and Youth Services should:

- *staff custody/detention facilities on the basis of expected utilization and not on the basis of full capacity, and use contract staff to fill vacancies only after evaluating the short-term staffing needs of the site;*
Status: Little or no progress.
- *reassess whether the bonus payouts from the sick-day program are proving to be a cost-effective strategy in reducing absenteeism;*
Status: Fully implemented.
- *investigate high rates of long-term permanent medical accommodation and, where appropriate, implement measures to reduce those rates; and*
Status: Little or no progress.
- *identify behaviour-management techniques other than secure isolation that have been used successfully by agency-operated facilities to prevent or manage undesirable behaviour.*
Status: In the process of being implemented.

Details

At the time of our follow-up, the Ministry was continuing to fund custody/detention facilities on the basis of full capacity rather than expected utilization. The Ministry told us it must have the capacity to meet the ongoing intake/admission needs as determined by the courts. The Ministry further indicated that it is not possible to accurately predict expected utilization at any time in the year.

The Ministry told us it has begun to monitor and track employee operating costs and staff usage, including reviewing scheduling practices for fixed-term staff, and developing a unit-centric scheduling application to support more efficient scheduling practices for youth service officers in Ministry-operated facilities. The Ministry expected to complete these activities in January 2015.

We contacted the Ministry of Government Services to determine the cost-effectiveness of the bonus payout initiative that was in place from 2009 to 2012 to reduce sick days, primarily among youth services officers. We were told that estimated bonus payments under the initiative totalled \$1.85 million and the estimated cumulative net savings totalled \$5.9 million. We were also informed that the average number of sick days for youth service officers decreased from 20 days in 2009 to 12 days in 2013. This compares reasonably to the average sick days for all Ontario Public Service (OPS) employees, which in 2013 was 10 days.

In our 2012 audit, we reported that 6.5% of youth services officers in Ministry-operated facilities were on long-term permanent medical accommodation in 2011. In its response to our report, the Ministry indicated that the OPS had initiated a disability management review process to identify and implement best practices to enhance employment accommodation and return-to-work performance and outcomes. In turn, an action plan would be developed to implement enterprise-wide program improvements. At the time of our follow-up, the Ministry of Government Services had developed an action plan and initiatives were under way to prevent workplace injuries and illnesses, where possible, and to support the timely

and safe return to work for those who experience injury, illness or disability.

Furthermore, at the time of our follow-up, the Youth Justice Services program had not investigated the high rates of long-term permanent medical accommodation in Ministry-operated facilities or implemented measures to reduce those rates. As a result, based on staffing information provided to us by the program, we calculated that the percentage of youth services officers in Ministry-operated facilities who were on long-term permanent medical accommodation increased to 15% in 2013/14.

In our 2012 audit, we reported that Ministry-operated facilities made use of secure isolation rooms more often and for longer periods of time than agency-operated facilities to manage aggressive behaviours. In its response to our report, the Ministry indicated that it would review behaviour management techniques used by agency-operated facilities to determine whether their use would be appropriate for its own operated facilities. The Ministry completed such a review in September 2014. The review considered the four physical intervention models currently approved for use under the *Child and Family Services Act*. As well, the Ministry was piloting a prevention technique called Stop Now and Plan (SNAP), a cognitive-behavioural technique designed to help youths exercise self-control and use socially appropriate solutions to emotional triggers. According to the Ministry, the next phase of work is to consult with Ministry-operated and agency-operated facilities with a focus to share best practices and effective strategies in responding to challenging behaviours. This consultation and sharing of best practices is expected to occur by June 2015.

Case Management

Recommendation 3

To help ensure that case-management efforts result in youths obtaining the services and programs needed for rehabilitation, the Ministry of Children and Youth Services should:

- *complete all required risk/needs assessments, case-management plans and case-management reintegration plans on a timely basis;*

Status: In the process of being implemented.

- *ensure that case-management plans have specific goals and recommended programs and services to assist youth in addressing all high-risk areas identified and any court-ordered conditions;*

Status: In the process of being implemented.

- *clearly document in the case files whether or not youths have complied with court-ordered conditions and community-service requirements and, if they have not, what efforts were made by the probation officer to rectify this;*

Status: In the process of being implemented.

