

DEPARTMENT OF JUSTICE INFORMATION ON INCIDENT REVIEW

Introduction:

This review focused on circumstances surrounding the escape of two young persons from Nova Scotia Youth Facility on July 11, 2011.

Considerations:

The review considered:

- The actions taken in response to the incident
- Whether all applicable policies and procedures/standard operating procedures were followed
- If appropriate policies and procedures/standard operating procedures are in place

Issue:

Two young offenders escaped from custody at the Nova Scotia Youth Facility (NSYF) via an open exterior rear kitchen door.

Facts:

On July 11, 2011 at 6:17 pm an exterior door of the NSYF, which led from the kitchen to the unsecured parking lot area at the rear of the NSYF, was opened by a staff member to dispose of the daily garbage.

At 6:18 pm two young persons completing their duties as NSYF kitchen workers exited the exterior door from the kitchen and ran towards the trail (abandoned railway tracks) 50 yards to the rear of the facility.

At 6:18 a NSYF staff person observed the young persons and ordered them to stop. A staff member used a two-way radio to alert all the staff about the escape and the direction of travel; institutional staff members responded immediately.

At 6:28pm a NSYF staff person caught up to one of the young persons and apprehended him without incident or force and escorted that young person back to the NSYF. At 6:41pm the other young person was apprehended by NSYF staff approximately .5 kilometers from the facility and was escorted back to the NSYF without incident or force.

On July 12 at 7:00am the NSYF resumed normal operations.

Findings:

NSYF staff did not comply with existing procedures that require young persons to be eligible for reintegration leave into the community prior to being approved to work in the kitchen and therefore be involved in the removal of garbage.

NSYF staff did comply with procedures in the event of an escape or attempted escape, specifically with respect to summoning staff and police to assist and preventing escapes while they are in progress. (NSYF staff are responsible for the recapture of the two young persons when such actions can be taken in a manner consistent with the provisions of the Criminal Code and in a manner considering the safety of staff, other persons present and the protection of the public.)

NSYF staff acted in compliance with procedures in dealing with post-escape protocols by advising senior justice managers and RCMP.

NSYF staff acted in accordance with procedures requiring contact with the parents or guardians of the young persons to notify them of the escape.

The NSYF SOP (Offender Kitchen Workers), which includes specific supervision standards, was developed in 2009 but not approved and not implemented at the time of the incident.

FOLLOW-UP ACTIONS AS A RESULT OF THE REVIEW

A NSYF SOP which addresses the specific supervision standards has been implemented.

The two young persons will appear in court at a later date to answer to charges under section 145 (1) (a) of the Criminal Code of escape custody.