



RESPONSE FROM THE  
CORRECTIONAL SERVICE OF CANADA  
TO THE 33<sup>RD</sup> ANNUAL REPORT  
OF THE CORRECTIONAL INVESTIGATOR

2005-2006

## INTRODUCTION

In Canada, the goal of the criminal justice system is to contribute to the maintenance of a just, peaceful and safe society. As the federal agency that manages Canadian penitentiaries and supervises federal offenders on conditional release in the community, the Correctional Service of Canada (CSC) plays an important role in contributing to public safety.

Research has shown that, for nearly all offenders, the best way to achieve public safety is the successful reintegration of offenders into society, through a gradual release using effective programming, support and supervision. To achieve these results, CSC must focus on actively encouraging and assisting offenders to become law-abiding citizens while it exercises reasonable, safe, secure and humane control in its institutions and effective supervision in the community.<sup>1</sup> In doing this, it must ensure, at all times, that public safety is the paramount consideration in the correctional process.

The Correctional Investigator (CI) is the Ombudsman for federally sentenced offenders. The primary function of the Office of the Correctional Investigator (OCI) is to investigate and bring resolution to individual offender complaints. The Office, as well, has a responsibility to review and make recommendations on the Correctional Service's policies and procedures associated with the areas of individual complaints to ensure that systemic areas of concern are identified and brought to the attention of CSC.

Over the years, CSC has worked with the CI to develop a unique and respectful working relationship, and to address and resolve issues of mutual concern. In his Annual Report, the CI provides an important, independent perspective on CSC operations, and thus gives CSC additional insight into its own performance.

His report this year is a compilation of issues that have been raised over several years and identifies areas where the CI considers that CSC has not met his expectations. The magnitude and breadth of the recommendations presented in this report require a comprehensive response which describes the context in which CSC operates and its ongoing efforts to improve results.

While the CI's recommendations are not binding, CSC nonetheless takes this report very seriously, analyzing each recommendation in detail, with a view to addressing the issues identified that are most pressing and capable of being addressed within its existing resource base.

It is important to understand that even if CSC agreed with all of the CI's recommendations which, as explained below, it does not, it would be beyond its reach and capacity to address all of them at once, given its existing financial and human resource constraints. Nevertheless, CSC is committed to continuous improvement and learning and this report provides an opportunity to do both.

In terms of overall context, the most fundamental point to be made here is that CSC's approach must continue to evolve rapidly to sustain even the current level of correctional results because of the changing offender profile. The simple reality is that offenders today present a broader range of risks and needs than at any time in our history. They have, for example, more extensive and violent criminal histories as youths and as adults:

- Last fiscal year, roughly 90% of offenders newly admitted to our federal institutions had a previous youth or adult court conviction;
- Nearly 50% of the new admissions in 2004-05 had served a prior youth sentence;
- Today, the great majority of offenders in federal prison custody are serving sentences for violent offences (76%);
- 26% of federal offenders have been convicted of homicide. There are now close to 1,000 federal offenders serving sentences for first degree murder;
- 80% of offenders admitted to a federal institution have a substance abuse problem and half committed their crime under the influence of intoxicants, drugs or alcohol; and
- An increasing proportion of federally-sentenced offenders, both male and female, now have more affiliations with gangs and organized crime (a 33% increase between 1997 and 2005).

As well, approximately 12% of male offenders and 26% of female offenders are identified at admission as presenting mental health problems. These proportions have risen since 1997 (from 7% to 12% for men, or an increase of 71%, and from 13% to 26% for women, or an increase of 100%). Consequently, CSC needs to rapidly strengthen and integrate its response to the mental health needs of offenders in institutions and in communities.

Furthermore, most offenders now have unstable job histories, low levels of education, and are generally in poorer health, having much higher rates of infectious disease such as HIV and Hepatitis than other Canadians. In addition, Aboriginal peoples continue to be over-represented in the correctional system; approximately 3% of the Canadian population is of Aboriginal ancestry, in contrast to approximately 18% of federally incarcerated offenders.

Additionally, over 50% of new male offender admissions are now serving sentences of less than three years. This trend toward shorter sentence lengths has been increasing for nearly a decade and continues to increase, leaving less time to change a lifetime pattern of attitudes and behaviours.

At the same time, the proportion of people who are being released under supervision as a result of discretionary release decisions is

decreasing and the proportion of those being released as a result of statutory release provisions, with less time in the community under CSC supervision, is increasing.

These factors pose significant challenges for the effective management, treatment, and employment of offenders while incarcerated

and for their eventual successful reintegration into the community. In this context, if CSC is to continue to make the contribution to public safety that Canadians expect and deserve, it will have to build more sophisticated and integrated approaches within a fiscally responsible framework.

### CSC'S APPROACH TO THESE CHALLENGES

CSC administers 58 penitentiaries, 16 community correctional centres and 71 parole offices across Canada, to manage offenders who are sentenced to two years or more. On any given day, there are approximately 12,400 offenders in institutions and 8,300 under supervision in the community. On a flow-through basis, CSC manages approximately 26,000 offenders per year.

To position itself to meet the challenges of the changing offender profile described above, CSC's approach will be to focus, over the next three years, on five strategic priorities in order to achieve the following results:

Priority	Targeted Result
1. Safe transition of offenders into the community;	A reduction in the rate of violent re-offending by offenders, both while they are in the community under CSC supervision and following the end of their sentence;
2. Safety and security for staff and offenders in our institutions;	A reduction in violent behaviour within CSC institutions;
3. Enhanced capacities to provide effective interventions for First Nations, Métis and Inuit offenders;	A narrowing of the gap in the rate of re-offending between Aboriginal and non-Aboriginal offenders, both while they are in the community under CSC supervision and following the end of their sentence;
4. Improved capacities to address mental health needs of offenders; and	An improvement in correctional results for federal offenders with mental disorders; and
5. Strengthening management practices.	An improvement in management practices at all levels, in institutions and the community.

Strategies have been developed for these five priorities and are now reflected in current business plans. Strategies for the four operational priorities, and expected results, have been developed based on extensive criminological research which demonstrates that gradual and controlled release of offenders to the community, when it is safe to do so, and with proper supervision and support — is effective in ensuring the short and long term safety of our communities. Offenders who have benefited from targeted interventions are less likely to commit new crimes.

Strategies for the fifth strategic priority, strengthening management practices, include focussing special attention on ensuring roles and responsibilities are well defined; internal communications are robust; teamwork is sustained across organizational boundaries and across disciplines; and management approaches are transparent, with decisions that are based on public service values, quality and cost effectiveness to provide public safety results for Canadians.

### FRAMEWORK FOR RESPONSE

The CI's Annual Report includes 42 individual recommendations (including sub-recommendations) covering a broad range of topics. Given the very clear set of five priorities that CSC has established for 2006-07 and beyond, and that the CI's recommendations can be related to these priorities, CSC's response to these 42 recommendations is organized in terms of how each of these relate to the priorities.

This structured response will provide clarity for the reader who may wish to cross-reference any other CSC report including, most importantly, its 2006-07 Report on Plans and Priorities, and other mechanisms for reporting to Parliament.<sup>2</sup> It will also allow CSC to effectively monitor, where appropriate, progress in relation to its response as part of its ongoing work in implementing its business plan. For those who wish to review the response by numerical order of the CI's recommendations, please see Annex B for a cross-reference index.



