



Office of the Correctional Investigator

Performance Report

For the period ending
March 31, 1998

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 80 Departmental Performance Reports and the government's "*Managing For Results*" report.

This ***Departmental Performance Report***, covering the period ending March 31, 1998, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's *Part III of the Main Estimates* or pilot *Report on Plans and Priorities* for 1997-98. The key result commitments for all departments and agencies are also included in *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
<http://www.tbs-sct.gc.ca/tb/key.html>

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OFFICE OF THE CORRECTIONAL INVESTIGATOR
DEPARTMENTAL PERFORMANCE REPORT

**For the
period ending
March 31, 1998**

**Hon. Andy Scott, P.C., M.P.
Solicitor General of Canada**

TABLE OF CONTENTS

| | |
|---|----|
| Section I: Message | 4 |
| 1.1 Correctional Investigator's Message | 4 |
| Section II: Overview of the Agency | 5 |
| 2.1 Mandate | 5 |
| 2.2 Mission Statement | 5 |
| 2.3 Operating Environment..... | 5 |
| 2.4 Objective | 6 |
| 2.5 Strategic Priorities | 6 |
| 2.6 Agency Organization - Business Line | 6 |
| 2.7 Organization Chart | 7 |
| Section III: Agency Performance | 8 |
| 3.1 Performance Expectations..... | 8 |
| 3.2 Table 1 - Resources utilized towards accomplishments..... | 8 |
| 3.3 Year 2000 Readiness | 9 |
| 3.4 Performance Accomplishments | 9 |
| 3.5 Table 2 - Number of complaints received from or on behalf of offenders..... | 10 |
| 3.6 Table 3 - Interviews conducted with offenders | 10 |
| Section IV: Financial Performance | 12 |
| 4.1 Financial Performance Overview..... | 12 |
| 4.2 Financial Table 1 - Summary of Voted Appropriations | 13 |
| 4.3 Financial Table 2 - Comparison of Total Planned Spending to Actual Spending..... | 13 |
| 4.4 Financial Table 3 - Historical Comparison of Total Planned Spending to Actual Spending | 14 |
| Section V: Other Information | 15 |
| 5.1 Contacts for further information and Agency web sites..... | 15 |
| 5.2 Legislation and Associated Regulations Administered | 15 |
| 5.3 Statutory Annual Reports and Other Agency Reports..... | 15 |

Chart of Key Results Commitments

Office of the Correctional Investigation (OCI)

| To provide Canadians with: | to be demonstrated by: | achievement reported in: |
|---|---|---|
| an independent and impartial review agency to investigate problems of federal offenders related to decisions, recommendations, acts or omissions of the Correctional Service of Canada. | <ul style="list-style-type: none">• the number of offenders using the services of the Office• the Office's accessibility to the offender population• the offender population's confidence in and understanding of the Office• the opinions of government and non-government agencies involved in federal corrections• the results of the actions taken by the Correctional Service in response to the Office's findings and recommendations | <ul style="list-style-type: none">• DPR Section 3.3 |

Section I: Message

1.1 Correctional Investigator's Message

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

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

This past year has been eventful for all parties involved in Federal Corrections. The Office, which had initiated an in-depth review of its operations, was provided further impetus for change by a December 1997 report by the Auditor General of Canada. We are already well on our way in implementing its recommendations and accordingly, confident in our renewed capacity to fully assume our mandate.

I look forward to the challenges of the coming years and anticipate a continued open and cooperative working relationship with our partners in the corrections field so as to ensure that offender concerns are addressed within an environment that promotes openness, accountability and fairness in decision making.

The Office is in the process of finalizing a Memorandum of Understanding with the Correctional Service of Canada to ensure that offender concerns are in fact dealt with in a timely and objective fashion.

Section II: Overview of the Agency

2.1 Mandate

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

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

The Office of the Correctional Investigator is headed by the Correctional Investigator who reports to Parliament through the Solicitor General. The Agency’s resources provide for 17 full-time equivalents, 10 of which make up the investigative staff. The total resources are \$1,437,000 for the fiscal year 1998-1999.

2.2 Mission Statement

The Office of the Correctional Investigator is committed to maintaining an accessible independent avenue of redress for offender complaints and to provide timely recommendations to the Commissioner of the Correctional Service of Canada and the Solicitor General which address the areas of concern raised on complaint.

