

Office of the Correctional Investigator



A Report on Plans and Priorities

Office of the Correctional Investigator

**2001-2002
Estimates**

A Report on Plans and Priorities

Approved

Solicitor General of Canada

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Section I: Message

1.1 Correctional Investigator's Message

I am mandated as an Ombudsman for federal corrections. The Office carries out this function within an environment that has traditionally been closed to public scrutiny with a high level of mistrust between correctional officials and inmates.

I am firmly committed to the Ombudsman concept and believe that the provisions of the *Corrections and Conditional Release Act* provide for a process through which the vast majority of individual and systemic concerns can be reasonably addressed. It is important for all parties to appreciate that the Correctional Investigator is neither an agent of the Correctional Service of Canada nor the advocate of every complainant or interest group that lodges a complaint. I am mandated to investigate complaints from an independent and neutral position and in cases where there is evidence of unfairness, make appropriate recommendations concerning corrective action.

The Office, over the past year, has been working with the C.S.C. to operationalize the provisions of the Memorandum of Understanding signed with the Service in October of 1999. The M.O.U. has committed both agencies to the development of a cooperative and productive working relationship to facilitate the timely resolution of offender concerns. A joint meeting of officials was held in November of this year to assist this development.

In addition to the challenge of an increasing workload, the issues specific to the incarceration and conditional release of Female and Aboriginal offenders present unique challenges to this Office. I am committed to securing adequate resources to ensure that these issues are reasonably addressed.

I look forward to the challenge of the coming year. My Office will continue to work productively and cooperatively with its partners in the corrections field so as to ensure that offender complaints are dealt with in an environment of openness, accountability and fairness. Canadian society is best served and protected when everyone involved in Corrections strives steadfastly towards the fair, humane and equitable treatment of all offenders.

1.2 Management Representation Statement

MANAGEMENT REPRESENTATION

Report on Plans and Priorities 2001-2002

I submit, for tabling in Parliament, the 2001-2002 Report on Plans and Priorities (RPP) for the Office of the Correctional Investigator (OCI).

To the best of my knowledge, the information:

- Accurately portrays the department's mandate, plans, priorities, strategies and expected key results of the organization.
- Is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____

Date: _____

Section II: Agency Overview

2.1 Mandate, Roles and Responsibilities

The Office of the Correctional Investigator was established in 1973 pursuant to Part II of the *Inquiries Act*. With the proclamation in November 1992 of Part III of the *Corrections and Conditional Release Act*, this is now the enabling legislation. The mandate of the Correctional Investigator, as defined by this legislation, is to function as an Ombudsman for federal offenders. The Correctional Investigator is independent of the Correctional Service of Canada and may initiate an investigation on receipt of a complaint by or on behalf of an offender, at the request of the Minister or on his own initiative. The Correctional Investigator is required by legislation to report annually through the Solicitor General to both Houses of Parliament.

In addition, Section 19 of the *Corrections and Conditional Release Act* requires that the Correctional Service of Canada “where an inmate dies or suffers serious bodily injury” conduct an investigation and provide a copy of the report to the Correctional Investigator.

The Office of the Correctional Investigator is headed by the Correctional Investigator who reports to Parliament through the Solicitor General. The Agency’s resources has provided for 19 full-time equivalents, 12 of which make up the investigative staff. The total resources are \$1,969,000 for the fiscal year 2001-2002.

2.2 Agency/Program Objective

To act as an Ombudsman on behalf of offenders by thoroughly and objectively reviewing a wide spectrum of administrative actions and presenting findings and recommendations to an equally broad spectrum of decision makers, inclusive of Parliament.

2.3 Planning Context

The maintaining of an independent and objective review process within a correctional environment where the Office has virtually no control over either the number of complaints or the extent of investigations required presents a number of unique challenges. First, the resolution of disputes in an environment traditionally closed to public scrutiny with an understandably high level of mistrust between correctional officials and inmates, requires that the Office not only be, but be seen to be independent of both the Correctional Service and the Ministry. Second, given that the authority of the Office rests with its power of persuasion and public reporting, rather than enforceable recommendations, it is imperative that appropriate administrative and political mechanisms be available to ensure that reasonable, fair and timely action is taken on the Office’s findings.

2.4 Agency Planned Spending

**Office of the Correctional Investigator
Financial Spending Plan**

\$thousands	Forecast Spending 2000-2001 *	Planned Spending 2001-2002	Planned Spending 2002-2003	Planned Spending 2003-2004
Budgetary Main Estimates	1,763	1,972	1,972	1,972
Less: Respendable revenue	-	-	-	-
Total Main Estimates	1,763	1,972	1,972	1,972
Adjustments	268		-	-
Net Planned Spending	2,031	1,972	1,972	1,972
Plus: Cost of services received without charge	121	121	121	121
Net cost of program	2,152	2,093	2,093	2,093
Full Time Equivalents	19	19	19	19

* Reflects best forecast of total planned spending to the end of the fiscal year

Section III: Agency Plans, Results, Activities and Resources

3.1 Business Lines Details

3.1.1 Business Lines Objectives

To act as an Ombudsman on behalf of offenders by thoroughly and objectively reviewing a wide spectrum of administrative actions and presenting findings and recommendations to an equally broad spectrum of decision makers, inclusive of Parliament.