From CSC's perspective, some of the 42 recommendations require additional attention at this juncture and others do not. In many cases, this is because, while CSC agrees with the overall thrust of the CI's recommendation, CSC has already taken action in many of these areas. For example, as described below, improvements in the delivery of programs and services at institutions and parole offices, which contribute to preparing offenders for a safe and gradual transition to the community, are already underway, and will have positive impacts that have not been recognized in the CI's report.

CSC will continue to work closely with the CI on many of the areas covered in the Annual Report. CSC has benefited greatly from the experience and input provided by members of the CI's office in relation to policy development and improvement of processes. The OCI has, for example, been instrumental in making recommendations that have improved the process for review of use of force incidents.

It should be noted that CSC's response does not include a response to recommendation 15 in the CI's Report because it has been made to the Minister of Public Safety and Emergency Preparedness rather than to CSC:

*I recommend that the Minister play a leadership role by requesting the House of Commons' Standing Committee on Public Safety and National Security examine the implementation of independent adjudication of administrative segregation decisions when it considers other amendments of the Corrections and Conditional Release Act.*

CSC's position on this issue has been clearly communicated to the CI. CSC is not in favour of, and does not support the implementation of independent adjudication, at this time.

This response to the CI's Annual Report has been developed to provide more context than has been provided in previous responses. As such, it should provide the reader with greater insight into the complexities of managing a rapidly changing offender population, and into how, over the coming years, CSC intends to maximize its contribution to public safety by focussing on five strategic priorities.

## **PRIORITY 1 – COMMUNITY TRANSITION**

### *Safe transition of offenders into the community*

In the context of the changing offender profile described earlier, CSC is facing a number of challenges in preparing offenders for a safe transition to the community. While the evidence demonstrates that a gradual, supervised release to the community provides the best results, the more complex and demanding population poses a major challenge for CSC. Offenders now pose a greater variety of risks and have more diverse needs which require targeted correctional programs and interventions and close monitoring

of the implementation of correctional plans for each individual. In this context, a major priority for CSC is to enhance its approaches toward ensuring that offenders can be safely returned to the community.

To contribute to public safety results, CSC continues to develop and integrate strategies that focus on purposeful interventions, correctional programs and effective supervision, as well as improvements in the monitoring of the offender's progress.

For example, CSC is improving offender preparation for release, aimed at adapting the intake process for offenders so that the offender's criminogenic needs are assessed earlier in the process and an appropriate Correctional Plan is developed. As well, additional amendments are being made to case management and programming, to ensure that there is more timely and purposeful interventions for those serving shorter sentences. Additionally, enhancements to Community Correctional Centres (CCCs) to manage the transition to the community will further support safe transition for offenders into the community.

### *CI's Recommendation 1:*

*I recommend that the Correctional Service demonstrate compliance with its legal obligation to provide every inmate with essential health care according to professionally accepted standards, and that all institutional health care sites be accredited within one year.*

### **CSC'S RESPONSE:**

*CSC does and will continue to provide every inmate with essential health care and reasonable access to non-essential health care that will contribute to the inmate's rehabilitation and successful reintegration into the community.*

*Health care is provided according to professionally accepted standards by registered health care professionals; attaining accreditation of health care sites is a goal, but not a legal obligation.*

All health professionals under contract or employed with CSC are registered and regulated by their independent licensing bodies and are governed by various statutory requirements. In accordance with the *Corrections and Conditional Release Act (CCRA)*, CSC only hires registered health care professionals to deliver health services to federally sentenced offenders. There are mechanisms in place to verify that all health care professionals have a current and valid license to practice.

Accreditation is a complex and iterative process in which CSC is actively engaged. It is a goal that CSC is pursuing, in order to

further improve its delivery of health care, but accreditation is not a legal obligation. All CSC Health Services Units, with the exception of one, were surveyed by the Canadian Council on Health Services Accreditation (CCHSA) between December 2004 and June 2006. Future follow-up visits will be done in accordance with the three year cycle.

Moreover, to ensure that standards of care are respected and problems are addressed, CSC has a number of mechanisms in place, including investigations, visits by the Health Care Advisory Committee, and continued pursuit of accreditation of all Health Services.

#### CI's Recommendation 5:

*I recommend that, within one year, the Correctional Service:*

- *significantly increase all women offenders' access to meaningful employment and employability programming;*
- *continue to significantly increase community accommodations and support services for women offenders in underserved areas;*
- *significantly increase the number of women offenders appearing before the National Parole Board at their earliest eligibility dates;*
- *build capacity for and increase use of section 84 and section 81 agreements with Aboriginal communities; and*
- *significantly improve access to culturally sensitive programming and services for Aboriginal women who are currently imprisoned in the Atlantic, Quebec and Ontario regions.*

#### CSC'S RESPONSE:

*Within its available resources, and based on on-going needs analysis and research, CSC will continue to enhance services, programs and strategies, focussed on meeting the specific needs of women offenders, to reduce their risk of re-offending violently and to increase their ability to transition safely to the community.*

- *significantly increase all women offenders' access to meaningful employment and employability programming;*

CSC recognizes the pivotal role that employment plays in promoting the reintegration of offenders into society as law-abiding citizens. CSC has developed a draft National Employment Strategy for Women Offenders, that is scheduled for implementation in April 2007. The objective of the Strategy is to increase viable and meaningful employment opportunities for women offenders, both in the institution and upon release, to contribute to their successful reintegration.

- *continue to significantly increase community accommodations and support services for women offenders in underserved areas;*

Over the past few years, CSC has increased bed capacity in the Atlantic Region; as well, CSC has significantly expanded bed capacity in the Pacific Region in the past year, including accommodation for Aboriginal women.

The expansion of small-scale alternative community accommodation (e.g. satellite apartments and private home placements) for women offenders in underserved areas has been limited by challenges in finding these types of accommodation with the required support and structure, often for one woman at a time. Nevertheless, CSC remains committed to seeking these opportunities in underserved areas.

- *significantly increase the number of women offenders appearing before the National Parole Board at their earliest eligibility dates;*

CSC constantly strives to bring forth program improvements that will contribute to a woman's release at the earliest appropriate date (e.g., earlier targeting of needs, flexible entry system for programs and reduction of minimum program group size). CSC continues to monitor those few women offenders who are past their parole eligibility dates, and remains committed to the reintegration of women offenders to the community.

- *build capacity for and increase use of section 84 and section 81 agreements with Aboriginal communities;*

A Section 84 Conditional Release Planning Kit has been produced and widely distributed throughout CSC, including to the women offender institutions, and to communities to provide a comprehensive guide on this type of release option.

Nine full-time Aboriginal Community Development Officer (ACDO) positions have been staffed across the country to create links, for both men and women offenders, with Aboriginal communities, to raise Aboriginal community interest in participating in the correctional process, and to initiate section 84 release planning.

- *significantly improve access to culturally sensitive programming and services for Aboriginal women who are currently imprisoned in the Atlantic, Quebec and Ontario regions.*

The Atlantic (Nova Institution), Quebec (Joliette Institution), and Ontario (Grand Valley Institution) regions have fewer Aboriginal women offenders than the two western regions. Elder and Aboriginal Liaison Officer services are provided at these sites and women's needs are addressed on an individual basis through interventions, such as sweat lodges and other cultural activities (e.g. Circles of Change Program at Grand Valley Institution).

