
FILES IN PROGRESS



Work is proceeding on a number of issues that we introduced in last year's Annual Report but remain in the preliminary stages of development.

1. Consultation on Human Rights, Independent Review and Accountability in the Canadian Corrections System

We have finalized our discussion paper. Broad distribution of the paper will take place in the summer of 2004. Stakeholders are invited to provide written comment by the end of October 2004. The Office will be holding bilateral discussions with both individuals and groups. There will be a consultation meeting of interested parties by the end of calendar year 2004 to assist this Office in formulating a final position on these matters.

A copy of the discussion paper can be accessed at www.oci-bec.gc.ca.

2. Maximum Security Units

CSC has only recently begun to implement its Integrated Correctional Intervention Strategies, which are intended to encourage and support the progress of maximum security inmates toward program participation and eventual movement to lower security. We will be reviewing the success of these ventures and, in particular, monitoring how they affect the restrictiveness of the custody of the inmates involved. We hope to meet with CSC management by the end of this year for an overall review. In the meantime our investigators at the institutions involved will make this a permanent item on the agenda of their meetings with Wardens and with inmate representatives.

3. Elderly Offenders

Elderly offenders represent a large and growing special needs group within the inmate population. The Correctional Service finalized a comprehensive review in the spring of 2001 which identified a wide range of areas that needed to be addressed so

as to reasonably meet the needs of this population. We received a commitment from CSC last year that issues associated with accommodation, palliative care, reintegration options and program development would be further reviewed.

The Canadian Journal of Public Health in its March/April 2004 edition published A Health Care Needs Assessment of Federal Inmates in Canada. It was noted that there had been a 60 percent increase in the number of inmates aged 50 and over with an 87 percent increase in those 65 and over since 1993. The Report underlines the requirement for greater information on and specific attention to the health care needs of this growing segment of the inmate population.

I recommend that CSC in responding to the Health Care Needs Assessment of Federal Inmates in Canada develop a specific action plan focused on addressing the identified needs of Elderly Offenders.

4. Cross-Gender Monitoring Project

CSC initiated the Monitoring Project in 1997 in response to a series of recommendations from the Arbour Commission of Inquiry. The identified objectives of the project were to assess the systemic impact of cross-gender staff in federal women's institutions, to identify operational and policy issues, and to make recommendations for improvement.

The third and final Annual Report of the Cross-Gender Monitors was released in April of 2001. At the time of the release CSC indicated that it would be "further analyzing the rationale and research supporting the recommendations made by the Monitors and would undertake consultations with interested stake holders and other government departments, prior to finalizing its response to the report."

Despite numerous undertakings by CSC over the past three years, a final response to the report's recommendations has not been forthcoming.

A copy of the Report may be found at http://www.csc-scc.gc.ca/text/prgrm/fsw/gender3/toc_e.shtml.

We were advised in February of this year that “managers in the women’s facilities were currently completing the Cross-Gender Matrix and Guidelines, on a weekly basis and will do so for approximately 6 months. Staff from the Women Offender Sector will also visit each site and complete interviews with supervisors regarding this issue. Once we have completed this project and have made a determination regarding this critical issue, the Correctional Service of Canada will respond to the Cross-Gender Monitor’s Final Report.”

It has now been in excess of three years since the release of the report.

I recommend that:

- **CSC’s response to the 2001 Report of the Cross-Gender Monitors be finalized and publicly released by September 2004**
- **consultation with interested stakeholders and other government departments on CSC’s response be initiated by October 2004.**

5. CSC Non-Smoking Policy

CSC has introduced a draft policy whose ultimate purpose could be to eliminate smoking from all buildings inside institutions. The focus of this proposal is on addressing health issues arising from smoking, including second-hand smoke. We have been participating in the working group devising this policy and have ourselves been consulting inmates on the subject.

We are very conscious of the negative effects of smoking on offenders, staff and institutional visitors (including our own investigators). The matter is a workplace safety and health problem that has traditionally been resolved by courts and administrative bodies in favour of the workers, without giving great credence to the purported “rights” of smokers.

In a prison, however, other issues need to be examined.

For one, a prison is the home of its residents. Even if the law has been reluctant to accept the privacy of inmate living space the question remains, as a function of policy, whether certain privileges should attach to an inmate’s living space if this can be done in keeping with the rights of non-smokers.

Secondly, the effect of the prohibition of smoking on institutional stress and conflict levels must be considered.

Thirdly, as a matter of fairness, there will be issues of the relative access of some inmates (e.g. those in segregation) to outside smoking areas.

6. Aboriginal Gangs

There is a consensus that the presence of Aboriginal gangs in institutions, particularly in the Prairie Region, had caused great problems for the inmates affiliated with gangs, for other inmates and for effective population management, operations and reintegration planning in the institutions involved.

The problem assumes a greater dimension given that (as the name implies) it impacts Aboriginal offenders in yet another negative way. Moreover, the negative effect on younger offenders, who are confined to institutions without specific programming to address their needs as young adults, is all the more pronounced.

We have seen some encouraging developments in programming and in population management that address this problem—most recently at Edmonton Institution, where a special project has thus far succeeded in “opening” the population for safe interaction among gangs and other inmates, and a treatment program focussing on gang members has shown some positive results.

Despite such positive developments much work needs to be done and we look forward to working with CSC on these issues.