2.3 Operating Environment

It is difficult for the Office of the Correctional Investigator to accurately project the workload as it is determined mainly by the number of complaints received by the Office, requests from the Solicitor General and the number of Security Investigations completed by the Correctional Service of Canada pursuant to Section 19 of the Corrections and Conditional Release Act.

Among other factors which have and will likely continue to impact on the Office’s operations is the growth of the federal offender population and the significant increase in the number of penal institutions, notably with regard to Federally Sentenced Women’s facilities. Finally, the quality and timeliness of actions taken by the Correctional Service in response to the Office’s findings and recommendations will remain of paramount importance.

2.4 Objective

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

2.5 Strategic Priorities

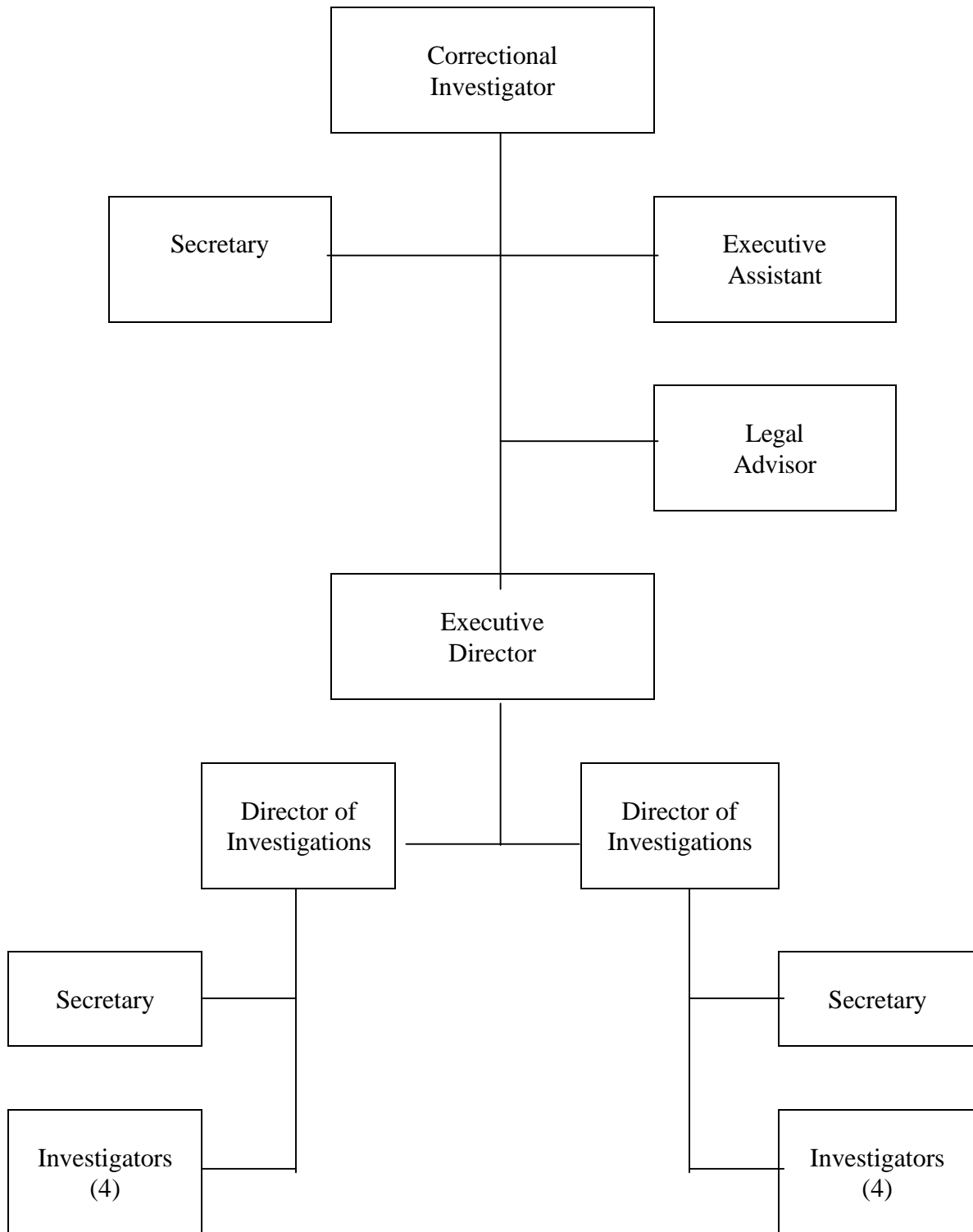
- Improve management practices and operations strategies;
- Increase awareness of the Office of the Correctional Investigator's mandate;
- Establish a more effective process, in cooperation with the Correctional Service of Canada, for resolving both individual and systemic areas of concern.