CI's Recommendation 12:

*I recommend that, in the next year, the Correctional Service:*

- *significantly increase the number of offenders appearing before the National Parole Board at their earliest eligibility dates;*
- *significantly reduce waiting lists for programs included in correctional plans to maximize safe and timely reintegration; and*
- *significantly increase the number of unescorted temporary absences and work releases, which have drastically declined in recent years and yet have a very high success rate.*

**CSC'S RESPONSE:**

*CSC strongly supports the principle that every offender ought to have access to the programs and treatments that meet their needs.*

*CSC takes every possible action, within its resources, to eliminate obstacles to offenders' participation in programs, including unescorted temporary absences (UTAs) and work releases, and activities which will help to reduce the risk they represent to society, ideally, by the time they reach their parole eligibility dates.*

*CSC cannot predetermine the numbers who will achieve this challenging goal, nor can CSC compel an offender to appear before the NPB at their earliest eligibility date.*

- *significantly increase the number of offenders appearing before the National Parole Board at their earliest eligibility dates;*

CSC cannot commit to increasing offender appearances at the National Parole Board (NPB). There are other factors in addition to eligibility dates for release which must be considered, the first being whether the offender is ready to be released and can be safely managed in the community.

CSC's policy and procedures direct that an offender and the accompanying casework be prepared for presentation to the NPB at the earliest date that the offender is assessed as being able to be safely managed in the community.

- *significantly reduce waiting lists for programs included in correctional plans to maximize safe and timely reintegration;*

Waitlists are only one indicator of true demand for programs. Program Assignment Boards are in place in the institution and in the community to manage the program enrolment of offenders.

One approach that is currently being considered is reducing the time that offenders spend in the intake process, so that they can participate in correctional programs earlier in their sentence.

New programs and program referral criteria will be introduced, by the end of fiscal year 2007, to address the challenge of placing offenders in programs that are commensurate with their identified needs, risk level, and sentence length.

New policy, currently under development, will provide explicit guidelines for the referrals to programs, the management of wait-lists, and the functioning of the Program Board.

- *significantly increase the number of unescorted temporary absences and work releases, which have drastically declined in recent years and yet have a very high success rate.*

The decision to approve an Escorted Temporary Absence (ETA), an Unescorted Temporary Absence (UTA), or a work release is made on a case-by-case basis. Both public safety and the reintegration benefits of such a decision need to be considered and appropriately balanced. Therefore, CSC cannot commit to increasing the use of these Temporary Absences (TA) or work-releases on a population-wide basis.

However, CSC's efforts to streamline assessments and reduce wait times will contribute to increasing the number of offenders for whom Temporary Absences or a work release may be a viable correctional option. The efforts of the Aboriginal Community Development Officers to work with Aboriginal communities will also contribute to increasing TA opportunities for Aboriginal offenders.

CI's Recommendation 19:

*I recommend that the Correctional Service immediately:*

- *amend its policy requiring that inmates choose between either visiting a dying member of their immediate family or other persons with whom inmates have a close personal relationship or attending their funeral; and*
- *expedite the consideration of requests for compassionate temporary absences, and allow for a visit to the gravesite or with family members should circumstances make attendance at the funeral impossible.*

**CSC'S RESPONSE:**

*CSC does not have the resources to accommodate every request for compassionate temporary absence. Moreover, CSC disagrees with the need to amend its current policy, since it reflects principles of compassion and current community standards.*

CSC has an obligation to attend to the needs of the offender, manage public safety, and to responsibly manage within the limited

resources available to deal with the many serious challenges it faces. There are frequently very real tensions between these three obligations.

CSC is of the view that no further action is required with respect to reviewing requests for compassionate temporary absences, as CSC already exercises, and will continue to exercise, appropriate discretion when reviewing each request, on a case-by-case basis, and in keeping with law, policy and the principles of compassion.

CSC recognizes and supports the strengthening of an offender's community ties and respects the humanity of those under sentence. CSC therefore makes every reasonable effort to accommodate inmates wishing to attend funeral services of immediate family members or persons with whom the inmate has a close personal relationship.

Current policy ensures the humane treatment of offenders by allowing them, to the extent possible, to attend the funerals of certain individuals with whom the offender has a relationship. However, each application is evaluated, to determine the nature of the relationship between the offender and the deceased as well as the risk posed by the offender.

## PRIORITY 2 – SAFETY AND SECURITY IN INSTITUTIONS

### *Safety and security for staff and offenders in our institutions*

The changing offender population has a direct impact on the safety and security of institutions. There has been an increase in offenders demonstrating poor institutional adjustment, more anti-social behaviour, and there has been an increase in the proportion of offenders assessed as requiring placement into maximum security institutions at intake.<sup>3</sup>

CSC must work towards reducing all forms of violence, whether directed at staff or at offenders. At the same time, offenders must be provided with an environment that is secure and conducive to their rehabilitation. Furthermore, the high prevalence of offenders having substance abuse problems means that institutions are exposed to risks of violence associated with drugs.

CSC continues to look at ways to improve current practices, explore new and innovative strategies, and create better conditions for successful behavioural changes and rehabilitation of offenders.

To ensure the protection of staff and offenders in institutions, ongoing adjustments to security and interventions to address the changing offender profile must be put in place. Making these adjustments is a priority for CSC.

#### CI's Recommendation 4:

*I recommend that the Correctional Service immediately implement a prison-based needle exchange to ensure that inmates and society at large are best protected from the spread of serious diseases.*

## CSC'S RESPONSE:

*CSC actively works to reduce the spread of infectious disease, and continues to examine options to decrease the risk of transmission of infectious disease for offenders, staff, and the public. However, CSC's immediate focus is to curtail the supply, use and impact of drugs in institutions, while recognizing that additional efforts and resources will be required over time in the areas of prevention, treatment, enforcement, and harm reduction.*

The Public Health Agency Canada (PHAC) has recently completed an initial study on the use of a safe-needle exchange program within the prison environment. CSC is analyzing the results of this study, within the overall context of CSC's strategy on drugs in institutions, and examining the experience of international jurisdictions that have implemented needle exchange programs. However, the primary focus for CSC in the near term will be on reducing the supply of drugs in its institutions.

#### CI's Recommendation 5 (cont'd from priority 1, page 37):

*I recommend that, within one year, the Correctional Service:*

- *review the daily operations and staffing of the women's secure units with a view to eliminating "deadtime" and to significantly increasing timely access to treatment, spiritual, academic and work programs; and*
- *review use of force incidents at women's facilities to ensure consistent compliance with policy.*

## CSC'S RESPONSE:

*CSC continues to seek increased opportunities for women offenders who are classified as maximum security to participate in programs and activities and to interact with others, while maintaining the safety and security of all concerned.*

*The thorough review of all use of force incidents at women's institutions is in place, and is a well-established practice.*

- *review the daily operations and staffing of the women's secure units with a view to eliminating "deadtime" and to significantly increasing timely access to treatment, spiritual, academic and work programs;*



CSC's approach is to continually review and improve operations and access to programs and treatment for women offenders in the Secure Unit.

CSC is focussing, in particular, on the more effective management of women who have been placed on the Management Protocol<sup>4</sup>, as a result of committing an act causing serious harm within the institution or seriously jeopardizing the safety of others during their incarceration. Women on the Management Protocol, and those in segregation, are most likely to experience periods of non-structured time which presents a challenge for CSC.

CSC is seeking to secure additional resources to increase interventions, and consequently increase opportunities for these women to access programs, treatment, educational and spiritual activities.

*· review use of force incidents at women's facilities to ensure consistent compliance with policy.*

The CI report indicates that the reportable use of force incidents at women's facilities have measurably increased in 2005-06 following a significant decline in 2004-05. In contrast, CSC's data indicate that use of force incidents have remained relatively stable over the last three fiscal years: 71 in 2003-04; 62 in 2004-05; and 71 in 2005-06.