- *develop guidelines or policies about what types of extrajudicial sanctions are appropriate to use and when; and*

Status: Will not be implemented.

- *ensure that the required case-file reviews are being done consistently across all probation offices and determine whether there are any systemic issues warranting additional guidance or training.*

Status: In the process of being implemented.

Details

In December 2013, the Ministry released two new reports to help probation offices and regional offices identify case management items that were overdue. The “Overdue RNA/Closing Summary Report” is intended to assist probation officers in identifying initial and updated risk need assessments (RNAs) that are past due and closed files with no closing summary. The “Overdue RNA/Closing Summary Regional Report” is expected to provide regional offices with a snapshot of overdue RNAs and closing summaries within an office and across the region. The Ministry did not develop a report to identify upcoming due dates for RNAs, as it had committed to do in its response to our

audit recommendations. In contrast to the Ministry's view, we consider that such a report would be a useful tool. At the time of our follow-up, we requested and reviewed the latest available summary regional reports and noted that 700 RNAs and 600 closing summaries were outstanding as of June 2014. However, the reports did not indicate how long the outstanding items had been overdue.

Not all events that require a case review and an updated RNA can be tracked by the system, for example, changes in a youth's circumstances. The Ministry informed us that to address these situations, probation officers were reminded to complete case reviews and update RNAs as outlined in policy.

In May 2012, the Ministry launched a Probation Strategy, which included a commitment to review the Case Management Compliance Review Tool (CMCRT). This tool, introduced in August 2006 and revised in November 2011, is the evaluation form used by probation managers during the annual case management compliance reviews to monitor probation officers' compliance with Ministry standards for probation services. At the time of our follow-up, the Ministry had held consultations with groups of probation officers across the province and had identified ongoing issues with the tool, including a lack of understanding on how to use it and inconsistent interpretation, as well as redundancies, errors and gaps. As part of the review, the Ministry had also aggregated and compared the results of case management compliance reviews for a sample of probation offices for the fiscal years 2011/12 and 2012/13. The Ministry found inconsistency in both scoring and completion of the tool. Based on the findings to date on the CMCRT review, the Ministry informed us that it would be undertaking a more comprehensive redesign of the tool than originally expected, and anticipated completion by the end of 2014/15. The Ministry informed us that the findings of this review would support improved case management monitoring processes, and would inform training initiatives, policy development and strategic planning.

We reviewed the results of the 2012/13 case management compliance reviews for select items and noted that:

- 70% of the case management plans (CMPs) contained youth goals that addressed the youths' criminogenic factors;
- where goals existed, 96% of the CMPs specified the means to achieve those goals;
- 39% of the CMPs addressed the conditions of supervision orders; and
- 24% of case files documented youths' compliance with court orders.

The Ministry informed us that the training curriculum for new probation officers was redesigned in 2013 to include comprehensive direction for the completion of risk need assessments and case management plans. These are the foundations for goal setting, provision of services, addressing non-compliance with court orders, and monitoring progress. At the time of our follow-up, more than 380 probation officers and probation managers had attended a two-day training session.

The Ministry will not be implementing our recommendation to develop guidelines or policies about what type of extrajudicial sanctions are appropriate to use and when. According to the Ministry, the *Youth Criminal Justice Act* and program policies are created in such a way as to recognize the individuality of the youth, and recognize the need to allow professional judgment at the local or provider level. Although the 2014/15 contracts with service providers who manage youth participating in extrajudicial sanctions were revised to include a list of possible sanctions, the contracts state that the service provider has to develop an individualized sanction for each young person that reflects the nature of the offence and the individual needs of the young person.

Programs and Services

Effectiveness of Agency Programs and Services

Recommendation 4

To ensure that effective programs and services are offered to youths no matter where they live in Ontario, the Ministry of Children and Youth Services should:

- *ascertain that the services and programs contracted for actually align with best-practice youth rehabilitation research; and*
- *establish and maintain a master list of regional programs and services that uses consistent terminology and make this information available to all probation officers.*

Status: In the process of being implemented.

Status: In the process of being implemented.