2.6 Agency Organization

Business Line - Office of the Correctional Investigator

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

2.7 Organization Chart



Section III: Agency Performance

3.1 Performance Expectations

To provide Canadians with:

an independent and impartial review agency to investigate problems of federal offenders related to decisions, recommendations, acts or omissions of the Correctional Service of Canada.

to be demonstrated by:

- the number of offenders using the services of the Office
- the Office's accessibility to the offender population
- the offender population's confidence in and understanding of the Office
- the opinions of government and non-government agencies involved in federal corrections
- the results of the actions taken by the Correctional Service in response to the Office's findings and recommendations

In response to a report by the Auditor General of Canada in December 1997, the Office added, in keeping with its strategic priorities, the following to its performance expectations:

- Improved management practices and operations strategies;
- Increased awareness of the Office of the Correctional Investigator's mandate;
- Establishment of a more effective process, in cooperation with the Correctional Service of Canada, for resolving both individual and systemic areas of concern.

3.2 TABLE 1

Resources Utilized towards accomplishments

| Office of the Correctional Investigator | |
|---|--------------------|
| Planned Spending | \$1,437,000 |
| <i>Total Authorities</i> | <i>\$1,437,000</i> |
| 1997-98 Actuals | \$1,397,573 |

3.3 Year 2000 Readiness

Year 2000 Readiness of our Agency's management information network has been thoroughly assessed. From an internal perspective, we have determined that no Government Wide Mission Critical system is involved. However, we were and remained concerned with our Year 2000 Readiness with regard to external information networks, on which we greatly depend, to carry out our legislative mandate.

Our plans to achieve Year 2000 Readiness involved the design of new software and the acquisition of new hardware. The required software is in the process of being developed and should be fully operational at the beginning of the next fiscal year.

However, the acquisition of new hardware remains a more uncertain proposition given the importance of the resources required and the inadequacy of our present budgetary provisions. A request for additional funding to deal with this situation has been made to Treasury Board and a reply is expected before the end of the current fiscal year.

Our Office remains firmly resolved to do all it can to fully achieve Year 2000 Readiness and accordingly will, if need be, reallocate within its current resource base.

3.4 Performance Accomplishments

The main function of the Office is the investigation of complaints lodged against the Correctional Service of Canada.

Operationally, the primary function of the Correctional Investigator is to investigate and bring resolution to individual offender complaints. The Office as well has a responsibility to review and make recommendations on the Service's policies and procedures associated with the areas of individual complaint to ensure that systemic areas of concern are identified and appropriately addressed.

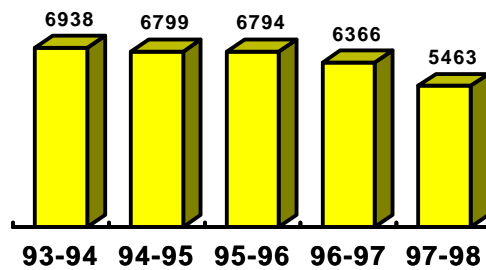
All complaints received by the Office are reviewed and initial inquiries made to the extent necessary to obtain a clear understanding of the issue in question. After this initial review, in those cases where it is determined that the area of complaint is outside our mandate, the complainant is advised of the appropriate avenue of redress and assisted when necessary in accessing that avenue. For those cases that are within our mandate, the complainant is provided with a detailing of the Service's policies and procedures associated with the area of complaint. Where deemed necessary, an interview is arranged with the offender.

In addition to responding to individual complaints, the Office meets regularly with inmate committees and other offender organizations and makes announced visits bi-annually at each institution during which the investigator will meet with any inmate, or group of inmates, upon request.