CSC has policies and procedures in place that govern the recording, viewing and transmitting of videotapes, including the transmission of every tape to the OCI for review. Policy and procedures clearly specify the roles and responsibilities at the local, regional, and national levels for the review process and for the monitoring of use of force incidents and reporting.

All Institutional Emergency Response Team interventions are videotaped and subsequently reviewed at the local and the regional levels to ensure compliance with policy. In addition, all videotapes of incidents involving women offenders are reviewed by CSC through the Office of the Deputy Commissioner for Women, in order to ensure compliance with policy and to address any problematic issues with the institutions.

*CI's Recommendation 12 (cont'd from priority 1, page 38):*

*I recommend that, in the next year, the Correctional Service:*

*· increase timely access to programs and services that will significantly reduce the time spent in medium and maximum security institutions.*

### **CSC'S RESPONSE:**

*CSC is committed, within its resources, to increasing and enhancing the provision of opportunities for offenders to participate in all programs, including*

*unescorted temporary absences and work release, that will assist in their gradual, supervised transition to the community.*

*CSC does not support numeric targets over comprehensive case-by-case reviews for the security classification or the gradual release of offenders. These decisions are based on a distinct review of each case. CSC will assist offenders to make the changes necessary to demonstrate that they have reduced the level of risk they represent.*

Research has demonstrated that providing effective interventions is the most effective option for reducing institutional misconduct and maintaining safe and humane environments.

CSC is responding to the placement needs of the offender population through streamlining processes to ensure that, to the largest extent possible, all offenders have access to necessary interventions.

CSC's goal is to improve access to programs for all offenders, which will contribute to decreasing risk. Reduced risk results in a lowering of required security level, and shorter time spent at the highest security level.

Additionally, in order to appropriately address the program needs of Aboriginal offenders,<sup>5</sup> recent revisions to case management policies incorporated the consideration of Aboriginal social history in the correctional planning and decision-making process, in accordance with the principles of the Supreme Court of Canada *Gladue*<sup>6</sup> decision.

*CI's Recommendation 13:*

*I recommend that, in the coming year, the Correctional Service:*

- proactively implement least restrictive options and significantly reduce the overall number of placements in administrative segregation;*
- significantly reduce the average length of stay in administrative segregation; and*
- significantly reduce the time to affect intra- and inter-regional transfers.*

### **CSC'S RESPONSE:**

*CSC will continue to improve its practices to ensure that Administrative Segregation is used only in accordance with a fair and reasonable decision-making process, and to ensure that the offender is safely returned to the general inmate population at the earliest appropriate time.*



- *proactively implement least restrictive options and significantly reduce the overall number of placements in administrative segregation;*

The change in the offender profile has presented challenges in managing a contained environment with limited resources and options. CSC is committed to using Administrative Segregation only when required, in accordance with the *CCRA*. Placement in Administrative Segregation is initially reviewed by the Warden, (if it was not the Warden who confirmed the order to segregate) and, after five days, followed up by a review board's recommendation, to ensure that the inmate's continued custody in segregation is warranted pursuant to the considerations in the *CCRA*.

Additionally, to assist in compliance with policy and procedures related to Administrative Segregation, CSC continues to provide training to Correctional Supervisors with respect to administrative segregation.

- *significantly reduce the average length of stay in administrative segregation;*

Multiple factors contribute to the need for Administrative Segregation. CSC's continuing efforts to enhance mental health support, reduce the influence of drugs, and develop strategies to manage gangs, together with the measures taken to reduce institutional violence, should lessen reliance on Administrative Segregation and help to reduce the number of offenders seeking voluntary segregation.

As to women offenders in segregation, CSC has commenced a two-year pilot Segregation Advisory Committee at Edmonton Institution for Women, with external membership, to review the cases of women in segregation over 30 consecutive days, and all women whose cumulative stay in segregation exceeds 60 days over a one-year period. The purpose of the Committee is to identify possible reasonable alternatives to both short and long term segregation.

In addition, CSC will be conducting a national audit on administrative segregation in the fall 2006. The audit will focus on:

1. the adequacy of the overall framework for the management of administrative segregation;
2. determining whether the initial placement and continued segregation is justified;
3. determining whether the conditions of confinement in segregation meet the intent of the law; and
4. assessing the level of compliance to the administrative requirements of the segregation process related to reviews/assessments as well as the recording of information.

- *significantly reduce the time to affect intra- and inter-regional transfers.*

Offenders requesting a voluntary transfer to alleviate their segregation status are considered a priority for transfer. On average, CSC conducts five inter-regional voluntary transfers a month in order to address long-term segregation cases. The success of these inter-regional transfers is monitored at the national level.

Additionally, for those cases where regions are having difficulty transferring an offender, Commissioner's Directive 710-2 Transfer of Offenders, was recently amended to allow for a final decision, where two regions cannot agree on a transfer, to be made at National Headquarters.

*CI's Recommendation 14:*

*I recommend that Correctional Service immediately implement reasonable procedural safeguards for any offender confined in any situation that is not within the general inmate population, and ensure legal compliance with offenders' rights, entitlements, and access to programs.*

**CSC'S RESPONSE:**

*CSC is responsible for the safe custody of an increasingly diverse population, within which there are often conflicting groups or individuals. Care will continue to be taken to respect every aspect of the CCRA in providing an environment within institutions that allow inmates to live in a safe and compatible way, while ensuring that their access to programs and their safety and security are not compromised.*

CSC has conducted a survey of "Transition Units" and other sub-population units. As a result of the survey, a Commissioner's Directive will be developed, to ensure that the needs of the various and potentially more challenging offender population that is being managed in institutions are met through safe and appropriate placement. CSC will also ensure full compliance with the *CCRA*, with respect to consistency of conditions of confinement across populations.

*CI's Recommendation 16:*

*I recommend that, within one year, the Correctional Service:*

- *develop and implement new policies, programs and services specifically to meet the unique needs of offenders 20 and younger that will significantly reduce their time spent in maximum and medium-security institutions, and in administrative segregation; and*
- *develop and implement programs and services designed to meet the unique needs of offenders 20 and younger that will significantly increase their timely and safe reintegration into the community.*

## CSC'S RESPONSE:

*CSC will continue to ensure that the needs of all offenders, including younger offenders, are appropriately dealt with through their individual assessments and plans, while ensuring their overall safety and ability to participate in programs.*

Each Correctional Plan is developed on an individual basis and therefore addresses the unique needs and concerns of the offender. Where there are accommodations required because of age-related needs, those are built into the Plan.

### CI's Recommendation 17:

*I recommend that Correctional Service respond to the special needs of elderly offenders and significantly improve key areas including accommodation, program development, palliative care, and reintegration options.*

## CSC'S RESPONSE:

*CSC will continue to ensure that the needs of all offenders, including elderly offenders, are appropriately dealt with through their individual assessments and plans, while ensuring their overall safety and ability to participate in programs.*

As noted in our response to the issue of offenders under 20 years old, each Correctional Plan is developed on an individual basis and as such addresses the unique needs and concerns of the offender. When there are accommodations required because of age-related needs, those are built into the Plan.