Details

In October 2013, the Ministry developed the Program Evaluation Framework, which guides the evaluation of non-residential and residential programs and services across the youth justice sector. The Ministry stated that this framework is an important first step because it confirms its expectations for alignment of services with best-practice research for youth in conflict with the law and provides tools for assessment of this alignment. At the time of our follow-up, the Ministry was developing training materials for program delivery staff and an implementation plan to support the rollout of the Program Evaluation Framework. Training on the framework was expected to occur by October 2014, and evaluation of current programs that target criminogenic risk factors at each directly operated facility is expected to be completed by December 2014.

At the time of our follow-up, the Ministry had completed an inventory of programs and services for Ministry-operated facilities and made that information available online to all probation office staff. It was also in the process of cataloguing programs and services offered by transfer payment agencies in open and secure custody/detention facilities. The

next phase of work would include agency validation of the collected program information. Work was also under way to collect program information from non-residential attendance centres operated by transfer payment agencies. The Ministry expects to add all programs and services provided in custody/detention facilities operated by transfer payment agencies to the inventory by December 2014. At the time of our follow-up, we were unable to obtain any confirmation that consistent terminology was being used in service contracts for similar programs and services. We reviewed the listing for program and services for Ministry-operated facilities, and, similar to our finding in 2012, we noted that the names of what appear to be similar programs and services were not consistent from one facility to the next. Without good information on the specific programs and services available in each region, there is a risk of inequities across regions and a risk that youths might not be connected with the services and programs that best meet their needs.

Funding and Monitoring of Programs and Services Offered in the Community

Recommendation 5

To ensure that funding provided to transfer-payment agencies is commensurate with the value of services provided, the Ministry of Children and Youth Services should:

- *ensure that approved funding to agencies is appropriate for the expected level of service, based on levels of service achieved in the last few years;*
- *compare and analyze agency costs of similar programs across the province, and investigate significant variances that seem unjustified; and*
- *ensure that requests for additional funding are adequately supported.*

Status: In the process of being implemented.

Status: Little or no progress.

Status: Fully implemented.

Details

In 2014, the Ministry conducted a review of all youth justice programs delivered by transfer payment agencies. For each program, the Ministry reviewed approved budget amounts, service targets and the actual number of youth served for the three years from 2010/11 to 2012/13, and for the first half of 2013/14. Altogether, the Ministry reviewed 485 programs delivered by more than 200 transfer payment agencies. According to Ministry documentation, the review revealed trends where costs and/or projections seemed disproportionately high for the number of youths served over the assessment period. The Ministry then considered factors that could account for some of the anomalies, including higher costs associated with northern/remote communities, female residents and agencies with specialized staff. As a result, 28 transfer payment agencies were identified for further review, two-thirds of which were custody/detention facilities. After further review, the Ministry concluded that approved funding was appropriate and/or that corrective action was already under way.

We looked at a sample of custody and detention facilities that were further reviewed and questioned the justification provided to conclude that funding was appropriate. All cases we sampled included the following justifications:

- Service targets were unpredictable due to inconsistent numbers coming through the courts.
- Funding amounts used may have included one-time increases and or decreases and therefore did not reflect base funding.
- Costs and service levels for custody and detention were analyzed in isolation from one another instead of combined.

At the time of our follow-up, the Ministry had developed an expenditure analysis report that compared approved funding to actual funding for each quarter. But the report did not consider service targets and the actual number of youth served. The Ministry told us that it would be modifying the report to include these other data items. No date for

implementation had been set at the time of our follow-up. Regardless, Ministry officials informed us that in their experience, no two agencies are exactly alike in terms of their structure or the programs/services they deliver, nor is it possible to develop standard unit costing for any of their programs or services. However, this tool will provide them with the ability to compare agencies that provide similar programs/services to a similar number of people.

In July 2013, the Ministry's controller sent out a memo to regional managers reminding staff of their obligation to provide clear documentation that supports approval for changes in funding. A new form was developed and circulated on July 17, 2013, to ensure sufficient, appropriate documentation for changes in funding, consistent across all regions. The Ministry indicated that compliance was being monitored through the normal transfer payment contracting cycle.