From 1 April 1997 to 31 March 1998, the Office received a total of 5,463 complaints from or on behalf of offenders, a reduction of some 900 from the previous fiscal year. This decrease is in large part the result of changes in the Office's telephone policy which now limits offender access to emergency situations.

3.5 TABLE 2

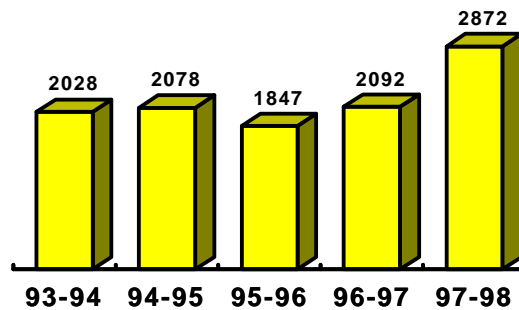
Number of complaints received from or on behalf of offenders



Also, in the course of the present reporting year, the Office's investigative staff spent 353 days at federal penitentiaries and conducted 2,872 interviews with inmates, an increase of some 800 interviews from the previous year. This increased presence at the penitentiaries is in keeping with the Office's stated aim of increasing both our accessibility and the awareness among offenders of our mandate.

3.6 TABLE 3

Interviews conducted with offenders



The Office reviewed 150 Correctional Service investigation reports pursuant to Section 19 of the Corrections and Conditional Release Act. The Office also reviewed 120 Institutional Emergency Response Team (IERT) video tapes and supporting documentation in compliance with the recommendation of the Commissioner of Inquiry into Certain Events at the Prison for Women (Arbour Commission).

The Office has been invited and has taken part with the Correctional Service in various Task Forces, focus groups and meetings in the areas of administrative segregation, Special Handling Unit Reviews, inmate grievance policy, Federal Sentenced Women, Health Care policy, Aboriginal issues and the review of the Corrections and Conditional Release Act (CCRA). The Corrections and Conditional Release Act review has afforded the Office, through the public consultation process, the opportunity to hear directly from Inmate Committees as well as government and non-government agencies active in the corrections field on our operations. A summary of these consultations will be produced in the Fall of 1998.

In December 1997, the Auditor General of Canada recommended improvements in the Office's policies and procedures, information management system, communications strategy and approach with the Correctional Service with regard to systemic issues.

The Office has commenced action on addressing the Auditor General's recommendations. A new and comprehensive Manual of Policies and Procedures is now in its final draft form. The specifications of a new database have been determined and the actual programming will begin shortly. Discussions are ongoing with various inmate groups and the Correctional Service with regard to our Communications Strategy. The Office is also in the process of finalizing a Memorandum of Understanding with the Correctional Service. This agreement will set out the framework, protocol and nature of the working relationship between the two agencies and hopefully provide a structure to facilitate the timely resolution of offender concerns.

All of the above has been achieved with a budget that has not measurably increased since the promulgation of the Corrections and Conditional Release Act in 1992. This success is largely due to the creativity and determination of a very committed staff. I would like to publicly acknowledge their dedication and thank them for their efforts.

Section IV: Financial Performance

4.1 Financial Performance Overview

The resources afforded this Office have not increased measurably since the promulgation of the Corrections and Conditional Release Act in 1992, although the latter broadened the Office's mandate and other factors, detailed below, have subsequently added to an already very demanding working environment.

The Office is required by the Corrections and Conditional Release Act to annually review approximately 150 security investigations conducted by the Correctional Service of Canada. As a result of the Arbour Commission (1996), it must also review every year approximately 120 videotapes and the supporting documentation with regard to intervention by Institutional Emergency Response Teams (IERTs). Over the last six years, the Office has also had to contend with a significant increase in the number of federal inmates and of federal institutions, notably with regard to Federally Sentenced Women facilities (from 100 federally sentenced women in one institution in one region to 300 federally sentenced women in 11 institutions in 4 regions).

Additional pressures on its resource base flowed from recent recommendations by the Auditor General of Canada. The Office has had to again shift some of its focus away from its primary mandate to rewrite its policies and procedures, redesign its database and elaborate a new communications strategy.