### CI's Recommendation 18:

*I recommend that the Correctional Service immediately increase inmate allowances for work and program participation. I further recommend that from this time forward inmate pay be indexed to the rate of inflation.*

## CSC'S RESPONSE:

*This is not an immediate priority for CSC. CSC is presently examining options to maximize the effective use of resources currently allocated for inmate allowances.*

CSC recognizes that a change to the inmate allowance system is needed and has been working with the OCI over the past six months to develop an improved approach. The OCI is a

member of the Working Group that prepared a detailed report entitled, "Overview of Inmate Finances", in December 2005.

The analysis presented by the CI in these recommendations comes directly from the report. This in-depth report analyzed the issue from a legislative and historical perspective; issues raised by stakeholders; most recent changes to policy; comparisons nationally and internationally; inmate pay and motivation; and, the financial situation. As a result of this analysis, various options have been developed in order to create a more streamlined allowance system and these will be presented in the fall of 2006 to CSC senior management.

### CI's Recommendation 20:

*I recommend that the Correctional Service immediately subject all federally sentenced offenders to an individualized security classification process as required by law and regulations.*

## CSC'S RESPONSE:

*CSC does not believe that any changes are required to this process at this time. CSC's approach to classification will continue to be based on individualized assessments, and be conducted in accordance with the law and regulations.*

CSC does conduct individualized security classifications consistent with the *CCRA*. Security needs, programming, cultural and linguistic needs, and proximity to home community and family, along with institutional adjustment, escape risk and public safety ratings are considered in all placement decisions.

In situations where offenders are serving a life sentence, the security classification is carried out, in accordance with the *CCRA*, based on the elements noted above, the impact that a life sentence has on the individual, and the seriousness of the offence.

## **PRIORITY 3 – ABORIGINAL OFFENDERS**

*Enhanced capacities to provide effective interventions for First Nations, Métis and Inuit offenders*

As previously noted, Aboriginal peoples continue to be disproportionately represented in the correctional system. Moreover, Aboriginal people admitted to federal custody are increasingly younger and are more likely to be incarcerated for a violent offence, have affiliations with gangs and have much higher needs (relating to substance abuse, health, employment and education, for example). While many needs of Aboriginal men and women are similar, they require different types of interventions to address those needs. Furthermore, research highlights distinct background, offence patterns and need

characteristics among First Nations people on reserve, First Nations people off reserve, Métis and Inuit offenders.

To address the specific needs of all Aboriginal offenders, CSC's Strategic Plan for Aboriginal Corrections (2006-07 to 2010-11) will assist CSC in moving forward on three key areas:

- implement initiatives within a continuum of care to provide culturally appropriate interventions that address the specific criminogenic needs of First Nations, Métis and Inuit men and federally sentenced women offenders;
- enhance horizontal collaboration and coordination within CSC, within the Public Safety portfolio, and with other levels of government, Aboriginal organizations and stakeholders, to contribute to Aboriginal community development and to help Aboriginal offenders initiate and sustain their healing journeys; and
- address systemic barriers internally and increase CSC cultural competence

CSC's response is organized according to its five priorities, and recommendations related to community transition, safety and security in institutions, mental health and strengthening management are included in those specific sections, since these issues apply to all offenders, regardless of their heritage. Those responses will not be reiterated within this priority.

#### CI's Recommendation 6:

*I recommend that, in the next year, the Correctional Service:*

- *implement a security classification process that ends the over-classification of Aboriginal offenders;*
- *significantly increase the number of Aboriginal offenders housed at minimum security institutions; and*
- *build capacity for and increase use of section 84 and 81 agreements with Aboriginal communities.*

### CSC'S RESPONSE:

*CSC will continue to develop and use evidence-based tools that facilitate the overall assessment and security classification of all offenders, including Aboriginal offenders.*

*CSC is actively pursuing strategies to continue to enhance its ability to provide effective interventions for First Nations, Métis and Inuit Offenders. At the same time, CSC will continue to work collaboratively with its criminal justice partners and the community*

*to support the safe transition of Aboriginal offenders to communities, including those returning to urban areas.*

- *implement a security classification process that ends the over-classification of Aboriginal offenders;*

The security classification tool used by CSC is appropriate for Aboriginal offenders, and the criteria which are used to classify offenders are contained in the *CCRA* and *Corrections and Conditional Release Regulations (CCRR)*. Empirical evidence has not been provided by the OCI that Aboriginal offenders are over classified.

Criticisms have been levied against CSC's reclassification methods. Therefore, CSC plans to conduct a needs analysis into the efficacy and cultural appropriateness of its re-classification methods, and will revise these methods, if the analysis provides evidence that changes are necessary.

As well, CSC is focussing its efforts on increasing access to programs and interventions which will help Aboriginal peoples who are incarcerated, to address criminogenic needs identified in each individual's correctional plan, and consequently improve the process of gradual supervised release.

- *significantly increase the number of Aboriginal offenders housed at minimum security institutions;*

The number of Aboriginal offenders eligible for transfer to minimum security is the result of a complex interaction of factors, not all of which are under CSC's control. Nonetheless, CSC is committed to assisting Aboriginal offenders in achieving the correctional goals that would enable them to be safely housed at minimum security. To this end, CSC is integrating the needs of Aboriginal offenders into each of its operational activities, such as Programs, to maximize the resources and energy that can be brought to bear on this objective.

- *build capacity for and increase use of section 84 and 81 agreements with Aboriginal communities.*

#### Section 81

As a result of increased Elder involvement and Pathways<sup>7</sup> implementation, CSC healing lodges<sup>8</sup> (minimum security) were near full capacity, as of March 31, 2006. The transition of four CSC-operated facilities to Aboriginal communities, and the development of new proposals for section 81 agreements, is dependent on a community's capacity to assume responsibility. A variety of funding mechanisms through Indian and Northern Affairs Canada (INAC), the Department of Justice (DoJ) and the National Crime Prevention Centre (NCPC) are in place to assist communities in developing that capacity.

#### Section 84

In 2005-06, 226 release plans were completed for presentation to NPB, reflecting a significant increase in community involvement. These release plans *do not* constitute agreements. Parole Officers integrate the plans into documentation for NPB's consideration in making a decision for a conditional release.

As noted previously in response to recommendation 5, (page 37), ACDO positions have been staffed across the country to create links for both men and women offenders with Aboriginal communities, raise Aboriginal community interest in participating in the correctional process, and initiate section 84 agreements.

Also noted elsewhere in this document, the Section 84 Conditional Release Planning Kit has been produced and widely distributed throughout CSC.

#### **PRIORITY 4 – MENTAL HEALTH**

##### *Improved capacities to address mental health needs of offenders*

There are an increasing number of offenders with mental health disorders, and mental health problems are up to three times more common in correctional institutions, than among the general population. Consequently, CSC needs to provide a full-spectrum response to the broad and multi-dimensional mental health needs of the offender population.

To this end, CSC has developed, and is working toward the implementation of an overarching multi-dimensional Mental Health Strategy. CSC has been successful in securing funding to implement the Community Mental Health component of the Strategy.

However, funding will be required to fully implement the remaining components. Currently, CSC is working in collaboration with other government departments to secure this funding as part of an inter-departmental process to strengthen mental health in Canada.