Ministry Oversight of Custody/Detention Facilities

Recommendation 6

To ensure that the annual facility inspection and licensing process results in a safe and secure living environment with effective services and programs for youth residents, the Ministry of Children and Youth Services should:

- *revise the inspection checklist to eliminate duplication and place more emphasis on the quality of programming and services being offered;*
Status: In the process of being implemented.
- *work toward obtaining more consistency in data collection and recording and in reporting inspection findings;*
Status: In the process of being implemented.
- *where significant compliance issues are noted, ensure that appropriate and timely follow-up is done; and*
Status: In the process of being implemented.

- *consider requiring that people working in youth custody/detention facilities undergo a Canadian Police Information Centre check, including vulnerable-sector screening, every five years and not only at the time of initial hiring.*

Status: Fully implemented.

Details

In October 2012, the Ministry rolled out a revised checklist for use during facility inspection and licensing reviews. This checklist was one-third the size of the one used at the time of our audit. The Ministry stated that all requirements of the youth justice manual, legislation and Ministry policy were maintained and that there was no duplication. We reviewed the revised checklist and noted that, although it was improved, it continued to place little emphasis on the quality of the programming and services being offered to youth to reduce recidivism. The Ministry informed us that programs and services would start to be evaluated once the program delivery staff received training in October 2014 on the new Program Evaluation Framework. The Ministry indicated that programs and services offered at Ministry-operated facilities would be evaluated first, and those evaluations would be completed by December 2014.

In October 2012, the Ministry required all regions to use the revised automated checklist for all licence reviews, in order to support consistency in data collection. In addition, in May 2013, the Ministry developed reports for analyzing licensing activities and results, and made them available to regions to support division-wide monitoring, trend analysis and identification of corrective actions. Report topics include the number of residents interviewed; the number of case files reviewed; a list of legislative non-compliances observed at time of inspection; and a breakdown of non-compliances at time of inspection by theme. The Ministry expects these reports to facilitate timely follow-up when compliance issues are noted. At the time of our follow-up, the Ministry was planning to conduct a post-implementation review in fall 2015.

The Ministry informed us that in June 2014 it had implemented enhanced security screening, which included an intelligence check, a credit check, a check of Internet and social networking sites, a check for driving offences, an RCMP fingerprint analysis, and Interpol check for people who have lived abroad. But the enhanced checks would be done only at time of hire and only for youth service officers working at directly operated custody/detention facilities. Youth service officers and other people working with youths at agency-operated facilities would still be required to get a CPIC check only at time of hire. The Ministry told us it assessed the benefits and risks of requiring people working in youth custody/detention facilities to undergo a CPIC check, including vulnerable-sector screening, every five years and not only at the time of initial hiring and decided not to implement it for people working in either Ministry-operated facilities or agency-operated facilities. The Ministry further informed us that it considers adequate its policy of requiring Ministry-employees to self-report any new charges or convictions. The Ministry's policy does not extend to youth service officers and other people working with youths at agency-operated facilities. In these cases, these people would only self-report a new charge or conviction if required to do so under their own agencies' policies.

Performance Measurement and Reporting

Recommendation 7

To enable it to evaluate and report on the effectiveness of the Youth Justice Services program, the Ministry of Children and Youth Services should expand the measure for recidivism so that it captures most of the youths in the program to better enable it to assess which services, programs and delivery agencies seem to be the most successful over time.

Status: In the process of being implemented.

Details

In our 2012 audit, we reported that the Ministry was not tracking recidivism for more than 80% of youth who came into contact with the Youth Justice Services program. For 2010/11, this included all youth held in detention prior to trial, all youth diverted from court through extrajudicial sanctions, more than 90% of youth sentenced to custody and approximately two-thirds of youth sentenced to community supervision. At the time of our follow-up, the Ministry still had not expanded the measure for recidivism to capture most of the youth in the program.

Instead, the Ministry informed us that it plans to consult with academics about recidivism measures

and have an amended approach to measuring recidivism by the end of the 2014/15 fiscal year. As well, as part of its Data Strategy, the Ministry has identified three outcome measures in addition to reducing reoffending (recidivism), namely improved functioning and positive social behaviours; increased skills and abilities; and increased youth engagement with supports. For each outcome, the Ministry has also established indicators. The Ministry informed us that tools to track and report on these outcomes were developed and went live in October 2014. Specific targets for performance indicators would be established in 2015/16.