In an attempt to cope with these budgetary constraints, the Office has consolidated and revamped its travel practices to facilitate the use of cheaper air fares and decrease the frequency of our visits to some regions. The Office has also reduced from 5 to 1 the number of phone lines resulting in a significant reduction of its telephone costs.

In the final analysis, the Office's resources have now been stretched to their limit and beyond. The performance of the past fiscal year has only been possible because of extraordinary efforts by the investigative staff. Additional resources are clearly needed and accordingly, a request was recently submitted to Treasury Board.

4.2 Financial Table 1

Summary of Voted Appropriations

| A. Authorities for 1997-98 | | | | |
|---|--------------------------|---|--|---------------------------|
| Financial Requirements by Authority (thousands of dollars) | | | | |
| Vote | | 1997-98 Planned Spending | 1997-98 Total Authorities | 1997-98 Actual |
| Office of the Correctional Investigator | | | | |
| 1 | Operating expenditures | 1,437 | 1,437 | 1,398 |
| 5 | Capital expenditures | - | - | - |
| 15 | Grants and contributions | - | - | - |
| Total Agency | | 1,437 | 1,437 | 1,398 |

4.3 Financial Table 2

Comparison of Total Planned Spending to Actual Spending

| Agency Planned versus Actual Spending by Business Line (thousands of dollars) | | | | | | | | | |
|--|-------------|------------------|----------------|---|---|---|---|---|---|
| Business Lines | FTEs | Operating | Capital | Voted Grants & Contri- butions | Sub- total: Gross Voted Expen- ditures | Statu- tory Grants and Contri- butions | Total Gross Expen- ditures | Less: Revenue Credited to the Vote | Total Net Expen- ditures |
| Planned | 17 | 1,437 | - | - | 1,437 | - | 1,437 | - | 1,437 |
| <i>Total</i> | | | | | | | | | |
| <i>Authorities</i> | 17 | 1,437 | - | - | 1,437 | - | 1,437 | - | 1,437 |
| Actuals | 16 | 1,398 | - | - | 1,398 | - | 1,398 | - | 1,398 |
| Other Revenues and Expenditures | | | | | | | | | |
| Revenue credited to the Consolidated Revenue Fund | | | | | | | | | - |
| <i>Total Authorities</i> | | | | | | | | | - |
| Actuals | | | | | | | | | - |
| Cost of Services provided by other departments | | | | | | | | | 192 |
| <i>Total Authorities</i> | | | | | | | | | 192 |
| Actuals | | | | | | | | | 192 |
| Net cost of the Program | | | | | | | | | 1,629 |
| <i>Total Authorities</i> | | | | | | | | | 1,629 |
| Actuals | | | | | | | | | 1,590 |

4.4 Financial Table 3

Historical Comparison of Total Planned Spending to Actual Spending

| Agency Planned versus Actual Spending by Business Line (thousands of dollars) | | | | | |
|---|-------------------|-------------------|--------------------------------|---------------------------------|-------------------|
| Business Lines | Actual 1995-96 | Actual 1996-97 | Planned Spending 1997-98 | Total Authorities 1997-98 | Actual 1997-98 |
| Office of the Correctional Investigator | 1,310 | 1,264 | 1,437 | 1,437 | 1,398 |
| Total | - | - | - | - | - |

Financial Tables 3-14 inclusively do not apply to our Agency.

Section V: Other Information

5.1 Contacts for further information and Agency web sites:

| Name | Title | Address | Tel. No. | Fax No. |
|--------------|---------------------------|---|-------------------|-------------------|
| | | | | |
| R.L. Stewart | Correctional Investigator | 275 Slater Street Room 402 Ottawa, Ontario K1P 5H9 | (613) 990-2689 | (613) 990-9091 |
| | | | | |
| Ed McIsaac | Executive Director | 275 Slater Street Room 402 Ottawa, Ontario K1P 5H9 | (613) 990-2691 | (613) 990-9091 |

The Office of the Correctional Investigator does not have a web site at the present time.

5.2 Legislation and Associated Regulations Administered

Corrections and Conditional Release Act, Part III. (R.S.C., 1992, Ch. 20).

5.3 Statutory Annual Reports and Other Agency Reports.

Annual Report of the Correctional Investigator.