##### CI's Recommendation 2:

*I recommend that the Correctional Service demonstrate compliance with its legal obligation to provide every inmate with essential mental health care and reasonable access to non-essential mental health care according to professionally accepted standards, and that all mental health care units and regional treatment centres be accredited within one year.*

#### CSC'S RESPONSE:

*CSC will continue to provide every inmate with essential mental health care. However, CSC is currently limited in its capacity to improve mental health care without a significant increase in funding.*

*CSC agrees with the recommendation that all treatment centres should be accredited and currently four of the five regional treatment centres are accredited.*

CSC has a comprehensive Mental Health Strategy to improve mental health service delivery. The proposed Strategy is a full-spectrum response to the mental health needs of offenders and provides a coherent national approach:

1. thoroughly screen all offenders, fully assess those showing signs of mental disorders, develop formal treatment plans as appropriate, and gather information on the true nature of mental health problems for federal inmates;
2. provide treatment to inmates suffering mental health problems using dedicated primary mental health care teams in all CSC institutions;
3. create intermediate care mental health units in selected men's institutions, to provide more specialized mental health care treatment to those inmates requiring daily support in a safe and secure environment;
4. upgrade staffing and facilities at mental health treatment centres to bring them to the level of psychiatric hospitals with respect to care for inmates with acute mental health problems; and
5. continue to provide comprehensive support to offenders in the community to ensure their safe reintegration.

The community portion of the Strategy is funded and underway while CSC seeks funding to implement the remaining portions of the Strategy.

It is expected that the community portion of the Mental Health Strategy will enhance reintegration for offenders with mental health problems by increasing the options for mental health support and intervention in the community thereby increasing reintegration success and public safety.

With regard to regional treatment centres, Shepody Healing Centre is the only remaining unaccredited treatment centre and is targeted for accreditation in 2008.



With respect to women offenders, an eight-bed Structured Living Environment (SLE) house is located at each women offender institution to address the needs and risks of women who have mental health problems and are classified at minimum and medium security levels. The SLE has 24-hour supervision and an inter-disciplinary team who receives additional training including specialized mental health training. In its September 2005 inspection at Nova and Grand Valley Institution for Women, Her Majesty's Inspectorate of Prisons for England and Wales highlighted the SLE's as being an impressive model. For women who require intensive mental health care intervention, CSC has a separate unit for women at the Regional Psychiatric Centre (Prairies) and at l'Institut Philippe Pinel de Montréal.

*CI's Recommendation 3:*

*I again recommend that the Service take immediate steps to sensitize and train all front-line staff to appropriately identify disruptive mental health behaviour and respond accordingly.*

**CSC'S RESPONSE:**

*CSC's Mental Health Strategy reinforces its commitment to training staff in this area, and to assist staff to achieve and maintain the level of competence required to carry out their duties.*

Training for front-line staff in the identification and response to behaviour arising from mental health issues is currently in development. Institutions will be encouraged to include the mental health training module in their existing training plans while CSC seeks additional resources to allow for a formal delivery strategy to be developed. The delivery of the training to all front-line staff is contingent on having adequate funding, given that the funding required far exceeds financial capacity at this time.

As part of the Community Mental Health Initiative, the staff of parole offices, Community Correctional Centres (CCCs) and Community Residential Facilities (CRFs) will receive annual mental health training, beginning in fiscal year 2006-07. In addition, staff of the CRFs for women offenders will also receive additional mental health training this fiscal year.

As well, all front line staff and all staff in the Structured Living Environments in the women offender institutions are trained in Dialectical Behaviour Therapy (DBT), which targets emotion dysregulation and the various behavioural difficulties associated with it.

**PRIORITY 5 – STRENGTHENING OUR MANAGEMENT PRACTICES**

*To improve the way we deliver on the key strategic priorities, and more generally, on all aspects of our mandate*

CSC is an organization with close to 15,000 employees, across many disciplines, and operating 365 days a year, 24 hours a day, across all geographic regions of the country. CSC is also one of the largest federal custodians of real property assets. Most of these facilities have not had the benefit of cyclical renewals or major infrastructure replacements over their life cycle. As a result, a strategy to rigorously examine CSC's infrastructure needs, in light of the population management requirements associated with the changing offender profile, is being developed.

In this context, the integration of CSC's human resources and financial planning analysis into existing priorities and planning processes is essential to the effective achievement of its priorities. CSC is committed to successfully integrate transparency and accountability across all levels of the organization, align performance monitoring systems with corporate results commitments, and improve the development of policies and the delivery of programs. Ultimately this will ensure more coherence in the provision of better correctional results for Canadians.

If CSC is to be successful in achieving better results, it must continue its efforts to improve management practices. Four strategies currently being pursued to achieve this priority include: clarifying roles and responsibilities; enhancing the values and ethics program; improving internal communications, and addressing the longer-term infrastructure needs and facility rust-out.

**HUMAN RESOURCES MANAGEMENT:**

*CI's Recommendation 5 (cont'd – see priority 1, page 37 and priority 2, page 40) :*

*I recommend that, within one year, the Correctional Service:*

- *establish firm targets ensuring all front-line staff receive refresher training in women-centered approaches in accordance with the recommendation of the Canadian Human Rights Commission; and*
- *provide women-centered training to all community parole officers working with women offenders.*

## CSC'S RESPONSE:

*CSC will continue to provide its staff with high quality, timely training to ensure the level of competence and skills required to carry out their duties. The provision of refresher training in women-centered approaches has been included as part of the National Training Standards and is being closely monitored to ensure compliance with the Standards.*

- *establish firm targets ensuring all front-line staff receive refresher training in women-centered approaches in accordance with the recommendation of the Canadian Human Rights Commission;*

CSC's commitment to the Canadian Human Rights Commission (CHRC) is to provide refresher training every two years. CSC has met this commitment by developing a refresher training course and ensuring staff complete this training every two years in accordance with our National Training Standards.

All front line staff recently received the refresher training. Once there has been an opportunity to assess the impact of the current standards and training needs, CSC will determine if there is a requirement to provide more frequent training.

- *provide women-centered training to all community parole officers working with women offenders,*

A significant number of parole officers working in women's supervision units have received women-centered training. CSC will consider means of ensuring training is readily available to all parole officers in women's supervision units.

For other parole officers who may be required to supervise a women offender, only on an irregular basis, supportive measures, including women-centred training, will be made available, as required.

### CI's Recommendation 7:

*I recommend that the Correctional Service significantly improve (above the required employment equity level) the overall rate of its Aboriginal workforce at all levels in institutions where a majority of offenders are of Aboriginal ancestry.*

## CSC'S RESPONSE:

*While CSC is the second largest federal employer of Aboriginal peoples, it will continue to strive to further improve the level of representation of Aboriginal employees and managers in CSC.*

The current Canada-wide Workforce Availability Estimate, based on the 2001 Census Survey, indicates that a total of 4.7% of the estimated workforce self-identified as being of Aboriginal descent. As of March 31, 2006, data show that 970 of CSC's 14,479 (6.7%) employees self-identified as being of Aboriginal descent. It is also noteworthy that CSC is second only to the department of Indian and Northern Affairs Canada (INAC) in recruitment and representation of Aboriginal peoples in the federal public service.

CSC is committed to building on the principles of employment equity to achieve a more diverse workforce that is not only representative of Canadian society, but also of the offender population. Measures continue to be identified to address systemic barriers and the continued under-representation of designated groups in various occupational categories and levels.

An integrated human resource management strategy that addresses recruitment, development and retention of Aboriginal employees will be completed by end of fiscal year 2007. A critical first step in the strategy will be the development of a business-based needs assessment and gap analysis to establish what capacity will be required throughout CSC, over the longer term. This assessment will inform consultations with the federal Aboriginal Human Resources Development Council and with Aboriginal organizations to determine options to address identified needs.

