



LOCKED OUT: A Review of Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres

Executive Summary

Introduction

You have been convicted of an offence and sentenced to jail. Your hands are handcuffed behind your back and you are led out of the courtroom by police. You are put into a police vehicle and taken to jail. You're frightened and your mind is racing: What is jail like? Will I be safe? Will I find help there? What is going to happen to me?

The Saskatchewan Ombudsman's report, *Locked Out: A Review of Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres*, addresses these questions. People sentenced to a jail term are taken to a spartan but adequate facility and placed in a small cell that they may have to share with another inmate. Incidents of violence are not rare, but neither are they common; inmates are generally safe. Inmates can find help if they want it, although not necessarily all the help they need. They will serve their time and, if they are interested and able, they will probably leave the jail better equipped to live lawfully in the community.

The Review

The Office of the Provincial Ombudsman has, since its inception, investigated thousands of complaints from inmates in Saskatchewan correctional centres. We

thought that a comprehensive systemic review of the four main adult correctional centres would provide a useful overview of the policy and practice of the Corrections Division of the Department of Corrections and Public Safety. We were hopeful that the application of the fairness criteria that guide our office might lead to changes in policy and practice that would, in turn, pre-empt some complaints and generally lead to a more effective and fair system.

The secondary purposes of the review were threefold:

- + To establish a collaborative relationship with the Corrections Division so as to encourage a process where, in the future, substantive issues relating to corrections and correctional facilities can be addressed in a timely and non-adversarial manner;
- + To determine the source of recurring and substantive issues that have been the focus of numerous investigations by the Office of the Provincial Ombudsman; and
- + To develop a comprehensive set of principles that will guide policy development in the future.



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The process used in the course of the review was substantially different than our usual practice. Usually, we conduct confidential, independent investigations. We determine facts, reach conclusions and make recommendations when appropriate. In the case of the review, however, we worked in no small measure collaboratively with the Corrections Division and other interested parties. Our intent was to identify areas where the policy or practice in place was either deficient, not being followed, not in accordance with law, or unfair. Indeed, as the review progressed, the Corrections Division changed policies and practices, sometimes on its own initiative and sometimes as a result of our findings.

The other aspect of the review process that was markedly different from our usual practice is that our recommendations arise directly from a set of eleven guiding principles that were developed as the review progressed and that assisted in identifying best practices.

IThe Report

The Report is premised on the recognition that inmates are sent to jail as punishment, not for punishment. The punishment is the exclusion from normal society: it is the loss of freedom, the loss

of choices, and the loss of association with friends and family. While the community at large obtains a measure of safety and security during the time that offenders are incarcerated, the average sentence of incarcerated offenders is only three months. Generally, none will serve more than 16 months. Consequently, it is important that all of society—not just the Corrections Division—helps to ensure that a jail is not simply a place of detention, but rather is truly a place for respectful and effective rehabilitation.

The Report addresses thirteen aspects of inmate services and conditions of custody in Saskatchewan's correctional centres. They are:

- + Bed Space
- + Inmate Living Conditions
- + Inmate Property Control
- + Programming
- + Case Management
- + Medical Services
- + Suicide and Self-Injury
- + Discipline
- + Segregation
- + Remand Inmates
- + Services for Aboriginal Inmates
- + Staff Training
- + Regina Correctional Centre



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The Recommendations

The Report contains 147 recommendations and three main themes:

+ The public has a vested interest in the rehabilitation and reintegration of inmates.

People who have broken the law and are subsequently incarcerated remain members of the community, although temporarily removed from it. The kind of community member someone will be when he or she is released will depend in no small measure on their experiences in jail. It is critical to the advancement of community safety that there be programs and activities within correctional centres that improve an inmate's ability and willingness to become a responsible, law-abiding citizen.

+ Inmates are entitled to be treated with dignity and respect.

The fact of incarceration does not mean that inmates lose the right to humane treatment. In fact, inmates' right to humane treatment is recognized in the United Nations Convention on Civil and Political Rights, to which Canada is a signatory. This right is recognized in the Corrections Division's guiding principles.

+ Inmates are to be treated fairly and in accordance with the rule of law.

People who are incarcerated do not lose all of the rights of free citizens, only those rights inconsistent with incarceration and then, only to the degree that is thereby necessary. We live in a country governed by the rule of law, and inmates retain their right to be protected by the law. Correctional centres are also governed by the law and are consequently constrained to administer their services in accordance with the law.

The major recommendations of the Review Report include the following:

- + Provide work, education and/or training opportunities for all inmates, including remanded inmates and segregated inmates.
- + Provide effective programming for inmates with mental or learning disabilities, comparable to the programming available to other inmates.
- + Provide case management and programming to segregated inmates and remanded inmates.
- + Enhance programming designed to meet the mental health needs of the inmate population.



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- + Take steps to eliminate double-bunking and dormitories.
- + Incarcerate inmates at the centre nearest their home geographic area.
- + Provide detoxification programming comparable to what would be available in the community.
- + Establish a single authority with the required expertise to oversee the delivery of medical services.
- + Improve inmate access to mental health professionals.
- + Refine policies regarding inmate property and property handling.
- + Bring the living environment in all four centres up to equivalent standards.
- + Restructure the membership of discipline panels so that they entirely or at least partly consist of members who are not employees of the Corrections Division, or at least not employees of the correctional centres.
- + Afford inmates appearing before discipline panels and security review panels the opportunity to be represented by an agent and explore the willingness of appropriate non-government agencies to provide competent representation.
- + Bring the Main Complex of the Regina Correctional Centre up to current building standards or build a new facility.

Conclusion

In the face of increasing pressures on available bed space, out-of-date buildings and finite resources, Corrections is doing a creditable job. Corrections' employees are genuinely interested in inmates and in their responsibility to help them address criminogenic and other needs. But there is room for improvement.

Our recommendations identify areas where current practice falls short of best practice, human rights obligations and fairness generally. We want to ensure that no opportunity to help inmates become law-abiding citizens is missed and we want the safest and healthiest communities possible. The two are very directly related.

November 27, 2002
Office of the Provincial Ombudsman
Saskatchewan