3.1.2 Business Line Description

The Office of the Correctional Investigator has one Business Line which, as detailed in Section 167 of the *Corrections and Conditional Release Act*, is to conduct investigations into the problems of offenders related to decisions, recommendations and or omissions of the Commissioner of Corrections or any person under the control and management of, or performing service for or on behalf of the Commissioner of Corrections that affect offenders either individually or as a group.

3.2 Key Results Commitments, Planned Results, Related Activities and Resources

Key Results Commitments	Planned Results	Related Activities	Resources (\$thousands)		
			2001-2002	2002-2003	2003-2004
<p>To provide Canadians with:</p> <p>An independent and impartial review agency to investigate problems of federal offenders related to decisions, recommendations, acts or omissions of the Correctional Service of Canada (CSC).</p>	<ul style="list-style-type: none"> • An effective, thorough, impartial and independent review process of all complaints made by or on behalf of federal offenders. • An Office which is accessible to the offender population and to all other parties who wish to file a complaint on their behalf. • An effective, thorough, impartial and independent review process of all CSC Investigations convened pursuant to section 19 of the <i>Corrections and Conditional Release Act</i> (inmate death or serious bodily injury) and of interventions by Institutional Emergency Response Teams (IERTs). 	<ul style="list-style-type: none"> • Deal effectively, thoroughly, impartially and independently with all complaints made by or on behalf of federal offenders. • Visit all federal institutions on a regular basis and interview offenders who have a complaint. • Maintain a toll-free telephone line for offenders experiencing problems of an urgent nature and to provide easier access to the Office for Canadians from coast to coast. • Modify our website so Canadians can contact our Office by e-mail, in keeping with the Government on Line 	<ul style="list-style-type: none"> • 1,972 	<ul style="list-style-type: none"> • 1,972 	<ul style="list-style-type: none"> • 1,972

	<ul style="list-style-type: none"> • Demonstrated leadership in identifying and addressing systemic problems and emerging issues in Corrections. • A multi-faceted, dynamic and responsive communications strategy. • Confidence and understanding of the Canadian public, including federal offenders, vis-à-vis the Office's role, mandate and services. • Positive results of the actions taken by the Correctional Service of Canada in response to the Office's findings and recommendations. 	<p>(GOL) initiative.</p> <ul style="list-style-type: none"> • Review all CSC Investigations as per section 19 of the <i>Corrections and Conditional Release Act</i> and all interventions of Institutional Emergency Response Teams (IERTs) in a thorough, timely and independent fashion. • Undertake any other investigative activity it deems necessary to carry out its primary mandate. • Continue to inform federal offenders and other Canadians of its mandate, role and services through all available media, inclusive of its own website. • Maintain an open, honest and professional working relationship with the Correctional Service of Canada, in keeping with our Memorandum of Understanding. 			
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Section IV: Financial Information

Table 4.1: Net cost of Program for the Estimates Year

(\$thousands)	Office of the Correctional Investigator	Total
Planned Spending (Budgetary and Non-budgetary Main Estimates plus adjustments)	1,972	1,972
<i>Plus: Services Received without Charge</i> Accommodation provided by Public Works and Government Services Canada (PWGSC)	121	121
Contributions covering employer's share of employees' insurance premiums and expenditures paid by TBS	-	-
Workman's compensation coverage provided by Human Resources Canada	-	-
Salary and associated expenditures of legal services provided by Justice Canada	-	-
<i>Less: Respendable Revenue</i>	-	-
<i>Less: Non-respendable Revenue</i>	-	-
2001-2002 Net Program Cost (Total Planned Spending)	2,093	2,093

Section V: Other Information

Table 5.1: Statutes and Regulations

Corrections and Conditional Release Act, Part III

Table 5.2: Reports

- Correctional Investigator's Annual Report 1998-1999 (<http://www.oci-bec.gc.ca>)
- Auditor General's Report, Chapter 33, December 1997 (<http://www.oag-bvg.gc.ca>)
- Auditor General's Report, Chapter 32, November 1999 (<http://www.oag-bvg.gc.ca>)
- A Work in Progress, *the Correctional and Conditional Release Act*, House of Commons, Sub-committee on *Corrections and Conditional Release Act* of the Standing Committee on Justice and Human Rights, May 2000 (<http://www.parl.gc.ca>)
- Response to the Report on the Sub-Committee on *Corrections and Conditional Release Act* of the Standing Committee on Justice and Human Rights: A work in progress: *The Corrections and Conditional Release Act* (<http://www.sgc.gc.ca>)

Table 5.3: References

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