## PERFORMANCE MONITORING:

### CI's Recommendation 8:

*I recommend that the Correctional Service establish a timely approval process by its Executive Committee for the development of action plans in response to investigative reports into incidents of inmate deaths or major injuries. In no case should this process exceed 6 months.*

## CSC'S RESPONSE:

*All such incidents of inmate injury and death will be investigated and required corrective actions will be implemented in a timely way.*

Over the last year, CSC has continued to improve the incident investigation process. These improvements have included the overall quality of the documents, the process for reviewing the reports and finalizing the action plans with Executive Committee members and the process for monitoring implementation of the approved responses.

During this coming year, CSC will be further reducing the time from which an investigation is convened to the time at which the Executive Committee reviews and finalizes the action plans. CSC is targeting to complete this process within six months for all routine

investigations however, for those investigations that are more complex, the process may extend beyond the six-month timeframe.

**CI's Recommendation 9:**

*I recommend that the Correctional Service collect accurate information and conduct comprehensive analyses of all inmate injuries to significantly improve its ability to take appropriate action to limit inmate injuries and institutional violence and that this information is verified semi-annually as part of on-going internal audit.*

**CSC'S RESPONSE:**

*CSC will continue to review all sources of data that provide insight into incidents of violence within its institutions and use this data to take corrective action as necessary, and seek ways to improve the quality of the captured and reported data related to violent behaviour.*

CSC is focussing on controlling and eliminating the factors that contribute to violence and injuries in institutions in a variety of ways, such as reducing the presence and influence of drugs in institutions, and adjusting Violence Prevention Programs to make them more accessible to those who require them. These improvements should result in better equipping offenders to self-regulate behaviours that may lead to violent situations.

CSC recognizes weaknesses in the data recording and analysis systems surrounding injury reporting. Measures to correct these weaknesses are already underway, and will result in more complete and accurate information. CSC is reviewing the process used to capture and record all incidents of violence, and will refine and improve this process over the coming year.

**REDRESS SYSTEM:**

**CI's Recommendations 10 and 11:**

*I recommend that the Correctional Service immediately comply with its legal obligations and establish "a procedure for fairly and expeditiously resolving all offenders' grievances."*

*I recommend that within one year the Correctional Service provide evidence that complaint and grievance statistics are being used to identify and address areas of systemic offender concerns.*

**CSC'S RESPONSE:**

*CSC will continue to review and improve its current process for responding to offender complaints and grievances, at all levels within CSC.*

*CSC will continue to use the national level of the Offender Grievance system to resolve issues raised in third level grievances and to provide systemic analysis of trends or areas of concern for CSC.*

The quality of grievance responses has improved over the past two years. The Knowledge Management System that was shared with the regions this year has assisted staff at all levels to improve consistency and clarity of responses.

Regional and operational staff reviewing the more comprehensive and clearly presented rationales for third level grievance decisions are using the information to increase their understanding of human rights requirements in the context of their work, and in turn are providing improved responses to grievances at the lower levels of the redress system and contributing to a correctional culture that is more respectful of human rights.

The more intensive review process has led to clearer identification of systemic issues and inadequacies in the clarity or comprehensiveness of existing policies. Work is done on an on-going basis with policy holders and operational managers to fix problems as they are uncovered. Some systemic analysis of trends and areas of concerns has occurred on an *ad hoc* basis; however, CSC recognizes that improvement must be made in this area and has taken steps, outlined above, to remedy the lack of consistent analysis. It should be noted that the CI report (page 29) positively comments on the analyses undertaken by CSC/Women Offender Sector on complaints and grievances regarding women offenders. These analyses are ongoing and will continue to be provided to the CI.

Through resource re-allocations, the backlog of grievances at 3rd level, at the end of FY05-06, had been eliminated. Every effort will be made through streamlining of processes and policy improvement to sustain these gains and ensure timeliness of responses at the national level. Of the 19,000 complaints and grievances addressed in 2005-2006, 79% were addressed on time. Of the 13,000 addressed at the institutional level, 87% were on-time.

**INMATE ACCESS TO COMPUTERS:**

**CI's Recommendation 21:**

*I recommend that the Correctional Service:*

- establish a reasonable ratio of computers to inmates in designated areas outside-cells available for inmate use; and*
- allow inmates to have computers for in-cell use.*

## CSC'S RESPONSE:

*CSC recognizes the benefits that computer access can bring to offender educational and work skills, and will continue to manage, within its resource base, the risks that computer access can pose.*

CSC has worked very closely and productively with a broad range of stakeholders and experts in Information Technology on this issue since 2004, and has an established minimum of four computers in each institution and a minimum ratio of one computer for every 50 inmates.

CSC is currently conducting a study to determine whether the ratio of computers to inmates needs to be adjusted, and to establish a Protocol for Inmate Access to CSC-owned computers. The study will also include a Threat and Risk Assessment of in-cell use of computers.

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1. See Annex A for CSC's Mandate.
  2. The *Report on Plans and Priorities* is tabled each year in Parliament and guides all business planning in CSC.
  3. Since 2001, CSC's initial placement policy requires that offenders charged with murder spend at least two years in a maximum-security institution.
  4. The Management Protocol is a framework that provides the structure, monitoring and supervision required to ensure safety of staff, other inmates and the public by stabilizing the inmate's daily routine
  5. See page 43, Priority 3 Aboriginal Offenders, Enhanced Capacities To Provide Effective Intervention for First Nations, Métis and Inuit Offenders, for more detailed information on CSC's efforts to address this priority
  6. In 1999, the Supreme Court of Canada decision *R. v. Gladue* acknowledged the place in the criminal justice system of Aboriginal beliefs on justice and reconciliation and on the interconnectedness between individuals, families and communities (be it urban, rural or reserve).
  7. Pathways: traditional environment for Aboriginal offenders who wish to follow a healing path.
  8. Healing Lodges: institutions that offer culturally appropriate services and programs in an environment that incorporates Aboriginal peoples' traditions and beliefs.



## ANNEX A

### CSC'S MANDATE

The *Corrections and Conditional Release Act, (CCRA)* provides the legislative framework for CSC's work. The mandate of the Correctional Service of Canada is to contribute to the maintenance of a just, peaceful and safe society by:

- carrying out sentences imposed by courts through the safe and humane custody and supervision of offenders; and
- assisting in the rehabilitation of offenders and their reintegration into the community as law-abiding citizens through the provision of programs in penitentiaries and in the community.

CSC is also guided by the Canadian *Charter of Rights and Freedoms* and numerous Acts, regulations, policies, and international conventions in the delivery of its service. These help to ensure that CSC exercises reasonable, safe, secure and humane control of offenders, and, as well, demonstrate fiscal responsibility in carrying out its mandate.

Consistent with the *CCRA*, CSC's Mission Statement reflects Canadians' values, including respect for the rule of law and safe, secure and humane custody. The Mission speaks to openness and integrity in our accounts to the public, and supports CSC's relationship with the CI, in general, and more specifically, CSC's transparency and accountability to the Canadian public.

## ANNEX B

### LISTING OF THE CORRECTIONAL INVESTIGATOR'S RECOMMENDATIONS AND CORRECTIONAL SERVICE CANADA'S RESPONSES

Correctional Investigator's Recommendations	CSC's Response
<p><i>Recommendation 1:</i> I recommend that the Correctional Service demonstrate compliance with its legal obligation to provide every inmate with essential health care according to professionally accepted standards, and that all institutional health care sites be accredited within one year.</p>	36
<p><i>Recommendation 2:</i> I recommend that the Correctional Service demonstrate compliance with its legal obligation to provide every inmate with essential mental health care and reasonable access to non-essential mental health care according to professionally accepted standards, and that all mental health care units and regional treatment centres be accredited within one year.</p>	44
<p><i>Recommendation 3:</i> I again recommend that the Service take immediate steps to sensitize and train all front-line staff to appropriately identify disruptive mental health behaviour and respond accordingly.</p>	45
<p><i>Recommendation 4:</i> I recommend that the Correctional Service immediately implement a prison-based needle exchange to ensure that inmates and society at large are best protected from the spread of serious diseases.</p>	39
<p><i>Recommendation 5:</i> I recommend that, within one year, the Correctional Service:</p> <ul style="list-style-type: none"> <li>· significantly increase all women offenders' access to meaningful employment and employability programming;</li> <li>· continue to significantly increase community accommodations and support services for women offenders in underserved areas;</li> <li>· review the daily operations and staffing of the women's secure units with a view to eliminating "deadtime" and to significantly increasing timely access to treatment, spiritual, academic and work programs;</li> <li>· significantly increase the number of women offenders appearing before the National Parole Board at their earliest eligibility dates.</li> <li>· build capacity for and increase use of section 84 and section 81 agreements with Aboriginal communities;</li> <li>· significantly improve access to culturally sensitive programming and services for Aboriginal women who are currently imprisoned in the Atlantic, Quebec and Ontario region;</li> <li>· review use of force incidents at women's facilities to ensure consistent compliance with policy;</li> <li>· establish firm targets ensuring all front-line staff receive refresher training in women-centered approaches in accordance with the recommendation of the Canadian Human Rights Commission; and</li> <li>· provide women-centered training to all community parole officers working with women offenders.</li> </ul>	37 37 40 37 37 40 46 46
<p><i>Recommendation 6:</i> I recommend that, in the next year, the Correctional Service:</p> <ul style="list-style-type: none"> <li>· implement a security classification process that ends the over-classification of Aboriginal offenders;</li> <li>· increase timely access to programs and services that will significantly reduce time spent in medium and maximum security institutions;</li> <li>· significantly increase the number of Aboriginal offenders housed at minimum security institutions;</li> <li>· significantly increase the use of unescorted temporary absences and work releases;</li> <li>· significantly increase the number of offenders appearing before the National Parole Board at their earliest eligibility dates; and,</li> <li>· build capacity for and increase use of section 84 and 81 agreements with Aboriginal communities.</li> </ul>	43 40 43 38 38 43

<p><i>Recommendation 7:</i> I recommend that the Correctional Service significantly improve (above the required employment equity level) the overall rate of its Aboriginal workforce <u>at all levels</u> in institutions where a majority of offenders are of Aboriginal ancestry.</p>	46
<p><i>Recommendation 8:</i> I recommend that the Correctional Service establish a timely approval process by its Executive Committee for the development of action plans in response to investigative reports into incidents of inmate deaths or major injuries. In no case should this process exceed 6 months.</p>	46
<p><i>Recommendation 9:</i> I recommend that the Correctional Service collect accurate information and conduct comprehensive analyses of all inmate injuries to significantly improve its ability to take appropriate action to limit inmate injuries and institutional violence and that this information is verified semi-annually as part of on-going internal audit.</p>	47
<p><i>Recommendation 10:</i> I recommend that the Correctional Service immediately comply with its legal obligations and establish “a procedure for fairly and expeditiously resolving all offenders’ grievances.”</p>	47
<p><i>Recommendation 11:</i> I recommend that within one year the Correctional Service provide evidence that complaint and grievance statistics are being used to identify and address areas of systemic offender concerns.</p>	47
<p><i>Recommendation 12:</i> I recommend that, in the next year, the Correctional Service:</p> <ul style="list-style-type: none"> <li>· significantly increase the number of offenders appearing before the National Parole Board at their earliest eligibility dates;</li> </ul>	38
<ul style="list-style-type: none"> <li>· significantly reduce waiting lists for programs included in Correctional Plans to maximize safe and timely reintegration.</li> </ul>	38
<ul style="list-style-type: none"> <li>· increase timely access to programs and services that will significantly reduce the time spent in medium and maximum security institutions;</li> </ul>	40
<ul style="list-style-type: none"> <li>· significantly increase the number of unescorted temporary absences and work releases, which have drastically declined in recent years and yet have a very high success rate.</li> </ul>	38
<p><i>Recommendation 13:</i> I recommend that, in the coming year, the Correctional Service:</p> <ul style="list-style-type: none"> <li>· proactively implement least restrictive options and significantly reduce the overall number of placements in administrative segregation;</li> </ul>	40
<ul style="list-style-type: none"> <li>· significantly reduce the average length of stay in administrative segregation; and,</li> </ul>	41
<ul style="list-style-type: none"> <li>· significantly reduce the time to affect intra- and inter-regional transfers.</li> </ul>	41
<p><i>Recommendation 14:</i> I recommend that Correctional Service <u>immediately</u> implement reasonable procedural safeguards for any offender confined in any situation that is not within the general inmate population, and ensure legal compliance with offenders’ rights, entitlements, and access to programs.</p>	41
<p><i>Recommendation 15:</i> I recommend that the Minister play a leadership role by requesting the House of Commons’ Standing Committee on Public Safety and National Security examine the implementation of independent adjudication of administrative segregation decisions when it considers other amendments of the <u>Corrections and Conditional Release Act</u>.</p>	N/A (see page 36)
<p><i>Recommendation 16:</i> I recommend that, within one year, the Correctional Service:</p> <ul style="list-style-type: none"> <li>· develop and implement new policies, programs and services specifically to meet the unique needs of offenders 20 and younger that will significantly reduce their time spent in maximum and medium-security institutions, and in administrative segregation; and,</li> </ul>	42
<ul style="list-style-type: none"> <li>· develop and implement programs and services designed to meet the unique needs of offenders 20 and younger that will significantly increase their timely and safe reintegration into the community.</li> </ul>	42

<p><i>Recommendation 17:</i>  <i>I recommend that Correctional Service respond to the special needs of elderly offenders and significantly improve key areas including accommodation, program development, palliative care, and reintegration options.</i></p>	42
<p><i>Recommendation 18:</i>  <i>I recommend that the Correctional Service immediately increase inmate allowances for work and program participation. I further recommend that from this time forward inmate pay be indexed to the rate of inflation.</i></p>	42
<p><i>Recommendation 19:</i>  <i>I recommend that the Correctional Service immediately:</i></p> <ul style="list-style-type: none"> <li>· <i>amend its policy requiring that inmates choose between <u>either</u> visiting a dying member of their immediate family or other persons with whom inmates have a close personal relationship <u>or</u> attending their funeral; and,</i></li> <li>· <i>expedite the consideration of requests for compassionate temporary absences, and allow for a visit to the gravesite or with family members should circumstances make attendance at the funeral impossible.</i></li> </ul>	38  38
<p><i>Recommendation 20:</i>  <i>I recommend that the Correctional Service immediately subject all federally sentenced offenders to an individualized security classification process as required by law and regulations.</i></p>	42
<p><i>Recommendation 21:</i>  <i>I recommend that the Correctional Service:</i></p> <ul style="list-style-type: none"> <li>· <i>establish a reasonable ratio of computers to inmates in designated areas outside-cells available for inmate use; and</i></li> <li>· <i>allow inmates to have computers for in-cell use.</i></li> </ul>	48